

LEGISLATIVE DIGEST

[Planning Code - Arts Activities and Social Service or Philanthropic Facilities as Temporary Uses]

Ordinance amending the Planning Code to allow Arts Activities and Social Service or Philanthropic Facilities as a temporary use in vacant ground-floor commercial space; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

Existing Law

Sections 205 through 205.5 authorize various types of temporary uses to operate for time limits that vary between 24 hours and four years with options for extension.

Amendments to Current Law

This ordinance would enact an additional form of temporary use which would allow Arts Activities and Social Service or Philanthropic Facility Uses as a temporary use in a vacant ground-floor commercial space. The initial period could be no longer than one year with a one-year extension available.

Arts Activities are defined in Section 102 of the Planning Code as a use that "includes performance, exhibition (except exhibition of films), rehearsal, production, post-production and some schools of any of the following: dance; music; dramatic art; film; video; graphic art; painting; drawing; sculpture; small-scale glassworks; ceramics; textiles; woodworking; photography; custom-made jewelry or apparel; and other visual, performance, and sound arts and craft." It excludes accredited Schools and Post-Secondary Educational Institutions and includes commercial arts and art-related business service uses, as described in the definition. A Social Service or Philanthropic Facility use is "an Institutional Community Use providing assistance of a charitable or public service nature, and not of a profit-making or commercial nature."

Background Information

Empty storefronts are pervasive throughout San Francisco and have a harmful effect on the health and well-being of the City's commercial corridors. At the same time, the City's nonprofit agencies and community-serving organizations are increasingly struggling with displacement, planned and unplanned transitions between facilities that disrupt operations, and a general lack of stability in the places that they operate. This ordinance provides a temporary use option which would enable nonprofit agencies providing arts, philanthropic, or social services and that are experiencing transitions in their facilities to operate out of unused vacant commercial storefront space for a period of up to two years.

This temporary use option provides multiple benefits. For the City and its neighborhoods, it helps to mitigate the presence of neighborhood blight; encourages economic activity along commercial corridors struggling with vacancies; promotes arts, cultural, and civic activities; and facilitates constructive, efficient, and community-affirming uses of unused or underused private property for the public good. For nonprofit agencies, it provides access to new spaces in which to operate on either a short-term or mid-term basis that can assist them during periods of transition between facilities. For property owners, it provides an efficient way of activating an otherwise unused storefront property that would allow owners to avoid costly fees for blight violations, fees for registering a vacant storefront under the City's Vacant and Abandoned Commercial Storefront program, or any new fees associated with the proposed vacancy tax on the March, 2020 ballot.

n:\legana\as2020\2000288\01429628.docx