



Legislation Details (With Text)

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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:

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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	

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.

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

Residential-Traditional (R-1).

**TABLE 50-14.5-1
R-1 DISTRICT DIMENSIONAL STANDARDS**

LOT STANDARDS		
Minimum lot area per family Minimum lot area per family (Two-family) ^{(1) (2) (3)} Minimum lot area per family (Townhouse) [1] [2] [3]	One-family	The smaller of 4,000 sq. ft. or average of developed 1-family lots on the block face
	Two-family	The smaller of 2,000 sq. ft. or average of developed 2-family lots on the block face
	Townhouse	3,000, 2,500 sq. ft.
Minimum lot frontage (one-family) Minimum lot frontage (two-family and townhouses) [1] [2] [3]	One-family and two-family	The smaller of 40 ft. or average of developed lots with similar uses on the block face
	Two-family	The average of developed lots with similar uses on the block face, but not less than 40 feet.
	Townhouse, per family	20 ft
STRUCTURE SETBACKS		
Minimum depth of front yard		The smaller of 25 20 ft. or average of adjacent developed lots facing the same street
Minimum width of side yard (one- and two-family)	General	6 ft.
	Lots with less with 30 ft or less of frontage 50 ft, but more than 25 ft frontage	3 ft. Combined width of side yards must be at least 12 ft., with no side yard less than 3 ft. wide
	Two-family shared wall lots with 25 ft or less of frontage	0 ft setback for portion of the principal structure with the shared wall. Combined width of side yards must be at least 8 ft., with no side yard less than 3 ft. wide
Minimum width of side yard (all other principal structures)	General	10 ft. if adjacent to another lot
	Townhouse shared wall	0 ft setback for portion of the principal structure with the shared wall 25 ft. if adjacent to platted street
Corner Lot: width of front side yard	Dwelling-Principal and accessory structures	15 ft.
	Detached accessory building	15 ft.
	All other Principal Structures	25 ft.
Minimum depth of rear yard		25 ft. 15 ft.
STRUCTURE HEIGHT		
Maximum height of bulding		30 ft.

[1] Determined using "Lots on the block face" definition. When doing this calculation, exclude the subject lot from the calculation.
 [2] Lots without municipal sewer must also meet requirements of 50-21.2.
 [3] 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.
Note: Building and Fire Codes may require plan/design changes and additional fire protection for structures built close to the property line.

Residential-Urban (R-2).

TABLE 50-14.6-1 R-2 DISTRICT DIMENSIONAL STANDARDS		
LOT STANDARDS		
Minimum lot area per family	One-family	4,000 sq. ft. or <u>average of the developed 1-family lots on the block face</u>
Minimum lot area per family	Two-family	2,500 <u>2,000</u> -sq. ft.
Minimum lot area per family	Multi-family	750 sq. ft.
Minimum lot area per family	Townhouse	2,200 sq. ft.
No lot of record containing 5,000 sq. ft. or less shall be used except for a one-family dwelling or a permitted non-dwelling use.		
Minimum lot frontage	One-family, <u>and two-family, and townhouse</u>	30 ft. or <u>the average of the developed lots with similar uses on the block face</u>
	<u>Townhouse, per family</u>	<u>20 ft</u>
	Multi-family and non-residential	50 ft.
STRUCTURE SETBACKS		
Minimum depth front yard		The smaller of 25 <u>15</u> ft. or average of adjacent developed lots facing the same street
Minimum width of side yard for buildings less than 3 stories	<u>General</u>	6 ft
Minimum width of side yard for buildings less than 3 stories (one and two-family)	<u>For lots with 30 ft or less of frontage</u>	<u>Combined width of side yards must be at least 8 ft., with no side yard being less than 3 ft. wide</u>
	<u>Two-family shared wall</u>	<u>0 ft setback for portion of the principal structure with the shared wall</u>
Minimum width of side yard (other principal structures) for building 3 stories or more	<u>General</u>	10 ft.
	<u>Townhouse shared wall</u>	<u>0 ft setback for portion of the principal structure with the shared wall</u>
Corner Lot: width of front side yard	<u>Dwellings Principal and Accessory Structures</u>	<u>+5 10 ft.</u>
	<u>Detached accessory building</u>	<u>+5 ft.</u>
	<u>All other Principal Structures</u>	<u>25 ft.</u>
Minimum depth of rear yard		<u>15 25</u> ft.
STRUCTURE HEIGHT		
Maximum height of building		<u>50 45</u> ft.
Section 50.21 <i>Dimensional standards</i> contains additional regulations applicable to this district. For lots with less than the minimum lot frontage, refer to 50-38.5.		
Note: <u>Building and Fire Codes may require plan/design changes and additional fire protection for structures built close to the property line.</u>		

Mixed Use-Neighborhood (MU-N).

**TABLE 50-15.2-1
MU-N DISTRICT DIMENSIONAL STANDARDS**

LOT STANDARDS		
Minimum lot area per family	One-family	4,000 sq. ft.
	Two-family	2,500 sq. ft.
	Multi-family	500 sq. ft.
	Efficiency unit	380 sq. ft.
	Townhouse or live-work dwelling	2,200 sq. ft.
No lot of record containing 5,000 sq. ft. or less shall be used except for a one-family dwelling or a permitted non-dwelling use		
Minimum lot frontage	Townhouse, per family	20 ft.
	One-family, or two-family, or townhouse dwelling	30 ft.
	Multi-family or non-residential	50 ft.
STRUCTURE SETBACKS		
Minimum depth of front yard	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
	For portions of all structures higher than 35 feet	An additional 20 10 feet beyond the required front yard setback above
Minimum width of side yard	General, unless listed below	5 ft.
	Two-family or townhouse shared wall	0 ft setback for portion of the principal structure with the shared wall
	Non-residential use adjacent to residential district or use	15 ft.
	Non-residential use adjacent to non-residential district or use	0 ft.
	Multi-family adjacent to single-family district or use	10 ft.
Multi-family adjacent to multi-family district or use	0 ft.	
Minimum depth of rear yard		25 ft.-15 feet
STRUCTURE HEIGHT		
Maximum height of building	Non-residential use	45 ft.
	Residential or mixed use (general)	75 ft.
	Residential or mixed use (within 500 ft. of R-1 or R-2 district)	50 45 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.