

1 [Administrative Code - Process for Establishment of Cultural Districts]

2

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

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

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

18

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

24

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

1 **SEC. 10.100-52. CULTURAL DISTRICT FUND.**

2 **(a) Establishment of Fund.** The Cultural District Fund (the "Fund") is established as
3 a category eight fund to receive any monies appropriated or donated to pay for City activities
4 designed to support and preserve Cultural Districts established under Administrative Code
5 Chapter 107.

6 **(b) Use of Fund.** Monies in the fund shall be used exclusively by the Director of the
7 Mayor’s Office of Housing and Community Development or his or her designee (the “Director”)
8 to support Cultural Districts established by ordinance. The Director shall track monies in the
9 Fund that have been donated or appropriated for each separate Cultural District, and shall
10 expend those monies only for activities supporting that Cultural District.

11 **(c) Administration of Fund.** The Director shall submit an annual written report to the
12 Board of Supervisors and the Controller describing expenditures made from the Fund during
13 the previous fiscal year.

14
15 **CHAPTER 107: CULTURAL DISTRICTS**

16 **SEC. 107.1. CULTURAL DISTRICT – DEFINITION.**

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

23
24 **SEC. 107.2. FINDINGS, PURPOSE, AND GOALS OF CREATING CULTURAL**
25 **DISTRICTS.**

1 (a) Findings.

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

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

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

12 The individual character and culture of our neighborhoods have never been more at risk.
13 President Trump is proposing to eliminate all federal funding for the arts and culture in his budget,
14 and has slashed funding for affordable housing and community development.

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

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

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

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

4 (b) Purpose. San Francisco's Cultural Districts program will seeks to formalize a
5 collaborative partnership between the City and communities and bring resources and help in
6 order to stabilize vulnerable communities facing or at risk of displacement or gentrification, and to
7 preserve, strengthen and promote our cultural assets and diverse communities, so that
8 individuals, families, businesses that serve and employ them, nonprofit organizations, community arts,
9 and educational institutions are able to live, work and prosper within the City.

10 (c) Goals. The City creates Cultural Districts to advance the following goals:

11 (1) preserving, maintaining and developing unique cultural and historic assets;

12 (2) preserving and promoting significant assets such as buildings, business,
13 organizations, traditions, practices, events, including their venues or outdoor special events and
14 their geographic footprints, and works of art, and public facing physical elements or
15 characteristics that either are associated with events that have contributed to the history or
16 cultural heritage of San Francisco and its people or are associated with the lives of persons important
17 to San Francisco history;

18 (3) stopping the displacement of residents of Cultural Districts who are members of
19 ethnic or cultural other vulnerable communities that define those Districts, and promoting affordable
20 housing opportunities and home ownership within the Districts while also developing and
21 strengthening new tools to prevent displacement;

22 (4) attracting and supporting artists, creative entrepreneurs, cultural enterprises
23 and people that embody and promote the of unique cultural heritage of the District, especially
24 those that have been displaced to the City;

1 (5) promoting tourism to stabilize and strengthen the identity of the district
2 while contributing to the district's economy and providing the City with a sound and growing
3 economic base;

4 (6) celebrating, strengthening, and sharing the unique cultural and ethnic identity of
5 specific vulnerable communities, and providing opportunities for community neighbors, supporters,
6 and advocates to participate;

7 (7) creating appropriate City regulations, tools, and programs such as zoning
8 and land use controls to allow promote and protect businesses and industries that advances the
9 culture and history of Cultural Districts;

10 (8) promoting employment and economic opportunities for residents of Cultural
11 Districts;

12 (9) promoting cultural competency and education by diversifying our historic
13 narrative on the history of California's San Francisco's many diverse cultural and ethnic
14 communities, with an emphasis on those who have been previously marginalized and misrepresented in
15 dominant narratives;

16 (10) promoting culturally competent and culturally appropriate City services and
17 policies that encourage the health and safety of the community, culture, or ethnic groups in Cultural
18 Districts; and

19 (11) acknowledging that culture is fluid and ensuring that the community will
20 have a framework in which to revisit its goals and priorities to respond to those changes
21 slowing down gentrification and mitigating its effects on vulnerable, minority communities; and

22 (12) promoting and strengthening collaboration between the City and
23 communities to maximize cultural competency and pursue social equity within some of the
24 City's most vulnerable communities.

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

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

3 (a) Japantown. The Cultural District shall include the area bound by ~~Bush~~ California
4 Street to the north, ~~Fillmore~~ Steiner Street to the west, ~~Laguna~~ Gough Street to the east, and Geary
5 Boulevard, Ellis Street and O'Farrell Street to the south.

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

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

15 (d) Compton's Transgender Cultural District. The Cultural District shall include the area
16 defined as the north side of Market Street between Taylor Street and Jones Street, the south side of Ellis
17 Street between Mason Street and Taylor Street, the north side of Ellis Street between Taylor Street and
18 Jones Street, and 6th Street (on both sides) between Market Street and Howard Street.

19 (e) Leather and Lesbian, Gay, Bisexual, Transgender, Queer ~~Leather~~ Cultural District.
20 The Cultural District shall include the area bounded by Howard Street to the northwest, 7th Street to
21 the northeast, Highway 101 to the south between Howard Street and Bryant Street, Division Street to
22 the south between Bryant Street and Interstate 80, and Interstate 80 to the east, as well as the south
23 side of Harrison Street between 7th Street and Morris Street.

24
25 **SEC. 107.4. PROCESS FOR ESTABLISHMENT OF CULTURAL DISTRICTS.**

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

3 (a) Introduction of Ordinance Establishing Cultural District. Any Supervisor, the Mayor,
4 or a City department may introduce an ordinance proposing to establish a Cultural District that
5 meets the goals and purpose that have been outlined in this ordinance.

6 ~~(b) Commission Review. Following the introduction of an ordinance proposing to~~
7 ~~establish a Cultural District, the Clerk of the Board of Supervisors shall transmit the ordinance~~
8 ~~to the Planning Commission, Historic Preservation Commission, and Small Business~~
9 ~~Commission for their review. Within 60 days following the transmittal of the ordinance, each~~
10 ~~commission shall hold a hearing regarding the proposed Cultural District and shall transmit to~~
11 ~~the Board its recommendations regarding the creation of the proposed Cultural District. It is~~
12 ~~the intent of the Board that no committee of the Board will hold a hearing regarding the~~
13 ~~proposed ordinance until the 60-day period has ended, unless all three commissions have~~
14 ~~held hearings and transmitted recommendations to the Board before the end of the 60-day~~
15 ~~period.~~

16 (eb) Content of Ordinance. It is the intent of the Board that each ordinance establishing a
17 Cultural District shall:

18 (1) Name the Cultural District, and describe its geographic boundaries. The
19 boundaries of newly established Cultural Districts should be contiguous and should not
20 overlap with other Cultural Districts. The Board may adopt subsequent ordinances changing the
21 geographic boundaries after considering the Cultural Heritage History, Housing and Economic
22 Sustainability Strategy (CHHESS) Report described in subsection (eb)(7).

23 (2) Describe the cultural values and contributions that the establishment of the
24 Cultural District would help to preserve, and a description of how the establishment of a Cultural
25 District would address the goals and purpose established in Section 107.2.

1 (3) Require the Mayor’s Office of Housing and Community Development to engage
2 in a competitive solicitation process no later than one year after the effective date of the
3 ordinance to enter a contract or grant with a community-based organization to hire a district
4 manager or executive director to provide assistance with the preparation of the reports and
5 documents described in subsection (c)(6).

6 ~~(4) Establish a Category Four fund in Administrative Code Chapter 10, Article~~
7 ~~XIII, into which monies may be appropriated by ordinance or donated by members of the~~
8 ~~public to pay for City activities designed to support and preserve the Cultural District. The~~
9 ~~ordinance shall describe permitted uses of the monies in the fund and designate the Mayor’s~~
10 ~~Office of Housing and Community Development to accept monies in the fund for those~~
11 ~~purposes and to expend those funds following appropriation by ordinance.~~

12 (54) In the Board’s discretion, depending on the needs of the Cultural District,
13 possibly establish a Cultural District Stabilization Fund Community Advisory Committee, a five-
14 member advisory body to monitor and provide advice on the distribution of funds, with members
15 nominated by the Supervisor in whose Supervisorial district the Cultural District is primarily located,
16 and appointed by the Board of Supervisors to advise the Board, the Mayor, and the Mayor’s Office of
17 Housing and Community Development regarding strategies to support and preserve the Cultural
18 District. The ordinance shall should set qualifications for each seat on the advisory body, and
19 designate the Mayor’s Office of Housing and Community Development to provide administrative
20 support to the advisory body.

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

1 (6) Require three or more specified City departments to provide input to the
2 Mayor’s Office of Housing and Community Development about their areas of expertise related
3 to the cultural district within six months following the effective date of the ordinance
4 establishing the Cultural District. The departments’ input to the Mayor’s Office of Housing and
5 Community Development should contain an assessment of relevant assets and needs,
6 recommendations on programs, policies, and funding sources that could benefit the Cultural
7 District, and other recommendations that could serve the Cultural District to advance its goals.
8 Each department should seek the input of the community engaged with the Cultural District
9 when compiling the information relevant for the reports and when deciding on
10 recommendations. The Mayor’s Office of Housing and Community Development should use
11 information received from departments in the CHHESS report it creates as specified in section
12 107.4(b)(7). The ordinance may require reports from any departments, including but not
13 limited to the Office of Economic and Workforce Development, Department of Public Works,
14 Arts Commission, Entertainment Commission, Planning Department, and Municipal
15 Transportation Agency. Require that each of the following departments submit to the Board
16 and the Mayor a written report containing the following information within six months following
17 the effective date of the ordinance:

18 ~~(A) The Historic Preservation Commission shall describe and evaluate~~
19 ~~any historic resources in the Cultural District and make recommendations regarding how the~~
20 ~~City may preserve these resources.~~

21 ~~(B) The Office of Economic and Workforce Development shall (i)~~
22 ~~describe existing businesses that contribute to the culture of the district, including Legacy~~
23 ~~Businesses established under Administrative Code Section 2A.242, and nonprofit~~
24 ~~organizations that contribute to the Cultural District, and make recommendations regarding~~
25 ~~how the City may preserve and protect these businesses and organizations; (ii) describe~~

1 tourist activity in the Cultural District, and make recommendations regarding how the City may
2 sustain and increase such activity; and (iii) assess commercial sites in the Cultural District and
3 propose appropriate locations for new businesses that contribute to the culture of the district,
4 with an emphasis on making available spaces for nonprofit cultural and arts uses at below-
5 market prices.

6 _____ (C) — The Arts Commission shall (i) describe all artistic and cultural
7 assets in the Cultural District, including fine arts, performing arts, public art installations, and
8 regular cultural events like festivals, and make recommendations about how the City may
9 preserve and support those assets; and (ii) evaluate potential sites for new works of art that
10 reflect the culture of the district and identify potential funding for these works.

11 _____ (D) — The Mayor’s Office of Housing and Community Development shall
12 (i) describe the communities that contribute to the culture of the Cultural District, and make
13 recommendations regarding steps the City may take to preserve, stabilize, and grow those
14 communities; and (ii) evaluate available sites in the Cultural District appropriate for the
15 development and/or preservation of affordable housing and opportunities to make available
16 spaces within those affordable housing developments for nonprofit cultural and arts uses at
17 below market prices, and describe potential funding sources for that development. For any
18 Cultural District located in a Project Area under the jurisdiction of the Office of Community
19 Investment and Infrastructure (OCII), the Mayor’s Office of Housing and Community
20 Development shall coordinate with OCII in preparing the report.

21 _____ (E) — The Department of Public Works shall (i) describe public amenities
22 and infrastructure in the Cultural District, including but not limited to existing signage, street
23 names, and light posts, that reflect the culture of the Cultural District; and (ii) evaluate
24 available opportunities for adding to the public amenities and infrastructure that reflect and
25

1 enhance the culture of the Cultural District, and make recommendations for potential funding
2 sources to support these additions.

3 ~~————— (F) — The Planning Department shall make recommendations regarding~~
4 ~~potential amendments to the Planning Code that could contribute to the preservation of the~~
5 ~~culture and character of the Cultural District.~~

6 ~~————— (G) — The Human Rights Commission shall evaluate and describe the~~
7 ~~cultural competency of City services in the Cultural District, and propose policy changes to~~
8 ~~address deficits in those areas.~~

9 ————— (7) — Require the Mayor’s Office of Housing and Community Development to work
10 with other departments when appropriate to prepare a Cultural, History, Housing, and
11 Economic Sustainability Strategy Report or CHH~~ESS~~ Report for the Cultural District based on the
12 reports required by subsection (e~~b~~)(6), and to submit the Report to the Board of Supervisors for
13 adoption by resolution. The Mayor’s Office of Housing and Community Development shall ~~shall~~ should
14 submit the CHH~~ESS~~ Report to the Board within ~~nine months~~ one year of the effective date of the
15 ordinance, unless the Board extends the deadline by resolution. The CHH~~ESS~~ Report shall~~shall~~ should
16 include a demographic and economic profile of the Cultural District, including past, current, and
17 future trends; analyze and record the tangible and intangible elements of the Cultural District’s
18 cultural heritage; identify areas of concern that could inhibit the preservation of the Cultural District’s
19 unique culture; and propose legislative, economic and other solutions and strategies to support the
20 Cultural District.

21 ————— (8) — Require the Mayor’s Office of Housing and Community Development to provide
22 a progress report on the strategies outlined in the CHH~~ESS~~ once every three years and to
23 work with the Cultural District to re-assess and update the CHH~~ESS~~ Report at least once every
24 three ~~six~~ years based on input from community-based organizations and the departments consulted in
25 the initial preparation of the CHH~~ESS~~ report listed in subsection (c)(6).

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

4
5 **SEC. 107.5. ADDITIONAL STEPS FOR CULTURAL DISTRICTS ESTABLISHED**
6 **BEFORE JANUARY JUNE 1, 2018.**

7 (a) By no later than September 1, 2018, the departments listed in Section
8 107.4(c)(3) shall submit to the Board of Supervisors and the Mayor reports The Mayor's Office
9 of Housing and Community Development shall prepare CHHESS reports following the
10 process set forth in Section 107.4(b)(5)-(7) regarding Calle 24 (Veinticuatro) Latino Cultural
11 District, SoMa Pilipinas - Filipino Cultural Heritage District, Compton's Transgender Cultural
12 District, and the Leather Lesbian, Gay, Bisexual, Transgender, Queer Leather Cultural District
13 containing the information described in Section 107.4(c)(3). The Mayor's Office of Housing
14 and Community Development shall produce CHHESS reports regarding at least two of these
15 four Districts by no later than July 1, 2019, and shall produce CHHESS reports regarding the
16 other two Districts by no later than July 1, 2020. In preparing the CHHESS reports, the
17 Mayor's Office of Housing and Community Development shall consult with appropriate
18 departments in its discretion and coordinate with people and organizations in the Districts. By
19 no later than December 1, 2018 January 15, 2019 the Mayor's Office of Housing and Community
20 Development shall submit to the Board of Supervisors and the Mayor a written report describing
21 the Office's plan for preparation of these reports. prepare a CHHESS Report for each of these
22 Cultural District containing the information, analysis, and recommendations described in
23 Section 107.4(c)(4).

24 (b) It is the intent of the Board of Supervisors to enact ordinances establishing
25 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(e).

3
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) Provide 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.

12
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: _____
21 JON GIVNER
22 Deputy City Attorney

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