

# Town of Duluth Comprehensive Land Use Plan



Adopted August 13, 2020

## Acknowledgements

Thank you to the Community Steering Group for their time and effort, local government officials, the Planning Department, the Planning Commission, and to the people of the Town of Duluth who supported and participated in the planning process.

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Duluth



Township

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The statements, findings, conclusions, and recommendations are those of the author(s) and do not necessarily reflect the views of NOAA, the U.S. Department of Commerce, or the MNDNR.

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# Introduction

## Background

In 2002 the Town of Duluth adopted a Comprehensive Land Use Plan (CLUP). It consisted of background information, the vision for the Township, and policies and strategies for implementing that vision. In 2018 the Town began the process of updating the 2002 CLUP.

Minnesota Statutes 2019, Section 462.352, subdivision 6, provides for the development of a land use plan:

“Land use plan” means a compilation of policy statements, goals, standards, and maps, and action programs for guiding the future development of private and public property. The term includes a plan designating types of uses for the entire municipality as well as a specialized plan showing specific areas or specific types of land uses, such as residential, commercial, industrial, public or semipublic uses or any combination of such uses. A land use plan may also include the proposed densities for development.

The primary purpose for updating the Township’s CLUP was to assess where the Township is in regards to the vision, goals and policies of the 2002 Plan and, in light of the increased activity in land use permits, variances, and conditional uses, develop policies directed at specific resource areas including land use, the natural environment, the built environment, and community infrastructure.

The elements reviewed and considered in developing the Duluth Township CLUP were:

- The 1976 Comprehensive Land Use Plan
- The 2002 CLUP
- Duluth North Shore Sanitary District
- St. Louis County Comprehensive Land Use Plan
- North Shore Management Plan
- Knife River Watershed TMDL, MPCA
- Duluth Township’s MS4 Permit
- Issues and concerns brought forward by residents, steering committee members, and Town officials throughout the planning process.



## Purpose of the CLUP

The purpose of this CLUP is to manage for change and shape the future of the Township. It is the legal basis and starting point for guiding the Township’s decisions on how land should be used as authorized by Minnesota Chapter 462. It is the community’s blueprint for the future. The CLUP is based on an analysis of background information and subsequent development of core community values, a vision, and goals and policies. It enables the community to guide its future development, adopt ordinances and guide other official actions to implement the plan. This CLUP provides:

- Guidelines (visions, goals, and policies) for writing zoning ordinances and other Township ordinances.
- Guidelines for the Planning Commission and the Town Board to make decisions on proposals brought before them.

- Guidelines regarding public projects such as Township infrastructure (roads, buildings, trails, etc.)
- A tool to leverage grants, loans, or other financial assistance for community projects.

## Organization of the CLUP

Each section of this CLUP is organized in a manner that addresses land uses, the natural environment, the built environment, and community infrastructure and resources.



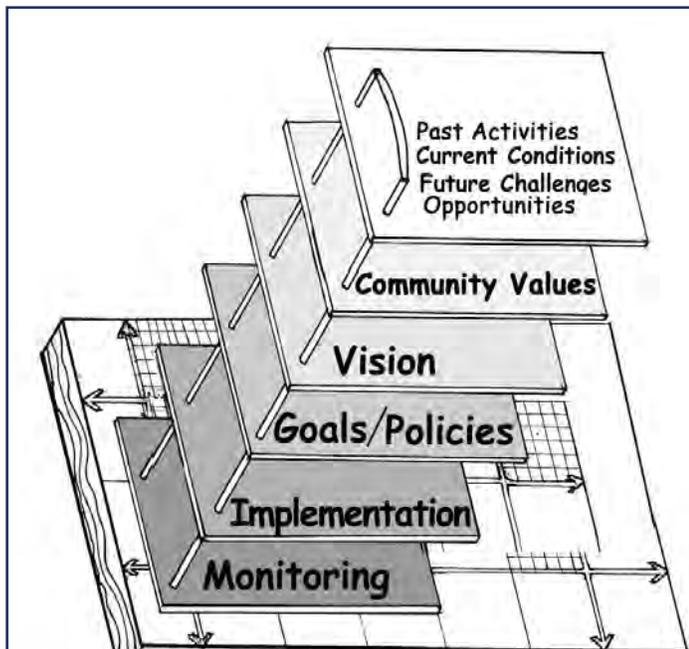
# Planning Process

## Introduction

In December 2018 Duluth Township began the process of updating its 2002 CLUP. The process was divided into three phases:

- Phase One included the creation of the report: Looking Back – Looking Forward: A Review of the 2002 Comprehensive Land Use Plan and the development of a set of Township Core Community Values Statements. These two products were used in Phase Two and Phase Three of the project.
- Phase Two was a visioning process which resulted in a vision for the Township in 2030.
- Phase Three was a six-month planning process resulting in the creation of goals and policies that reflect the vision developed in Phase Two and in the development of an implementation plan for those goals and policies.

The phases of this land use planning process build on each other to create the CLUP as illustrated in Figure 1.



**Figure 1. Comprehensive Land Use Plan**

## Public Participation

In December 2018 the Town Board appointed members of a Community Steering Group (CSG) to develop the guiding elements for an updated CLUP and to help in drafting it. A diverse group of people was formed representing gender, age, geographic location, life experiences, sectors, groups, and organizations in the Township. Members from the Planning Commission and the Town Board also sat on the CSG. The Steering Group met monthly throughout the planning process.

All community residents were invited to participate in the planning process. In creating the core community values, a survey was sent out through the Duluth Township newsletter asking for residents' input. An open house was held to provide an opportunity for the community to comment on the draft core community values. In total, forty-three individuals provided input on the core community values. Articles in the Duluth

Township Newsletter kept the community updated and informed of the plan's progress and developments.

Two open houses were held in January 2020 to present the draft CLUP and solicit input on it. The Township website posted the draft CLUP for review and comment. The second open house was cancelled due to inclement weather. In all, four people attend the open house and one individual commented on the draft CLUP.

## Adoption Process

The CSG considered input from the Community Open Houses. They forwarded a proposed CLUP to the Planning Commission. The Planning Commission held a public hearing, considered public testimony, and, after incorporating any changes it felt warranted, forwarded the recommended CLUP to the Town Board.

# Core Community Values

## Introduction

The first step in updating the 2002 Comprehensive Land Use Plan (CLUP) was to identify the Township's core community values. These core community values statements are used to help develop the components for the updated CLUP.

The CLUP consists of a vision, a land use area map, and a set of goals and policies. Illustration 1 depicts how core community values will be used in developing those items.

## Process for Developing Core Community Values



**Illustration 1. Developing the CLUP**

In the January 2019 Town Newsletter the community was asked to provide their ideas for core community values by answering the following question:

*Above all else, I value \_\_\_\_\_ in the Township because\_\_\_\_\_.*

Twenty-nine people responded and their comments were grouped into three broad themes: ruralness, the natural environment, and community life.

The Community Steering Group (CSG), formed to update the 2002 CLUP, reviewed and synthesized the community responses to develop draft Core Community Values Statements. These draft Core Community Values Statements were presented at a community open house on April 18, 2019 for further community input.

Eleven community members attended the April 18th community open house. Of those, four provided written comments, two of which were particular to the Core Community Values Statements. The CSG reviewed these comments and finalized the Recommended Core Community Values.

At the May 23rd Planning Commission meeting three individuals were in attendance to learn more and provide comments on the values. There were no comments specific to the Core Community Values. The Planning Commission recommended that the values be approved by the Town Board.

At the June 13th Town Board meeting there were no comments from the community regarding the values. The Board unanimously approved the Core Community Values Statements for use in updating the CLUP.

The values statements, reflecting the three themes: ruralness, the natural environment, and community life, are presented in this chapter.

## Core Community Value: Ruralness

The concept of ruralness and what it means has always been difficult to specifically define. These core community values for ruralness, when combined, describe the qualities that represent what ruralness means to our community.

We value:

- Our natural environment, including its streams, Lake Superior, undeveloped and open spaces, forested lands, farm lands, and wildlife.
- Peace, quiet, and uncrowded living and the dark night skies that result from uncrowded living.
- Privacy.
- Our opportunities for farming, gardening, and cultivating orchards, which provide locally sourced food for ourselves and others, as well as livestock forage.
- The people in our community, their neighborliness and resourcefulness, and the sense of belonging that they provide.
- The aesthetics, beauty, and spiritual connections that result from the presence of nature in our rural areas.



## Core Community Value: Natural Environment

We value:

- The abundance of natural beauty, our connection to the land, and the intrinsic character that our natural environment contributes to our community.
- The life-sustaining resources that our natural environment provides including trees, wildlife, water, soil, wetlands, and air.
- The beauty and presence of Lake Superior and the many streams flowing into the Lake.
- The natural environment for the many recreational opportunities it provides.
- The public lands that contribute to large undeveloped areas in our Township, non-fragmented habitats, and forest resources.
- Our interconnectedness with the natural environment and recognize our responsibility to sustain it for the generations that come after us.



- Planning for climate change.
- The diversity of species, both flora and fauna.
- The clean air and water we have in our Township.

## Core Community Value: Community Life

We value:

- The respectful and friendly acceptance of our community towards our neighbors and others, honoring the richness, diversity, and inherent dignity of all people.
- The willingness of our community members to actively engage in our community and to volunteer to provide vital, basic services for our Township, such as Town government, the volunteer fire department, and medical responders.
- The Township form of government whereby we have local control in governing ourselves, and community members directly vote on what is important to invest in for the well-being of our community.
- Our neighbors and their friendliness; though they may not be close in proximity, we know that we can rely on them when needed.
- Our Community School which is a center of our community, helping to keep our community vibrant and alive and providing an education for our children, which is an investment in all our futures.
- The recreational facilities available to the community at the Community School, which are currently managed in cooperation with the Community School, the Town, and volunteers.
- The facilities and services provided for our community by the Township including the Town Hall and its offices, community gathering spaces, and internet access; the Town cemetery; the fire halls; peace officers; Town roads; Town Board; Planning and Zoning; and recycling.
- The heritage and history of those who have lived here and those who are currently living here.
- How our community works together to create a sense of community that is unique to our Township.
- Our elders and their ability to remain in the Township.
- A variety of housing to accommodate all members of our community.
- That individuals and families in the Township are able to remain in the area and find gainful livelihoods.
- A balance between community needs and individual freedoms.
- Access to local goods and services within the Township.



# Summary of *Review of the 2002 Comprehensive Land Use Plan 2002 - 2018*

## Introduction

A Comprehensive Land Use Plan (CLUP) guides community development. It is a compilation of a vision, policy statements, goals, maps, and action programs for guiding future development. It is the result of citizens discussing and coming to agreements about how the community will live together as neighbors and what the community's relationship will be with the natural environment.

The information presented in this chapter is a summary of an extensive report: *Looking Back — Looking Forward: A Review of the 2002 Comprehensive Land Use Plan 2002 – 2018*. This report is available on the Township website at [www.duluthtownship.org](http://www.duluthtownship.org) or at the Town Hall.

The purpose of this report was to determine the accomplishments made towards meeting the vision of the 2002 CLUP and to provide other pertinent information about the Township in order to identify issues, concerns, and opportunities that help form planning questions to address in updating the 2030 CLUP.

There are five sections in this chapter:

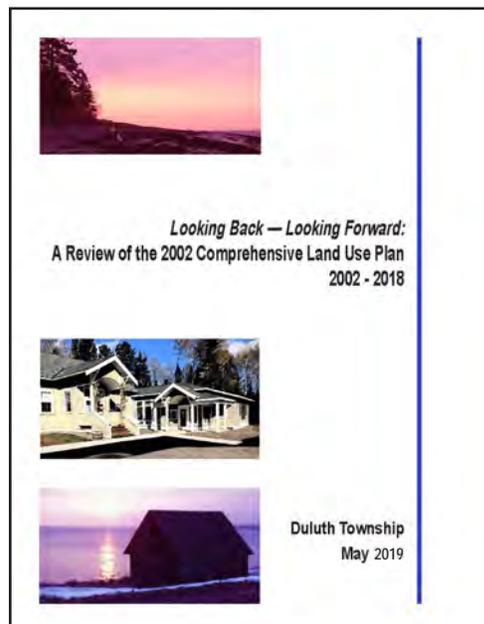
- General Township
- Land Use
- The Natural Environment
- The Built Environment
- Community Infrastructure and Resources

The vision and policies from the 2002 CLUP form the basis of the analysis in this report. A vision represents the desired community that the Townspeople are striving to create. Goals and policies represent the backbone of a Comprehensive Land Use Plan. They articulate the Townspeople's desires as to both the extent and nature of future development. They are meant to be referred to frequently as aids in making land use decisions and other Town decisions.

In addition, it is important to understand the significance and impact of the land use changes that occurred as a result of the 2002 CLUP. The analysis of those changes was based on the 1976 CLUP and the subsequent 1984 Zoning Map.

***See Appendix A for details of activities in land use areas in the Township.***

***See Appendix B for details of land use changes.***



## Section One: General Township

### Civic Engagement



The Town has continued to emphasize transparency in all its endeavors. Town Board and Planning Commission meetings are open to the public and welcome public input. The Town conducts its annual meeting with preparation and openness, presenting budget information for each department. The levy is voted upon by the electorate. Resolutions by the community are entertained.

Community members are invited to serve the Town by running for the Town Board or applying to be on the Planning Commission. Other opportunities occur from time to time to serve on steering groups. Community open houses for public comment and input are held for Township-initiated undertakings, such as Ordinance updates and Town building additions.

The Township Newsletter continues to play a vital role in informing, engaging and building community. It includes summaries of Township Board and Planning Commission meetings as well as other events, articles on the history of the Township, and announcements for civic and other happenings.

### Intergovernmental Relations

The Town is represented on the North Shore Management Board. This Board directs the implementation and monitoring of the North Shore Management Plan which focuses on strategies for environmental protection and orderly growth along the North Shore of Lake Superior. The Town works with St Louis County, working together on parcel subdivisions in the Township, on road safety and maintenance, and, in 2017, on a major project rehabilitating the property where the Clover Valley High School had been located.

## Section Two: Land Uses and Land Use Areas

Rural character was an integral part of the 2002 CLUP. Using the vision and policies set forth in the CLUP, the Town updated its Zoning Ordinance, focusing, in part, on maintaining rural character. Land use areas that included public forest land were increased and specifically identified to contain public lands. Maintenance of the essential character of the locality was made a specific criterion for granting variances and conditional uses. Some setbacks for roads and side yards were increased. No gravel roads were converted to bituminous surfaces. Zoning district descriptions were changed to identify which districts would emphasize agriculture and forest lands.

Since the 2002 CLUP and subsequent changes to the Ordinance, there have been some changes to the land use areas of the Township. The Inland Commercial area has seen a 180% increase in size. The creation of a new commercial area at the intersection of the Lismore and McQuade Roads was mostly responsible for this increase. The Shoreland Commercial area of the Town was increased from 9 acres to 129 acres. As a result of more closely determining public land ownership in the Township for inclusion in the Public Forest Lands area, the Public Forest Lands area increased by 65% and the Farm and Forest Lands use area decreased by 24%. There was a 23% reduction in Limited Industrial Use land use areas. The Rural Residential land use area decreased by 5%. Lake Superior Shoreland areas decreased by 9%, primarily as a result of delineating Shoreland Commercial areas.

Commercial areas are concentrated in the shoreland, with a minor number inland. Rural Residential is the larg-

est percentage of land use in the Town. Farm and Forest Lands and Public Forest Lands are about equal and when combined account for almost one half of the land use area in the Town.

Overall, the Township, as of January 2019, was comprised of 1790 parcels. Rural Residential had the most parcels with 755, averaging 14.4 acres in size. Lake Superior Shorelands had 523, averaging 2.7 acres in size. Farm and Forest Lands had 371, averaging 21.9 acres in size and Public Forest Lands had 110 parcels, averaging 77.1 acres in size. At the time, 919 of the total number of parcels in the Township had some development on them.

From 2002 through 2018, 159 land use permits were issued for single family homes in the Township. Fifty-one percent of these new single-family homes were built in the Rural Residential land use area, 30% in the Farm and Forest Lands land use area, and 16% in the Lake Superior Shoreland land use area. The remaining 3% were built in the Shoreland Commercial and Public Forest Lands land use areas.

### Conditional Uses and Variances

Variances generally are related to the description of the Land Use Area, particularly in reference to lot sizes and setbacks. Almost two-thirds of the variances in the Town occurred in the Shoreland land use area, where existing lot sizes and setbacks tend to not meet current dimensional requirements. Twenty-seven percent of the variances occurred in the Rural Residential land use area.

A conditional use is a land use or development that would not generally be appropriate without restriction throughout the zone district. As such, the number of conditional use permits granted over the length of the CLUP can be considered an indicator of whether the descriptions of the Land Use Area, the goals, and policies in the CLUP are adequate or appropriate.

30 applications for Conditional Uses were submitted from 2002 to 2018. Twenty-six of these were approved, one was tabled, one was withdrawn, and two were denied. The most frequent requests for conditional uses were high frequency short-term rentals, at 27%. The areas where short-term rental uses were most requested were the Lake Superior Shoreland area followed by the Farm and Forest Lands area. There have been essentially no new home businesses established since the CLUP was adopted. There were two conditional use requests approved for home-based businesses. Eight of the 26 approved conditional use permits have been discontinued.

There were an estimated 66 businesses in the Township that were not located in a commercial zoning district. Most of these do not require a conditional use permit. Approximately three-quarters of these businesses were home occupations, about 5% were home-based businesses, 5% were bed and breakfasts, and about 8% were short-term rentals.



## Section Three: The Natural Environment

### Introduction

As stated in the 2002 CLUP: The most prominent aspect about Duluth Township is its diverse natural beauty -- the streams, Lake Superior, mixed forests, native species, open spaces and contiguous green spaces for habitat. The Town recognizes the natural environment as one of its greatest assets and has a history of valuing the natural environment and keeping it a part of the Township's integral identity.

## Vegetation

Nearly three-quarters of the Township is forest or forested wetlands. From 2001 to 2016, approximately 7% of the vegetation in the Township has undergone change. Approximately 6% of this change is forest disturbance while another 1% is forest regeneration (C-CAP). Most of the forest disturbance has been in the Public Forest Lands land use areas of the Township and is due to logging. There are numerous threats to the Township's forested lands from disease, pests and drought, as well as extreme weather events seen in recent years. In addition, invasive species, such as buckthorn and honeysuckle, are increasing in the Township and out-competing native vegetation.



The Town has emphasized non-fragmentation of forest lands by establishing contiguous forest areas and zoning them as FAM-1 and FAM-2 Zone Districts. However, that land has primarily been managed through practices that tend to favor aspen across the landscape and reduce species diversity and structural complexity. Low diversity systems are at greater risk to climate change.



## Wildlife

The deer population fluctuates with winter weather patterns but has increased overall since the 1970s. The moose population has declined in the area, consistent with statewide trends, while the wolf population has increased. Cougar and lynx are now present in the Township but are rare. The Township has committed to maintaining large contiguous areas of forested land in part to support wildlife.

## Climate Change

Since the 2002 CLUP, climate change has become a larger factor in the natural environment of the Township. The area is experiencing an overall warming while still subject to increasing extreme weather events such as extreme temperatures and intense storms. The increased intensity of rain events has resulted in serious flooding in the Township. On the other hand, climate change also brings a bigger threat of periodic drought to our region, substantially increasing the threat of and intensity of forest fires during these periods. Overall warming has led to an increase in some forest pests and diseases. The vegetative landscape is likely to struggle to adapt, with large scale die-off of some forest species and slow replacement by better adapted species. Many Township residents have installed solar panels or other forms of alternative energy to offset their own use of fossil fuels.

## Forest Disturbances: Fire and Disease

The majority of the fires reported by the DNR in the Township since 2002 have occurred as a result of debris pile burning, campfires and smoking. There have been no major wildfires in the Township during this period. However, recent spruce budworm infestations have decimated stands of spruce and fir trees throughout the Township, resulting in large acreages of dead trees that greatly increase the potential for forest fires.



## Water and Water Quality

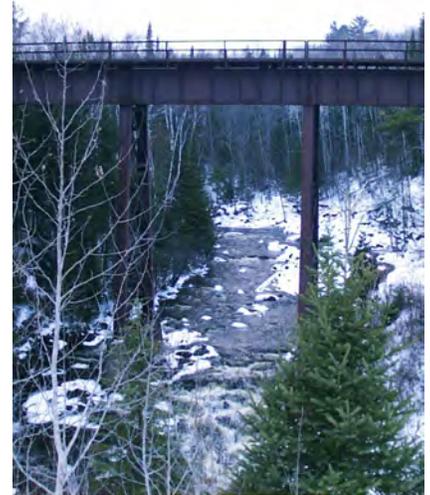
The Township is home to many rivers and streams, as well as being on the shore of Lake Superior. Four of these rivers, the Knife, Sucker, Talmadge and French, are on the MPCA's impaired list for turbidity. In 2015 the

Township enacted the Stormwater, Erosion, and Sediment Control Ordinance, the purpose of which is to reduce stormwater rates and volumes, soil erosion, and nonpoint source pollution.

In 2003, Duluth Township was put on the Municipal Separate Storm Sewer System (MS4) list for stormwater planning by the MPCA. The MS4 requires that the all stormwater from any properties the Township owns or oversees, including its roads and ditches, is clean. In 2008, the Township developed a Storm Water Pollution Protection Plan (SWPPP) to implement the requirements of the MS4.

### Wetlands

There are approximately 3,692 acres of wetlands in the Township. This comprises about 12% of the area of the Township. According to C-CAP, there has been relatively little disturbance of wetlands since 2001. Wetlands help to control flooding, maintain water quality, and store carbon within their plant communities and soil.



## Section Four: The Built Environment



### Demographics

The population in the Township increased by 12.6% from 2000 to 2010. However, state-wide, population growth is slowing and the latest estimate shows the Town's population decreasing by 1% between 2010 and 2017.

### Housing

Occupied housing units increased by 12% between 2000 and 2010. The majority of housing units in the Township are owner occupied. 159 single-family homes were constructed from 2001 through 2018, most of them in the Rural Residential, Farm and Forest, and Lake Superior Shorelands Land Use areas.

Since the housing market crash in 2006, the rate of construction of new homes in the Township is at about 25% of historic levels. The cumulative impact of new housing over the next ten years could affect from 60 to 250 parcels.

Since 2002 there has only been one residential development approved in the Township (Stoney Point Cottages Plat). This development was created under a conventional platting process and conformed to existing zoning density parameters.

In 2005 the Duluth Township Rural North Shore Senior Housing Initiative Steering Committee was formed. The Committee completed a survey of seniors in the Township regarding senior housing and then estimated the number of units likely to be supported by those desiring senior housing in the Township. There has been some exploration of sites in the Township for senior housing by developers, but none has moved forward. The Town amended the Zoning Ordinance in 2007 to provide for "subordinate residential dwellings" by which seniors within a family could be housed in a separate unit on the family property.

Planned unit developments offer the potential for an efficient way to develop senior housing. There are standards associated with planned unit developments that allow for bonus densities based on a number of parameters, including affordability and creation of open spaces.

## Section Five: Community Infrastructure

### Duluth North Shore Sanitary District (DNSSD)

The Duluth North Shore Sanitary District (DNSSD) was established to provide an environmentally responsible and efficient wastewater collection system with a long-term treatment system at WLSSD. It serves the area of the Township between Highway 61 and Lake Superior. The DNSSD Joint Powers Board set a goal to restrict new equivalent domestic units (EDU) to 2% per year. The number of new EDUs has been substantially below that limit, hence, the concern that growth would be facilitated by the sewer service has not been an issue. The total number of new home constructions from 2002 through 2018 in the Township in the North Shore corridor was 29.



### Recreation and Open Space

Since adoption of the 2002 CLUP, the concept of open space has been reinforced through recognition of public lands in the Township. FAM-1 and FAM-2 zone districts were established which, with minor exceptions, are comprised of public land. These zone districts were designated as zones with large minimum lot sizes to maintain open space, contiguous areas of habitat, and retain rural character. In addition, furthering recreation opportunities in the Township since the 2002 CLUP, the Superior Hiking Trail was expanded to include portions crossing the Township, the Town adopted a Trails Plan, and the McQuade Small Craft Harbor was built (see sections below).

### Trails

There continue to be three formally designated trail systems in the Town, the trails at the North Shore Community Center, the Korkki Nordic cross-country ski trails, and a very small portion of the North Shore Corridor Trail in the northwest part of the Township. In addition, there are a number of informal trails, mostly on public land. In 2016 the Town produced a trail plan that identifies corridors for trails to connect different areas of the Township. The trails proposed in this plan primarily follow Township roads that are already commonly used for biking and walking.

Scenic Highway 61 is a recognized bike route along the North Shore. It consists of paved shoulders along the Scenic Highway.

### McQuade Small Craft Harbor

The McQuade Small Craft Harbor opened In July 2008. McQuade Harbor is a public facility managed by the MNDNR providing access to Lake Superior. There are four boat ramps for launching boats, a kayak launching site, four docks, and an accessible shore-fishing platform. All power to this facility is provided through solar panels. In 2012 a shelter for an interpretive display was installed. In August of 2009, the DNR estimated use of the facility at approximately 1000 cars per week in the parking lot. Use has continued to rise since then.

## North Shore Community School and Community Center

The Town purchased the North Shore School from Lake Superior School District in 2002 after the School District made the decision to close the school. Through the purchase of the school by the Town, the school was able to stay open as a charter school, maintaining an elementary school in the Township. As part of the overall agreement, the Township has used the school for community purposes, with an emphasis on the outdoor amenities. The Town, together with the school and the community, improved the recreational fields and trails. A pavilion picnic structure, including bathrooms, was also constructed.

In 2013 the Town transferred ownership of the property to Affiliated Building Company (ABC), a non-profit corporation that now owns and manages the property. As a part of this transfer agreement, the Town continues to use the property as a Community Center. The Town, the school, and Affiliated Building Corporation have continued to invest considerable resources in developing the grounds of the North Shore Community School/Community Center. Some of the joint projects undertaken include a warming facility for the skating rink, hockey boards for the rink, additional parking adjacent to the Ryan and Lismore Roads intersection, and a tennis/basketball court.



## Congdon Trust Lands

The Congdon Trust Lands are owned by the City of Duluth. This land runs along the shore of Lake Superior from the southwest edge of the Township up to and including some of Stoney Point. It provides a buffer between developed parcels along the shore and Lake Superior and is also vital in retaining access to and views of Lake Superior. The Town has had a number of conversations with the City of Duluth regarding the management of these lands but there have been no formalized agreements or memorandums of understanding signed.

## Town Roads

There are three road authorities in the Township: The Town of Duluth, St. Louis County, and the State of Minnesota. In addition, there are a number of private roads in the Township, many of which have road association agreements. The Town of Duluth is responsible for approximately 12 miles of road which are all gravel surfaces. St. Louis County has approximately 62 miles of both gravel and paved roads in the Township. The State of Minnesota has approximately 7 miles of four lane expressway running through the Township.

The Town is authorized by State Statute to maintain Township roads. Town road maintenance includes dust control, surface and ditch maintenance, and culvert maintenance. Ditches and culverts are a part of the Town's MS4 permit and must be maintained under the requirements of the permit. In 2014 there were 84 culverts on Town roads.

## High Speed Internet

Around 2010, Lake County received a federal grant and loan to build a fiber-optic network throughout Lake County as well as parts of rural St Louis County including Duluth Township. The network was brought to the Town in 2014 giving the entire Town access to quality internet service. Some residents in the Town are also served by DSL connections. The Town provides 24-hour access to wireless internet to the community at the Town Hall.

## Renewable Energy

In 2017 the Town purchased a solar panel at the Co-op Light and Power Community Solar Garden in support of solar development and to contribute solar energy to the electric distribution system. Numerous residents throughout the Township have put in solar panels. In addition, North Shore Community School has installed a large solar array at the school.

In 2018 the Town adopted Ordinance language to clarify requirements for installation of solar panels. Solar panel systems installed on roofs do not require a permit.

## Home Based Businesses, Home Occupations, Short-Term Rentals, and B and B's

Based on informal data, there seem to be a substantial number of home occupations in the Township. With the availability of broad band internet, it is expected that home occupations will increase.

There are not as many home-based businesses, which require a conditional use, in most land use areas. There were two requests for conditional uses for home-based business from 2002 through 2018.

Short-term rentals and bed and breakfasts have increased over the last 10 years. Interim use, a type of conditional use, was added to the Ordinance in 2015, providing another option for short-term rental permitting. An interim use has a date or event that will terminate the use, and therefore is not necessarily attached to the property upon sale of the property.

There were eight requests for conditional/interim uses for short-term rentals between 2002 and 2018. These requests were predominantly for the Lake Superior Shoreland land use area followed by the Farm and Forest Lands land use area. There are currently five short-term rentals in the Township. There were three requests for conditional/interim uses for bed and breakfast establishments in that time. All three were approved.

## Tourism

Tourism has continued to be a presence in the Township. While the North Shore Corridor experiences the bulk of tourist activity, more activity is taking place inland, especially with the Superior Hiking Trail and the North Shore Corridor Trail for snowmobilers.

The only new development since the 2002 CLUP was the Lighthouse Restaurant, which has since closed. All of the tourist/commercial enterprises that have evolved in the last 10 years have occurred at already existing sites and are small in scale and locally based.



# Vision: Aspirations for 2030

## Overall

It is 2030 and the Township of Duluth continues to be known as a rural community that balances community needs and individual freedoms. Our community values the respectful and friendly acceptance of neighbors and visitors to our Township, and honors the richness, diversity, and inherent dignity of all people.

The ruralness of the Township is rooted in the natural environment with its streams, Lake Superior, undeveloped / open spaces, forested lands, and wildlife. Privacy, peace, quiet, uncrowded living, and dark night skies all contribute to this sense of ruralness.

Opportunities abound for livelihoods in the Township. There are numerous local businesses and home occupations. Farming, gardening, and cultivating orchards provide for livelihoods and locally sourced food for ourselves and others, as well as contribute to the rural fabric of the Township.

## The Natural Environment

### Overall

The Township continues its legacy of clean air and water and is home to a diversity of flora and fauna. The natural environment is the foundation of the Township's aesthetic and beauty, and fosters spiritual connections for the community and visitors to the Township.

One of the most prominent aspects of Duluth Township is its diverse natural beauty -- the streams, Lake Superior, mixed forests, native species, open spaces, and contiguous green spaces for habitat. These features are the threads that weave the natural community together.



The natural environment, with its abundance of natural beauty, provides connection to the land and its essence is a major distinction of the Township. Additionally, the natural environment provides life-sustaining resources with its trees, wildlife, water, soil, wetlands, and air.

Lake Superior continues to define Duluth Township's sense of place. Views to the lake and views from the lake have not been obstructed by development. The shoreline's natural character has not been degraded; the lakeshore and its expansive views are accessible to everyone. The public land along the lakeshore is well maintained with a pleasing mix of native vegetation and scenic vistas.

The water quality of the significant streams and creeks that flow into the Lake has been improved through the Township working in partnership with other agencies, and most of the streams have been removed from the MPCA impaired waters list.

### Diversity

A diversity of species, both flora and fauna, thrive in the Township. It is still possible to see bear, wolves, foxes, eagles and otters here.

Large acreages of public land contribute to large undeveloped areas in the Township, providing for non-fragmented habitat and forest resources that support the diversity of wildlife and flora.

## Interconnectedness

The Township continues to recognize and emphasize the interconnectedness of humans with the natural environment and their responsibility to sustain it for the generations that come after them. Townspeople have worked diligently to plan for climate change and are making progress toward a community that will be more resilient to a changing climate.

Land and land development are managed in a sustainable\* and ecologically sensitive manner focusing on erosion control along streams and creeks and the lakeshore and on the protection of natural resources and open space.

*\*Sustainability: Everything that we need for our survival and well-being depends, either directly or indirectly, on our natural environment. To pursue sustainability is to create and maintain the conditions under which humans and nature can exist in productive harmony to support present and future generations. (US EPA)*

## The Built Environment

### Overall

Individuals and families in the Township are able to remain in the area and find gainful livelihoods. Residents work in the Township, the greater community, or in their home (as Duluth Township has several hundred home-based occupations), or they are retired. Throughout the Township open spaces and residential and commercial uses are combined into well-designed developments or, in some cases, mixed use developments.

### Housing

New housing has occurred throughout the Township. All new housing is consistent with the community's ruralness and sustainable development practices. There is a variety of housing to accommodate all members of the community. The majority of housing in the Township continues to be single family dwellings, although duplexes have seen a slight increase in more densely populated areas.

There are a few new, clustered housing developments that provide single family and mixed housing opportunities. They are well designed and conserve open spaces, natural amenities and vistas. A few, well designed and affordable multi-unit housing developments (one is a senior living complex) have also been developed.

Housing available for rental in the Township has increased to meet the needs for a mix of housing opportunities. The majority of rental housing is focused on long term rentals. There is an incidental increase in short-term rentals in the Township. These short-term rentals, in number and location, always take into consideration maintaining the existing character of the neighborhood. They also take into account balancing community needs with individual freedoms.

Since the sewer line from Two Harbors to Duluth was installed, there has been some development along the shore. This development is appropriate in scale, uses sustainable site planning practices, and is located so as to respect watershed capacities and protect natural resources.

Attention continues to be given to the reduction of impervious surfaces, the preservation/conservation of open space and natural resources, energy conservation and green energy sources, the maintenance of view corridors and the preservation of large front yard setbacks where space permits.

## Agriculture



The agricultural sector of the Township, including farming, gardening, and fruit production, has grown and become a significant part of locally sourced food. In addition, value added products made from locally sourced food continue to increase.



## Commercial

There is a balance of locally compatible commercial uses and low impact tourism activities. There is access to local goods and services within the Township.

The commercial sector has experienced some growth in the existing commercial areas. These continue to serve the basic needs of residents and are located in the same commercial districts as in 2019, along Scenic Highway 61 and inland. It is now possible for residents to complement their basic commercial needs for groceries, gas and services here in Duluth Township.

New commercial developments are locally based or compatible with local commercial needs. Some are mixed use developments. All these developments are designed to be integrated with and compatible with the existing character and the natural landscape of each commercial district.

The North Shore Scenic Highway 61 commercial area has its own distinctive character and ambiance. This character is well coordinated and articulated through building design and scale, site planning and appropriate signage. Developments are created in a manner that protects the area's natural resources and encourages sustainable development principles.

There is a new locally owned "general store"/gas station/coffee shop located along Scenic Highway 61. It is a popular place for people to meet and share information about the community.

There are no strip malls or "big box" stores.

With the advent of fiber optic high speed internet, the number of home occupations has continued to grow.

## Industrial

The industrial sector has experienced some growth but only in a limited, well managed way. The light industrial districts in place in 2019 have not been expanded. Instead, a few new light industrial uses, which emphasize high-technology and green technology, have been added, replacing some of the previous light industrial uses.

## Tourism

Tourism activities are in harmony with Duluth Township's historic character, ruralness, and natural amenities. Tourism is not a dominant economic activity. Its activities are locally based or compatible with local commercial services. Visitors to the Township are attracted to its natural beauty and diverse amenities: the lakeshore, streams, woods, ruralness, and community feel. The atmosphere for visitors is not overly commercialized.

## Community Life

### Overall

The people in Duluth Township are known for their respectful and friendly acceptance towards their neighbors and others, honoring the richness, diversity, and inherent dignity of all people. Neighbors are valued for their friendliness. Even though neighbors may not be close in proximity, they know they can rely on each other when needed.

Community members are actively engaged in the community and volunteer to provide vital, basic services for our Township such as Township government, the volunteer fire department and medical responders.

The Township form of government is well supported resulting in local control of governance. This support is seen at the Annual Meetings whereby community members directly vote on what is important to invest in for the well-being of the community. Township meetings are well attended and the business of the Township is always conducted with transparency.

Because of the community's support there are many facilities and services provided by the Township including the Town Hall and its offices, community gathering spaces, and internet access; the Town cemetery; the fire halls; Town peace officers; Town roads; Town Board; Planning and Zoning; and recycling.

The Duluth Township newsletter continues to keep the Township community informed.



### Heritage

The heritage and history of those who have lived here and those who are currently living here continues to be recognized and celebrated. There is an active Heritage Group that provides continuity to the Townships' past and links it to the present and future. Annual festivals are also held here to celebrate and to share information together.

### School, Community Centers, and Parks

The North Shore Community School is thriving and providing an education for our children which is an investment in all our futures. It serves as one of the community centers in the Township, helping to keep our community vibrant and alive.

The recreational facilities at the North Shore Community School, managed in cooperation with the school and the Township and staffed by volunteers, help build and maintain an active, healthy community.

The Town Hall continues to be the civic center for the Township, with offices providing services for the community. It also serves as a community gathering center for the Township.

Recognizing the Town's vital connection to the natural environment, parks have been established, providing opportunities for outdoor recreation such as hiking, mountain biking, snowshoeing, cross country skiing, etc.

## Trails

The Duluth Township Trails Plan is being implemented and continues to guide the development of trails along existing roadways, creating an interconnected system of non-motorized trails that link community gathering places with residents and tie into trails throughout Duluth, Two Harbors, and St. Louis and Lake Counties.

The streams and forests remain a scenic and recreational experience for both passive and active uses. Informal non-motorized and motorized trails continue being used in the large open-space areas of the public lands of the Township. The trail system also connects users to the Lake Superior Hiking Trail.

## Transportation System

Highway 61 is well maintained as a Scenic Highway and provides leisurely, scenic travel through the community. Its bike lane is connected to the community's trail system and provides a pathway for bike commuting. Public mass transit opportunities are available as is the infrastructure for green vehicles. The railroad corridor is now used as a combination commuter train and recreational corridor.

New road building and road paving have been kept to a minimum. The many gravel roads in the Township have been retained as they maintain the community's ruralness and ambiance.

The few new roads complement the natural landscape as much as possible and native vegetation has been used along the roadside. There are no four-lane roads other than the Highway 61 Expressway.

## Public Safety

Duluth Township has essential resources for limited emergency responses to major disasters. These resources include facilities, equipment, personnel, and the skills of Township officials, staff and volunteer citizens.

The Township's Emergency Operations Plan ensures the effective, coordinated use of the Township's resources to maximize the protection of life, property and the environment. It ensures the continuity of governance and provides for sustaining survivors and repairing essential facilities and utilities.

The volunteer fire department and medical first responders serve the people of the Township and assist neighboring departments. The police department continues to provide safety and assistance through the community policing efforts of its peace officers.

## Healthy Community

Duluth Township fosters an environment that allows its residents to be healthy throughout their lives. A healthy community includes economic well-being, healthy surroundings, access to transportation, opportunities for walking and bicycling, opportunities for positive early life experiences, support for aging in place, access to safe drinking water, and a just and violence-free community.

## Energy Systems

Green energy sources have become the norm for providing energy for homes and businesses. This green energy may come from such sources as sunlight, wind, geothermal heat, etc. Green energy sources have been sited and designed to minimize the effect on the natural environment. The Town Hall, as an example for the community, is now powered entirely by green energy.

Life is good here!

# Goals and Policies

## Introduction

Goals and policies provide direction for helping to achieve the vision for the Township. Goals and policies are hierarchal: A goal is a broad concept for helping to achieve the vision. Policies provide guidance to achieve these goals. Policies help communities make choices and provide a rationale for choosing among many ways to achieve a goal.

These goals and policies assist the Township in codifying these concepts through creation of a zoning ordinance. The goals and policies also provide direction for decisionmakers in the Township when development proposals, conditional uses, or variances come before the Planning Commission or the Town Board.

## Organization of Chapter

This chapter provides goals and policies for land use, the built environment, the natural environment, and community infrastructure / resources.

## General Land Use

### Introduction

The following goals and policies are associated with **land uses in the entire Township.**

A goal is a broad description of what the Township hopes to accomplish in keeping with the Township's core values and moving toward achieving the overall vision for the Township. These goals provide direction on a broad basis.

Policies provide guidance to achieve these goals. Policies help communities make choices and provide a rationale for choosing among many ways to achieve a goal.



### Goal 1: Maintain the ruralness of Duluth Township.

#### Policies:

1. Maintain lands for their agricultural and forestry uses, as well as for other beneficial uses associated with rural areas by conserving forest lands, farmland, and other critical natural resources.
2. Concentrate development in more densely developed areas, spreading outward to less intensely developed areas, providing a range of density from concentrated to dispersed to open. Reflect traditional rural development patterns where concentrations of population are surrounded by working landscapes or natural open spaces.
3. Undeveloped parcels should be developed in harmony with the surrounding area's dominant land use activity.

4. Rural lands are generally developed at lower residential densities and include, but are not limited to, areas of agricultural activities, resource extraction, timber harvesting, resource conservation, public or private recreation, and open space. Rural lands can include institutional uses and public service uses.
5. To minimize land use conflicts, employ tools such as screening, increased setbacks, buffer areas, and hours of operation.
6. Encourage the preservation of family farms and areas devoted primarily to agricultural uses.
7. Provide for quality, controlled growth that respects natural resources, uses existing centers of development, and retains the existing character of the community.
8. Discourage development that changes the density as currently zoned.
9. Encourage the preservation or protection of areas unsuitable for development due to environmental, economic, or community constraints.
10. Limit or redirect development that puts at risk the carrying capacity of land or watersheds.
11. Develop land with respect for the physical limitation of natural resources so that a quality environment can be enhanced and preserved.
12. Protect existing agricultural practices from nuisance complaints by identifying agriculture as the primary land use in designated areas. Notify new residential development that agricultural practices will not be deemed to be nuisance activities within the designated areas.
13. Acquire conservation easements through donation or from willing sellers.
14. Encourage the elimination of nonconforming (grandfathered) lots, structures and uses.
15. Assist landowners who desire to up-zone in an effort to protect rural character. An up-zoning will be considered upon a petition of landowner(s) that will create 160 acres of contiguous land.
16. Consider creating a rural protection district or overlay district with large (35-40) acre minimum lot size and limited permitted uses.
17. Allow cluster development as a conditional use and provide incentives for cluster development. Set cluster development standards and require any cluster development proposal to meet standards.
18. Continue to allow home-based occupations and businesses with appropriate standards.

## **Goal 2: Regulations should reflect predominant existing densities of land use areas.**

### **Policies:**

1. When creating zone districts maximize the number of parcels that conform to minimum lot sizes and lot width requirements.
2. Continue the rights and restrictions for nonconforming parcels.

## **Goal 3: Commercial uses in the Township should be compatible with the existing neighborhoods and ruralness of the Township.**

### **Policies: Short-Term Rentals:**

1. Ensure that the quantity of short-term rentals in the Township do not detract from the rural character of the neighborhoods they are located in.
2. Ensure that the costs to the Township are outweighed by the benefits of short-term rentals in regard to public safety and Town resources needed to support them.
3. Balance the community needs for maintaining ruralness and cohesive neighborhoods with individuals' freedoms to use their property.

**Policies: Home Occupations and Home-Based Businesses:**

1. Encourage home occupations in that they contribute to jobs in the Township and decrease the necessity of commuting, thereby reducing carbon footprints.
2. Create conditional use standards for home businesses that protect the character of surrounding areas.

**Policies: Tourism:**

1. Encourage tourism activities that complement and do not detract from the community's historic and rural character.

**Goal 4: New industrial uses should be limited to Limited Industrial Land Use Areas.****Policies:**

1. Limit the types and amount of industrial uses that may occur in land use areas outside of the Limited Industrial Land Use Areas to those that have minimal effect on ruralness and neighborhoods. Any of these industrial uses would be considered a conditional use.
2. At a minimum the same goals and policies of the Limited Industrial Land Use Areas would need to be met.

## Land Use Areas Goals and Policies

### Introduction

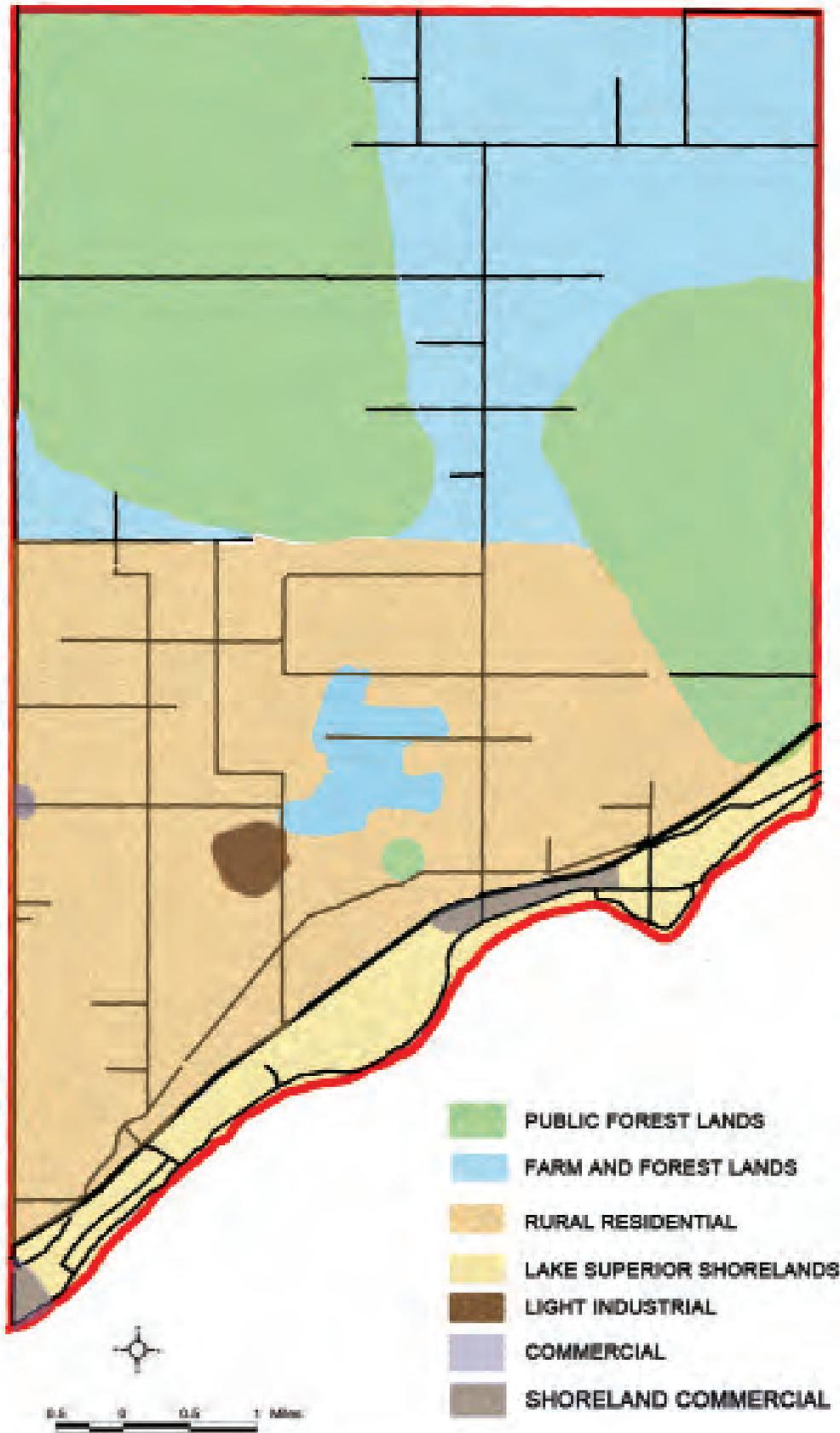
The following goals and policies are associated with the specific Land Use Areas designated on the Land Use Areas Map on the following page, Figure 6.1.

### Lake Superior Shorelands Land Use Areas

**Goal: The purpose of this land use area is to provide for predominantly residential and limited mixed uses.**

**Policies:**

1. Mixed uses should be consistent with the recreational, residential, and natural attributes of Lake Superior.
2. Lot sizes range from urban to suburban scale.
3. Maintain the current densities of development.



The land use areas are based on 2018 zoning districts, modified to reflect the goals and policies for each land use area as described in this section.

These land use areas will be used for updating the Zoning Ordinance following adoption of the CLUP.

The official zoning map will be issued in conjunction with the Zoning Ordinance.

Figure 1. Land Use Area Map

## Rural Residential Land Use Areas

**Goal: The purpose of this land use area is to emphasize and maintain the rural attributes and discourage urban and suburban encroachment.**

### Policies:

1. A primary use in these land use areas is for residences in areas that are less populated than typical urban and suburban areas. The area may consist of undeveloped areas which help to create the sense of ruralness of the area.
2. These land use areas are predominantly forest or forest-agricultural rather than agricultural in nature (discounting the residences).
3. A moderately low level of development is important in these land use areas.
4. Minimize residential development on small lots that are not consistent with existing land use patterns.
5. Residential housing is the primary development and undeveloped parcels should be developed in harmony with the surrounding area's dominant land use activity.
6. Encourage sustainable agricultural practices.
7. Encourage locally grown and marketed agricultural products.
8. Any new non-agricultural businesses should be limited in scale and type consistent with the local rural area.
9. Encourage businesses that serve the local community.

## Farm and Forest Lands Land Use Areas

**Goal: The purpose of this land use area is to maintain, support, and emphasize agricultural and forestry endeavors.**

### Policies:

1. Predominant uses are primarily agriculture and forestry related, including structures associated with these uses. In some cases, there are undeveloped areas that are not being farmed or actively managed.
2. This land use area maintains and promotes the ruralness of the Township and prevents urban and suburban encroachment upon these areas.
3. A low level of development is important in this land use area.
4. Encourage open space and conservation uses as an appropriate means to preserve natural resources on agricultural lands and to retain options for future agricultural activities.
5. Minimize conflicts between residential development and agricultural lands by instituting land use controls such as larger setbacks for residences adjacent to agricultural lands.



6. Encourage sustainable agricultural practices.
7. Encourage locally grown and marketed agricultural products.

## Public Forest Lands Land Use Areas

**Goal: The purpose of this land use area is to preserve and maintain forest lands for growing forest products, ecosystem functions, conservation, open space, and recreation.**

### Policies:

1. Encourage and advocate for the importance and necessity of public lands in the Township.
2. Acknowledge and maintain the importance of open space not only for resource production but also as a primary source of ecosystem functions such as biodiversity, nutrient cycling, carbon sequestration, pest regulation, pollination, and sustained agricultural productivity.
3. Discourage the sale of contiguous parcels of public land.
4. Encourage the management of public lands from the interdisciplinary science of resource management that considers the respective watersheds, is place-specific, cross-scale, and sustainable.



## Inland Commercial Land Use Areas

**Goal: The purpose of this land use area is to provide for concentrated, commercial development that promotes the efficient delivery of goods and services.**

### Policies:

1. Limit expansion of the inland commercial center in the northwest corner of the Township such that it remains much the same as it has been and has not expanded in size.
2. This area largely supports the local community and surrounding areas. The commercial enterprises are not intended to be destinations for people coming from suburban or urban areas. The availability and accessibility of consumer goods and services enhance the Township's economic base and livability.
3. Uses in this land use area may include offices that offer services to the public, as well as offices for other businesses in the surrounding areas. In addition to providing needed services, these uses also provide employment opportunities, as well as benefits to the surrounding rural community.

## Shoreland Commercial Land Use Areas

**Goal: The purpose of this land use area is to provide for concentrated, locally based, commercial development for uses consistent with providing goods and services for the local community, and incidentally for the locally based tourism industry.**

### Policies:

1. Ensure that tourism and events occurring in the North Shore corridor support the North Shore's unique natural environment and reflect its character.

2. Maintain and promote the North Shore's current character, image, landscape, and economic base to serve residents and visitors.
3. Allow new commercial development and redevelopment at commercial nodes.

## Limited Industrial Land Use Areas

**Goal: The purpose of this land use area is to maintain the existing limited industrial land use areas that provide for light industrial and light manufacturing uses that do not adversely affect the residential character of the surrounding area.**

### Policies:

1. Emphasize light industrial development that focuses on groups of businesses that work together, and with the community, to efficiently share resources (materials, water, energy, infrastructure, natural habitat and information), enhance economic prosperity and improve the environment. For example, wastes of one business become resources for another business, to reduce costs and obtain added value from discarded materials.
2. Limited industrial uses may include warehousing, storage, and wholesaling attendant to the principal industrial use.
3. Utilize performance standards to minimize potential land use conflicts and to determine appropriate public health and safety measures.
4. Prohibit uses that may contribute to unacceptable environmental deterioration.
5. Utilize performance standards to create situations where environmental impacts are negligible and acceptable.
6. New or expanded uses shall be limited to operations which do not generate significant traffic volumes or create levels of noise, dust, light, vibration or electrical interference or blight that interfere with surrounding residential uses.
7. Use stringent site design control to minimize potential adverse impacts on nearby uses.
8. Establish an effective buffer area along the site's perimeter which screens visual and other impacts of the site.
9. Design and establish, preferably at the developer's expense, appropriate infrastructure including access roads that prevent adverse traffic flow, conform to existing road design standards, minimize environmental impacts, and prevent traffic hazard problems.
10. When making decisions regarding appropriateness of industrial uses consider if these uses are appropriate to the Township or might be better located elsewhere. Criteria for this decision include environmental compatibility, environmental considerations such as increased carbon footprint due to transportation needs, use of previously developed areas as compared to undeveloped areas in rural areas, and consideration of opportunities to concentrate industrial uses.

# The Natural Environment

## Introduction

The ruralness and character of Duluth Township is largely defined by its rich and diverse natural environment including its wetlands, rivers, forested lands, agricultural lands, and Lake Superior.

Over the centuries the people who have inhabited this land, from Indigenous Peoples to European immigrants to its current residents, have relied upon the natural environment. The natural environment is an intrinsic part of how a community sees itself, with far-reaching and long-term effects on its culture and sense of place. The natural environment contributes to a community's economy, is critical to sustainability of resources, and affects the quality of our future human existence.



The Town is committed to protecting its natural environment. The goals and policies in this section reflect this commitment. Within the Town's regulatory authority these goals and policies can help provide direction when partnering with other agencies and institutions or when responding to comments on agency proposals. They also provide direction for considerations of land uses that may affect the natural environment.

## Ecosystem Services

The natural environment can be considered in terms of ecosystems. An ecosystem can be defined as a large community of living organisms (plants, animals and microbes) in a particular area. The living and physical components are linked together through nutrient cycles and energy flows. Ecosystems may be of any size, but are usually particular to a place.

Benefits from ecosystems are sometimes referred to as "ecosystem services." These services are commonly divided into four components:

1. **Support:** Ecosystems provide services such as nutrient recycling and soil formation, and are necessary for primary production of resources.
2. **Provisioning:** Ecosystems provide humans and non-humans with food, fresh water, shelter, wood, fiber, fuel, etc.
3. **Regulation:** Ecosystems serve to regulate climate, regulate and purify water, and regulate diseases.
4. **Cultural:** Ecosystems provide humans with a certain aesthetic and provide for spiritual connections, educational opportunities and recreational opportunities.

Ecosystems and the services they provide add real value, both in their mere existence and in their usefulness to humans and other beings.

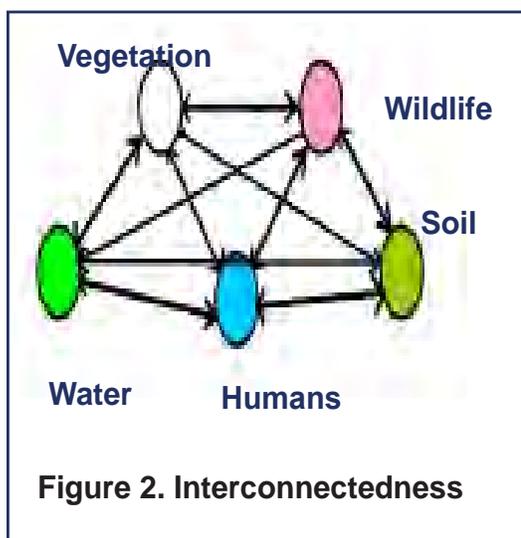


**Goal: Endeavor to maintain or enhance the ecosystem services and functions provided by the natural environment.**

**Policies:**

1. Consider all relevant ecosystem services when making decisions that may affect the natural environment.
2. Use the practice of “sequencing,” whereby impacts to the natural environment are first avoided to the extent possible, then unavoidable impacts are minimized, and finally all impacts are mitigated.
3. Provide for quality, controlled growth that respects natural resources.
4. Limit or redirect development that puts at risk the carrying capacity of land or watersheds.
5. Develop land with respect for the physical limitation of natural resources so that a quality environment can be enhanced and preserved.
6. Discourage development in areas subject to flooding or areas that would contribute to flooding, erosion or sedimentation.

**Interconnectedness**



Interconnectedness is the way in which people and the natural world interact with each other to form a complex whole that operates as a system.

It is often difficult to understand a system without understanding how the elements within a system interact with one another. The importance of interconnectedness is that an action on one part of the system affects all the other parts. In other words, human and natural actions on any component affect the whole system. An example of this is harvesting trees which, while providing humans with wood and fiber, will also affect soil, air, water resources, wildlife, and other vegetation. Planting trees may sequester carbon. Over time, these many activities will have cumulative effects on the natural environment, some of which may be beneficial to humans and some that may not be beneficial. In addition, these activities may contribute to climate change or they may reduce the effects of climate change.

**Goal: Consider the interconnectedness of the natural environment when making land use decisions.**

**Policies:**

1. Identify elements in the natural environment that may be affected by land uses.
2. Use the practice of “sequencing” to help determine appropriate land use practices.
3. Limit land uses that may adversely impact elements of the natural environment.
4. Consider the long-term, cumulative effects of land use decisions on ecosystems.

## Diversity

Diversity in the natural environment, specifically, biodiversity, refers to all the variety of life found in ecosystems (plants, animals, fungi and microorganisms) as well as to the communities that they form and the habitats in which they live. Structural diversity refers to the balance of younger and older ages of these communities.

Diverse communities may be less vulnerable to climate change because they distribute risk among multiple species. This reduces the likelihood that the entire ecosystem will decline even if one or more species are harmed by changing conditions. Even small increases in diversity may increase resilience without greatly altering the overall identity of an ecosystem.

**Goal: Maintain, restore, or enhance the diversity of the natural environment.**

### Policies:

1. Encourage the long-term sustainability of diverse forest ecosystems in terms of species, age, mixture and habitat.
2. Encourage the preservation and maintenance of agricultural lands and forest lands.
3. Designate natural resource protection areas. Establish a threshold for new impervious surfaces within sensitive areas and allow higher thresholds conditional on acquiring conservation easements within the designated area.
4. Advocate for responsible forest and watershed management practices with private landowners and local agencies when harvesting timber in the Township.

## Sustainability

The U.S. Environmental Protection Agency describes sustainability as “Everything that we need for our survival and well-being depends, either directly or indirectly, on our natural environment. To pursue sustainability is to create and maintain the conditions under which humans and nature can exist in productive harmony to support present and future generations.”

**Goal: When making land use decisions consider their sustainability. Encourage and educate landowners in the use of sustainable practices.**

### Policies:

1. Promote sustainable forest and shoreland management and work with appropriate agencies to educate landowners. Encourage qualifying landowners to participate in State tax incentive programs for sustainable forest management.
2. Use conservation easements to mitigate for conditional uses or variances.
3. Use conservation easements and conservation subdivision designs to maintain open space when considering land development proposals.
4. Promote sustainable agricultural practices that enhance the natural environment or alleviate or minimize impacts to the natural environment.
5. Use the Township website to post up-to-date resources for sustainable practices for landowners.

## Climate Change

The natural resources and people of the Town will face increasing challenges from climate change. Climate change brings a bigger threat of periodic drought to our region, substantially increasing the threat of and intensity of forest fires during these periods. In addition, it remains to be seen how the vegetative landscape will adapt to climate change. There is also a potential for large scale die-off of forest species that would increase fuel load for fires.

A recent comprehensive study, Minnesota Forest Ecosystem Vulnerability Assessment and Synthesis (2014 USDA), found that the major stressors and threats to forest ecosystems in the Laurentian Mixed Forest Landscape (of which Duluth Township is part of) include:

- Fragmentation and land-use change
- Shifts in patterns of fire frequency, size, and severity
- Nonnative species invasion
- Forest pests and disease
- Overbrowsing by deer
- Extreme weather events

The study also noted that “management practices during the past several decades have tended to favor aspen across the landscape and reduce species diversity and structural complexity” which will make these areas more vulnerable to climate change.

Extreme weather events resulting from climate change have already been seen across the nation, as well as in Duluth Township. Intense storm events have increased, resulting in more frequent storm events of a magnitude that was previously considered as only occurring every 100 years or less.

### **Goal 1: Increase ecosystem redundancy to strengthen ecosystem resiliency.**

#### **Policies:**

1. Encourage increasing the extent, frequency, and diversity of regeneration stages across the landscape.
2. Develop partnerships with other land management organizations and coordinate conservation practices across regions.

### **Goal 2: Reduce fragmentation to promote continuous natural ecosystems.**

#### **Policies:**

1. Protect large areas from fragmentation through a continued effort of maintaining and creating partnerships, agreements, and other mechanisms for land protection and management across boundaries, especially with St. Louis County and the MN Department of Natural Resources.
2. Focus development of urban infrastructure and housing in already fragmented landscapes.

### Goal 3: Reduce vulnerability to climate change.

#### Policies:

1. Favor or restore native species that are expected to do well under future conditions and that can help meet future needs. Use non-native species better adapted to future conditions when warranted.
2. Promptly prepare and revegetate sites after disturbances.
3. Encourage using a diversity of species for revegetation and other plantings.
4. Work towards control of invasive species through landowner education, elimination of invasive species on Town properties, and participation in existing and future invasive species control programs offered by other agencies.



## Water

The Town is rich in streams and shoreland. Rivers and streams in the Township flow into Lake Superior and include the Sucker, Little Knife, Knife, Little Sucker, French, and Talmadge Rivers, as well as Schmidt and Stanley Creeks, and many unnamed water courses. The Talmadge River, Sucker River, French River, and Knife River have been identified by the MN Pollution Control Agency's 303d list of impaired waters. These rivers were identified as impaired because of turbidity and, in some cases, low dissolved oxygen levels.

There are almost eight miles of shoreland along Lake Superior. While most of this is privately owned, the Congdon Trust Lands are owned by the City of Duluth.

### Goal 1: Protect the quality of potable water.

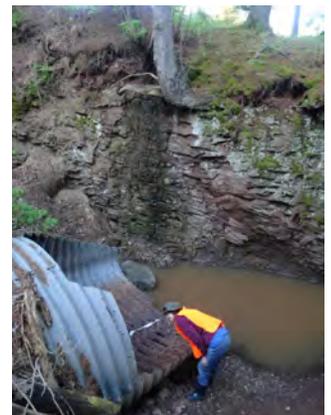
#### Policies:

1. When making land use decisions consider the impacts on the quality and quantity of potable water and use sequencing whereby impacts to the natural environment are first avoided to the extent possible, then unavoidable impacts are minimized, and finally all impacts are mitigated.

### Goal 2: Maintain or restore water quality.

#### Policies:

1. Preserve the functional integrity of all natural drainage courses to minimize impacts from increased storm water runoff and climate change.
2. Prevent, regulate, or limit development along streams and Lake Superior which may cause excessive erosion or endanger water quality.
3. Maintain setbacks, limit clearing, and use other natural resource protection



techniques in designated ridge areas, stream and river corridors, and other areas prone to flooding, erosion, and sedimentation.

4. Make developers and landowners aware early in the development process that the community will favor development proposals that make an effort to be consistent with viewshed and natural resource protection.
5. Divert nutrient loaded waters from infrastructure or agriculture areas to vegetated areas to absorb and settle out nutrients.
6. Collaborate with neighboring landowners around important water bodies to reduce sources of land-based pollutants.
7. Encourage the planting of conifers in riparian areas to increase stream shading and maintain cool water habitat.
8. Continue cooperating and working with St. Louis County and the Duluth North Shore Sanitary District to help assure that waste water treatment infrastructure is in place to protect water quality.



## Wetlands

There are approximately 3,690 acres of wetlands in the Town, occupying about 12 percent of the land base in the Town.

Wetlands throughout the Township help to control flooding and maintain water quality. Wetlands are a critical component of stormwater control. Wetlands serve to hold stormwater and release it slowly, reducing flooding and erosion. In addition, scientists are finding that atmospheric maintenance may be an additional wetlands function. Wetlands store carbon within their plant communities and soil instead of releasing it to the atmosphere as carbon dioxide. Thus, wetlands help to mitigate climate change and moderate global climate conditions.

ties and soil instead of releasing it to the atmosphere as carbon dioxide. Thus, wetlands help to mitigate climate change and moderate global climate conditions.

**Goal: As part of maintaining and enhancing the regulating function of ecosystems, maintain and/or restore wetlands to regulate and purify water, and to increase climate resiliency.**

### Policies:

1. Use the practice of “sequencing,” whereby impacts to wetlands are first avoided to the extent possible, then unavoidable impacts are minimized, and finally all impacts are mitigated.
2. If a project requires the purchase of wetland credits, the preference would be to replace them with the same type in the existing watershed. If it is not possible to replace wetlands in the existing watershed, strongly encourage the replacement in nearby watersheds that flow into Lake Superior.
3. Educate Township residents on the value of wetlands.

# THE BUILT ENVIRONMENT

## Housing

### Goal 1: Encourage housing that reflects the community's ruralness.

#### Policies:

1. When considering development, encourage conservation subdivision designs and explore incentives for conservation subdivision design to support more open space.
2. Maintain the current development density and mix of housing lot sizes, housing types and amenities.

### Goal 2: Encourage a variety of housing to accommodate all members of the community.

#### Policies:

1. Encourage housing of various types for people of all economic levels and household sizes in a manner consistent with Town land use goals.
2. Encourage housing for the elderly, including low-maintenance, smaller units.
3. Encourage assisted living developments with density bonuses.
4. Consider increasing the density of housing through duplexes and triplexes in residential areas where the infrastructure is established and such housing is consistent with Town land use goals.

### Goal 3: Provide for opportunities for rental housing options in the Township.

#### Policies:

1. Focus the majority of rental housing on long term rentals.
2. The number of short-term rentals should be incidental to the major focus of each land use area.
3. When considering short-term rental opportunities consider the number of short-term rentals, their location, and the existing character of the neighborhood both in terms of density and the effect on neighbors. Strive to balance the community interests and the individual freedoms of homeowners.

## Stormwater Management

### Goal 1: Continue to meet the requirements of the Municipal Separate Stormwater System (MS4) permit.

#### Policies:

1. Minimize the total annual volume of surface water runoff into public waters of the State which flows from any specific site during and following development.
2. Reduce stormwater runoff rates and volumes, soil erosion, and non-point source pollution wherever possible through stormwater management controls.
3. Revegetate construction sites as soon as feasible after earth disturbing activities.



- Continue to work with the Minnesota Pollution Control Agency regarding the designation of the Town of Duluth as an MS4.

## Goal 2: Manage land in the Township to minimize effects of storm events.

### Policies:

- Encourage vegetation buffers between development and runoff areas.
- Encourage revegetation of areas damaged by forest diseases and pests or forest activities.
- Encourage site design that minimizes site disturbance and mitigates runoff.



## Viewsheds

With scenic Lake Superior and its associated ridge land areas, viewsheds are an important part of the Township's identity. Lake Superior is a defining attribute of the Township and is valued by residents and tourists alike. Ridgeline areas enhance the Township's sense of forested wildlands. The Township endeavors to preserve opportunities for viewing the scenic beauty of both areas.

## Goal 1: Identify and define ridgelines and manage development to protect views of ridgelines.

### Policies:

- Discourage building on ridgelines through ridgeline setbacks.
- Encourage screening of development near ridgelines and discourage clearcutting on ridgelines to maintain soil stability.

## Goal 2: Manage development to protect views of and along Lake Superior.

### Policies:

- Significant public view corridors from public rights of way along Lake Superior should be identified. A plan for vegetation alterations to enhance each of these view corridors should be developed. Clear cutting is specifically discouraged for this purpose.
- Continue building height limitations to protect views of Lake Superior.

## Dark Night Skies

The National Park Service, a leader in recognizing, protecting and promoting dark night skies states: “The night sky can be one of the most awe-inspiring views we will ever experience. Many people seek protected lands, such as national parks and wilderness areas, to experience starry skies and dark nights. But the night sky and natural darkness are easily damaged and in many places are becoming lost in the glow of artificial lights.” Township residents have become more aware of the value of dark night skies and how, in many areas of our Township, we are privileged to have darkness and enjoy these night skies.

**Goal: Preserve and protect nighttime environment and our heritage of dark skies through environmentally responsible outdoor lighting.**

### Policies:

1. Determine areas where general conditions related to lighting uses are sufficiently different to merit some differences in lighting standards. For example, a more densely developed area would have different standards than less developed areas.
2. Develop standards that limit light pollution and promote energy conservation.

## Lake Superior Shoreland Erosion Hazard Areas

**Goal: Continue to protect erosion hazard areas as identified by the North Shore Management Board (NSMB).**

### Policies:

1. Use maps provided by the NSMB to determine erosion hazard areas.
2. Taking into account the effects of climate change, develop structure setbacks and performance standards that limit the effects of development on shoreline erosion and that provide some protection to the developments themselves.
3. Continue to participate with other agencies and local governmental units on local, regional and national scales to help prevent shoreland erosion.

## Commercial Developments

**Goal: Commercial developments should be well integrated into and compatible with the existing character and natural landscape of each commercial district.**

### Policies:

1. Set design standards and performance standards for commercial development.
2. Create model design standards that limit signage, offer examples of acceptable design styles, and meet commercial performance standards.
3. Offer technical assistance to developers willing to base their developments on the community’s model standards.
4. Determine the appropriate maximum footprint of commercial facilities and require compliance with design standards.
5. Consider mixed use developments in commercial areas.

6. Provide incentives for desired development. Work with existing economic development authorities (IRRRB or other EDA) or similar agencies to provide incentives for commercial development to serve unmet local needs for goods or services.

## Light Industrial Developments

**Goal: Light industrial developments should be well integrated into and compatible with the existing character and natural landscape of each light industrial district.**

### Policies:

1. Set design standards and performance standards for light industrial development facilities.
2. Determine the appropriate maximum footprint of light industrial facilities.

## Utility (Communication) Tower Facilities

**Goal: Construct utility towers in a manner that protects natural resources, particularly migrating birds, provides for the public safety of nearby landowners, maximizes availability of access for the public with a limited number of towers, and is least disruptive to the viewshed.**

### Policies:

1. Develop performance standards for location of towers based on proximity to significant bird migrations, Lake Superior, and residentially zoned areas.
2. Develop performance standards regarding the co-location of equipment on towers.
3. Require that tower locations minimize the number of towers needed.
4. Develop performance standards for size and height of towers based on governmental requirements, public safety, and safety for migrating birds.
5. Develop performance standards for protection of natural resources including wetlands and shorelands.

## Driveways

**Goal: Protect natural resources and provide for public safety when constructing driveways.**

### Policies:

1. Strive to limit the number of driveway entrances onto public roads to provide for public safety. Consider landowner sharing of driveways.
2. Avoid wetlands. If not possible, mitigate for wetlands.
3. Locate driveways where slopes are stable and not steep.
4. Minimize widths of driveways while providing for adequate access for emergency vehicles.
5. Encourage adequate drainage and vegetated ditches to minimize erosion and protect habitat.

## Wildland - Urban Interface Fires

Wildland Urban Interface (WUI) is anywhere where homes are mingled with or adjacent to forested areas or other wildlands. Wildland areas have traditionally been subject to wildfire. In addition, climate change and forest diseases and pests have made forests more vulnerable to wildfire.

**Goal: Reduce the risk of wildfires in WUIs through land use tools.**

### Policies:

1. Encourage and educate property owners to manage hazardous vegetation and maintain their properties.
2. Through vegetation management projects, reduce fuels in the WUI.
3. Through land preservation tools, encourage agricultural lands to buffer development from wildfires.
4. Link planning policies and regulations with other efforts such as Firewise.
5. Pursue a wildfire hazard assessment for the Township.



## COMMUNITY INFRASTRUCTURE AND RESOURCES

### Community Infrastructure and Resources

### Recreation

**Goal 1: Continue the vital role that parks and community centers play in creating a healthy and cohesive community.**

### Policies

1. Continue the Town's involvement with the North Shore Community School and nonprofits in cooperating and helping to provide community recreational opportunities.
2. Consider establishing parklands in the Township that will emphasize the Town's vital connections to the natural environment and provide for open space and recreational opportunities such as hiking, mountain biking, skiing, etc.
3. Consider limited new acquisition to support recreational development. Identify high priority tracts that would enhance recreation opportunities, provide better access to public lands, or are sensitive areas adjacent to public lands. Consider possible land exchanges, donated conservation easements, or other low and no-cost methods of acquisition.



**Goal 2: Continue to build a trails system that provides for motorized and non-motorized uses.****Policies:**

1. Consider limited new acquisition to support a variety of trails. Identify high priority tracts that would enhance recreation opportunities, provide better access to public lands, or are sensitive areas adjacent to public lands. Consider possible land exchanges, donated conservation easements, or other low and no-cost methods of acquisition.
2. Design trails to serve Township residents following strategic community roads and on public land and private land where landowners desire. Connect Township trails to the Lake Superior Hiking trail and the Scenic Highway 61 bike trail as provided for in the 2016 Trails Plan.
3. Recognize and support the concept of trails that are user developed serving residents of the Township.

**Township Government****Goal 1: Strive for effective and efficient Town government.****Policies:**

1. The Town will endeavor to manage its resources in an efficient manner while achieving the most effective results. When determining efficiency and effectiveness, environmental costs and benefits will also be considered.
2. Preserve the Township form of government unless annexation is threatened; then consider becoming a municipality.
3. Sustain local control of land use policy and administration.
4. Build trust in the actions of local government through conscientious adherence to public comment processes, policy goals, and administrative procedures including uniform enforcement.
5. Develop consistent land use policies, procedures, and practices.
6. Ensure consistent enforcement of laws and ordinances.
7. Pursue Township advisory status with public agencies.
8. Maintain the Town Hall as a civic center for the Townspeople.

**Goal 2: Maintain active community engagement.****Policies:**

1. Ensure that land use and development decisions are made with the maximum input of the Townspeople and with full opportunity for public participation.
2. Develop and provide information, education programs, and incentives to further land use goals and promote the existing community character.

3. Recognize the essential contribution of volunteers who provide vital, basic services and endeavor to foster a climate in the Town that inspires volunteers to continue their work.
4. Maintain tools that communicate with Town residents and assist people in accessing vital information and Town services, and that provide information about events occurring in the community. These tools include a vibrant and useful website and a newsletter, as well as other mechanisms as they become available.
5. Publicize the Comprehensive Plan vision and policies. Encourage voluntary actions consistent with the community's long-range vision. Include copies of the vision and policies with permits or other paperwork associated with development.
6. Work with other local government agencies, including St. Louis County agencies and the Minnesota DNR to promote Comprehensive Plan visions and policies when issuing permits or reviewing plans.

## Community Health

Community health focuses on places and systems designed for health and well-being for all ages.

### Goal: Design places and systems for health and well-being.

#### Policies:

1. Consider the effects of the design and development of projects on healthy surroundings.
2. Design transportation, transit, and trail systems that support health by connecting people and places, and by creating opportunities for active lives such as walking, biking, etc.
3. Endeavor to provide opportunities for, and partner with other entities for the health and well-being of everyone in all life stages from early childhood to aging in place.

## Transportation System

### Goal 1: Maintain Town roads in the most effective manner while protecting natural resources.

#### Policies:

1. Minimize the use of dust control chemicals while still providing for public safety.
2. Encourage the maintenance of gravel surfacing on roads.
3. Maintain the Township's many gravel roads in a manner that retains the rural character.
4. Minimize the construction of new Township roads.
5. Develop a maintenance plan for Township roads.
6. Maintain ditches in accordance with best management practices as related to MS4 requirements.



**Goal 2: Work with other transportation agencies to provide an efficient and safe transportation network.**

**Policies:**

1. Work with the state of Minnesota and St. Louis County in developing and maintaining the Town's transportation system.
2. All roads in the Township, excepting the Highway 61 Expressway, are preferred to be two lanes.
3. Actively work with regional transportation agencies to provide mass transit opportunities.

## Public Facilities and Services

**Goal: Develop and maintain public facilities and services necessary for the public health, safety, and general welfare of the Townspeople.**

**Policies:**

1. Periodically conduct facilities assessments and establish a plan to accomplish improvements if needed.
2. Focus on and assure the timely maintenance of existing facilities unless they are scheduled for replacement.
3. Assess and determine the appropriate levels of fire protection, emergency medical services, and police protection.

## Renewable Energy

**Goal: Encourage the responsible use of renewable energy resources.**

**Policies:**

1. Renewable energy resources should be consistent with aesthetic and natural resource policies.
2. Promote the use of alternative energy sources for the benefit of the Township residents.
3. Establish the Town as a leader in turning to renewable energy by working to switch energy consumption at Town facilities to renewable energy.



# Implementation and Monitoring

## Introduction

A CLUP is used to manage for change and shape the future of the Township. It is the legal basis and starting point for guiding the Township's decisions on how land should be used as authorized in Minnesota Chapter 462.

This CLUP provides:

- Guidelines (visions, goals, and policies) for writing zoning ordinances and other Township ordinances.
- Guidelines for the Planning Commission and the Town Board to make decisions on proposals brought before them.
- Guidelines regarding public projects such as Township infrastructure, including roads, buildings, trails, etc.
- A tool to leverage grants, loans, or other financial assistance for community projects.

This section will discuss the implementation and monitoring of the CLUP.

## Implementation

**Goal 1: Review Township ordinances, in particular the Zoning Ordinance and the Stormwater, Erosion, and Sediment Control Ordinance to ensure that the vision, goals, and policies contained in the CLUP are codified in these ordinances.**

**Goal 2: Consider development of a Comprehensive Municipal Plan as defined in MN Section 462.352.**

## Monitoring

**Goal: Determine the data needs for continued monitoring of the CLUP.**

### Policies:

1. Establish data needs, methods for data collection, and data storage for monitoring the following:
  - Changes in land use
  - Changes in the built environment
  - Changes in the natural environment
  - Changes in the community.
2. Periodically conduct an assessment analyzing if the Town is meeting its vision and goals.
3. Annually, the Planning Commission and the Town Board should monitor progress made toward completion of projects listed in the CLUP and determine the need for additional projects to achieve the Township's vision.
4. If there is significant deviation from achieving the vision and goals or there are changes in the Township, consider updating the CLUP.
5. At a minimum, update the CLUP in 2030.

## Appendix A: Activities in Land Use Areas

Table 3.2 Comparison of Current Land Use Areas (Based on Jan. 2019 Data)								
Land Use Area	Inland Commercial	Shoreland Commercial	Public Forest Lands	Farm & Forest Lands	Limited Industrial	Rural Residential	Lake Superior Shorelands	Totals
Current Zoning Designation	COM-3	SCO-8A SCO-8B	FAM-1 FAM-2	FAM-3	LIU-3A	MUNS-4	SMU-6 SMU-6A SMU-8	-
<b>Acreages</b>								
Total Acres	14	129	8,366	8,168	136	11,105	1,769	29,686
Percent of Overall Township	< 1%	< 1%	29.1%	27.5%	< 1%	37.3%	6.1%	-
<b>Parcels</b>								
Number of Parcels	4	29	110	371	9	755	523	1,801
Parcels with Some Level of Development	3	15	1	208	6	433	253	919
Average Parcel Size	3.2	3.2	77.1	21.9	16.7	14.4	2.7	
Median Parcel Size	3.6	2.5	40	20	13.4	10	1	
Parcels if Subdivided to Max Potential*	26	93	310	901	17	2,416	866	4,629
<b>New Single Family Homes 2002-2018</b>								
Number	0	3	1	48	0	81	26	159
Percent of Overall New SF	--	2%	< 1%	30%	--	51%	16%	-
<b>Variances</b>								
Number	0	2	0	6	0	18	41	67
Percent of Variances	--	3%	--	9%	--	27%	61%	-

Table 3.2 Comparison of Current Land Use Areas (Based on Jan. 2019 Data)								
Land Use Area	Inland Commercial	Shoreland Commercial	Public Forest Lands	Farm & Forest Lands	Limited Industrial	Rural Residential	Lake Superior Shorelands	Totals
Current Zoning Designation	COM-3	SCO-8A SCO-8B	FAM-1 FAM-2	FAM-3	LIU-3A	MUNS-4	SMU-6 SMU-6A SMU-8	-
Conditional Use Permit Applications**								
Number Approved/ Not Approved	0	0	0	9 / 1	0	4 / 1	13 / 2	26 / 4
Percent of CUP Applications	--	--	--	33%	--	16%	50%	

\* This figure is strictly a calculation based on overall area divided by minimum parcel size for the zone district. It does not take into account parcels that would not be developable due to wetlands, topographic considerations, etc.

\*\* Includes only unique applications, not reviews or alterations to existing CUPs. Not Approved includes denied, withdrawn and tabled applications.

\*\*\* The Table reflects the deeded acres in the Township whereas the other data represents calculated GIS acreages.

## Appendix B. Land Use Changes

Table 3.1 Land Use Changes by Zoning Districts and Land Use Area from 2004 - 2018					
1984 - 2004 Zoning District	2005-2018 Zoning District	Land Use Areas	1984 – 2004 Acres	2005 – 2018 Acres	Percent Change From 2004 - 2018
C	COM-3	Inland Commercial	5	14	+180%
FM	FAM-1 FAM -2	Public Forest Lands	5057	8,366	+65%
A1	FAM-3	Farm and Forest Lands	10,777	8,168	-24%
ML	LIU-3A	Limited Industrial	178	136	-23%
AR	MUNS-4	Rural Residential	11,729	11,105	-5%
C	SCO-8A SCO - 8B	Shoreland Commercial	9	129	+1,333%
R1, W1, W2	SMU- 6 SMU - 8 SMU - 6A	Lake Superior Shoreland	1935	1,769	-9%
		<b>Total</b>	<b>29,686</b>	<b>29,686</b>	