

BOARD of SUPERVISORS



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## MEMORANDUM

TO: Jonas Ionin, Director of Commission Affairs, Historic Preservation Commission

FROM:  Alisa Somera, Legislative Deputy Director, Rules Committee

DATE: November 19, 2018

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS  
Rules Committee

The Board of Supervisors' Rules Committee has received the following legislation, which is being referred to the Historic Preservation Commission, pursuant to Charter, Section 4.135, for comment and recommendation.

**File No. 181080**

**Ordinance amending the Administrative Code to establish the African American Arts and Cultural District in the Bayview Hunters Point neighborhood; to require City departments to submit written reports and recommendations to the Board of Supervisors and the Mayor describing the cultural attributes of the District, and proposing strategies to acknowledge and preserve the cultural legacy of the District; and to establish the African American Arts and Cultural District Community Advisory Committee to advise the City on the same matters; and affirming the Planning Department's determination under the California Environmental Quality Act.**

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: John Rahaim, Director  
Scott Sanchez, Zoning Administrator  
Lisa Gibson, Environmental Review Officer  
AnMarie Rodgers, Legislative Affairs  
Tim Frye, Preservation Coordinator  
Andrea Ruiz-Esquide, Deputy City Attorney  
Joy Navarrete, Major Environmental Analysis  
Georgia Powell, Planning Misc. Permits Routing

1 [Administrative Code - African American Arts and Cultural District]

2  
3 **Ordinance amending the Administrative Code to establish the African American Arts**  
4 **and Cultural District in the Bayview Hunters Point neighborhood; to require City**  
5 **departments to submit written reports and recommendations to the Board of**  
6 **Supervisors and the Mayor describing the cultural attributes of the District, and**  
7 **proposing strategies to acknowledge and preserve the cultural legacy of the District;**  
8 **and to establish the African American Arts and Cultural District Community Advisory**  
9 **Committee to advise the City on the same matters; and affirming the Planning**  
10 **Department's determination under the California Environmental Quality Act.**

11 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
12 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
13 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
14 **Board amendment additions** are in double-underlined Arial font.  
15 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
16 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
17 subsections or parts of tables.

18 Be it ordained by the People of the City and County of San Francisco:

19 Section 1. Findings.

20 (a) The Planning Department has determined that the actions contemplated in this  
21 ordinance comply with the California Environmental Quality Act (California Public Resources  
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of  
23 Supervisors in File No. \_\_\_ and is incorporated herein by reference. The Board affirms this  
24 determination.

25 (b) On \_\_\_\_\_, the Historic Preservation Commission held a duly  
noticed hearing regarding the effects of this ordinance upon historic or cultural resources, and

1 has submitted a written report to the Board of Supervisors as required under Charter Section  
2 4.135. The report is on file with the Clerk of the Board of Supervisors in File No. \_\_\_\_.

3  
4 Section 2. Chapter 107 of the Administrative Code is hereby amended by revising  
5 Section 107.3, to read as follows:

6 **SEC. 107.3. LIST OF ESTABLISHED CULTURAL DISTRICTS.**

7 The Cultural Districts of the City and County of San Francisco are:

8 (a) **Japantown.** The Cultural District shall include the area bound by California Street  
9 to the north, Steiner Street to the west, Gough Street to the east, and Geary Boulevard, Ellis  
10 Street and O'Farrell Street to the south.

11 (b) **Calle 24 (Veinticuatro) Latino Cultural District.** The Cultural District shall  
12 include the area bound by Mission Street to the west, Potrero Street to the east, 22nd Street  
13 to the north, and Cesar Chavez Street to the south, as well as the commercial corridor on 24th  
14 Street extending west from Bartlett Street to Potrero Avenue, and the Mission Cultural Center  
15 at 2868 Mission Street.

16 (c) **SoMa Pilipinas – Filipino Cultural Heritage District.** The Cultural District shall  
17 include the area bounded by 2nd Street to the east, 11th Street to the west, Market Street to  
18 the north, and Brannan Street to the south, as well as the International Hotel (also known as  
19 the I-Hotel, at 848 Kearny Street), the Gran Oriente Filipino Masonic Temple (106 South Park  
20 Street), Rizal Apartments, the Iloilo Circle Building, Rizal Street, and Lapu Street.

21 (d) **Compton's Transgender Cultural District.** The Cultural District shall include the  
22 area defined as the north side of Market Street between Taylor Street and Jones Street, the  
23 south side of Ellis Street between Mason Street and Taylor Street, the north side of Ellis  
24 Street between Taylor Street and Jones Street, and 6th Street (on both sides) between  
25 Market Street and Howard Street.

1 (e) **Leather and Lesbian, Gay, Bisexual, Transgender, Queer Cultural District.**

2 The Cultural District shall include the area bounded by Howard Street to the northwest, 7th  
3 Street to the northeast, Highway 101 to the south between Howard Street and Bryant Street,  
4 Division Street to the south between Bryant Street and Interstate 80, and Interstate 80 to the  
5 east, as well as the south side of Harrison Street between 7th Street and Morris Street.

6 (f) **African American Arts and Cultural District.** The Cultural District shall include the area  
7 bounded by Cesar Chavez Street projected through Pier 80 to the north, San Francisco Bay to the east  
8 and to the south until Harney Way reaches Highway 101, and Highway 101 to the west.

9  
10 Section 3. The Administrative Code is hereby amended by adding Chapter 107A,  
11 consisting of Sections 107A.1 and 107A.2, to read as follows:

12 **CHAPTER 107A:**

13 **AFRICAN AMERICAN ARTS AND CULTURAL DISTRICT**

14 **SEC. 107A.1. FINDINGS.**

15 The African American Arts and Cultural District (the “District”) within the Bayview Hunters  
16 Point neighborhood is a robust, economically vital area that adds to the rich cultural tapestry of San  
17 Francisco. In establishing the District, the City acknowledges the importance of recognizing the  
18 neighborhood’s history and preserving the legacy and traditions uniquely born in the Bayview Hunters  
19 Point. The District will recognize and memorialize the unheralded African American experience in San  
20 Francisco, and will help to preserve and increase the depth and impact of the African American legacy  
21 in the City.

22 Bayview Hunters Point, more than any other neighborhood in San Francisco, reflects the  
23 transformational journey of southern Blacks and their contributions to the City. In 1940, San  
24 Francisco’s Black population was less than 1%. Seeking opportunity in the early years of World War  
25 II, African Americans moved to San Francisco in record numbers, filling key jobs at the shipyards.

1 Many found their first employment opportunities at the bustling Hunters Point Naval Shipyard.  
2 By the end of the war, San Francisco's African American population had increased by 660%, and by  
3 1950, African Americans made up about 25% of the population in the Bayview Hunters Point  
4 neighborhood. This neighborhood was one of the City's earliest socially and ethnically integrated  
5 neighborhoods after the Jim Crow era, 1877-1965, and served as the launch pad for the integration of  
6 other neighborhoods in the City. The influence of African Americans from this neighborhood helped  
7 San Francisco move beyond a legacy of ethnic isolation and social barriers.

8 After the war, African Americans faced significant unemployment and discrimination from  
9 white residents and businesses, and local government agencies. By the 1960s, over half of Bayview  
10 Hunters Point residents were African American; this transformation was met with many challenges and  
11 resistance. The San Francisco Housing Authority assumed responsibility for the homes constructed by  
12 the Navy in Bayview Hunters Point. Shortly thereafter, this area experienced a downward spiral in  
13 living conditions and economic opportunity through lack of investment. Political, social, and economic  
14 stressors pressured the neighborhood in subsequent years and threatened to unravel the  
15 neighborhood's fabric. These conditions did not break the spirit of the residents. It strengthened the  
16 resolve of these residents as they fought and succeeded in battles for access, representation, and  
17 accountability.

18 By the 1970s, after the closing of the Shipyard, the poverty rate in Bayview Hunters Point was  
19 20%, and the systemic mishandling of public housing made bad situations worse. Despite worsening  
20 conditions, in the 1980's, African Americans still comprised nearly 80% of the population of Bayview  
21 Hunters Point, and the neighborhood retained one of the City's highest rates of homeownership. A  
22 cohort of African American leaders formed over time and demanded change, better housing and living  
23 conditions, quality schools, open spaces, and access to jobs. Those community leaders continue to  
24 shape the Bayview Hunters Point neighborhood to this day.

1           The ongoing out-migration of African Americans who once lived in San Francisco has shrunk  
2 the City's African American population from its highest point of 13.4% in 1970, to 6.1% in 2010, and  
3 an estimated 4% in 2018. In spite of this decline, African American culture remains a distinct gem in  
4 the Bayview Hunters Point neighborhood. The neighborhood is socioeconomically diverse and  
5 inclusive. With African American residents making up 28% of the neighborhood, it still boasts the  
6 highest concentration of African Americans within San Francisco. There is still a strong presence of  
7 African American culture as is evidenced by business owners, religious congregations, public arts, and  
8 native musicians.

9           This culture reflects a long history. The neighborhood's cultural and artistic traditions began  
10 to take root well before the neighborhood shifted demographically. The southern migrants came with  
11 traditions, history, and aspirations handed down from one generation to the next. Over time,  
12 businesses along 3rd Street began to slowly change and become a reflection of the neighborhood.  
13 Community-based organizations formed to address specific unmet needs and demand investments that  
14 benefited the neighborhood. The result was an incredible blend of southern Black traditions with a  
15 distinctive West Coast vibe, with community locales such as the Bayview Community Center, Sam  
16 Jordan's Bar, the Jazz Room, and the Bayview Opera House, that are now historic institutions. Today,  
17 the influence of African Americans can be found throughout the neighborhood. Community buildings,  
18 streets, parks and open space, and art honor African American leaders and the African American  
19 experience.

20           The legacy of African Americans in Bayview Hunters Point is now in jeopardy. As the African  
21 American population decreases, approaching pre-World War II levels, community institutions and the  
22 neighborhood culture are threatened. The establishment of the District aims to help retain Bayview  
23 Hunters Point institutional memory for this and future generations, and to ensure that the legacy and  
24 transformative contributions of African Americans is not forgotten or overwritten.

1           The story of the Bayview Hunters Point neighborhood continues to unfold and this story of  
2 transformation must be preserved while looking to the future. As the Hunters Point Naval Shipyard is  
3 transformed into a dynamic new neighborhood, San Francisco must not overlook the contributions of  
4 those who transformed the neighborhood in the past. To that end, the District will serve to (1)  
5 acknowledge the importance of the neighborhood's history, (2) preserve the legacy, cultural assets,  
6 arts, and traditions uniquely born in Bayview Hunters Point, (3) create a community-led and  
7 transparent initiative, driven by Bayview Hunters Point stakeholders, (4) incubate homegrown  
8 entrepreneurship and artistic expressions, and (5) create an environment susceptible to sustainable  
9 businesses and economic vitality to improve quality of life for all residents.

10  
11           **SEC. 107A.2. REQUIRED REPORTS.**

12           (a) Department Reports to the Mayor's Office of Housing and Community Development.  
13 By no later than July 9, 2019, the departments listed in this subsection (a) shall submit to the Mayor's  
14 Office of Housing and Community Development reports containing an assessment of relevant assets  
15 and needs in the District, recommendations on programs, policies, and funding sources that could  
16 benefit the District, and other recommendations that could serve the District to advance the goals of  
17 this Chapter 107A. Each department shall seek the input of the African American Arts and Cultural  
18 District Community Advisory Committee established in Chapter 5, Article XXX of the Administrative  
19 Code, during that committee's existence, as well as residents, businesses, and organizations in the  
20 District, when compiling the information relevant for the reports and when deciding on  
21 recommendations.

22           (1) The Historic Preservation Commission's report shall describe and evaluate  
23 historic resources in the District and make recommendations regarding how the City may preserve  
24 those resources.

1                   (2) The Office of Economic and Workforce Development's report shall (A) describe  
2 existing businesses and nonprofit organizations that contribute to the culture of the District, and make  
3 recommendations regarding how the City may serve those businesses and organizations; and (B)  
4 describe tourist activity in the District, and make recommendations regarding how the City can sustain  
5 and increase that activity.

6                   (3) The Arts Commission's report shall describe the artistic and cultural assets in  
7 the District, including fine arts, performing arts, and regular cultural events like festivals, and make  
8 recommendations about how the City may preserve and support those assets.

9                   (4) The Department of Public Works' report shall describe public amenities and  
10 infrastructure that reflect the character of the District, which may include but need not be limited to  
11 signage, street names, and light posts.

12                   (5) The Planning Department's report shall make recommendations regarding  
13 potential amendments to the Planning Code that could contribute to the preservation of the character  
14 of the District.

15                   (6) The Human Rights Commission's report shall evaluate and describe the cultural  
16 competency of City services in the District, and propose policy changes to address deficits in those  
17 areas.

18                   **(b) Culture, History, Housing, and Economic Sustainability Strategy Report.** By no later  
19 than October 8, 2019, the Mayor's Office of Housing and Community Development shall prepare and  
20 submit to the Board of Supervisors and the Mayor a Culture, History, Housing, and Economic  
21 Sustainability Strategy Report ("CHHESS Report") for the District. The CHHESS Report shall include  
22 a demographic and economic profile of the District, including past, current, and future trends; analyze  
23 and record the tangible and intangible elements of the District's cultural heritage; identify areas of  
24 concern that could inhibit the preservation of the District's unique culture; and propose legislative,  
25 economic, and other solutions and strategies to support the District. The CHHESS Report shall discuss



1 or incorporate the findings and recommendations of departments in the reports required by subsection  
2 (a) of this Section 107A.2. In preparing the CHHESS Report, the Mayor's Office of Housing and  
3 Community Development shall solicit recommendations and feedback from the African American Arts  
4 and Cultural District Community Advisory Committee, and spearhead a community engagement  
5 process with residents, businesses, and workers in the District, in order to develop the strategies and  
6 plans that will preserve and enhance the culture of the District.

7 (c) **Board of Supervisors Consideration.** Following receipt of the CHHESS Report from  
8 the Mayor's Office of Housing and Community Development, the Board of Supervisors may take any  
9 action that the Board deems appropriate, including, by resolution, approving the report, modifying the  
10 report, rejecting the report, or requesting additional information or analysis from the Mayor's Office of  
11 Housing and Community Development or any other City department or agency.

12 (d) **Progress Reports.** The Mayor's Office of Housing and Community Development shall  
13 provide a progress report on the strategies outlined in the CHHESS Report at least once every three  
14 years following the Board of Supervisors' enactment of a resolution approving or modifying the  
15 CHHESS Report.

16  
17 Section 4. Chapter 5 of the Administrative Code is hereby amended by adding Article  
18 XXX, consisting of Sections 5.30-1 through 5.30-6, to read as follows:

19 **ARTICLE XXX:**

20 **AFRICAN AMERICAN ARTS AND CULTURAL DISTRICT COMMUNITY ADVISORY**  
21 **COMMITTEE**

22  
23 **SEC. 5.30-1. CREATION OF COMMITTEE.**

24 The Board of Supervisors hereby establishes the African American Arts and Cultural District  
25 Community Advisory Committee (the "Committee").

1  
2           **SEC. 5.30-2. MEMBERSHIP.**

3           The Committee shall consist of seven voting members, nominated by the Supervisor for District  
4 10 and appointed by the Board of Supervisors, with the following qualifications:

5           (a) Seats 1, 2, 3, and 4 shall be held by individuals who reside within the boundaries of the  
6 African American Arts and Cultural District (the "District"), as described in Section 107.3 of this  
7 Code.

8           (b) Seat 5 shall be held by an owner of a business located in the District.

9           (c) Seat 6 shall be held by an employee of a business located in the District.

10           (d) Seat 7 shall be held by a person with knowledge or expertise regarding the history or  
11 culture of the District.

12  
13           **SEC. 5.30-3. ORGANIZATION AND TERMS OF OFFICE.**

14           (a) Members of the Committee shall serve at the pleasure of the Board of Supervisors and  
15 may be removed by the Board at any time. Each member may remain on the Committee until the  
16 termination of the Committee under Section 5.30-6, unless removed by the Board. A seat that is vacant  
17 on the Committee shall be filled by the Board.

18           (b) Service on the Committee shall be voluntary and members shall receive no  
19 compensation from the City.

20           (c) Any member who misses three regular meetings of the Committee within a six-month  
21 period without the express approval of the Committee at or before each missed meeting shall be  
22 deemed to have resigned from the Committee ten days after the third unapproved absence. The  
23 Committee shall inform the Clerk of the Board of Supervisors of any such resignation.

1           (d) The Mayor's Office of Housing and Community Development shall provide  
2 administrative support for the Committee. All City officials and agencies shall cooperate with the  
3 Committee in the performance of its functions.

4  
5           **SEC. 5.30-4. DUTIES.**

6           The Committee shall advise the Board of Supervisors, the Mayor, and the Mayor's Office of  
7 Housing and Community Development regarding strategies to support and preserve the unique culture  
8 and heritage of the African American Arts and Cultural District, and shall provide input to all City  
9 agencies in the preparation of reports required under Section 107A.2 of this Code.

10  
11           **SEC. 5.30-5. MEETINGS AND PROCEDURES.**

12           (a) The Committee shall hold its inaugural meeting not more than 30 days after the Board  
13 has appointed at least four members to the Committee. There shall be at least ten days' public notice  
14 of the inaugural meeting. Following the inaugural meeting, the Committee shall hold a regular  
15 meeting not less than once every three months until the sunset date set forth in Section 5.30-6.

16           (b) The Committee shall elect its officers and may establish bylaws and rules for its  
17 organization and procedures.

18  
19           **SEC. 5.30-6. SUNSET.**

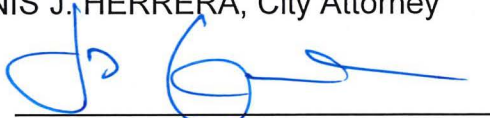
20           Unless the Board of Supervisors by ordinance extends the term of the Committee, this Article  
21 XXX shall expire by operation of law, and the Committee shall terminate, three years after the effective  
22 date of the ordinance in Board File No. \_\_\_\_\_ enacting this Article. After that date, the City Attorney  
23 shall cause this Article XXX to be removed from the Administrative Code.

1 Section 5. Effective Date. This ordinance shall become effective 30 days after  
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
4 of Supervisors overrides the Mayor's veto of the ordinance.

5  
6 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors  
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,  
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal  
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment  
10 additions, and Board amendment deletions in accordance with the "Note" that appears under  
11 the official title of the ordinance.

12  
13 APPROVED AS TO FORM:  
14 DENNIS J. HERRERA, City Attorney

15 By:



16 JON GIVNER  
Deputy City Attorney

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## LEGISLATIVE DIGEST

[Administrative Code - African American Arts and Cultural District]

**Ordinance amending the Administrative Code to establish the African American Arts and Cultural District in the Bayview Hunters Point neighborhood; to require City departments to submit written reports and recommendations to the Board of Supervisors and the Mayor describing the cultural attributes of the District, and proposing strategies to acknowledge and preserve the cultural legacy of the District; and to establish the African American Arts and Cultural District Community Advisory Committee to advise the City on the same matters; and affirming the Planning Department's determination under the California Environmental Quality Act.**

### Existing Law

The Board of Supervisors has recognized five neighborhoods with distinct cultural heritage as "cultural districts" in San Francisco. Chapter 107 of the Administrative Code outlines the process by which the Board intends to create new cultural districts in the future.

### Amendments to Current Law

The proposed ordinance would establish the African American Arts and Cultural District in the Bayview Hunters Point neighborhood. The ordinance sets forth the geographic boundaries of the neighborhood and describes the neighborhood's rich cultural history, including the contributions of African American residents and businesses to the neighborhood's character.

The ordinance requires several City departments to prepare and submit reports to the Mayor's Office of Housing and Community Development by July 9, 2019. The reports will assess the assets and needs in the District, and will recommend programs, policies, and funding sources that could benefit the District and preserve its cultural legacy. The ordinance requires six City departments to prepare reports: the Historic Preservation Commission, the Office of Economic and Workforce Development, the Arts Commission, the Department of Public Works, the Planning Department, and the Human Rights Commission. After these reports are complete, the Mayor's Office of Housing and Community Development will prepare a Culture, History, Housing, and Economic Sustainability Strategy Report (CHHESS Report). The CHHESS Report will include a demographic and economic profile of the District, including past, current, and future trends; analyze and record the District's cultural heritage; identify areas of concern that could inhibit the preservation of the District's unique culture; and propose legislative, economic, and other solutions and strategies to support the District. By October 8, 2019, the Mayor's Office of Housing and Community Development will submit the report to the Board of Supervisors for the Board's consideration and possible approval. The Mayor's Office of Housing and Community Development will prepare additional progress reports every three years thereafter.

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The ordinance also establishes the African American Arts and Cultural District Community Advisory Committee, a seven-member advisory body with members nominated by the District 10 Supervisor and appointed by the Board of Supervisors. The Committee will advise the Board of Supervisors, the Mayor, and the Mayor's Office of Housing and Community Development regarding strategies to support and preserve the culture and heritage of the African American Arts and Cultural District, and will provide input to City departments in the preparation of the reports described above.

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