

Work Session

Wednesday, May 27, 2020

Text Amendment Small-Scale Production Facility

Executive Summary

Goal:

- Increase outputs to regional economic development.

Objectives:

- Facilitate local entrepreneurship;
- Occupy vacant buildings; and
- Revitalize Pueblo's central and historic business districts.

Zoning Text Amendment:

Small-scale production facility will be defined as a use.

Permit as a conditional use in the following zone districts:

- Central Business (B-4);
- Historic Business (H-B); and
- Commercial Charter Neighborhood (CCN).

Conditional use standards will require:

- Nuisance control;
- Limited gross floor area;
- Storefronts with active uses;
- Facade articulation for blank walls; and
- Screening limited service and loading areas.

Text Amendment

Small-Scale Production Facility

Introduction

Staff proposes to allow small-scale production facilities as a conditional use in the Central Business (B-4), Historic Business (H-B), and Commercial Charter Neighborhood (CCN) Zone Districts. The goal of providing for this use in these zone districts is to facilitate local entrepreneurship, occupy vacant buildings, and revitalize Pueblo's downtown and central business and historic neighborhoods, thereby expanding business opportunity and economic development.

Background and Analysis

Twenty-First Century technologies and consumer market preferences for locally-designed and made artisanal products have spurred a trend in mass production of goods such as art, apparel printing, 3D-printing, casting, engraving, food, brewing, distilling, metal work, and woodworking. Many such goods can be manufactured or produced on a small-scale within a commercial setting because they do not result in the negative externalities customary of large-scale manufacturing and production that have been traditionally limited to industrial zone districts located along the periphery of commercial districts. Since noise, odor, vibration, dust, and hazardous materials are not generally associated with small-scale production, such uses may be conditionally permitted. These uses will also ensure compatibility with the surrounding business district. Commercial structures enclosing the uses shall maintain active uses at the ground-floor storefronts. The upper stories shall not have unarticulated facades. Strict limitations will apply for on-street loading.

The presence of small-scale producers or “makers” in Pueblo and their increased demand for land use is an opportunity to direct their activities to business districts. Etsy, originally a “handmade” marketplace on the Internet, in 2013 allowed outsource “manufacturing,” where Etsy designers partner with qualified and ethical manufactures to mass produce their products.¹ Pueblo is one of five cities nationwide to be awarded a “Maker Cities Grant” by Etsy.² The Pueblo Makes community collective will provide custom-designed training, technical assistance, and mentoring to help makers become entrepreneurs and expand Pueblo’s growing creative economy.

This sector is attracted to business districts because it does not require large industrial warehouses nor shipping access to railroad or interstate highways. Allowing small-scale production will facilitate adaptive reuse and occupancy. Furthermore, small-scale producers choose to operate in business districts to be visible and present in the local community. This is an opportunity to promote pedestrian activity and contribute to revitalization of neighborhoods.³ A primary area of concern is the Central Business (B-4)

¹Finley, K. (2015, September 15.) “Etsy Embraces Mass-Manufacturing.” Wired Magazine. <https://www.wired.com/2015/09/etsy-embraces-mass-manufacturing/>

²Erickson, A. (2019, October.) “Announcing the 2019 Maker Cities Grantees. *Etsy News*. <https://blog.etsy.com/news/2019/announcing-the-2019-maker-cities-grantees/>

³Models of urban design that accommodate small-scale production, see *Colorado Outdoors* in Montrose, CO, and *Wynwood Neighborhood* in Miami, FL.

Zone District, which includes Downtown Pueblo, the Northern Avenue Business Corridor, the Pueblo Mall, and other important commercial nodes of the City of Pueblo, including the Union Avenue Historic Business (H-B) Zone District.

Currently, “manufacturing and production,” which, as defined, provides for any and all scales of manufacturing, processing, fabrication, packaging, assembly of goods, etc., is limited to Business Park (B-P) and industrial (I-1, I-2, I-3) zone districts.

Pueblo does not broadly provide for small-scale uses. Currently, there are four (4) specialized uses that may be construed to involve small-scale production, but these are limited in scope of economic output:

USE	PROVIDES FOR	B4	BP	CCN		HB	I1	I2	I3
				MAJOR	MINOR				
Brewpub	Related manufacturing not to exceed 30% of gross floor area.	C	C	S	S	S	S	S	C
Laboratory	Manufacturing of biotech, pharmaceuticals, etc., but only accessory and incidental to laboratory research, testing, etc.	S	S				P	S	P
Microbrewery	Producing beer.	S	S			S	P	P	P
Woodworking	Producing furniture, cabinetry.	C	P				P	P	P

Legend: (C) Conditional Uses; (P) Permitted Uses; (S) Special Use Permits

Research of Other Cities

- Conditional use standards adapted from Fairfax County, VA; Leesburgh, VA; Woodhaven, MI; and North Brooklyn, NY.
- Boston: Off-street loading, design (Sec. 24), “new economy uses” in the South Station Economic Development Area (Sec. 40-12), and identifies Downtown Districts (Appendix A).
- Los Angeles: Certain commercial districts provide for a mixture of limited manufacturing that might be construed as small-scale production.
- Design guidelines for downtown defined “active uses” and detailed criteria for ground floor treatment, which address the form of downtown in a way that the zoning code does not (*Downtown Design Guidelines*, Section 4).⁴
- San Francisco: Production, Distribution, and Repair (PDR) classifies light industrial uses by form types, (core, light buffer, general, and design) (Sec. 102). Definition of volatile materials storage (Sec. 102). Performance standards and definitions for ground-floor commercial uses (Sec. 145.4). Street frontage, parking, and loading access restrictions (Sec. 155r).

⁴Los Angeles is phasing out its current zoning code (Section 1) with a complete “re:code” (Section 1A). Implementation is phasing in through new neighborhood plans.

- The purpose of a PDR is to foster economic development of “new and evolving industry and activity types” while separating or buffering these activity types from residential, large office, and large-scale retail areas. PDR requires affordable rents and locates in “large, flexible spaces” with open interior spaces, high ceilings, freight loading docks and elevators, floors capable of bearing heavy loads, and large storage areas. More intensive PDR results in trucking and delivery activities, 24-hour operation, and emission of noise, odors, and vibrations. (Sec. 210.)
- Mixed Use districts are designed for small-scale production offices and neighborhood-serving commercial and residential uses (Secs. 840 and 842).

Cities' that provide for small-scale production in comparison to Pueblo City zone districts:

CITIES	ZONE DISTRICT CHARACTERISTICS	B4	BP	CCN	HB
Boston					
South Station	New Economy uses limited to R&D, prototype manufacturing, biomedical, labs	x	x		
Los Angeles					
C2	Retail with limited manufacturing	x	x		
C4	Same as C2 with limitations	x			
C5	Same as C2 with limited floor by CM use type	x			x
San Francisco					
PDR-1-D	PDR (Production, Development, Research) Design	x		x	x
MUO	Mixed Use Office, small-scale production, and arts	x		x	
MUG	Mixed Use General, small-scale production, office, retail, residential	x		x	x

Ordinance to the Pueblo City Zoning Code (Draft)

17-2-1, General definitions:

Building Orientation.

(1) Primary Facades: A building's primary facade(s) includes all facade(s) adjacent to public rights-of-way. A primary facade shall serve as the main access point to a building or building unit. In situations where it is not possible for a building's primary entrance to be located adjacent to a public right-of-way, facade(s) adjacent to a major access drive and/or primary parking area serve as the primary facade(s). A parcel or lot may have multiple primary facades depending upon the location of adjacent rights-of-way and the structure's primary entrance.

(2) Secondary Facades: A building's secondary facades shall consist of all other facades that are not defined as a primary facade.

17-2-2, Use definitions:

Small-scale production facility means an establishment where shared or individual tools, equipment, or machinery are used to support design-related and local artisan industries to make or grow products on a less-intensive and small scale, including the design, prototyping, production, processing, printing, assembly, treatment, testing, repair, and packaging, as well as any incidental storage and retail sales and distribution of such products, without the use or storage of hazardous materials. Typical small-scale production establishments include, but are not limited to, research and development, or the making of electronics, food products, beverages, prints, household appliances, leather products, jewelry and clothing/apparel, metal work, furniture, glass and ceramic or paper, together with accessory uses such as training or educational programs. Such establishments situated in pedestrian environments shall be limited in gross floor area and have direct interaction with the public.

17-4-51 (b), Zone districts, table of permitted uses:

Conditional use: Central Business (B-4), Commercial Charter Neighborhood (CCN), and Historic Business (H-B).

17-4-51 (e), Conditional use standards:

Nuisance control: all small-scale production uses shall be located within a completely enclosed structure; no sound, smoke, odor, vibration, dust, glare nor heat shall be measurable beyond the space in which the small-scale production use is housed; the emission of sound, smoke, odor, vibration, dust, glare, heat, or other adverse impacts must be mitigated in accordance with all local and state standards; an industrial hygiene report may be requested at the discretion of the administrative official;⁵ hazardous production processes and the storage of hazardous materials are prohibited.

Use is limited to 6,000 square feet of gross floor area.

Public interaction required through the facility's associated retail sales, tours, classes, in-progress production display, or other elements.

For buildings with storefronts along primary facades, such related fenestration shall be maintained in the following ways: be transparent with highly visible, ground-floor displays;⁶ no storage of materials or other inactive uses in display areas; display areas may be screened if providing visual interest.

Facade articulation: Walls shall not have an uninterrupted length exceeding twenty-five (25) feet; blank walls shall be articulated with one or more of the following facade treatments: providing horizontal or vertical breaks through changes in color, texture, material, and/or graphical patterning; awnings; windows; murals and art; or other similar techniques.

⁵ Note: The Land Use Administrative Official may confer with local, state and federal officials. If other jurisdictions have requirements, then the zoning code should not speak for them.

⁶ Note: During the February 26 work session Planning & Zoning Commission members voiced different opinions about transparency of display windows.

The primary facade shall incorporate architectural or visually interesting elements that set it apart from the secondary facades; and there shall be architectural compatibility of all exterior materials, colors and details in accordance with the building's style.

Service and loading areas, including outdoor storage, trash collection, HVAC equipment, exhaust pipes or stacks, elevator housing, wireless communication devices, and other service functions shall be screened, recessed or enclosed from view from the public right of way and from adjacent properties by using walls, opaque fencing, and roof elements; all screening materials shall be architecturally compatible with the principal structure.

Service and loading areas shall not be located along primary facades.⁷ The Administrative Official has the authority to allow service and loading areas along primary facades in situations where a documented physical hardship exists,⁸ precluding the service and/or loading areas from a secondary facade.

⁷ Re: service and loading, confer with City Transportation / Joy Morauski and Dan Centa; General PMC 15-1-8 (2)(u) and (6)(f) provides for special "freight loading" permits that authorize parking or standing of vehicles for a period of time "not to exceed fifteen minutes." What agencies issue loading permits? Restrict hours for on-street loading in certain loading areas?

⁸ Hardship would qualify if an existing structure with service and loading dock faces the street.