

# Article V

## Land Use Zone Districts

### Section 1 Zone District Establishment and Relationship of Zones

- A. Zone Districts Established.** The Town of Duluth hereby establishes the zone districts listed in Section 2 of this Article. All zone districts in the Town of Duluth have dimensional standards, land uses, and a purpose statement. Each district is based on State, Federal, County, other governmental regulations, and the Town of Duluth Comprehensive Land Use plan.
  
- B. Zone District Relationship to Overlay Zones.** Several of the zone districts in this Ordinance are overlay zones. Overlay zones are zones that cover a portion of a base zone district, cover several zones, or portions of several zones. The overlay zones establish requirements for the areas that they overlay in addition to the provisions in the base, or underlying zone district. In areas with overlay zones, the most restrictive provisions apply. For example, if the underlying zone district establishes setbacks of fifty (50) feet and the overlay zone establishes setbacks of seventy-five (75) feet, the overlay setback is the most restrictive and applies.

### Section 2 Land Use District Titles and Purpose Statements

The following are the titles of the Land Use Districts in Duluth Township and the abbreviation for the District used on the Zoning Map (see **page 2**):

**A. Forest Agricultural Management District – FAM- 1**

This district is intended to recognize and promote the development of the Township’s forestry and agricultural industry and to provide for recreational use of such areas. This district is typically used in areas with land developed at very low densities and often there is considerable contiguous acreage of government and corporate ownership. A low level of development is important in areas where this district is used since the uses encouraged in this district would be less compatible in a more urban setting.

**B. Forest Agricultural Management District – FAM-2**

This district is intended to recognize and promote the development of the Township’s forestry and agricultural industry and to provide for recreational use of such areas. This district is typically used in areas with land developed at very low densities and often there is a moderate amount of contiguous acreages of government and corporate ownership. A low level of development is important in areas where this district is used since the uses encouraged in this district would be less compatible in a more urban setting.

**C. Forest Agricultural Management District – FAM-3**

This district is intended to recognize and promote the development of the Township’s forestry and agricultural industry, to maintain and promote the rural character of the Township, and to prevent urban and suburban encroachment on the area. A low level of development is important in areas where this district is used since the uses encouraged in this district would be less compatible in a more urban setting.

**D. Multiple Use Non-Shore Land – MUNS-4**

This district is intended to maintain and promote the rural character of the Township, and to prevent urban and suburban encroachment upon these areas. A moderately low level of development is important in these areas since the uses encouraged in this district would be less compatible in a more urban setting.

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**E. Shore Land Mixed Use – SMU-6**

This district is intended to provide residential and mixed uses consistent with the recreational and natural

attributes of Lake Superior, on a suburban-scale lot size.

**F. Shore Land Mixed Use – SMU-6A**

This district is intended for the limited expansion of certain waterfront commercial activities on the shores of Lake Superior where nodes of residential and commercial uses currently coexist. Existing residential lifestyles and property values will be protected when considering the limited expansion of commercial activities.

**G. Shore Land Mixed Use – SMU-8**

This district is intended to provide residential and mixed uses consistent with the recreational and natural attributes of Lake Superior, on a large urban-scale lot size.

**H. Non-Shore Land Commercial – COM-3**

This district is intended for concentrated, commercial development that promotes the efficient delivery of goods and services.

**I. Shore Land Commercial – SCO-8A**

This district is intended for concentrated, locally based, commercial development along the shores of Lake Superior for uses consistent with providing goods and services for the local community and incidentally for the locally based tourism industry. This district supports a moderate level of development intensity.

**J. Shore Land Commercial – SCO-8B**

This district is intended for concentrated, locally based, commercial development along the shores of Lake Superior for uses consistent with providing goods and services for the local community and incidentally for the locally based tourism industry. This district supports a light level of development intensity.

**K. Limited Industrial Use – LIU-3A**

This district is designed to accommodate those industrial and manufacturing uses that foster orderly economic growth, without adversely affecting the residential character of the surrounding area, by imposing performance standards to minimize conflict between dissimilar uses and by prohibiting uses that may contribute to environmental deterioration.

**L. Shore Land Overlay – SLO**

This overlay district is intended to protect the soils and water quality associated with trout streams, tributaries of trout streams, un-established watercourses with a defined bottom, the Lake Superior Shore Line, and other water public watercourses defined by the Minnesota Department of Natural Resources. Where the SLO standards conflict with the standards for the underlying zoning district, the more restrictive of the standards apply.

**M. Sensitive Area Overlay – SENSO**

This overlay district is intended to provide protection for natural resources located in areas of moderate and steep slopes, drainages, wetlands, erosive soils, shallow soils, and ground water re-charge areas. Where the SLO standards conflict with the standards for the underlying zoning district, the more restrictive of the standards apply.

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### **Section 3 Dimensional Standards**

The following dimensional requirements shall apply to the listed land use district:

**Table 5.1  
Dimensional Requirements for Land Use Districts**

Land Use District	Minimum Lot Area	Minimum Lot Width	Maximum Lot Coverage	Minimum Road Setback	Minimum Lot Line Side Yard Setback		Minimum Lot Line Rear Yard Setback		Maximum Structure Height
					Principal	Accessory	Principal	Accessory	
FAM-1	35.0 Ac.	600'	2%	(3)	100'	100'	100'	100'	35'
FAM-2	17.0 Ac.	600'	2%	(3)	100'	100'	100'	100'	35'
FAM-3	9.0 Ac	300'	5%	(3)	75'	75'	100'	100'	35'
MUNS-4	4.5 Ac.	300'	(2)	(3)	50'	50'	50'	50'	35'
SMU-6	2.0 Ac.	200'	(1)	(4)	35'	25'	45'	25'	35'
SMU-6A	(9)	200'	(1)	(4)	20'	20'	40'	20'	35'
SMU-8	1.0 Ac	200'	(1)	(4)	20'	10'	45'	10'	35'
COM-3	0.5 Ac.	100'	(1)	(3)	(5)	(5)	(5)	(5)	35'
SCO-8A	1.0 Ac	200'	(1)	(4)	(5)	(5)	(5)	(5)	35'
SCO-8B	1.0 Ac	200'	(1)	(4)	(5)	(5)	(5)	(5)	35'
LIU-3A	9.0 Ac.	600'	9%	(3)	100'	100'	100'	100'	35'
SLO	(6)	(8)	(8)	(8)	(8)	(8)	(8)	(8)	35'
SENSO	(7)	(7)	(7)	(7)	(7)	(7)	(7)	(7)	35'

**Notes for Table 5.1:**

- (1) Lot coverage by impervious surfaces shall not exceed twenty-five percent (25%). No variance shall be granted on impervious surface thresholds unless a Storm Water Management Plan is completed by a qualified, licensed engineer. However, in any case, lot coverage by impervious surface shall not exceed 50% of the total lot area. The minimum requirements of the Storm Water Management Plan are identified in **Article III, Section 4, page 41**.
- (2) Lot coverage is limited to seven percent (7%) if not in the Shore Land Overlay (SLO) or the Sensitive Area Overlay (SENSO) district. If this limit is exceeded, a Storm Water Management Plan shall be completed by a qualified, licensed engineer. In any case, the amount of impervious surfaces with a Storm Water Management Plan shall not exceed fourteen percent (14%). Minimum requirements of the Storm Water Management Plan are identified in **Article III, Section 4, page 41**.
- (3) Minimum setbacks from roads are as follows:
  - On local roads: 100' from centerline
  - On major collector roads: 150' from centerline
  - Larger setbacks are encouraged
- (4) Minimum setbacks from roads are as follows:
  - On local roads: 68' from centerline
  - On major collector roads: 85' from centerline
  - On major arterials: 110' From centerline
  - Larger setbacks are encouraged

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*(Notes for Table 5.1, continued)*

- (5) All structures on commercially zoned property must be set back a minimum of twenty (20) feet unless they abut a district other than commercial, in which case they must be set back a minimum of fifty (50) feet from side lot lines and one-hundred (100) feet from rear lot lines.
- (6) Lot area is the size required by the District it overlays.
- (7) Same as the underlying zone district.

- (8) See **Table 5.2**, below.
- (9) Residential uses require a minimum lot size of one (1) acre. Commercial uses require a minimum lot size of two (2) acres.

**Table 5.2 Shoreland (SLO) Dimensional Requirements**

<i>Type of Water Body</i>	<i>Shoreland Overlay Area (SLO) (from OHWL or vegetation line, whichever is greater)</i>	<i>Minimum Setback from Water Body (from OHWL or vegetation line, whichever is greater)</i>	<i>Maximum Lot Coverage</i>	<i>Minimum Road Setback</i>
<b>Trout streams</b>	<b>300 feet</b>	<b>200 feet</b>	<i>(1)</i>	<b>200 feet</b>
<b>Tributaries of trout streams</b>	<b>300 feet</b>	<b>100 feet</b>	<i>(1)</i>	<b>100 feet</b>
<b>Other public watercourses</b>	<b>300 feet</b>	<b>100 feet</b>	<i>(1)</i>	<b>100 feet</b>
<b>Unclassified, established watercourses with defined bottom</b>	<b>50 feet</b>	<b>50 feet</b>	<i>(1)</i>	<b>50 feet</b>
<b>Lake Superior shoreland (for Lake Superior Shoreland erosion hazard areas see requirements in <b>Article VI, Section 3, page 54</b>).</b>	<i>Lake Superior to Highway 61, Expressway</i>	<b>100 feet</b>	<i>(2)</i>	<b>100 feet</b>

**Notes for Table 5.2:**

**OHWL** means Ordinary High Water Level.

- (1) All Zone Districts must meet the lot coverage requirements of the underlying zone district not to exceed 25%. No variance shall be granted on impervious surface thresholds unless a Storm Water Management Plan is completed by a qualified, licensed engineer. The minimum requirements of the Storm Water Management Plan are identified in **Article III, Section 4, page 41**.
- (2) Lot coverage by impervious surfaces shall not exceed 25%. No variance shall be granted on impervious surface thresholds unless a Storm Water Management Plan is completed by a qualified, licensed engineer. However, in any case, lot coverage by impervious surface shall not exceed 50% of the total lot area. The minimum requirements of the Storm Water Management Plan are identified in **Article III, Section 4, page 41**.





