

## City of Duluth

## Legislation Details (With Text)

**File #**: 24-011-O **Name**:

Type: Ordinance Status: Passed

File created: 4/26/2024 In control: Planning and Economic Development

On agenda: 5/13/2024 Final action: 6/3/2024

Title: AN ORDINANCE AMENDING SECTIONS 50-14.5, RESIDENTIAL-TRADITIONAL; 50-14.6,

RESIDENTIAL-URBAN; AND 50-15.2, MIXED USE-NEIGHBORHOOD; RELATED TO

DIMENSIONAL STANDARDS IN THESE ZONE DISTRICTS OF THE UNIFIED DEVELOPMENT

**CHAPTER** 

Sponsors:

Indexes:

**Code sections:** 

Attachments: 1. Attachment 1, 2. Attachment 2, 3. Attachment 3, 4. Attachment 4

Date	Ver.	Action By	Action	Result	
6/3/2024	1	City Council			
5/28/2024	1	City Council	adopted		
5/13/2024	1	City Council	read for the first time	read for the first time	

AN ORDINANCE AMENDING SECTIONS 50-14.5, RESIDENTIAL-TRADITIONAL; 50-14.6, RESIDENTIAL-URBAN; AND 50-15.2, MIXED USE-NEIGHBORHOOD; RELATED TO DIMENSIONAL STANDARDS IN THESE ZONE DISTRICTS OF THE UNIFIED DEVELOPMENT CHAPTER

## CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Table 50-14.5-1, R-1 District Dimensional Standards, be amended as shown in Attachment 1;

Section 2. That Table 50-14.6-1, R-2 District Dimensional Standards, be amended as shown in Attachment 2;

Section 3. That Table 50-15.2-1, MU-N District Dimensional Standards, be amended as shown in Attachment 3.

STATEMENT OF PURPOSE: This ordinance implements a UDC text amendment related to dimensional standards such as setbacks, lot size and frontage, and height, in the R-1, R-2, and MU-N districts. It clarifies that townhomes and twin homes are allowed to have shared walls on the lot line; reduces setbacks to allow property owners more flexibility when adding garages and home additions; and slightly increases height by 5' in the R-2 and MU-N zone districts to allow for modern building code requirements.

Planning Commission, during the discussion and review of this item, made three amendments to the staff proposal: 1) allowing duplexes on lots that have the same lot size and lot frontage as single-family homes, in order to promote infill development; 2) making the corner side lot setbacks consistent for all structures in the R -1 and R-2 districts; and 3) in the MU-N district, continuing the existing setback of 15' when a non-residential use is being placed next to a residential use.

## File #: 24-011-O, Version: 1

The planning commission held a public hearing and considered the changes at a Tuesday, April 9, 2024 planning commission meeting, as documented in Attachment 4. The commission voted 9 yeas, 0 nays, and 0 abstentions, to recommend that the city council approve the proposed text change.

PL 24-016

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Detached
accessory building
All other Principal 25 ft.
Structures 25 ff.
Attributed depth of the property of
Minimum depth of rear yard 25 ft. 15 ft.
STRUCTURE HEIGH
Maximum height of building 30 ft.

<sup>[1]</sup> Determined using "Lots on the block face" definition. When doing this calculation, exclude the subject lot from the calculation.

**Note:** Building and Fire Codes may require plan/design changes and additional fire protection for structures built close to the property line.

 $<sup>^{\</sup>mbox{\scriptsize [2]}}$  Lots without municipal sewer must also meet requirements of 50-21.2.

 $<sup>^{[3]}</sup>$  Existing structures that have a change of use from one-family to two-family must meet minimum lot area and frontage, but not setbacks. For lots with less than the minimum lot frontage, refer to 50-38.5

Section 50.21 Dimensional standards contains additional regulations applicable to this district.

TABLE 50-14.6-1					
R-2 DISTRICT DIMENSIONAL	LSTANDARDS	LOT STANDARDS			
Minimum lot area per family  Minimum lot area per family	One-family	4,000 sq. ft. or average of the developed 1-family lots on the block face			
Minimum lot area per family	Two-family	<del>2,500</del> <del>2,000</del> sq. ft.			
Minimum lot area per family	Multi-family	750 sq. ft.			
	Townhouse	2,200 sq. ft.			
No lot of record containing 5,000					
family dwelling or a permitted no	•	р			
Minimum lot frontage	One-family, and two- family, and townhouse	30 ft. or the average of the developed lots with similar uses on the block face			
	Townhouse, per family	<u>20 ft</u>			
	Multi-family and non-residential	50 ft.			
		STRUCTURE SETBACKS			
Minimum depth front yard	The smaller of 25 15 ft. or average of adjacent developed lots facing the same street				
Minimum width of side yard <del>for</del>	<u>General</u>	6 ft			
buildings less than 3 stories Minimum width of side yard for buildings less than 3 stories (one and two-family)	For lots with 30 ft or less of frontage	Combined width of side yards must be at least 8 ft., with no side yard being less than 3 ft. wide			
	Two-family shared	0 ft setback for portion			
	<u>wall</u>	of the principal structure with the shared wall			
Minimum width of side yard	wall  General	of the principal structure			
Minimum width of side yard (other principal structures) -for building 3 stories or more		of the principal structure with the shared wall			
(other principal structures) -for	General Townhouse shared	of the principal structure with the shared wall  10 ft.  0 ft setback for portion of the principal structure			
(other principal structures) -for building 3 stories or more  Corner Lot: width of front side	General Townhouse shared wall  Dwellings Principal and Accessory	of the principal structure with the shared wall  10 ft.  0 ft setback for portion of the principal structure with the shared wall			
(other principal structures) -for building 3 stories or more  Corner Lot: width of front side	General Townhouse shared wall  Dwellings Principal and Accessory Structures  Detached accessory	of the principal structure with the shared wall  10 ft.  0 ft setback for portion of the principal structure with the shared wall  15 10 ft.			
(other principal structures) -for building 3 stories or more  Corner Lot: width of front side	General Townhouse shared wall  Dwellings Principal and Accessory Structures Detached accessory building  All other Principal	of the principal structure with the shared wall  10 ft.  0 ft setback for portion of the principal structure with the shared wall  15 10 ft.			
(other principal structures) -for building 3 stories or more  Corner Lot: width of front side yard	General Townhouse shared wall  Dwellings Principal and Accessory Structures Detached accessory building  All other Principal	of the principal structure with the shared wall  10 ft.  0 ft setback for portion of the principal structure with the shared wall  15 10 ft.  15 ft.			
(other principal structures) -for building 3 stories or more  Corner Lot: width of front side yard	General Townhouse shared wall  Dwellings Principal and Accessory Structures Detached accessory building  All other Principal	of the principal structure with the shared wall  10 ft.  0 ft setback for portion of the principal structure with the shared wall  15 10 ft.  15 ft.  25 ft.  15 25 ft.			

Section 50.21 *Dimensional standards* contains additional regulations applicable to this district. For lots with less than the minimum lot frontage, refer to 50-38.5. **Note:** Building and Fire Codes may require plan/design changes and additional fire protection for structures built close to the property line.

TABLE 50-15.2-1 MU-N DISTRICT DIMENSIONAL STANDARDS						
		LOT STANDARDS				
	One-family	4,000 sq. ft.				
Minimum lot	Two-family	2,500 sq. ft.				
area per	Multi-family	500 sq. ft.				
family	Efficiency unit	380 sq. ft.				
	Townhouse or live-work dwelling	2,200 sq. ft.				
	rd containing 5,000 sq. ft. or less shall welling or a permitted non-dwelling us					
	Townhouse, per family	20 ft.				
Minimum lot frontage	One-family, <u>or</u> two-family <del>, or</del> <del>townhouse-</del> dwelling	30 ft.				
	Multi-family or non-residential	50 ft.				
		STRUCTURE SETBACKS				
Minimum depth of	For all structures 35 feet in height or less	The smaller of 20 10 ft. or average of adjacent developed lots facing the same street				
front yard	For portions of all structures higher than 35 feet	An additional 20 10 feet beyond the required front yard setback above				
	General, unless listed below	5 ft.				
	Two-family or townhouse shared wall	Oft setback for portion of the principal structure with the shared wall				
Minimum width of side	Non-residential use adjacent to residential district or use	15 ft.				
yard	Non-residential use adjacent to non-residential district or use	<del>O ft.</del>				
	Multi-family adjacent to single- family district or use	10 ft.				
	Multi-family adjacent to multi- family district or use	<del>O ft.</del>				
Minimum der	oth of rear yard	<del>25 ft.</del> <u>15 feet</u>				
		STRUCTURE HEIGHT				
	Non-residential use	45 ft.				
Maximum height of	Residential or mixed use (general)	75 ft.				
building	Residential or mixed use (within 500 ft. of R-1 or R-2 district)	<u>50 45</u> ft.				

Section 50.21 *Dimensional standards* contains additional regulations applicable to this district.

**Note:** Building and Fire Codes may require plan/design changes and additional fire protection for structures built close to the property line.