Artisan Production Shop definition includes coffee roasting

UDC Sections: 50-41.1, 50-20.4  Date of Interpretation: 9/7/2021
Approved by: Adam Fulton, Land Use Supervisor

BACKGROUND: The Unified Development Chapter of the City of Duluth Legislative Code (UDC) is the official body of rules and regulations to guide land use and development in the City of Duluth, Minnesota. UDC Sec. 50-10 Interpretation authorizes the Land Use Supervisor to interpret the provisions of this Chapter.

The question was asked: What use category does a small- to mid-sized coffee roaster fit into?

CODE INFORMATION:
UDC Sec. 50-41.1 Definition of Artisan Production Shop: A building or portion thereof used for the creation of original handmade works of art or craft items by no more than six artists or artisans, either as a principal or accessory use, where the facility includes an area for retail of the art/craft items being produced.

UDC Sec. 50-41.13 Definition of Manufacturing, Light: A facility or area used for the assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building, or where the area occupied by outside operations or storage of goods and materials used in the assembly, fabrication, or processing does not exceed 25 percent of the floor area of buildings on the lot. Examples include but are not limited to: food processing, electronic equipment assembly and manufacturing and assembly from finished products.

UDC Sec. 50-20.4.F.1 Use Specific Standard: Manufacturing, craft, artisan production shop.
(a) In the F-5 and F-7 districts, the use shall not exceed 5,000 sq. ft. in gross floor area;
(b) In the F-5 and F-7 districts, the use is permitted in all building types and on all floors;
(c) Artisan production shops shall maintain at least ten percent of the gross floor area of the facility for retail purposes;

UDC INTERPRETATION:
The City Council established the Craft Manufacturing Artisan Production Shop and Artisan Studio definitions a few years ago to create areas in the downtown and Lincoln Park business districts where artists and craftspeople can practice their arts and craft and then produce small quantities of their goods for sale to the public. More specifically, concerning Artisan Production Shops, the desire was to allow smaller manufacturers of unique and artistic items a way to locate outside of Mixed Use Business Park (MU-B) and Industrial General (I-G) zone districts where larger manufacturers are confined. Traditional manufacturing, as defined by
Manufacturing, Light, has been limited to certain districts in order to reduce land use conflicts and to retain sites in these zone districts for large manufacturers who are need a large, flat site with space for production processes that need to be spread out on one level. Many newer, smaller manufacturers do not need of these types of sites and are interested in locating in traditional business districts where customers are seeking them out to be able to purchase their products at the place of manufacture and with the added interest in being able to see the product being manufactured. Additionally, these manufacturers either do not produce the obnoxious odors, glare, noise, etc. that traditional manufacturers do, or they do so in very limited quantities.

In answering the question that is the subject of this interpretation we considered the definitions of “Manufacturing, Light,” “Artisan Production Shop,” and “Brewery, Craft.” We rejected the latter because the definition and use specific standards are very specifically linked to alcohol production, including limitations placed on the use related to the barrel capacity of the facility. We considered the Manufacturing, Light definition because it references food production as an example. However, placing small- to mid-sized coffee roasters in this definition would relegate them to sites outside of traditional business districts where they would like to locate and this isolation may impact their ability to attract customers.

We arrived at the decision that small- to mid-sized coffee roasters are most like Artisan Production Shops because they produce many varieties of roasted coffee beans in small batches from raw materials that have unique characteristics. Additionally, these small- to mid-sized coffee roasters often produce enhanced coffee products in the same way as artists and crafts people create original works of art or small-batch production items. We find that small- to mid-sized coffee roasters can fit into this definition of Artisan Production Shop with the following limitations that are similar to the Use Specific Standards found in Sec. 50-20.4.F.1:

1. The use is permitted in all form districts inclusive of the standards for “Manufacturing, craft, artisan production shop or artisan studio” as described in Table 50-19.8 of the UDC;
2. The street frontage must meet UDC requirements for the base types allowed in the zone district;
3. The use is limited to 5,000 square feet of gross floor area;
4. At least 10% of the gross floor area is dedicated to retail trade;
5. Deliveries are made from an entrance not on Superior St. or, if deliveries are made via a Superior St. entrance, those deliveries are made before 7 a.m.;
6. Production is limited to 750,000 pounds of coffee roasted per year;
7. The use must not result in noxious odors, or noises that are audible outside the building.

The City anticipates a technical correction to these provisions will be part of a UDC amendment the fall of 2021.

**DISCLAIMER:** While it is the intent of the administration to submit a technical correction to the City Council consistent with this interpretation, the code can only be amended by City Council action. This interpretation is not intended to be a promise or guarantee that the proposed amendment will be enacted.