1116 NO. 171140	Board Ite	em No	12
COMMITTEE/BO AGENDA P	OARD OF S		SORS
Committee: Rules Committee		Date _	May 9, 2018
Board of Supervisors Meeting		Date	5/15/18
Cmte Board Motion Resolution Ordinance Legislative Digest Budget and Legisl Youth Commission Introduction Form Department/Agence Memorandum of U Grant Information Grant Budget Subcontract Budget Contract/Agreeme Form 126 - Ethics Award Letter Application Form 700 Vacancy Notice Information Sheet Public Corresponder Public Corresponder	n Report y Cover Letter a Inderstanding (I Form et nt Commission	and/or Rep	ort
OTHER (Use back side if a	additional space	e is needed	
CEQA Defermination			
Completed by: Alisa Somer Completed by: Vonn	a \$	Date Date _	May 4, 2018

AMENDED IN COMMITTEE 05/09/18 ORDINANCE NO.

[Administrative Code - Process for Establishment of Cultural Districts]

FILE NO. 171140

NOTE:

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Ordinance amending the Administrative Code to create a process for the establishment of cultural districts in the City to acknowledge and preserve neighborhoods with unique cultural heritage, and to require City departments the Mayor's Office of Housing and Community Development to report to the Board of Supervisors and the Mayor regarding existing cultural districts previously established by resolution; and affirming the Planning Department's determination under the California Environmental Quality Act.

Unchanged Code text and uncodified text are in plain Arial font.

Additions to Codes are in single-underline italics Times New Roman font.

Deletions to Codes are in strikethrough italics Times New Roman font.

Board amendment additions are in double-underlined Arial font.

Board amendment deletions are in strikethrough Arial font.

Asterisks (* * * *) indicate the omission of unchanged Code subsections or parts of tables.

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

Section 1. The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 171140 and is incorporated herein by reference. The Board affirms this determination.

Section 2. The Administrative Code is hereby amended by adding <u>Section 10.100-52</u> and Chapter 107, Sections 107.1 through 107.6, to read as follows:

SEC. 10.100-52. CULTURAL DISTRICT FUND.

- (a) Establishment of Fund. The Cultural District Fund (the "Fund") is established as a category eight fund to receive any monies appropriated or donated to pay for City activities designed to support and preserve Cultural Districts established under Administrative Code Chapter 107.
- (b) Use of Fund. Monies in the fund shall be used exclusively by the Director of the Mayor's Office of Housing and Community Development or his or her designee (the "Director") to support Cultural Districts established by ordinance. The Director shall track monies in the Fund that have been donated or appropriated for each separate Cultural District, and shall expend those monies only for activities supporting that Cultural District.
- (c) Administration of Fund. The Director shall submit an annual written report to the Board of Supervisors and the Controller describing expenditures made from the Fund during the previous fiscal year.

CHAPTER 107: CULTURAL DISTRICTS

SEC. 107.1. CULTURAL DISTRICT – DEFINITION.

For the purpose of this Chapter 107, Cultural District shall mean a geographic area or location within the City and County of San Francisco that embodies a unique cultural heritage because it contains a concentration of cultural and historic assets of and culturally significant enterprise, arts, services, or businesses, of and because a significant portion of its residents or people who spend time in the area or location are members of a specific cultural, community, or ethnic group that historically has been discriminated against, displaced, and oppressed.

SEC. 107.2. FINDINGS, PURPOSE, AND GOALS OF CREATING CULTURAL DISTRICTS.

(a) Findings.

San Francisco is a world-class city known for our patchwork of ethnically and culturally distinct neighborhoods, and we have deep pride in our diversity.

These distinctive neighborhoods are also the backbone of our economy. Tourists come to San Francisco to immerse themselves in the unique cultures, aesthetic, and artistic tradition of each neighborhood. Last year, more than 25.2 million visitors spent almost \$9 billion in our restaurants, shops, galleries and theaters.

Our culture is also a major contributor to our city's other economic sectors. Studies show that our strong cultural identity is what attracts our skilled and educated workforce, which in turn attracts innovative companies and firms. Even our manufacturing and light industrial sector benefits from our city's brand and its strong association with diversity, history, and innovation.

The individual character and culture of our neighborhoods have never been more at risk.

President Trump is proposing to eliminate all federal funding for the arts and culture in his budget,
and has slashed funding for affordable housing and community development.

<u>San Francisco's families are being displaced. The benefits of our booming economy are not being equally shared.</u> According to a study by the Brookings Institution, San Francisco has the <u>fastest-growing income inequality of any city in the nation.</u> We are losing our diversity as our <u>decades-old ethnic communities are being forced to move away.</u>

Our artists and arts organizations are disappearing. As rents continue to rise artists and arts organizations can no longer afford rent in their neighborhoods, and they are leaving the City. Without these artists, the City is at risk of losing the murals, festivals, theater, and music that make our city a destination for inspiration.

Our historic small businesses are at risk. Commercial rents in most neighborhoods are doubling and tripling, and otherwise healthy businesses that act as anchors for our commercial corridors are being closed down for good. Business closures are up over 800% from 25 years ago.

Too much is on the line, and we must respond. San Francisco has the power and the obligation to create an effective strategy to protect, stabilize, and strengthen areas of the City that represent unique cultural heritages.

- (b) Purpose. San Francisco's Cultural Districts program will seeks to formalize a collaborative partnership between the City and communities and bring resources and help in order to stabilize vulnerable communities facing or at risk of displacement or gentrification, and to preserve, strengthen and promote our cultural assets and diverse communities, so that individuals, families, businesses that serve and employ them, nonprofit organizations, community arts, and educational institutions are able to live, work and prosper within the City.
 - (c) Goals. The City creates Cultural Districts to advance the following goals:
 - (1) preserving, maintaining and developing unique cultural and historic assets;
- (2) preserving and promoting significant assets such as buildings, business, organizations, traditions, practices, events, including their venues or outdoor special events and their geographic footprints, and works of art, and public facing physical elements or characteristics that either are associated with events that have contributed to the history or cultural heritage of San Francisco and its people or are associated with the lives of persons important to San Francisco history;
- (3) stopping the displacement of residents of Cultural Districts who are members of ethnic or cultural other vulnerable communities that define those Districts, and promoting affordable housing opportunities and home ownership within the Districts while also developing and strengthening new tools to prevent displacement;
- (4) attracting and supporting artists, creative entrepreneurs, cultural enterprises and people that embody and promote the of unique cultural heritage of the District, especially those that have been displaced to the City;

SEC. 107.3. LIST OF ESTABLISHED CULTURAL DISTRICTS.

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

- (a) Japantown. The Cultural District shall include the area bound by Bush Street to the north, Fillmore Street to the west, Laguna Street to the east, and Geary Boulevard to the south.
- (b) Calle 24 (Veinticuatro) Latino Cultural District. The Cultural District shall include the area bound by Mission Street to the west, Potrero Street to the east, 22nd Street to the north, and Cesar Chavez Street to the south, as well as the commercial corridor on 24th Street extending west from Bartlett Street to Potrero Avenue, and the Mission Cultural Center at 2868 Mission Street.
- (c) SoMa Pilipinas Filipino Cultural Heritage District. The Cultural District shall include the area bounded by 2nd Street to the east, 11th Street to the west, Market Street to the north, and Brannan Street to the south, as well as the International Hotel (also known as the I-Hotel, at 848 Kearny Street), the Gran Oriente Filipino Masonic Temple (106 South Park Street), Rizal Apartments, the Iloilo Circle Building, Rizal Street, and Lapu Lapu Street.
- (d) Compton's Transgender Cultural District. The Cultural District shall include the area defined as the north side of Market Street between Taylor Street and Jones Street, the south side of Ellis Street between Mason Street and Taylor Street, the north side of Ellis Street between Taylor Street and Jones Street, and 6th Street (on both sides) between Market Street and Howard Street.
- (e) Leather and Lesbian, Gay, Bisexual, Transgender, Queer Leather Cultural District.

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

SEC. 107.4. PROCESS FOR ESTABLISHMENT OF CULTURAL DISTRICTS.

The Board of Supervisors intends to follow the process described in this Section 107.4 when considering the future establishment of new Cultural Districts.

- (a) Introduction of Ordinance Establishing Cultural District. Any Supervisor, the Mayor, or a City department may introduce an ordinance proposing to establish a Cultural District that meets the goals and purpose that have been outlined in this ordinance.
- (b) Commission Review. Following the introduction of an ordinance proposing to establish a Cultural District, the Clerk of the Board of Supervisors shall transmit the ordinance to the Planning Commission, Historic Preservation Commission, and Small Business Commission for their review. Within 60 days following the transmittal of the ordinance, each commission shall hold a hearing regarding the proposed Cultural District and shall transmit to the Board its recommendations regarding the creation of the proposed Cultural District. It is the intent of the Board that no committee of the Board will hold a hearing regarding the proposed ordinance until the 60 day period has ended, unless all three commissions have held hearings and transmitted recommendations to the Board before the end of the 60 day period.
- (eb) Content of Ordinance. It is the intent of the Board that each ordinance establishing a Cultural District shall:
- (1) Name the Cultural District, and describe its geographic boundaries. The boundaries of newly established Cultural Districts should be contiguous and should not overlap with other Cultural Districts. The Board may adopt subsequent ordinances changing the geographic boundaries after considering the Cultural Heritage History, Housing and Economic Sustainability Strategy (CHHESS) Report described in subsection (eb)(7).
- (2) Describe the cultural values and contributions that the establishment of the Cultural District would help to preserve, and a description of how the establishment of a Cultural District would address the goals and purpose established in Section 107.2.

(3) Require the Mayor's Office of Housing and Community Development to engage			
in a competitive solicitation process no later than one year after the effective date of the			
ordinance to enter a contract or grant with a community-based organization to hire a district			
manager or executive director to provide assistance with the preparation of the reports and			
documents described in subsection (c)(6).			
(4) Establish a Category Four fund in Administrative Code Chapter 10, Article			
XIII, into which monies may be appropriated by ordinance or donated by members of the			
public to pay for City activities designed to support and preserve the Cultural District. The			
ordinance shall describe permitted uses of the monies in the fund and designate the Mayor's			
Office of Housing and Community Development to accept monies in the fund for those			
purposes and to expend those funds following appropriation by ordinance.			

- (5) Require the Mayor's Office of Housing and Community Development to design and coordinate a community engagement process with the Cultural District residents, small businesses, workers, and other individuals who regularly spend time in the proposed District in order to develop the strategies and plans that will preserve and enhance the live culture of the district.

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tourist activity in the Cultural District, and make recommendations regarding how the City may sustain and increase such activity; and (iii) assess commercial sites in the Cultural District and propose appropriate locations for new businesses that contribute to the culture of the district, with an emphasis on making available spaces for nonprofit cultural and arts uses at belowmarket prices. (C) The Arts Commission shall (i) describe all artistic and cultural assets in the Cultural District, including fine arts, performing arts, public art installations, and regular cultural events like festivals, and make recommendations about how the City may preserve and support those assets; and (ii) evaluate potential sites for new works of art that reflect the culture of the district and identify potential funding for these works. (D) The Mayor's Office of Housing and Community Development shall (i) describe the communities that contribute to the culture of the Cultural District, and make recommendations regarding steps the City may take to preserve, stabilize, and grow those communities; and (ii) evaluate available sites in the Cultural District appropriate for the development and/or preservation of affordable housing and opportunities to make available spaces within those affordable housing developments for nonprofit cultural and arts uses at below-market prices, and describe potential funding sources for that development. For any Cultural District located in a Project Area under the jurisdiction of the Office of Community Investment and Infrastructure (OCII), the Mayor's Office of Housing and Community Development shall coordinate with OCII in preparing the report. (E) The Department of Public Works shall (i) describe public amenities and infrastructure in the Cultural District, including but not limited to existing signage, street names, and light posts, that reflect the culture of the Cultural District; and (ii) evaluate

available opportunities for adding to the public amenities and infrastructure that reflect and

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(dc) Further Board Actions. After receiving the CHHESS Report from the Mayor's Office of Housing and Community Development, the Board may hold additional hearings or take additional actions in its discretion as it deems appropriate.

SEC. 107.5. ADDITIONAL STEPS FOR CULTURAL DISTRICTS ESTABLISHED BEFORE JANUARYJUNE 1, 2018.

- By no later than September 1, 2018, the departments listed in Section 107.4(c)(3) shall submit to the Board of Supervisors and the Mayor reports The Mayor's Office of Housing and Community Development shall prepare CHHESS reports following the process set forth in Section 107.4(b)(5)-(7) regarding Calle 24 (Veinticuatro) Latino Cultural District, SoMa Pilipinas - Filipino Cultural Heritage District, Compton's Transgender Cultural District, and the Leather Lesbian, Gay, Bisexual, Transgender, Queer Leather Cultural District containing the information described in Section 107.4(c)(3). The Mayor's Office of Housing and Community Development shall produce CHHESS reports regarding at least two of these four Districts by no later than July 1, 2019, and shall produce CHHESS reports regarding the other two Districts by no later than July 1, 2020. In preparing the CHHESS reports, the Mayor's Office of Housing and Community Development shall consult with appropriate departments in its discretion and coordinate with people and organizations in the Districts. By no later than December 1, 2018 January 15, 2019 the Mayor's Office of Housing and Community Development shall submit to the Board of Supervisors and the Mayor a written report describing the Office's plan for preparation of these reports, prepare a CHHESS Report for each of those Cultural District containing the information, analysis, and recommendations described in Section 107.4(c)(4).
- (b) It is the intent of the Board of Supervisors to enact ordinances establishing Category Four funds for all the Cultural Districts listed in subsection (a), and in the Board's

1	discretion depending on the needs of the Cultural District, possibly establishing advisory		
2	bodies for those Districts, consistent with Section 107.4(c).		
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4	SEC. 107.6. RESPONSIBILITIES OF MAYOR'S OFFICE OF HOUSING AND		
5	COMMUNITY DEVELOPMENT.		
6	In addition to the responsibilities set forth in Section 107.4 and 107.5, the Mayor's Office of		
7	Housing and Community Development shall:		
8	(a) PProvide information upon request to individuals or community organizations inquiring		
9	about the process of establishing a Cultural District; and		
10	(b) Develop any necessary rules or regulations to implement this Chapter 107. Any		
11	rules and regulations shall be subject to disapproval of the Board of Supervisors by resolution.		
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13	Section 3. Effective Date. This ordinance shall become effective 30 days after		
14	enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the		
15	ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board		
16	of Supervisors overrides the Mayor's veto of the ordinance.		
17			
18	APPROVED AS TO FORM:		
19	DENNIS J. HERRERA, City Attorney		
20	By: Jest On ALED		
21	JON GIVNER Deputy City Attorney		
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23			
24			
25			

<u>LEGISLATIVE DIGEST</u> (Amended on May 9, 2018)

[Administrative Code - Process for Establishment of Cultural Districts]

Ordinance amending the Administrative Code to create a process for the establishment of cultural districts in the City to acknowledge and preserve neighborhoods with unique cultural heritage, and to require the Mayor's Office of Housing and Community Development to report to the Board of Supervisors and the Mayor regarding existing cultural districts previously established by resolution; and affirming the Planning Department's determination under the California Environmental Quality Act.

Existing Law

Current law does not include a definition of the term "Cultural District," and does not describe a process for the establishment of Cultural Districts. The Board of Supervisors has adopted resolutions establishing several districts in the city as "cultural districts" or "cultural heritage districts," including Calle 24 (Veinticuatro) Latino Cultural District (Resolution Nos. 168-14 and 201-14); SoMa Pilipinas - Filipino Cultural Heritage District (Resolution No. 119-16); and Compton's Transgender Cultural District (Resolution No. 239-17). In 2013, the Board adopted Resolution No. 352-13, endorsing the Japantown Cultural Heritage and Economic Sustainability Strategy. And the Board recently adopted a resolution to establish the Leather and Lesbian, Gay, Bisexual, Transgender, Queer Cultural District (Board File No. 171019).

None of these resolutions impose reporting obligations on City departments, create special funds, or provide for the creation of advisory bodies regarding the cultural districts.

Amendments to Current Law

The proposed ordinance would adopt a definition of the term "Cultural District" as a geographic area or location in the City that embodies a unique cultural heritage because it contains a concentration of cultural and historic assets and culturally significant enterprise, arts, services, or businesses, and because a significant portion of its residents are members of a specific cultural or ethnic group.

The ordinance would establish a process for the Board's creation of new Cultural Districts. Although the process would not be binding on the Board of Supervisors, it would set a policy that the Board intends to follow in the future. Under the process, any Supervisor could introduce an ordinance proposing to establish a Cultural District. That ordinance would have several elements:

Name the proposed Cultural District.

- Define the District's boundaries.
- Possibly create a five-member advisory body to advise the Board and the Mayor's Office of Housing and Community Development ("MOHCD") on how to support the preservation and enancement of the District.
- Require MOHCD to prepare a Cultural History, Housing and Economic Sustainability Strategy (CHHESS) Report for the District for consideration and approval by Board. The CHHESS Report would analyze and record the tangible and intangible elements of 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.
- Require MOHCD to initiate a competitive solicitation process to enter a contract or grant with an organization to provide support in sustaining the District.

The ordinance would require MOHCD to submit CHHESS reports to the Board and the Mayor regarding Calle 24 (Veinticuatro) Latino Cultural District, SoMa Pilipinas - Filipino Cultural Heritage District, Compton's Transgender Cultural District, and the Leather and Lesbian, Gay, Bisexual, Transgender, Queer Cultural District.

The ordinance would also establish an administrative fund into which the Board may appropriate money and into which foundations or members of the public may donate money to support Cultural Districts.

A Cultural District, as defined under the proposed ordinance, would be a separate designation from a Landmark or Historic District under Article 10 of the Planning Code or a Significant or Contributory Building or Conservation District under Article 11 of the Planning Code. But the Board could form Cultural Districts in areas that have been designated as Landmarks, Historic Districts, Significant or Contributory Buildings, or Conservation Districts.

Background Information

This legislative digest reflects amendments adopted by the Rules Committee on May 9, 2018.

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BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

November 3, 2017

File No. 171140

Lisa Gibson Acting Environmental Review Officer Planning Department 1650 Mission Street, Ste. 400 San Francisco, CA 94103

Dear Ms. Gibson:

On October 24, 2017, Supervisor Ronen introduced the following proposed legislation:

File No. 171140

Ordinance amending the Administrative Code to create a process for the establishment of cultural districts in the City to acknowledge and preserve neighborhoods with unique cultural heritage, and to require City departments to report to the Board of Supervisors and the Mayor regarding existing cultural districts previously established by resolution; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Çalvillo, Clerk of the Board

for By: Alisa Somera, Legislative Deputy Director

Rules Committee

Attachment

Not defined as a project under CEQA Guidelines Section 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

c: Joy Navarrete, Environmental Planning Laura Lynch, Environmental Planning

Jöy

Navarrete

Digitally signed by Joy Navarrete

DN: cn=Joy Navarrete, c=Planning,
ou=Environmental Planning,
email=joy.navarrete@sfgov.org, c=US
Date: 2017.11.3 o152713.-083007

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This legislation is being transmitted to you for environmental review.

Angela Galvillo, Clerk of the Board

Hor By: Alisa Somera, Legislative Deputy Director Rules Committee

Attachment

c: Joy Navarrete, Environmental Planning Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



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MEMORANDUM

TO:

John Rahaim, Director, Planning Department

Kate Hartley, Acting Director, Mayor's Office of Housing and Community

Development

Todd Rufo, Director, Office of Economic and Workforce Development

Tom DeCaigny, Director of Cultural Affairs, Arts Commission Susan Pontious, Director of Public Art Program, Arts Commission

Mohammed Nuru, Director, Public Works

Sheryl Evans Davis, Director, Human Rights Commission

FROM:

Alisa Somera, Legislative Deputy Director

Rules Committee

DATE:

November 3, 2017

SUBJECT:

LEGISLATION INTRODUCED

The Board of Supervisors' Rules Committee has received the following proposed legislation, introduced by Supervisor Ronen on October 24, 2017:

File No. 171140

Ordinance amending the Administrative Code to create a process for the establishment of cultural districts in the City to acknowledge and preserve neighborhoods with unique cultural heritage, and to require City departments to report to the Board of Supervisors and the Mayor regarding existing cultural districts previously established by resolution; and affirming the Planning Department's determination under the California Environmental Quality Act.

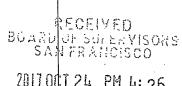
If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: alisa.somera@sfgov.org.

c: Scott Sanchez, Planning Department Lisa Gibson, Planning Department AnMarie Rodgers, Planning Department Aaron Starr, Planning Department
Joy Navarrete, Planning Department
Laura Lynch, Planning Department
Eugene Flannery, Mayor's Office of Housing and Community Development
Amy Chan, Mayor's Office of Housing and Community Development
Ken Rich, Office of Economic and Workforce Development
Lisa Pagan, Office of Economic and Workforce Development
Rebekah Krell, Arts Commission
Sharon Page Ritchie, Arts Commission
David Steinberg, Public Works
Jeremy Spitz, Public Works
Jennifer Blot, Public Works
John Thomas, Public Works
Lena Liu, Public Works

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor



2017 00 T 24 PM 4: 26
Time stamp
or meeting date

r hereby subtrict the following item for indoduction (select only one).			
1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment)	· Santania Maria Cara Cara Cara Cara Cara Cara Cara		
2. Request for next printed agenda Without Reference to Committee.	·		
3. Request for hearing on a subject matter at Committee.			
4. Request for letter beginning: "Supervisor	inquiries"		
5. City Attorney Request.			
6. Call File No. from Committee.			
7. Budget Analyst request (attached written motion).			
8. Substitute Legislation File No.			
9. Reactivate File No.			
10. Question(s) submitted for Mayoral Appearance before the BOS on			
'lease check the appropriate boxes. The proposed legislation should be forwarded to the follo	wing:		
Small Business Commission Youth Commission Ethics Com	nmission		
Planning Commission Building Inspection Commission	on		
Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperat	tive Form.		
Sponsor(s):			
Ronen; Cohen, Kim, Fewer, Sheehy, Wee, Farrell			
Subject:			
ADMINISTRATIVE CODE - Process for Establishment of Cultural Districts			
The text is listed:			
Ordinance amending the Administrative Code to create a process for the establishment of culture to acknowledge and preserve neighborhoods with unique cultural heritage, and to require City of the control of the contr			
to the Board of Supervisors and the Mayor regarding existing cultural districts previously established by resolution;			
and affirming the Planning Department's determination under the California Environmental Qu	ality Act.		
Signature of Sponsoring Supervisor:	ACT OF THE PARTY O		
For Clerk's Use Only			