



Arts & Culture Research Compilation

Purpose

The following baseline case study research was compiled to provide examples of potential zoning and policy options for addressing arts and cultural districts and maker spaces in Downtown Oakland.

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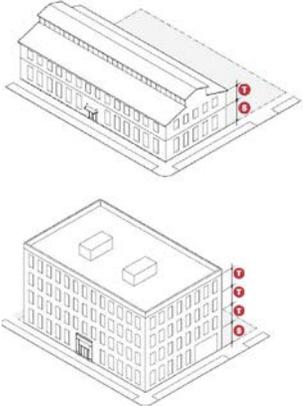
Summary of Arts & Culture, and Production, Distribution & Repair Research

This table summarizes case studies into the following topic areas:

- I. ARTS DISTRICT ZONING APPROACHES
- II. ARTS, CULTURE & ENTERTAINMENT DISTRICTS (GENERALLY)
- III. ADDITIONAL POTENTIAL LAND USE TOOLS TO SUPPORT THE ARTS
- IV. PRODUCTION DISTRIBUTION & REPAIR (PDR) ZONING

The more in depth case studies follow the table.

Name	Goals or Problem Seeking to Solve	Key Tools / Approach	Additional Details
I. ARTS DISTRICT ZONING APPROACHES			
Uptown Arts Mixed-Use Overlay District Washington D.C. See case study pg. 12	Arts, retail and restaurants create vibrant Arts District, however two groups struggling (arts & retail) because of lack of daytime traffic and rising rents; the third group (restaurants) is experiencing rapid growth and endangering others	<ul style="list-style-type: none"> • Distinction b/w financially competitive and financially challenged arts uses so latter can be specifically referenced for additional zoning incentives; see case study for proposed art use list for tier one (challenged) and tier two (competitive) arts uses • New construction in Arts Districts required to provide 5% gross floor area as space for Arts uses (subject to min. bldg. envelope; extend to additions and alterations; no buy-out possibilities • Limit max. streetscape frontage on primary corridors for restaurants/bars to 50% • Height and density bonus for arts uses • Min. ground floor retail requirements on primary corridors 75% (except foyers, etc.); excludes restaurants and bars • New development required to adhere to adopted streetscape plans • Min. ground floor ceiling requirement of 14' • Create a temporary arts land use designation (and associated procedures) to facilitate the use of vacant space 	

Name	Goals or Problem Seeking to Solve	Key Tools / Approach	Additional Details
<p>Nashville Artisan Manufacturing Zoning, TN</p> <p>See case study pg. 17</p>	<p>Problems w/ finding affordable work & live/work spaces, zoning barriers (such as prohibitions on where light manufacturing could occur, and the retail footprint allowable for these types of uses and not having mechanism for co-locating retail and production space), and few spaces amenable to light manufacturing</p>	<ul style="list-style-type: none"> Established clearer categories for arts & culture related uses Removed some barriers and special permit requirements for artisan and small micro-businesses New definition for “Manufacturing, Artisan” and permit with conditions in most mixed use commercial zones Clarified existing definitions for Rehearsal Hall, Theatre, Commercial Amusement, and Cultural Center and designated as allowable with conditions within Manufacturing, Artisan New allowances for live/work on industrial parcels 	
<p>Zoning Update Somerville, MA</p> <p>As of June 2016, the Somerville zoning code is undergoing an overhaul and the draft zoning includes several provisions that pertain to arts and cultural uses.</p> <p>See case study pg. 19</p>	<p>Changes to zoning code to facilitate arts and creative economy work and creative space</p>	<ul style="list-style-type: none"> Requires new buildings in certain districts to set aside 5% of gross floor area as leasable arts and creative spaces Allows arts and create economy use of shop fronts in any district Creation of new “fabrication districts” zoned specifically for artisan production, exhibition, sales, service, education, shared workspace, and similar uses by the arts & creative economy New “Arts & Creative Economy” use category (see case study for uses permitted in this category) 	<p>Uses Form Based Code. See below examples of production bldg. (top) and fabrication loft (bottom)</p> 

Name	Goals or Problem Seeking to Solve	Key Tools / Approach	Additional Details
II. ARTS, CULTURE & ENTERTAINMENT DISTRICTS (GENERALLY)			
CODAC & Seattle Art Districts, WA See case study pg. 21	Cultural Overlay District Advisory Committee (CODAC) “encourages the retention of existing and development of new places for arts and culture activities”	Programs: <ul style="list-style-type: none"> • Pike-Pine Conservation Overlay District (2009) - mostly conservation of the facades and current businesses, not limited to arts • Artist space assistance program – 3 mo. pilot providing relocation and placement services for artists • Cultural space liaison to liaise w/ various depts., connect artists to spaces, promote economic activity generated by artists, educate citizens / property owners • Cultural Development Certifications – (similar to LEED) projects that provide for the inclusion of galleries, museums, theatres, artists’ studios, etc.; receive incentives and permit streamlining 	1971, Seattle Arts Commission began, transformed into CODAC 2009, Pike-Pine Conservation Overlay District 2013, cultural space liaison hired
Silver Spring Arts & Entertainment District, MD See case study pg. 23	Maryland State Arts Council’s Art and Entertainment districts were the first statewide arts and entertainment district program connected to state’s smart growth, neighborhood revitalization and economic development goals	<ul style="list-style-type: none"> • Admissions & amusement tax exemption – arts venues dedicated to visual or performing arts located w/in the district are exempt from state tax • Property tax credit – 10 yr credit that reduces the increase in property tax when property value assessment increases after renovation (subject to eligibility requirements) • Enterprise zone – tax credit that benefits businesses that add new jobs and property owners who make capital improvements • New jobs tax credit promotes job and construction growth throughout the county • Public Art Amenity – county receives public artworks as an amenity provided by private developers in exchange for increased density • Green tape process – facilitate the issuance of building permits, assists an applicant with various filing req’s., regulatory reviews, inspections • Van Go Shuttle Bus – free ride on bus that circles CBD 	2001, Silver Springs Arts & Entertainment District designated

Name	Goals or Problem Seeking to Solve	Key Tools / Approach	Additional Details
SoMa Pilipinas San Francisco, CA See case study pg. 27	Cultural celebration Community development Economic opportunity	<ul style="list-style-type: none"> • Spearheaded by Filipino-American Development Foundation (included a volunteer working group of different sectors (NGO, private businesses, local schools and organizations) • Legacy business program • Community created social heritage resources (asset list) objective is to have the assets (buildings and people) maintained 	Ordinance adopted in 2016, planning began many years earlier
Japantown Cultural Heritage and Economic Sustainability Strategy San Francisco, CA See case study pg. 32	Document focuses specifically on how to preserve and promote a neighborhood's cultural heritage.	<ul style="list-style-type: none"> • Organized by SF Planning Dept., Office of Economic & Workforce Investment, Japantown Organizing Committee and consultants to the planning dept. • Japantown Special Use District was established in 2006 that required commercial uses be compatible with Japantown's cultural and historic integrity (greater control of businesses that can move it), n'hood character, development pattern, and design aesthetic • Planning Dept. helped guide extensive series of studies and planning workshops to create the Draft Japantown Better Neighborhood Plan (2009) • Historic preservation of building and structure • Design Guidelines • Streetscape and ped improvements • SFTravel branding/marketing 	SB 307 passed in Sept. of 2001 allowed for the creation of CA Japantown Preservation Pilot Project

Name	Goals or Problem Seeking to Solve	Key Tools / Approach	Additional Details
Asian American Anti Displacement Strategies Report See case study pg. 34	Report is a compilation of different actions taken in Asian American Pacific Islander communities to address displacement issues	<ul style="list-style-type: none"> • Historic preservation of Seattle’s Chinatown International District (WA) <ul style="list-style-type: none"> - Authority is regulated by citizen’s board - Assistance w/ capacity building to property owners to apply for and administer grants for retrofitting their building • Little Tokyo Service Center (Los Angeles, CA) <ul style="list-style-type: none"> - Made possible by steering committee of organizations - Plan was culturally relevant to the community it is serving • Asian Economic Development Assoc. (St. Paul, MN) <ul style="list-style-type: none"> - Uses creative maker spaces to incubate community based social enterprises and artist entrepreneurs - Night market event to promote local small businesses - 	These strategies highlight the importance of have culturally relevant policies and local participatory processes that empowers local community actors economically, socially, and politically
III. ADDITIONAL POTENTIAL LAND USE TOOLS TO SUPPORT THE ARTS			
Temporary and permanent maker spaces See case study pg. 38	support the creation of temporary and permanent makerspaces	<ul style="list-style-type: none"> • Temporary makerspaces requires the provision of materials and a facilitator/educator <ul style="list-style-type: none"> - can be used as an activity for assessing demand for collaborative workspaces, artist studios, art centers, and/or creative industry fabrication or manufacturing spaces. - may occur over a weekend or as a series of maker workshops that take place over several months • Permanent makerspaces can be encouraged through the designation of zoning districts permitting arts and culture uses, shared studio workspaces, and fabrication and/or manufacturing uses in commercial, light industrial, and mixed use zones. 	

Name	Goals or Problem Seeking to Solve	Key Tools / Approach	Additional Details
Cultural Easements See case study pg. 39	Donation of private property for art uses	Types of Easements: <ul style="list-style-type: none"> • Public Mural Easement: ensure access to local artists – granting of exterior space; costs born by artist or matching grant program; typically lasts 5 years • Land Easement for Installation Art – donation of land for installation or other 3-dimensional art; costs involves commission or partial sponsorship of art; shorter min. periods, extensions • Provision of Affordable Space for Artists and Arts Organizations – either public ownership and management of property, public ownership but private management or private-public ownership and management; costs considerably higher; terms vary according to project 	<ul style="list-style-type: none"> • Cultural Easement is an umbrella term for a spectrum of projects at varying scales, levels of commitment from, and cost to the city. • The most common example of cultural easements is the donation of private vertical space to the city for the hosting of a mural. This usually achieved at little to no cost to the city as grantors of the easement carry most or all of the costs. • Easement for art/culture is a relatively unexplored policy, making it difficult to assess the long-term efficacy and costs to the city.

Name	Goals or Problem Seeking to Solve	Key Tools / Approach	Additional Details
<p>Incentive Zoning</p> <p>Broadway Valdez Specific Plan Incentive Program</p> <p>See case study pg. 43</p>	<p>achieve both a critical mass of retail necessary to establish the area as a major destination, and to create a core of comparison goods shopping</p>	<p>The main incentive is that the right to develop residential is based on the provision of certain minimum thresholds of retail square footage equal to a percentage of the total area of each retail priority site (by block, not individual parcel). The greater the amount of retail square footage, the greater the number of residential units (including additional height and density above base zoning). The Additional incentives apply for retail projects that are larger than the minimum requirement. There are also provisions to allow for transfer of development rights from retail priority sites that provide a larger amount of retail than the base minimum, in order to transfer the residential bonus units and height from one retail priority site to a different parcel(s).</p>	<p>Recognizing that residential use out-prices retail, a voluntary incentive program was developed for key “Retail Priority Sites”</p>

Name	Goals or Problem Seeking to Solve	Key Tools / Approach	Additional Details
IV. PRODUCTION DISTRIBUTION & REPAIR (PDR) ZONING			
<p>San Francisco PDR & Maker Space Zoning Models</p> <p>See case study pg. 44</p>	<p>Retain and encourage PDR</p>	<p>Incentives</p> <ul style="list-style-type: none"> • Disallow live/work businesses • PDR as of right in mixed use districts • Permitting streamlined and fees reduced for PDR • If PDR space is torn down, new building must include equivalent amount (see also Nov. 2016 ballot measure) • Moratorium in place to prevent any further reduction in PDR space • SOMA – new office/commercial or upgrading of PDR buildings must now include 1/3 of designated PDR floor space • Legislation to protect PDR in landmark buildings <p>Design</p> <ul style="list-style-type: none"> • Increased ceiling heights and large roll-up doors; in various areas of Easter N’hoods, height of 85’ has been established; reduced parking requirements and potential parking maximums <p>Equity</p> <ul style="list-style-type: none"> • PDR provides jobs w/ higher medium wages w/out college degrees; however, no guarantee people of color will fill these jobs 	<p>PDR zoning dates back to 2001</p> <p>Pros and Cons of PDR in Relation to Arts</p> <p>SFMade indicated that the maker industry overlaps with local artists and that the creation of additional PDR space encourages the inclusion of these artists.</p> <p>However, because PDR is not directly creating spaces for arts and culture, there is no guarantee that these spaces would serve that function. SFMade indicated that SF Japantown has recently designated spaces as cultural heritage sites, protecting certain buildings and limiting its uses and also incorporating cultural practices and festivals, which may directly serve cultural districts</p>
<p>Los Angeles Hybrid Industrial Ordinance</p> <p>See case study pg. 49</p>	<p>Regulates live/work and nonresidential uses to preserve land for jobs; applies to areas designated in General Plan as Hybrid Industrial (Northeast LA and Central City North)</p>	<ul style="list-style-type: none"> • 20 percent of live/work space must be dedicated to light manufacturing • Artisan uses specifically regulated: “Resident Production / Art Gallery Space” • Ordinance incentives for underground parking and requires open pedestrian spaces 	<p>Candid feedback from LA planner was that the “work” aspect is difficult to enforce (buildings that want to convert to live/work have to have active business licenses – but there is not follow through on enforcement after approval). LA was not able to require a flexible building plan (i.e., column beam system and open floor plans) which would have made the buildings more easily converted between light industrial uses</p>

Name	Goals or Problem Seeking to Solve	Key Tools / Approach	Additional Details
<p>Central Eastside Industrial District Portland, OR</p> <p>See case study pg. 53</p>	<p>Maintain Central Eastside Industrial District as an industrial sanctuary for an ever evolving and diversifying industrial employment district and ensure it continues to be a major employment zone</p>	<ul style="list-style-type: none"> • Oversight of industrial sanctuary provided by a non-profit, volunteer organization; provide businesses a voice at city hall <p>Zoning updates recommended as part of Central City 2035 update</p> <ul style="list-style-type: none"> • Where new mixed use districts are proposed near transit, bonus FAR/height in exchange for employment related uses, high quality design, parking strategies that reduce congestion provisions for parks and open space • residential conditionally permitted in certain sub-areas as long as it can show would not interfere with truck and freight movement, designed to buffer nuisance impacts from adjacent uses • increase employment densities in certain sub-areas, especially those in industrial office space • industrial land disclosure statement (to mitigate potential conflicts b/w industrial and non-industrial users) recommended as recorded covenant prior to issuance of building permit • building code amendments requiring greater sound insulation to protect industrial operations from complaints originating from new development • shared parking pilot program; explore tools for developer funded central parking structures • nighttime markets showcasing local goods, new sidewalks, lighting, signage and wayfinding tools such as pavement markings under viaduct (I-5) • green loop connecting existing attractions, open space amenities, and districts with bike and pedestrian pathway • green building technology and storm water management techniques: eco roofs, green walls, impervious surface standards, etc. • increase the tree canopy 	<p>Established in 1988</p> <p>Home to manufacturing and production, warehousing and distribution, wholesale sales, and industrial services, as well as emerging industrial businesses associated with design, research and development, software and web applications, high tech</p>

Name	Goals or Problem Seeking to Solve	Key Tools / Approach	Additional Details
Industrial Business Zones, New York, NY See case study pg. 56	stimulate economic development and to create jobs for residents of New York City	<ul style="list-style-type: none"> Industrial Zone Relocation Tax Credit, a one-time tax credit of \$1,000 per relocated employee available to industrial and manufacturing firms relocating to one of the City's 21 IBZs 	In early 2006, the City created 16 "Industrial Business Zones" across the city where expanded business services are available for industrial and manufacturing businesses.
Planned Manufacturing Districts, Chicago, IL See case study pg. 57	intention to foster the city's industrial base and maintain the city's diversified economy and create jobs for residents of Chicago	<ul style="list-style-type: none"> Local Industrial Retention Initiative: funds local non-profit industrial councils to provide planning and stewardship to the city's 24 industrial corridors and business retention services to companies that operate within them Industrial Development Revenue Bonds (IRBs); Empowerment Zone Bonds; Bank Participation Loan; Enterprise Zone; Tax Increment Financing; TIFWorks; Small Business Improvement Fund (SBIF); The New Market Tax Credit (NMTC); Cook County Property Tax Incentives Street and Alley Vacation program conveys ownership of underutilized public streets and alleys to adjacent industrial businesses Prohibits residential uses (including work/live) in certain industrial corridors 	The first "Planned Manufacturing District" (PMD) in Chicago—the Clybourn Corridor—was initiated in 1987. Today, there are 15 PMDs in Chicago

Arts District Zoning Approaches

Uptown Arts Mixed-Use Overlay District, Washington D.C.

Compiled by A. Parker, Planner

Information from the American Planning Association Planning Advisory Service¹

The Uptown Arts-Mixed Use (ARTS) Overlay District was established to encourage retail, entertainment and residential uses that require pedestrian activity; an increased presence and integration of the arts and related cultural and arts-related support uses; a design character and identity of the area by establishing physical design standards and adaptive reuse of older buildings in combination with new buildings; and increased public safety. The ARTS Overlay provides for flexibility in use, height, bulk, bonus density, and combined lot development; and is subject to the Inclusionary Zoning Requirements of Chapter 26 of the Zoning Regulations. No portion of an eating/drinking establishment located on the ground floor of squares fronting 14th Street or U Street, N.W. is permitted to occupy more than fifty percent (50%)² of the linear frontage of that square. Where there are conflicts between the ARTS Overlay and the underlying zoning, the more restrictive provisions of the Zoning Regulations govern. For more information, including preferred uses, combined lot development, bonus density provisions, and street frontage design requirements, see Chapter 19 of the Zoning Regulations. (Source: <http://dcoz.dc.gov/info/overlay.shtm>)

Uptown Arts Overlay Review Committee – 2009 <http://www.anc2f.org/files/arts/report/ANC2F-ARTS-Report-Part1.pdf>

Executive Summary

- Arts, retail and restaurants create vibrant Arts District, however two groups struggling (arts & retail) because of lack of daytime traffic and rising rents; the third group (restaurants) is experiencing rapid growth and endangering others
- Without significant course correction, Arts District may lose many of its arts and retail uses and risk becoming a mainly nightlife destination
- New arts zoning template needs to:
 - Introduce an Arts Requirement (5% of GFA) to apply to developments (above a certain size)
 - Limit restaurant/bar uses from fulfilling more than 50% of that (75%) ground floor requirement

1

https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=3&ved=0ahUKEwjFlcf0obbSAhVP9mMKHQZwBAUQFggmMAI&url=http%3A%2F%2Ffaustintexas.gov%2Fsites%2Fdefault%2Ffiles%2Ffiles%2FPlanning%2FCodeNEXT%2FCreativeEconomy_AmPlanningAssoc_ResearchCompilation.doc&usg=AFQjCNFTYPHkwkoe-eXzvq5AYUfiXdM5Wg&sig2=Suw0Ac-qWhojlOA48HiP5A&bvm=bv.148441817,d.cGc&cad=rja

² Limits eating and drinking establishments; percentage started out at 25% - was changed in recognition that eating and bar establishments support arts businesses, some double as performance venues, etc. Based on an inventory.

- Require finished ground floor ceiling height of 14 ft, with possible incentives up to 18 feet
- Consider ways to facilitate temporary art uses in vacant space

The Committee’s Findings:

- Arts district failed to be fully effective b/c the bonus density and other zoning incentives were poorly targeted and relatively insignificant in size
- Zoning objectives not supported by other government policies to catalyze and support arts growth
- Arts overlay was too large (and encompassed diverse zoning contexts, which made it difficult to consolidate community institutions behind cohesive approach to support and promote the overlay’s goals
- Arts uses typically require a more supportive policy environment to survive
- Four ingredients important to future of district:
 - Momentum – loss of businesses or failure of critical development projects would have negative impacts on district
 - Special appeal – to developers, businesses and residents alike is closely tied to business diversity and the arts
 - Daytime foot traffic need to grow daytime foot traffic in order to support retail
 - Dead zones need to overcome dead zones in streetscape and join up the existing clusters of retail and other development

The Committee’s Zoning Recommendations

- DC’s evaluation of their current zoning district is that they are too large, encompassing very different zoning contexts, building forms and built environments such as streets and sidewalks.
- “Arts” as a zoning district vs. an arts overlay district, development of an Arts zoning template
- Office development can be very important in providing the daytime foot traffic that sustains many daytime retail and ARTS uses. In many cases ARTS uses cannot rely on nighttime foot traffic alone, but need the vitality that is provided by retail and service uses that are open during business hours. While commercial development may not be appropriate for all ARTS zoned districts, it is likely to be very appropriate in ARTS districts that already have an established and substantial residential use component that would not be threatened by adding Class B and Class C commercial office space to the use mix
- Remove restaurants and bars from the list of arts uses and to provide a tiered structure that makes allowance for the varying financial competitiveness of different types of art uses
- Need to make a clear distinction b/w financially competitive and financially challenged art uses
- Consider that restaurants, bars, clubs, etc. often partner with arts uses by providing exhibition space or live performance space free of charge; symbiotic relationship; however,

it neither relies on, nor requires incentives via the zoning regulations, nor does this “accessory use” partnership warrant restaurants, bars and clubs, etc. being redefined as “arts” uses

- Need to make a clear distinction b/w financially competitive and financially challenged arts uses so that, where appropriate, the latter are able to be specifically referenced for additional zoning incentives in the regulations; highly profitable and negligibly profitable arts uses should not be grouped together in the list of arts uses
- **Art Requirement:** new construction in Arts Districts be required to provide a minimum level of a space for Arts uses, and that this area is defined as Gross Floor Area (5%) rather than FAR (0.5) – so as not to discriminate against small developments. and subject to minimum building size threshold and extend also to addition and alteration projects in arts districts. Extend to a min. building size threshold of 10,000 sf. Important that there is no “buy-out” possibility (undermines fundamental purpose of land use zoning in Arts Districts to preserve a set aside a min. amount of space for these uses
- **Non-Arts Uses:** limit the maximum streetscape frontage on primary corridors that may be occupied by eating and drinking uses. A level of 40-50% is the appropriate maximum frontage that should be occupied by restaurants, bars and similar uses on certain streets (Uptown’s 14th St. and U St.). Level of 50% should be viewed as an absolute max. above which, increases in restaurants/bar frontage should not be permitted.
 - Linear frontage is the unit of measurement
 - Must consider whether industrial uses would be permitted
- **Bonus Density & Height for Paul Uses:** 2 to 1 bonus density for Tier 2 uses and 3 to 1 bonus density for Tier 1 uses
 - Zoning regulations should signal to the historic review board [LPAB] that in limited situations where additional height and density could appropriately be accommodated, while retaining the historic fabric and character of a neighborhood, in order to achieve important land use goals such as incenting the retention of ARTS uses; considered on a case-by-case basis
- **Design & Use Requirements:** zoning tool of requiring minimum ground floor retail component on primary corridors in the ARTS district should be employed; minimum ground floor retail requirement should be increased to around 75% subject to amounts of frontage remaining available for entrance foyers, and subject to special exception where it would be difficult to meet the requirement
 - Restaurants and bars and like uses be excluded from fulfilling more than 50% of the 75% minimum ground floor retail requirement for sites above a certain min. width in Arts Districts
 - Limitations should be placed on ground floor uses (such as banks and pharmacies) on primary corridors that do not contribute to a vibrant streetscape
 - New development should be required to be consistent with adopted streetscape plans and in Arts Districts, recognize that adhering to adopted streetscape plans are mandatory amenities

- Min. ground floor ceiling height of 14 feet be required in Arts Districts and higher to qualify for bonus height
- **Arts Exhibition Areas:** building lobby should not count towards the 0.5 FAR Arts requirement.
- **Temporary Arts Uses:** create “temporary arts” land use designation (and associated procedures) that could be used to facilitate the use of vacant space in arts districts for time-limited temporary arts exhibitions and installations (undertake art in otherwise vacant space)

Proposed Art Use List (uses grouped by type)

Tier 1: (these uses would qualify for a 3 to 1 bonus density)	Tier 2: (these uses would qualify for a 2 to 1 bonus density)
<p>Artist & Artisan Living and Production Use Group</p> <ul style="list-style-type: none"> i. Artist & Artisan live-work space, not to exceed 2,500 square feet; ii. Artist & Artisan studio, not to exceed 2,500 square feet; iii. Multi-artist & Artisan live-work space 	<p>Artisan Production Use Group</p> <ul style="list-style-type: none"> i. Architectural production
<p>Arts-Retail Use Group – all uses not to exceed 2,500 square feet</p> <ul style="list-style-type: none"> i. Art gallery; ii. Art services, including but not limited to set design, restoration of artworks, and arts curator services iii. Art supplies store; iv. Musical instruments store; v. Recordings store; vi. Book store; vii. Picture framing shop, printmaking shop, digital print or scanning lab, or traditional darkroom and photographic supply sales 	<p>Design Use Group</p> <ul style="list-style-type: none"> i. Architecture; ii. Graphic design; iii. Interior architecture and design; iv. Landscape design; v. Product and industrial design;
<p>Artisan Production Use Group – all uses not to exceed 2500 square feet</p> <ul style="list-style-type: none"> i. Glass working; ii. Jewelry making; iii. Metalworking; iv. Woodworking, including furniture manufacture; v. Paper and textile; vi. Stone and ceramic 	<p>Performing Arts Use Group</p> <ul style="list-style-type: none"> i. Cinema; ii. Dinner theater iii. Performing arts ticket office or booking agency
<p>Performing Arts Use Group</p> <ul style="list-style-type: none"> i. Nonprofit Arts organizations, administrative offices of; ii. Legitimate theater (includes only those theaters that make [10%] [25%] or less of their revenue from alcohol sales); iii. Theater, assembly hall, auditorium, concert hall, public hall, or other performing arts space or center, including rehearsal and / or pre-production space 	<p>Museum Use Group</p> <ul style="list-style-type: none"> i. Art gallery, equal to or greater than 2,500 square feet; ii. Museum
<p>Design Use Group -- all uses not to exceed 2,500 square feet</p> <ul style="list-style-type: none"> i. Fashion design 	<p>Other Use Group</p> <ul style="list-style-type: none"> i. Any size-limited use in the Artist & Artisan Living and Production Use Group, the Arts-Retail Use Group, the Artisan Production Use Group or the Design Use Group, with no size limitation; ii. Any other use determined by the Zoning Administrator to be an arts or cultural use, except dance halls, discotheques, ballrooms, drinking places (including bars, nightclubs or cocktail lounges), fast food establishments, prepared food shops, and restaurants.
<p>Education and Multi-function Use Group</p> <ul style="list-style-type: none"> i. Art center; ii. Art incubator; iii. Art or performing arts school, including but not limited to schools of dance, photography, filmmaking, music, writing, painting, sculpting, or printmaking 	
<p>Other Use Group</p> <ul style="list-style-type: none"> i. Art exhibition area; ii. "Black box" arts space; iii. Media or multi-media studio 	

Nashville Artisan Manufacturing Zoning

Compiled by A. Parker, Planner

Information from the Arts & Planning Toolkit: <http://artsandplanning.mapc.org/?p=507>

Population (2015)	Racial Composition (2010)
678,889	59% White 28% Black 10% Hispanic 3% other

Source: Nashville Next Plan

In preparing their 2040 general plan, they heard from stakeholders about constraints with finding suitable and affordable work and live/work spaces in urban core due to limited availability in the context of gentrification and zoning barriers with few spaces amenable to light manufacturing (such as small batch production of textiles and other material goods as well as food). Artists reported encountering major restrictions with zoning in terms of where this type of manufacturing was permitted and the retail footprint allowable for these types of uses in existing mixed use, commercial and industrial areas. Zoning barriers included the fact that industrial areas did not include a mechanism for allowing some retail co-located with production space.

The Artisan Manufacturing Zoning Amendment created clearer categories for arts and culture-related uses and removed some barriers and special permit requirements for artisan and small micro businesses. The adopted Amendment included:

Zoning code:

https://www.municode.com/library/tn/metro_government_of_nashville_and_davidson_county/codes/code_of_ordinances?nodeId=CD_TIT17ZO_CH17.16LAUSDEST_ARTIIIIUSPESPEXSE_17.16.220REENSPEX

the creation of a new use definitions for Artisan Manufacturing and allowing this use with conditions in most mixed-use, commercial, and industrial zoned areas of Nashville Davidson County;	<p>Definition:</p> <p>"Manufacturing, Artisan" means the shared or individual use of hand-tools, mechanical tools and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage, sales and distribution of such products. Typical artisan manufacturing uses include, but are not limited to: electronic goods; food and bakery products; non-alcoholic beverages; printmaking; household appliances; leather products; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production; paper manufacturing.</p>	<p>Conditions:</p> <p>C. Manufacturing, Artisan.</p> <ol style="list-style-type: none"> 1. Outdoor Storage. Any activity storing materials outdoors shall construct an opaque fence to screen the ground-level view from any public right of way or of any residential use. Materials shall not be piled or staked higher than the opaque fence. 2. Loading Docks. Where the site abuts a residential zone district or a district permitting residential use, the building wall facing such lot shall not have any service door openings
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		or loading docks oriented toward the residential zone district or district permitting residential use.
the clarification of existing definitions for Rehearsal Hall, Theatre, Commercial Amusement (indoor), and Cultural Center and designation as allowable with conditions within artisan manufacturing;	<p>Uses permitted by special exception (SE) (within the “recreation and entertainment special exceptions):</p> <p>[added] “Theatre” and “Rehearsal Hall” as SE in some zones w/ following exceptions:</p> <ol style="list-style-type: none"> 1. Size is limited to twenty thousand square feet, maximum. 2. A mixture of uses is supported by the Community Plan, as determined by the planning department. 3. No hazardous materials or uses are located within an unsafe distance of the proposed residential use, as evidenced by the testimony presented to the board of zoning appeals. <p>Added similar exceptions for Cultural Center in certain zones;</p>	

- new allowances for parking for arts uses within Artisan Manufacturing; and
- new allowances for multi-family live/work housing within Artisan Manufacturing, i.e., a maximum of two live/work units on the same industrial parcel with exceptions around storage to protect health and safety.

Somerville Zoning Update, MA

Compiled by A. Parker, Planner, City of Oakland

Information from the Arts & Planning Toolkit: <http://artsandplanning.mapc.org/?p=565>

Somerville, MA

Population (2013)	Racial Composition (2015)
80,318	73.9% white 6.8% black 8.7% Asian

Source (racial data): Census 2015 <http://www.census.gov/quickfacts/table/PST045215/2562535>

As of June 2016, the Somerville zoning code is undergoing an overhaul and the draft zoning includes several provisions that pertain to arts and cultural uses. The provisions include: a density bonus for artist housing in an article pertaining to community benefits for inclusionary housing (i.e., inclusion of affordable housing in residential developments of a certain size); creation of a new fabrication district that will accommodate a range of building types and mix of uses supporting the local arts & creative economy; and revisions to the zoning pertaining to the Brickbottom District, to facilitate a diverse mix of uses including fabrication, production, performing arts, and other non-arts commercial (e.g., office and research and development) and residential uses.

A. Key Changes in the New Code (<http://www.somervillema.gov/zoning/key-changes.html>)

Arts & Creative Economy Work and Creative Space

- Requires new buildings in certain districts (including Brickbottom, InnerBelt, most of Boynton Yards) to set aside 5% of gross floor area as leasable arts and creative use spaces.
- Allows arts and creative economy use of shop fronts in any district.
- Allows artists to now work at home and not just in certain districts by permitting creative studios in the Neighborhood Residence districts.
- Permits arts uses for accessory buildings like garages and carriage houses.

Work/Live Artist housing

- Permits certified artists to live within studio space in the new Fabrication District

New "Fabrication District"

- Creation of new districts zoned specifically for artisan production, exhibition, sales, service, education, shared workspaces, and similar uses by the arts and creative economy.
- Maps Fabrication Districts over existing arts related uses and other desirable building types.

New “Arts & Creative Economy” use category

- Calls attention to the thriving arts & creative economy of Somerville and permits these activities to thrive across the city.

B. Proposed Regulations (2015) <https://somerville.opencomment.us/node/3>

Permitted Uses (by category)

Arts & Creative Enterprise Category

- Artisan Production
- Arts Exhibition
- Arts Sales & Service
- Design Services
- Shared Workspaces & Arts Education
- Work/live Creative Studio

Commercial Services Use Category

- Broadcast &/or Recording Studio

Industrial Use Category

- Industrial manufacturing
- Wholesale trade and distribution

Office Use Category

- Co-Working

Arts, Culture and Entertainment Districts

Seattle Art Districts, WA

Compiled by Bo Chung, *Former* Planning Intern

Art District Case Study: CODAC and Seattle Art Districts



Photo Credit: <http://vanguardseattle.com/2015/02/16/the-state-of-the-arts-the-capitol-hill-arts-district-and-why-it-matters/>

Concept:

Started as the Seattle Arts Commission by the city council in 1971 with 15 volunteer members, it transformed into the Cultural Overlay District Advisory Committee (CODAC) after the profitable sale of the Oddfellows building and the eviction of its artist tenants. The committee specifically “encourages the retention of existing and development of new places for arts and culture activities”.

Example Programs

First district was the Pike-Pine Conservation Overlay District of June 2009

- Incentives, regulations, and trade-offs were devised for developers for small, diverse, local businesses
- Mostly conservation of the facades and current businesses, not limited to arts
- A report on the Pike-Pine Conservation Overlay District is forthcoming

Artist Space Assistance Program (ASAP)

- 3 month pilot project providing relocation and placement services for artists and organizations in Pioneer square and Chinatown-International District

Hiring of Matthew Richter as first “cultural space liaison” by the Office of Arts and Culture in 2013

- Project manager liaise with various departments

- Launch space finder tool connect artists and arts orgs to available spaces for development, rehearsal, or presentation of work
- Promote economic activity generated by arts and cultural activities
- Educate citizens, property owners, and developers on importance of arts w/ regard to prop value and neighborhood character



Cultural Development Certifications

- Similar to LEED, projects that provide for the inclusion of galleries, museums, theaters, artists' studios, offices for arts and culture orgs or cultural space
- Receive incentives such as streamlined permitting, tax incentives, and relaxation of parking requirements
- These will fall under the Build ArtSpaceE (BASE) certification which is forthcoming in a report and may change due to the changing needs of the communities

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- There is a forthcoming report based on the Pike-Pine Conservation area, including the zoning incentives
- The two new arts districts (Central Area, Capitol Hill) did not have any of the planning incentives applied to their areas
 - o The two districts received the 50k grant and used it outside of the toolkit
- The B.A.S.E. certification program is going through some transformation as it may not be currently addressing the needs of the community that is facing a housing affordability and homelessness crisis

Sources/Resources:

Background history

http://www.historylink.org/content/study_aids/index.cfm?DisplayPage=output.cfm&file_id=10691

Office of Arts and Culture

<http://www.seattle.gov/arts/arts-and-cultural-districts>

News article on on-going efforts

<http://crosscut.com/2015/10/cd-arts-district-could-save-a-threatened-legacy/>

Silver Springs Arts & Entertainment District, MD

Compiled by Bo Chung, *Former Planning Intern*

Art District Case Study: Silver Spring Arts & Entertainment District



Photo Credit: <http://patch.com/maryland/silverspring/state-honors-silver-spring-with-arts-award>

Concept:

The Maryland State Arts Council's Art and Entertainment districts were the first statewide arts and entertainment district program connected to state's smart growth, neighborhood revitalization and economic development goals

- Created by the state general assembly in 2001
- Tax incentives for the creation, renovation, maintenance of artist and related entertainment work/performance/living spaces
- Additional state funds are made available to support these districts through grants
- Potential districts apply for the designation and existing districts apply on a semi-annual basis



Silver Spring

The Silver Spring Arts and Entertainment District was designated on December 31, 2001 as an Arts and Entertainment District by the State of Maryland. Silver Spring is now home to over 50 arts and humanities organizations, popular arts venues, entertainment businesses, etc. which attract hundreds of thousands of visitors.

In FY13, the economic impact of Silver Spring's festivals and public events generated \$91,401,984 in visitor spending [Maryland's Arts and Entertainment Districts Impact Analysis, Regional Economic Studies Institute].*From the city's website

Tax incentives programs

ADMISSIONS & AMUSEMENT TAX EXEMPTION PROGRAM

- Arts venues and enterprises dedicated to visual or performing arts located within the District are exempt from the collection of the State of Maryland's Admissions and Amusement Tax

PROPERTY TAX CREDIT

- The Property Tax Incentive is a 10 year credit that reduces the increase in the property tax that occurs when the property value assessment increases after partial or complete renovation of a building

Eligibility Requirements:

- The building must be zoned: Commercial/Manufacturing/Industrial
- The project must include either new construction (whole or in part) or renovation to certain buildings located within the District
- The building/renovation must encompass space for an A&E Enterprise or create workspace or live-work space for artists
- This tax abatement is available for a period of up to 10 years based on the level of improvements made to the property
- The improvements can receive the property tax credit if they are found to be capable for use by a qualifying artist or an arts and entertainment enterprise.

ENTERPRISE ZONE

- The Enterprise Zone is a tax credit plan which benefits businesses that add new jobs and property owners who make capital improvements
- This plan expired in 2006, but is still applicable to all who applied prior to the expiration date

THE NEW JOBS TAX CREDIT

- The New Jobs Tax Credit promotes job and construction growth throughout the County.

PUBLIC ART AMENITY – OPTIONAL METHOD OF DEVELOPMENT

- The County receives public artworks as an amenity provided by private developers in exchange for increased density
- In the CR and CRT zones, an upper limit for density is set by the zoning map and developers must provide art related public benefits (i.e. art display or gallery) to be allowed to develop to that limit

CR zone	Intent	Density & Height	Context
CR Neighborhood	Allows services commonly used by neighborhood residents; requires buffering for certain moderately intense uses; and prohibits uses deemed too intense	Limited to between 0.25 and 1.5 FAR and 25'-65' height	Transitional edges, small neighborhood centers
CR Town	Flexible uses – some restrictions on commercial and flexible residential; site plan for some standard method; and sketch plan and public benefits up to 50 points required for optional method	Limited to between 0.25 and 4.0 FAR and to 35'-150' height	Town centers, appropriate edge conditions
CR	Flexible residential and commercial uses; site plan for some standard method; and sketch plan and public benefits up to 100 points required for optional method.	Limited to between 0.5 and 8.0 FAR and 35'-300' height	Town and urban centers with transit access and a variety of housing, services, and amenities

GREEN TAPE PROCESS

- Separate from “Fast tracking” projects
 - o Facilitate the issuance of building permits for commercial construction in the Enterprise Zone involving new construction, additions, structural alterations, or changes in use
 - o Assists an applicant with the various filing requirements, regulatory reviews, and inspections, including pre-design consultations and assessment inspections
 - o Staff members have expertise in the areas of building, electrical, fire, mechanical, accessibility, zoning (including signs), sediment/storm water management, and subdivision plan-review and inspection codes and standards
 - o **Affordable housing projects also benefit from the Green Tape Program**, residential or mixed-use development that designates at least 20 percent of the total number of housing units to persons or families with incomes at or below the income level for moderately priced dwelling units (MPDUs) will be expedited

VAN GO SHUTTLE BUS

- The “Van Go” Shuttle bus is a free ride on bus that circles the central business district

TAKE AWAYS



Maintaining affordable live/work spaces for artists and to attract the creative class has positively impacted the community

Uneven distribution of resources and lack of economic impact of cultural districts in the literature

The general assessment has been that the A&E districts have generated jobs and income

Sources/Resources	Contact
Silver Spring City Website http://www.silverspringdowntown.com/arts-and-entertainment-district Public Art and Density bonus http://www.montgomeryplanning.org/development/public_art/documents/MontCtyPublicArtGuidelines.pdf Details of density bonus http://montgomeryplanning.org/development/com_res_zones.shtm MSAC 2014 A&E District Impact Report https://issuu.com/marylandarts/docs/msac_2014_resi_impact_analysis_fina_dd10052c89000a	Pamela Dunne Senior Program Director Grants for Organizations (Media, Multidiscipline, Visual Arts); and Individual Artist Award pamela.dunne@maryland.gov 410-767-6484 PROGRAM(S): Grants for Organizations, Individual Artist Award

Cultural District: SoMa Pilipinas, San Francisco, CA

Compiled by Bo Chung, *Former Planning Intern*

Concept:

From somapilipinas.org

In April of 2016, the Board of Supervisors of the City and County of San Francisco unanimously approved a plan to establish a Filipino Cultural Heritage district in the South of Market neighborhood. As established by the 2010 census, the Filipino population in California became the largest segment of Asian Americans in the state. There is an estimated 5,000 Filipino Americans living the SoMa area and can benefit directly from this designation.

- Cultural Celebration - The formation of a cultural district will increase the visibility and celebrate the contributions of the Filipino community in SOMA, San Francisco, and the greater Bay-Area region.
- Community Development - Protect the numerous cultural assets spread throughout the area and prevent the displacement of Filipino residents while improving the living conditions of the community.
- Economic Opportunity- Develop initiatives for the Filipino community to participate in the wealth creation of the Bay Area. SoMa Pilipinas embodies the struggles and triumphs for equity and justice for Filipinos in their new homeland.

Comparable Programs:

JCHESS - Japantown Cultural Heritage and Economic Sustainability Strategy, compare to Mission 2020 (SF Planning)

Case study:

****The following information was gathered through an interview with Ada Chan, Soma Representative of the Bayanihan Community Center (contacts at the end of document)***

- Who (city department, community group (such as artists), etc.) was responsible for initiating and/or implementing?
 - SoMas Pilipinas was organized by the SoMa Pilipinas Working Group, consisting of members from various sectors of the community
 - Community members
 - Local non-profit organizations such as the Bayanihan Cultural Center and Bindlestiff Studios (arts/cultural performance space)
- What was their process?
 - Spearheaded by Filipino-American Development Foundation
 - Formed a working group that included different sectors of the community (NGO, private businesses, local school and organizations)

- Drafted a plan to promote cultural components, community development, and economic opportunities
- Ada: the first hearing in 1998
 - Specific strategy in organizing to put SoMa Pilipinas in place
 - Lived culture vs a commodity culture
 - Calle 24 (www.calle24sf.org), led the way, larger organizing population
 - Historic statement Drew Dow, name the properties, tell the story
 - Originally part of PDR in 2000, testifying to be part of new Central SoMa Plan
 - Work is done through committees, volunteers
 - Workers
 - History, Library archiving, StoryCorp, and CAAM family movie project
 - Land Use
 - Economic Development
- What challenges did they encounter in the process?
 - Observation: the objective of the creation of this cultural district is to stave off gentrification and expansion of downtown development, although there is support in designating specific buildings as part of the cultural district, there is not much more information on how to combat gentrification of the area
 - Racism was a challenge in creating SoMa Pilipinas, community has been displaced through redevelopment. The Filipino community originally was on Kearny in downtown, after WWI, the financial district expanded and displaced it. The fall of I-Hotel sparked Asian American movement. The Filipino community then moved to Fillmore, which then was re-displaced by redevelopment, had different politics with no certificate of preference. In SoMa the Filipino population dropped from 5000 – 2000
 - Filipinos have been largely unseen, the necessity to have the cultural designation is to highlight this population
 - Managing expectations is a big challenge
 - Not just a tool to be against developers, money should go through a system
- How does the program/policy work?
 - Ordinance was adopted in early October 2016 and stated: to “develop a strategic and implementation plan to set policies that promote community development and stabilization, and increase the presence and visibility of the district;” within six months of the adoption of the ordinance
 - Legacy business program, businesses that have existed for 30 or more years, assumes land owner is different than business owner (potential for Chinatown or Fruitvale)

- What have the successes and failures been?
 - SF does not have formal cultural heritage district program, specific legislation from board of supervisors
 - Mission, Calle 24, resolution in 2014 sponsored by Supervisor Campos
 - SoMa, April 2016, sponsored by Supervisor Kim
 - Each time district created, starts from scratch, each resolution identifies important district
 - SoMa Pilipinas, purpose for district, coop between community working group and list of City Agencies to produce strategy document
 - Community planning process to get to strategy takes more than 6 months
 - Will have progress report to show what is needed to get to strategy plan, submit to board of supervisor next week
 - Process to create SoMa Pilipinas started community planning in 2005, Western, SoMa area, 2013 adopted, 8 year period cooperation with local orgs and planning department
 - Historic context statement created at that time
 - Community created social heritage resources (asset list)
 - Central SoMa planning started in 2011, planning effort started, both plans called for the creation of the district, neither plan legally created a heritage district
 - Central/ Western/ Eastern (no community land) SoMa Pilipinas all of South Market neighborhood minus embarcadero, central market overlap as well, SomArts (partially funded, but not heavily connected)
 - Strategy and district would complement other plans
 - CAAMFest will produce a documentary, SoMa Pilipinas will work with city archivist to do story corps project
 - List of concerns and list of strategies, not vetted yet
 - The object is to have the assets (buildings and people) maintained
- What are the program/policy outcomes?
 - Housing and land use one bucket, design is another, community service and education is another, affordability is also another

Sources/Resources:

*(*additional resources below from the interview with Ada Chan)*

Claudia Flores map 2020, sustainable cultural policies for the mission neighborhood

- Community is asking for requirement of all new offices to create community facilities on site (community proposed, not vetted)

- Develop mentorships and training programs, teaching artists to market themselves and work with the city
 - Contribution of 1% of development fee to arts project
 - Managed by arts commission
 - Registry of Filipino artist, networking among artists
 - For installation of public art in new development
 - Fairly unified voice from the area
 - Working group did a lot of public outreach
 - SoMa Pilipinas very few opportunities for small local businesses
 - Commercial rates are driven up by large businesses
 - Not as much concern if there is focus on smaller businesses
 - Smaller building footprints to encourage smaller scale businesses

JCHESS

- Adopted unanimously, first cultural heritage strategy document, 2 years working with community on it
 - After failed attempt to push development heavy plan of the community
 - Community fought back and wanted more relevant plan
- Different dynamic in Japantown, because of large number of people and businesses
 - SoMa has less of this stock, city had community collect inventory of buildings, assets, arts, and businesses
- Jtown, schools ended on list, local community newspaper, non-tangible aspects to protect, not particularly interested in landmarking properties, doesn't prevent use change
 - Culturally strong resistance to government intervention due to rounds of redevelopment
- High level of property ownership in the neighborhood, an advantage for the community (not so in SoMa Pilipinas)
- Taskforce local people, developing community land trust (Bob Hamaguchi)
 - Some funding through economic and workforce development
 - Invest in neighborhood program
- Ford grant to study using community land trust for cultural
 - Seissel consulted with part of appendix in the JCHESS (land value)
 - SF Heritage, white paper 2014, sustaining cultural heritage, international examples of sustaining intangible components of culture (Ireland and England - programs of keeping pubs alive, Paris for cafes, 20-25 case studies)

http://sf-planning.org/sites/default/files/FileCenter/Documents/7348-Filipino_Social_Heritage_Proposal_latest.pdf

<http://sf-planning.org/japantown-cultural-heritage-and-economic-sustainability-strategy-ichess>

<https://sfgov.legistar.com/LegislationDetail.aspx?ID=2505291&GUID=E441997F-9377-431F-B9E9-69E87456EB6B&Options=&Search=>

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Cultural District: The Japantown Cultural Heritage & Economic Sustainability Strategy, San Francisco, CA

Compiled by Bo Chung, *Former* Planning Intern

Concept:

From the JCHESS Report

The Japantown Cultural Heritage and Economic Sustainability Strategy (JCHESS) is the first document in San Francisco to focus specifically on how to preserve and promote a neighborhood's cultural heritage. The Japantown Cultural Heritage and Economic Sustainability Strategy's (JCHESS) vision is that Japantown will thrive as a culturally rich, authentic, and economically vibrant neighborhood, which will serve as the cultural heart of the Japanese and Japanese American communities for generations to come.

Case study:

- Who (city department, community group (such as artists), etc.) was responsible for initiating and/or implementing?
 - SF Planning department, Office of Economic and Workforce Development, Japantown Organizing Committee, and consultants to the planning department

- What was their process?
 - California Senate Bill 307, passed in September of 2001, allowed for the creation of a California Japantown Preservation Pilot Project, which provided grants to Los Angeles, San Jose, and San Francisco to promote the preservation of their Japantown neighborhoods.
 - A San Francisco Japantown Special Use District was established in 2006 that required commercial uses to be compatible with Japantown's cultural and historic integrity, neighborhood character, development pattern, and design aesthetic.
 - Between 2006 and 2009 the San Francisco Planning Department helped to guide an extensive series of studies and planning workshops en route to the creation of the Draft Japantown Better Neighborhood Plan (2009).

- How does the program/policy work?
 - Current tools
 - Historic preservation of buildings and structures
 - Timing and selection of preservation has been sensitive
 - Japantown is a Special Use District, allowing greater control of businesses that can move in
 - City wide design guidelines
 - Streetscape and pedestrian improvement per the "Better Streets Plan"

- Implement proposed transportation improvements
- SFTravel branding/marketing
- Proposed tools
 - Create Japantown CDC
 - Create Japantown Community Land Trust
 - Implement Invest in Neighborhoods (Diana)
 - Being implemented here
 - Negotiate community benefits agreements with major new developments
 - Not many new developments since passage of plan
 - Create a Japantown Community Benefits District (equivalent to BID in Oakland)
 - Implement a Japantown Mello-Roos Community Facilities District (2/3 vote on Mello-Roos tax)
 - Utilize funds from the San Francisco Grants for the Arts
 - Utilize Japan Center Garages' Capital Improvement Funds
 - The garage is owned by the city and the park above it is managed by Parks and Rec
 - Create a Japantown Neighborhood Commercial District
 - Create Japantown Design Guidelines
 - Implement improvements to Peace Plaza
 - An item on the agenda, unclear on implementation
 - Implement improvements to Buchanan Mall
 - Develop a strategic plan for the Japan Center Malls
- What are the benefits or rationale for the policy/program?
 - Secure Japantown's future as the historical and cultural heart of the Japanese and Japanese American Community
 - Secure Japantown's future as a thriving commercial and retail district
 - Secure Japantown's future as a home to residents and community-based institutions
 - Secure Japantown's future as a physically attractive and vibrant environment

Sources/Resources:

JCHES in the SF Planning website:
<http://sf-planning.org/japantown-cultural-heritage-and-economic-sustainability-strategy-jchess>

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Cultural District: Asian American Anti Displacement Strategies

Compiled by Bo Chung, *Former* Planning Intern

“The arc of justice has opened opportunities, but the power of capital to displace remains the same.”

Summary:

The Asian American Anti Displacement Strategies report is a compilation of different actions taken in Asian American Pacific Islander communities from across the country to address displacement issues. This case study will highlight actions relevant to the preservation of culture and arts.

Analysis:

There are three case studies focusing on cultural preservation, cultural eco-district designation, and arts driven placemaking. In all three case studies, having inclusive representation of citizens as well as various public and private organizations were an important part of the strategy.

In the historic preservation of Seattle’s Chinatown International District, the authority is regulated by citizens’ board, giving representation of the development of the district to the local community. SCIDpda also provides assistance in capacity building with local property owners to apply for and administer grants for retrofitting their buildings

The Little Tokyo Service Center’s vision of a sustainable Little Tokyo was made possible by a steering committee of organizations from all sectors and the plan they implemented was culturally relevant to the community it is serving.

The Asian Economic Development Association in St. Paul specifically uses creative maker spaces to incubate community based social enterprises and artist entrepreneurs as well as a Night Market event along the light rail corridor to promote local small businesses.

Implications for equity:

These strategies highlight the importance of having culturally relevant policies and local participatory processes that empower local community actors economically, socially, and politically. Although these strategies are highly localized and specific to each community, the sensitivity to the local context of the neighborhood and delegation of actual power (either through capacity building or creation of boards) are strategies to consider in the Oakland context.

Implications for health:

Stable and affordable housing supports positive health outcomes both in the delivery of services and ability of the individual to practice healthy behaviors (report from the Center for Housing Policy on health can be found [here](#)).

Culturally relevant art in activities such as night markets can increase physical activity to the community and introduce dietary practices that may lead to greater food access depending on the neighborhood.

Strategies:

HISTORIC PRESERVATION SEATTLE CHINATOWN INTERNATIONAL DISTRICT PRESERVATION & DEVELOPMENT AUTHORITY (SCIDPDA), Seattle, Washington

- In 1970, the City of Seattle created 8 Historic Preservation Districts
- Regulated through a citizens' board
- From Maiko Winkler-Chin, Board Member, SCIDpda:
 - "4 members of the board are selected by the Mayor. The rest is self-selected by the board. We used to have "constituency" seats on many of the pda's, but those were always hard to fill and people had to pay to participate. It was a good idea, but odd."
 - "The board considers our mission and purpose - which is to serve the residents, businesses, property owners, employees - of the district and tries to select based on those criteria, as well as for those that are interested in the neighborhood."
 - Board members fluctuate between 12-15, depending on community participation
 - They are funded by program income and land/rental income within the Chinatown area since they own some buildings
 - The preservation and development authority operates like any other non-profit organization
 - A similar organization owns and operates the famous Seattle public market
 - Surrounding the historic core of Chinatown is a special review district (similar to JCHESS), which is about cultural preservation
 - Maiko states that the key has been to own the land for affordability purposes
- The SCIDpda was created to implement tools for historic preservation and future development.
- Height limits in the Chinatown International District are 85 feet
- Kept skyscrapers right at the Downtown boundary line
- Historic preservation ordinances written to protect building facades, but don't implement cultural, resident or commercial preservation
- SCIDpda supported a pilot project to assess costs for upgrades and help property owners understand financing options for seismic retrofit to limit displacement of current residents and raising rents
- Worked with 30 local property owners through seven workshops writing and administering grants as well as providing technical assistance

CULTURAL ECO-DISTRICT LITTLE TOKYO SERVICE CENTER (LTSC) Los Angeles, California

- 2013 LTSC and the Little Tokyo Community Council held a 3-day charrette with over 200 residents to envision the future of Little Tokyo
 - Created the Sustainable Little Tokyo vision and plan to ensure the neighborhood's economic, environmental and cultural livelihood
 - The steering committee with partners including the Japanese American Cultural and Community Center, local Buddhist temples, the National Defense Resource Council, the National Trust for Historic Preservation, Global Green USA, Enterprise Community Partners, the Little Tokyo Community Council, and LTSC developed three strategic areas of work:
 - Ensuring that development and the built environment support the health of residents, including graywater projects, bicycle and healthy transit infrastructure, a mini-solar electric grid, and the development of the last three major public parcels for green infrastructure, affordable housing and small businesses
 - Education and community engagement initiatives to involve seniors, youth and other residents in the process and projects, placing community self-determination at the forefront of sustainability
 - Arts and cultural pathways to preserve the neighborhood's history and creative life.
 - The community's cultural values guide implementation: • *Mottainai*, resource conservation, includes green building and optimizing existing resources. • *Kodomo no tame ni* upholds the consideration of children and future generations. • *Bambutsu* acknowledges the interconnectedness of the neighborhood as a habitat

ARTS-DRIVEN PLACE-MAKING ASIAN ECONOMIC DEVELOPMENT ASSOCIATION (AEDA) St. Paul, Minnesota

- Branding the Little Mekong neighborhood in 2012
- AEDA created innovative intergenerational collaboration between artists in the Twin Cities region and immigrant small businesses
 - Annual Little Mekong Night Market was established to preserve cultural arts and brings together AEDA's two strongest anti-displacement strategies:
 - Technical assistance for small businesses to flourish economically
 - Creative arts as a draw to the neighborhood to highlight its Hmong, Vietnamese, Thai, and other Southeast Asian and diverse communities living in the area
 - In 2015, Artist Organizers are hired to contract with and engage local artists to support small businesses and address neighborhood issues:
 - Artist Kao Lee Thao was invited to paint community murals and public art over three years

- A series of Artist Happy Hours and MANIFEST pop-up arts, culture and food events intimately engage over 100 artists at each event, including fashion designers, musicians, visual artists, and poets, to make Little Mekong into a creative hub for the Twin Cities
- **A Creative Maker Space**, an arts, culture and retail incubator will offer artist studio space, incubate community-based social enterprises, and provide a cultural co-working space to develop artists entrepreneurs and cultural groups to build their capacity and economic sustainability for themselves and the neighborhood
- Over 280 artists draw business to over 50 vendors at the Night Market, and throughout the year continue to partner to bring attention to the services and goods offered along the light rail corridor
- Small Business Strategies:
 - During light rail planning, AEDA helped win a \$4 million small business mitigation fund with forgivable loans up to \$20,000 to ease losses during construction
 - Lending Circles are used in conjunction with micro-loans of up to \$15,000 to help small business owners build credit and save assets
 - Counselors offer high-touch technical assistance to help small business owners apply for federal loans. AEDA low-interest loans use character-based assessments
 - Helped establish a regional equity alliance working with the Metropolitan Council for equitable transit-oriented development to prevent displacement of residents and businesses.

Contacts:

SCIDpda

Board Member

Maiko Winkler-Chin: MaikoWC@scidpda.org

Additional Potential Land Use Tools to Support the Arts

Temporary and Permanent Maker Spaces

Compiled by A. Parker, Planner

Information from the Arts & Planning Toolkit: <http://artsandplanning.mapc.org/?p=494>

Planners can support the creation of temporary and permanent makerspaces in a couple of ways.

- **Temporary makerspaces** can be a component of a creative placemaking or tactical urbanism initiative. Creation of a short-term makerspace complete with materials and a facilitator/educator can create an opportunity for people to envision and prototype community design ideas that may inform the delivery of a creative placemaking or tactical urbanism demonstration project. Temporary makerspaces can be used as an activity for assessing demand for collaborative workspaces, artist studios, art centers, and/or creative industry fabrication or manufacturing spaces. Market the pop-up makerspace and survey participants to track local and regional participation levels and needs. A temporary makerspace may occur over a weekend or as a series of maker workshops that take place over several months.
- **Permanent makerspaces** can be encouraged through the designation of zoning districts permitting arts and culture uses, shared studio workspaces, and fabrication and/or manufacturing uses in commercial, light industrial, and mixed use zones. Public and private sector financing and development entities can market resources and technical assistance available for studying the feasibility and sustainable financing structure for makerspaces as one type of cultural facility.

Cultural Easements

Compiled by Tate Lyverse, SPUR Intern

Definitions:

An easement is an agreement between property-owner and user of non-possessory according rights to use the grantor's property for either a specified period of time, or indefinitely. The grantor of the property is entitled to compensation for his/her property but cannot revoke the easement before the expiration of the easement itself.

More specifically, **Cultural Easements** are mechanisms for property owners to donate use of their private property to a city for public works and arts.³

Summary:

- Cultural Easement is an umbrella term for a spectrum of projects at varying scales, levels of commitment from, and cost to the city.
- The most common example of cultural easements is the donation of private vertical space to the city for the hosting of a mural. This usually achieved at little to no cost to the city as grantors of the easement carry most or all of the costs.
- Easement for art/culture is a relatively unexplored policy, making it difficult to assess the long-term efficacy and costs to the city.

In assessing its **applicability to Oakland**, it is important to understand that easement is a relatively formal property arrangement in which an individual cedes considerable rights to their property to the city. Because of this, private property holders are hesitant to participate in easement programs.

The most practicable form of easement for the City of Oakland will be the Public Mural Easement or an alternative that is similarly unobtrusive for the property grantee.

Types of Easements: in order of ascending scope of easement and involvement required of the city

1. **Public Mural Easement:** ensure access to local artists

- granting of exterior space on structure to the city by "Art Easement". City acts as patron of the arts rather than as a regulator.⁴
- Costs: installation costs born by artist or matching program by city, maintenance costs usually born by the grantor of easement
- Terms: application form for easement notarized by grantor, typically lasts 5 years
- Efficacy: creation of public art murals that beautify the city, enhanced opportunities for community artistic expression, increased donations to the Public Art Trust Fund, or support for expanding the Percent for Art program.⁵

³ <http://www.latimes.com/entertainment/arts/la-et-cm-los-angeles-mural-restore-20150401-story.html>

⁴ <http://blogdowntown.com/2008/11/3823-city-looking-to-get-back-into-the-mural-business>

- Examples:
 - City of Portland, OR: Regional Arts and Culture Council’s Public Art Murals Program (2004)⁶
 - City of Ashland, OR: Installing Murals on Public and Private Property
 - City of Los Angeles, CA: Department of Cultural Affairs, Report on Fine Arts Murals⁷

2. Land Easement for Installation Art

- Donation of land for installation or other 3-dimensional art.
- Costs: typically higher, involves commission or partial sponsorship of art
- Terms: shorter minimum periods, extensions
- Efficacy: Community Evaluation and feedback
- Examples:
 - City of Scottsdale, AZ (2015): “Authorize acceptance of public access and public art easements to allow access to and the placement of sculptures to educate the public as to the recovery of water resources.”^{8, 9}

3. Provision of Affordable Space for Artists and Arts Organizations

- Either public ownership and management of property, public ownership but private management or private-public ownership and management of affordable art spaces and residences for artists
- Costs: considerably higher
- Terms: vary according to project
- Efficacy: usually assessed in terms of profitability
- Examples:
 - City of Santa Cruz, CA: The Tannery Arts Center
 - joint effort by the former Redevelopment Agency of the City of Santa Cruz, Artspace Projects, Inc. and the Tannery Arts Center, Inc. Artspace is a nationally acclaimed nonprofit developer of affordable space for artists and arts organizations¹⁰
 - Artscape DIY, Canada: not-for-profit urban development organization. develops and manages multi-tenant facilities that anchors sustainable and below-market production,

⁵ <https://www.portlandoregon.gov/bps/article/63845>

⁶ <https://racc.org/public-art/public-art-murals-program/>

⁷ http://clkrep.lacity.org/onlinedocs/2008/08-0530_rpt_cad_10-7-11.pdf

⁸ <http://www.scottsdaleaz.gov/Asset55671.aspx>

⁹ <http://scottsdalepublicart.org/permanent-art/industrial-pipe-wave>

¹⁰ <http://tanneryartscenter.org/the-project/>

rehearsal, exhibition and living space for artists, creative practitioners, entrepreneurs and cultural organizations in rapidly changing neighborhoods.¹¹

- a. Artscape Triangle Lofts, Toronto, Canada¹²
- Artspace, USA: developing affordable space that meets the needs of artists through the adaptive reuse of historic buildings and new construction. Three areas of activity: Property Development, Asset Management, Consulting Services¹³
 - a. Bell Artspace Campus, Treme, New Orleans, LA¹⁴
 - b. Artspace Buffalo Lofts, Buffalo, NY¹⁵
 - c. Spinning Plates Artist Lofts, Pittsburg, PN¹⁶

4. Incentive Zoning for the Arts

- Offering limited exemption from zoning regulations in exchange for the private provision of art space
- Incentivize private developers to build and maintain space for art performance or exhibition
- Costs: typically involve lifting density maximums for developments, or tax credits
- Terms: concessions made to the city expire after set time (ex: low-income units return to market rate after 10 years) other agreements have indefinite lifespan
- Efficacy: controversial. Often local communities feel that the City has not extracted enough from the developers given the concessions they have offered
 - efficacy positively correlated with stringency of regulations. In city with few density restrictions, like Oakland, has less to bargain with
- Examples:
 - Philadelphia, PN: developers attempt to counter-offer the city with a built-bonus that exchanged density for site amenities for public art. Many in the community felt this compromise did not justify the favors offered to the developers¹⁷
 - Seattle, WA: 'density bonus and transfer of development rights programs...have provided hundreds of thousands of dollars for performing arts institutions and public art, including Benaroya Symphony Hall and the Seattle Art Museum's sweeping waterfront Olympic Sculpture Park. "The program has been strong and effective," said Michael Killoren, director of the Seattle Office of Arts and Cultural Affairs'¹⁸

¹¹ <http://www.artscapediy.org/About/Programs-and-Services.aspx>

¹² <http://www.torontoartscape.org/artscape-triangle-lofts>

¹³ <http://www.artspace.org/about/mission-history>

¹⁴ <http://www.artspace.org/our-places/bell-artspace-campus>

¹⁵ <http://www.artspace.org/our-places/artspace-buffalo-lofts>

¹⁶ <http://www.artspace.org/our-places/spinning-plate-artist-lofts>

¹⁷ <http://planphilly.com/articles/2016/07/19/density-bonus-for-mixed-income-housing-at-work-around-the-corner-from-one-water-street>

¹⁸ http://therealdeal.com/issues_articles/density-bonuses-giving-back-for-building-up-satdec2005080305002008/

- Santa Monica, CA: Santa Monica Zoning Update Community Benefits and Incentives: Issues, Options, and Case Studies¹⁹
- Problems: “Developers got very good at meeting the criteria while creating a lousy public space.” In many cases, the spaces have been appropriated for private use, such as cafés...said Kathy Madden, senior vice president of the Project for Public Spaces, a New York City-based nonprofit.”²⁰

5. Miscellaneous: **Massachusetts Cultural Council: Space Finder Mass**²¹

- Similar to a “craigslist” for the private provision and consumption of art space
- hosting site for private exchange/lease of art spaces
- heightens visibility of creative spaces
- increases efficiency/ease of finding affordable art spaces

¹⁹ <https://www.smgov.net/uploadedfiles/departments/pcd/zoning/community-benefits-issues.pdf>

²⁰ http://therealdeal.com/issues_articles/density-bonuses-giving-back-for-building-up-satdec2005080305002008/

²¹ <http://mass.spacefinder.org>

Broadway Valdez Incentive Zoning, Oakland, CA

Compiled by A. Parker, Planner

A voluntary incentive program is often easier to implement than traditional requirements and exactions. An incentive program can be implemented immediately to guide development in the neighborhood (because lengthy nexus studies are not needed). Those amenities or benefits that can be incorporated directly into the development are more easily attainable.

The Broadway Valdez Specific Plan sets forth a vision for a vibrant, sustainable and economically prosperous district with a special focus on establishing the area as a retail destination.

The goal for the incentive program is to achieve both a critical mass of retail necessary to establish the area as a major destination, and to create a core of comparison goods shopping. An incentive program was developed because it was recognized that residential uses “out-price” retail development. Thus, a right to build residential units as a bonus for including specific thresholds of retail was established.

The main incentive is that the right to develop residential is based on the provision of certain minimum thresholds of retail square footage equal to a percentage of the total area of each retail priority site (by block, not individual parcel). The greater the amount of retail square footage, the greater the number of residential units (including additional height and density above base zoning). The Additional incentives apply for retail projects that are larger than the minimum requirement. There are also provisions to allow for transfer of development rights from retail priority sites that provide a larger amount of retail than the base minimum, in order to transfer the residential bonus units and height from one retail priority site to a different parcel(s).

The plan addresses art in the following ways:

- Public art is cited as a component of improvements to the public realm at gateways, plazas, and as a key element of activating the envisioned shopping district by serving as the visual cue to lure pedestrians from adjacent commercial areas and neighborhoods.
- Public art is recommended, along with lighting, to improve the 580 freeway underpass.
- The design guidelines developed for the Broadway Valdez area recommend that all public realm improvement projects should explore the integration of public art into the design, with specific guidelines around using local interpretive art (for increasing awareness of the area's history); creating a unified design identity; and siting for maximum public viewing and safety. The guidelines include provisions for public art being integrated into the design of buildings and streetscape elements (e.g., plazas, paving, street furniture, transit shelters, lighting, bike racks, wall murals, etc.).

Production, Distribution and Repair (PDR) Zoning

PDR / Maker Space Zoning Models, San Francisco, CA

Compiled by Bo Chung, *Former* Planning Intern

Summary

From San Francisco Decoded: “The intention of this district [PDR-1-G] is to retain and encourage existing production, distribution, and repair activities and promote new business formation. Thus, this district prohibits residential and office uses and limits retail and institutional uses.”

<http://planning.sanfranciscocode.org/2/210.10/>

The City and County of San Francisco’s zoning of production, distribution, and repair (PDR) through the Eastern Neighborhoods and South of Market (SOMA) Neighborhoods dates back to 2001. Since then, these zoned spaces have been leveraged to maintain local manufacturing, a diversity of job opportunities, and spaces that maintain the unique character of these neighborhoods.

Incentives

The SF planning department incentives and maintain PDR zoning through a number of mechanisms. PDR spaces are designated as-of-right in mixed use districts, and recent legislation has closed loopholes to disallow live/work business services that threaten to convert these spaces to higher rate housing and office spaces. Additionally, the permitting process for PDR related businesses have been streamlined and fees have been reduced to encourage its development. PDR space is now also maintained through the construction of new buildings, if an old PDR space is torn down, the new building must include an equivalent amount of PDR space. There is also a moratorium in place to prevent any further reduction in PDR space in SOMA (SF Planning)

In cooperation with SFMade, recent legislation has greatly incentivized the creation of additional PDR space in the SOMA neighborhood. The construction of new office/commercial or upgrading of PDR use buildings must now include ⅓ of designated PDR floor space (legislation that was passed in 2014, a critique of this legislation can be found [here](#)). This represents a powerful tool to leverage the high demand for office/commercial space to create additional PDR space.

A study was conducted to determine the feasibility of industrial and how much office was needed to actually cross subsidize the development. The conclusion was that the split needed to be 80% office and 20% industrial to really cross subsidize the industrial component. However, the ensuing policy conversations resulted in the 2/3 office, 1/3 industrial ratio that was adopted (Abbie Wertheim, SFMade).

Further actions include:

- Legislation to protect PDR in landmark buildings
- PDR development in piers 48 and 70, and Hunters Point

- Identify 16th Street buildings with legislative protection
- Proactive engagement and enforcement of PDR spaces in cooperation with neighborhood organizations
- Regional study of PDR

Affordability

The current Eastern Neighborhoods plan aim to construct up to 10,000 units of affordable housing over the next 20 years (SF Planning). This number is achieved through community benefits in addition to inclusionary zoning in San Francisco, additional PDR space may be part of the benefits, and will vary by project.

The ability of PDR space to create affordable makerspace for local manufacturers is difficult to determine. SFMade indicates that a new model of affordable commercial space is being piloted modeled after programs implemented in New York and Philadelphia. Since there is no commercial rent control, this program would identify a non-profit organization that would maintain lower rent in good-faith and access other funding sources for non-profit organizations to make up the difference of below market rent.

Design

The design of the PDR buildings will use elements of form-based code, but not including the outer shell component. The general design will include increased ceiling heights and large roll-up doors. In various areas of the Eastern neighborhoods, a height limit of 85 feet has been established and existing buildings will be grandfathered in. Parking requirements will be reduced and potential parking maximums are being considered by the planning department.

According to SFMade, the design of PDR spaces will be an inclusive process that involves the participation of potential users of that space, but will have the heightened ceiling and door access layout characteristic of PDR buildings.

Pros and Cons of PDR in Relation to Arts

SFMade indicated that the maker industry overlaps with local artists and that the creation of additional PDR space encourages the inclusion of these artists. Another important benefit indicated by both SFMade and the SF Planning Department is that PDR industries provide higher paying jobs for individuals without college degrees, the median wage for PDR employment is \$60,000 as opposed to retail which is \$30,000 (SF Planning).

However, because PDR is not directly creating spaces for arts and culture, there is no guarantee that these spaces would serve that function. SFMade indicated that SF Japantown has recently designated spaces as cultural heritage sites, protecting certain buildings and limiting its uses and also incorporating cultural practices and festivals, which may directly serve cultural districts ([link](#) to the report).

Uses

The Planning department of SF has an extensive definition of “light, medium, and core” PDR uses and can be found here:

<http://sf-planning.org/16727-appendix-d>

Some examples of PDR Categories and Subcategories

(Pg 2 Supply/Demand Study for Production, Distribution, and Repair (PDR) in San Francisco’s Eastern Neighborhoods) Permitted and non-permitted uses can be found [here](#)

Category	Subcategory
Publishing	Publishing/Printing Printing Services Paper Manufacturing/Wholesale
Audio/Visual	Photo Services Graphic Design Radio/TV Stations Sound & Film Recording
Arts	Arts Activities
Fashion	Garment Manufacturing Fabric/Apparel Manufacturing Wholesale Apparel
Transport	People Transport Goods Transport Courier Services
Food/Event	Catering Wholesale Flowers Large Food Processing Wholesale food distribution
Interior Design	Wholesale Jewelry Import/Export Trading Showrooms Furniture Manufacturing Wholesale Furniture
Construction	Construction / bldg. maintenance Wholesale construction
Equipment	Appliance repair Whole sale appliances Heavy Equipment Wholesale Small Manufacturing
Motor Vehicles	Towing/Parking/Rental Wholesale autoparts Auto Repair Auto body Repair
Other	Animal Services/Kennel/Landscaping Chemical/Leather Repair Waste Management Utilities Public Warehouses

Implications for Health

The creation of additional PDR spaces can create additional work in high density areas, cutting down on traffic and thereby reducing air pollution. Employment in dense areas near transit could potentially increase pedestrian activities and increase physical activity. Chronic diseases including heart disease and cancer (such as respiratory) account for almost half of all deaths in the United States and impact people of color and lower income individuals at a higher rate ([link](#)).

Implications for Equity

Given unequal levels of education access in communities of color, PDR employment and its higher median wage represents an opportunity to increase the wage levels in these areas. However, there is no guarantee that more people of color would be employed in these businesses so the impact on race equity is unclear. Its impact on class is clearer since PDR employment provides a higher median income than other types of employment such as retail with similar education levels.

Contacts and people interviewed for this report:

<i>Maia Small</i> <i>San Francisco Planning</i> <i>Department</i> <i>(415) 575-9160</i> Maia.Small@sfgov.org	<i>Abbie Wertheim</i> <i>SFMade</i> <i>(415) 408-5605 x 4</i> abbie@sfmade.org	<i>Steve Wertheim</i> <i>San Francisco Planning</i> <i>Department</i> <i>415.558.6612</i> steve.wertheim@sfgov.org
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Links:

<http://planning.sanfrancisco.gov/2/210.10/> - Definition of PDR

<http://www.sfccho.org/preserving-sfs-light-industry-through-the-power-of-magical-thinking/> - Critique of new PDR incentive mechanism

<http://www.sfheritage.org/Cultural-Heritage-Assets-Final.pdf> - SF Japantown Cultural Heritage Asset Report

<http://kff.org/disparities-policy/report/key-facts-on-health-and-health-care-by-race-and-ethnicity/> - Racial health disparities news article

<http://www.sfchronicle.com/bayarea/article/Offices-intruding-on-SF-space-zoned-for-6889809.php> - Residential units infringing on PDR spaces, news article

<http://sf-planning.org/about-eastern-neighborhoods#3> – Eastern neighborhoods development plan

<http://oewd.org/manufacturing> - Manufacturing within SF mayor's vision

SF Ballot Measure

In November, 2016, San Francisco voters approved a ballot measure to require developers in parts of the Mission and South of Market neighborhoods to provide replacement space if they remove PDR uses, intentional community or arts activities of any size and to obtain a conditional use authorization before changing the property's use.

Source:

[https://ballotpedia.org/San_Francisco,_California,_Replacement_Space_Requirement_for_Development_Projects,_Proposition_X_\(November_2016\)](https://ballotpedia.org/San_Francisco,_California,_Replacement_Space_Requirement_for_Development_Projects,_Proposition_X_(November_2016))

The ballot measure requires the retention of the affected uses and requires Planning Commission approval of any proposed removal of these uses. The amount of retention or replacement would vary from 50% to 100% retention or replacement. Areas in the "Eastern Neighborhoods" (SoMa, Mission, Potrero Hill, Showplace Square, and Dogpatch) zoned to allow new housing and office would require 50% to 75% retention, depending on location. The measure can be amended by a simple majority vote of the Board of Supervisors to allow an in lieu fee for the preservation of such uses or for off-site replacement of such uses or, by a 2/3 majority of the Board to make any other changes.

Source: <https://sfgov.org/elections/sites/default/files/Documents/BSC/2016%20Nov/23%20-%20Suggestions%20from%20John%20Rahaim,%20Director%20of%20Planning.pdf>

Appendix A: SOMA Plan and Implementation Strategy

http://default.sfplanning.org/Citywide/Central_Corridor/Central_SoMa_Plan_full_report_FINAL.pdf

<http://sf-planning.org/central-soma-plan#refinement>

Appendix B: SUPPLY/DEMAND STUDY FOR PRODUCTION, DISTRIBUTION, AND REPAIR (PDR) IN SAN FRANCISCO'S EASTERN NEIGHBORHOODS

http://communityinnovation.berkeley.edu/presentations/industrial/CA-SF-PDR-Supply_Demand-in-East-Neighborhoods.pdf

Hybrid Industrial Ordinance, Los Angeles, CA

Compiled by Bo Chung, *Former* Planning Intern

Overview:

- The purpose of this Zone is to regulate live/work and nonresidential uses in areas of the City with a General Plan land use designation of Hybrid Industrial as a means to preserve land for jobs and to foster job creation.
- The use regulations of this Section are intended to delineate permitted, limited and prohibited uses that preserve the productive functions of industrial mixed use areas within the City and generate jobs.
- The development standards of this Section are intended to facilitate the creation of new live/work units and productive space in hybrid industrial areas in the City in a manner that preserves the surrounding industrial and artistic character, supports enhanced street level activity, maintains a consistent urban streetwall, minimizes conflicts between cars and pedestrians, and orients buildings and pedestrians toward public streets. These standards are meant to create a mix of productive and industrial spaces and encourage the reuse of existing structures.
- Adopted February 2016

Specific Land Use tools can be found on page A-7, item 4 of this document:

<http://www.cityplanning.lacity.org/ordinances/docs/hybrid/HybridIndustRecommendationRpt.pdf>

- **What uses are permitted, what uses are conditionally permitted (if there are multiple districts throughout the city, note the permitted and conditionally permitted for the uses closest to core areas such as downtowns)**
 - Currently only two areas, Northeast LA and Central City North are permitted to have HI
 - Any use permitted in the M2 Zone, except the following:
 - a. Drive-through establishment.
 - b. Nightclub.
 - The following uses, when conducted in accordance with the limitations hereafter specified:
 - a. Any building containing Live/Work Units, provided that such units comply with the requirements of Section 12.04.06.E.4.
 - b. Any building containing Guest Rooms, provided that no single development site contains more than 149 guest rooms.
 - c. Bar, restaurant, tea room or cafe, including a restaurant with an outdoor eating area, provided that the total area of space used on the premises in connection with any one such individual business shall not exceed 6,000 square feet.

- d. Retail store or business, provided that the total area of space used on the premises in connection with any one such individual business shall not exceed 6,000 square feet. Exception: A grocery store or pharmacy shall not be subject to the above size limitation.
 - Beverage manufacturing, including alcohol.
 - Barrel or drum, steel manufacturing.
 - Fabrication of iron or steel.
 - Other uses similar to the above, as provided in Section 12.21 .A.2, but not including uses which are or may become obnoxious or offensive by reason of emission of odor, dust, smoke, noise, gas, fumes, cinders, vibration, refuse matter or water-carried waste, as determined by the Zoning Administrator.
 - Uses customarily incident to any of the above uses and accessory buildings, when located on the same lot.
 - Automobile parking space and loading space required in connection with permitted uses, as provided for in Section 12.04.06.E.13
- **Review the downtown regulations to see if light-industrial uses, artisan, maker type uses are allowed, and whether there are any design requirements (roll-up doors, floor to ceiling windows, etc.)**
 - a. Bryan Eck, LA Planner:
 - All uses and conditions needed follows light manufacturing, 20% of live work space must be dedicated to light manufacturing
 - Height of ceiling, upper story heights, open floor plan criteria (nothing on windows and roll-up doors)
 - Recreating conversion loft, bending ordinance in terms of building code and adaptive reuse in order to preserve the light industrial space
 - **Where are the zones (in the core or downtown, or near periphery or outskirts of city)?**
 - a. Expanded out from downtown areas
 - **Are there specific provisions for arts and light-industrial / “maker” / artisan uses?**
 - a. Resident Production/Art Gallery Space. An onsite building workshop or gallery amenity, not to be combined with an individual live/work unit, for use by residents and employees of Live/Work Units for art production and/or display, materials and goods fabrication, and other similar production activities.
 - (i) Be a minimum of 500 square feet in area;
 - (ii) Be open and available to all residents free of charge from the hours of 8:00 a.m. to 10:00 p.m. each day;
 - (iii) Be any combination of indoor or outdoor space shaded by a roof structure assigned to manufacturing or gallery uses. The total floor area of such spaces

shall count towards the minimum requirement for nonresidential uses in Section 12.04.06.E.1(c)(1)

- **Does the city offer technical support to light industrial businesses to access resource (such as incentives, relocating or expanding, business to business networking, etc.)**
 - a. Different entities in mayor's office

Impacts on equity

- (Bryan Eck) Conversion of buildings in industrial zone to residential only if they have a business license to operate in the building; this law is on the books, but not enforced
- The ordinance asks for a lot, in terms of open pedestrian spaces (listed in the density considerations for projects over certain amount of sq footage), also incentives underground parking
- Mayor's office runs some programs to assist existing gallery owners and spaces

Impacts on health

- Intention of the ordinance was to increase residential units in proximity to work places

Links:

Ordinance

http://clkrep.lacity.org/onlinedocs/2015/15-1013_ORD_184099_3-30-16.pdf

HI zone recommendation report

<http://www.cityplanning.lacity.org/ordinances/docs/hybrid/HybridIndustRecommendationRpt.pdf>

Permitted Use List by Zoning LA

http://cityplanning.lacity.org/Code_Studies/Misc/uselist1.pdf

Quick Guide to HI

<http://www.dlanc.org/sites/dlancd7.localhost/files/Proposed%20Hybrid%20Industrial%20Live-Work%20Zone.pdf>

LA Weekly reporting of creation of HI zone

<http://www.laweekly.com/arts/is-downtown-las-art-scene-already-doomed-6333009>

Artist interests demands

<http://downtownmuse.com/opinion-an-open-letter-to-councilmember-jose-huizar/>

Political website (funded by unclear)

http://www.supporttheliveworkordinance.com/index.php?option=com_content&view=article&id=90&lang=en

Example project (none have been built according to Bryan, this one is the furthest along)

<http://urbanize.la/post/another-live-work-development-coming-arts-district>

Contact

Bryan Eck (213-978-1304) bryan.eck@lacity.org

Questions

- Were artist concerns incorporated into the final draft? (artists asked for: 1,000 avg sq ft units, preservation of buildings built pre 1965, 1.5 FAR, column beam system for flex, Affordable units req,)
 - Concerns were not incorporated, only 750 avg sq ft, no preservation of buildings, no way to require flexible building plan, no affordable units
 - 1.5 FAR was incorporated
- Design specs?
 - Ceiling height was main aspect mentioned
- Alameda street/Industrial ave development (individual project)
 - Not a type 3 modified project, less flexibility over time
 - Concerns around flexible structure from community, but developers want cheaper way to build (went with the podium and concrete structure
 - Jobs are being filled
 - 5% affordable housing appeared low, but there may be other community benefits worked out (affordability negotiated for project, not generally required)

Appendix

M2 zoning uses from Permitted Use List by Zoning LA

http://cityplanning.lacity.org/Code_Studies/Misc/uselist1.pdf

Central Eastside Industrial District, Portland, OR

Compiled by Joanne Ng, SPUR Intern & Alicia Parker, Planner

The Central Eastside is considered part of Portland's Central City – the heart of Portland's metropolitan region.

Central Eastside Industrial Council

www.ceic.cc

The Central Eastside Industrial Council is a non-profit, volunteer organization, responsible for representing businesses and property owners residing in the Central Eastside Industrial District (CEID) in Portland, Oregon. The 681-acre district encompassing property south of I-84 to Powell and the river to SE 12th contains 1,122 businesses and over 17,000 employees.

To maintain the Central Eastside Industrial District as an industrial sanctuary, ensure it continues to be a major employment zone for the city of Portland, and to protect the rights of property owners and businesses in the district.

Whether it's tax increases, parking, street alignment or nuisance crime, our goal is to provide the businesses in the district a voice at city hall. Here are just some of the topics that the CEIC and our Committees are working on:

- Parking (or lack of) in the District
 - Graffiti
 - Streetcar
 - Urban Renewal Funding
 - Land Use issues
 - Trespassers and vagrancy
 - Various tax increases for a variety of 'City Issues'
1. Objective – increase communication amongst the community
Strategy –
 - a. offer a variety of networking events such as golf and bowling tournaments
 - b. quarterly meetings - Whether it's a luncheon or an early-evening event, participants learn what's going on in the district, discuss issues and concerns with other business owners and meet new clients and customers in a relaxed atmosphere.
 2. Objective – Preserve the Central Eastside as an industrial sanctuary
Strategy – various zoning tools were adapted to promote industrial uses throughout the district, with the exception of main street and mixed-use corridors, such as Martin Luther King Blvd, Grand Ave, and Burnside

South East Quadrant Plan (long-range plan to guide growth and development in Portland's Central Eastside; adopted July, 2015)

<https://www.portlandoregon.gov/bps/68508>

Notes from Chapter 6: Specific Implementation Details

<https://www.portlandoregon.gov/bps/article/542611>

Existing policies and zoning provisions intended to protect the district as an industrial sanctuary have had the effect of locking in protections to the range of industries and industrial sectors that existed when the Industrial Sanctuary Policy was developed almost four decades ago. Further, the centralized location the district enjoys means that businesses in the district must contend with the realities of any centralized location in the city: traffic congestion and safety concerns associated with all modes of travel, competition for space (land values and lease rates), and potential conflicts between existing and new development and uses locating in the district as the full development potential of the district is realized.

Recommended zoning updates as part of Central City 2035 update

Rezoning of the areas that are well situated close to transit includes provisions for development bonus provisions to allow applicants to earn more development potential (FAR and/or height) for sites larger than 40,000 sq. ft. or buildings 60,000 sq. ft. or larger in exchange for providing pedestrian-oriented, transit-supportive development, focus on employment uses that need a central location, high-quality design, transportation and parking strategies that decrease congestion, transitions to adjacent areas with different uses and intensities through use, height and massing of new development, considerations for publically accessible parks, open space and recreation opportunities. Residential (multi-family) would be conditionally permitted in certain areas (provided it can show that it does not interfere with truck and freight movement, is supported by the transportation system, preserves designated scenic resources, designed to buffer from nuisance impacts of adjacent uses and limit conflicts with other uses allowed by right).

Increase employment densities in certain subareas, especially those in industrial office space

Industrial lands disclosure statements (to mitigate potential conflicts b/w industrial and non-industrial users related to noise, glare, fumes, truck operations, etc.) is recommend to be recorded as a covenant when new buildings are developed, or existing buildings are rehabbed; recorded prior to issuance of building permit.

Building code amendments requiring greater sound insulation to protect industrial operations from complaints originating from new residential development

Clarification to size of accessory use (how large can accessory brew pub be or tasting room be to the primary manufacturing use)?, etc.

More efficient management of the parking system (e.g., employee use of underutilized surface parking lots) through an accessory/commercial parking pilot program to study permanent shared / commercial parking provisions

Explore tools that allow developers to pay for the construction of centralized structured parking where parking projects cannot feasibly provide on-site parking

Improve active transportation options (such as bicycling) by identify bicycle routes and installing supportive bike infrastructure and wayfinding signage.

Improve street environments under viaducts by hosting nighttime markets that showcase locally produced goods, new sidewalks, storm water treatment, lighting, signage and other wayfinding tools such as pavement markings and potentially removable bollards that restrict vehicle access during events

Establish a green loop that connects existing attractions, open space amenities and districts with a continuous, comfortable bicycle and pedestrian pathway (and conduct analysis to identify potential route alignments and impacts to freight operations)

Green Infrastructure and Building Energy Efficiency

Addressing storm water management is challenging b/c most of Central City is built out, no building setbacks from property lines where on-site landscaping or storm water management can occur

New regulatory and incentive tools to increase the use of green building technologies such as innovative storm water management techniques (e.g., eco roofs, green walls, trees on private property, impervious surface standards, renewable energy and energy efficiency in both new development and rehabilitations

Recommendations to increase the tree canopy (set tree canopy targets)

Sources:

<https://www.portlandoregon.gov/bps/article/491196>

<http://www.pdc.us/our-work/urban-renewal-areas/central-eastside.aspx>

http://www.pdc.us/Libraries/Document_Library/Report_on_Central_City_Vitality_-_2010_pdf.sflb.ashx

Industrial Business Zones, New York, NY

Compiled by Joanne Ng, SPUR Intern

In early 2006, the City created 16 “Industrial Business Zones” across the city where expanded business services are available for industrial and manufacturing businesses.

1. Objective – stimulate economic development and to create jobs for residents of New York City Strategy – As an incentive, city of New York City provides an Industrial Zone Relocation Tax Credit, a one-time tax credit of \$1,000 per relocated employee available to industrial and manufacturing firms relocating to one of the City’s 21 IBZs. (Firms relocating within an IBZ are also eligible.) ([nyc.gov](http://www.nyc.gov))

Sources

New York City Business Express. “Industrial Business Zone Relocation Credit.” NYC.gov. City of New York City, n.d. Web. 28 Oct. 2016.

http://www.nyc.gov/portal/site/businessexpress/template.PAGE/menuitem.e45713187803834f9e0e30106cd2f9a0?javax.portlet.tpst=bb9344828243f44f4772add001c789a0&javax.portlet.prp_bb9344828243f44f4772add001c789a0_returnRender=searchRender&javax.portlet.prp_bb9344828243f44f4772add001c789a0_request_type=permitInfoRender&javax.portlet.prp_bb9344828243f44f4772add001c789a0_indexPermitId=68FA22C8-21FC-11DD-AB2A-DB6594E29C31&javax.portlet.begCacheTok=com.vignette.cachetoken&javax.portlet.endCacheTok=com.vignette.cachetoken

Planned Manufacturing Districts, Chicago, IL

Compiled by Joanne Ng, SPUR Intern

The first “Planned Manufacturing District” (PMD) in Chicago—the Clybourn Corridor—was initiated in 1987. Today, there are 15 PMDs in Chicago, with the intention to foster the city’s industrial base and maintain the city’s diversified economy.

1. **Objective** – stimulate economic development and to create jobs for residents of Chicago
Strategy – The Department of Housing and Economic Development offers financial assistance programs and incentives such as:

Industrial Development Revenue Bonds (IRBs) are issued by the City on behalf of manufacturing companies to finance the acquisition of fixed assets such as land, buildings or equipment (up to a maximum of \$10,000,000). Proceeds may also be used for new construction or renovation. Up to 100 percent of total project costs may be financed for a term up to 120 percent of the expected economic useful life of the assets.

Empowerment Zone Bonds are issued on behalf of businesses located in or moving to an Empowerment Zone for the acquisition of the same types of fixed assets as under the IRB program. Bonds may be issued on behalf of any qualified business (not restricted to businesses which manufacture or process tangibles). Limitations are placed on all bond issues to maintain tax-exempt status.

Bank Participation Loan works through banks and other conventional lenders to provide subordinated financial assistance to businesses. The city’s participation brings the overall interest rate for the loan down.

Enterprise Zone City, County and State tax incentives are available to eligible commercial and industrial businesses located in or moving to one of six designated Enterprise Zones within City limits. The program is administered by HED in conjunction with the Illinois Department of Commerce and Economic Opportunity and provides incentives such as a sales tax exemption for building material supplies, job creation tax credits and exemption from the real estate transfer tax for qualifying businesses.

Tax Increment Financing is a special funding tool used by the City of Chicago to promote private investment in blighted sections of the city. Funds are used to build and repair roads and infrastructure, clean polluted land and put vacant properties back to productive use, usually in conjunction with private development projects.

TIFWorks funds workforce training costs for companies located in many City of Chicago TIF districts. With TIFWorks’ support, businesses become better equipped to improve performance and productivity, expand product lines and gain new customers. The program helps companies develop and expand product lines, adapt to new technologies and equipment, comply with occupational or industry regulations, expand into new markets and promote growth and increase profit.

Small Business Improvement Fund (SBIF) uses local Tax Increment Financing (TIF) revenues to help owners of commercial and industrial properties and/or tenants within specific TIF districts to repair or remodel their facilities. Program participants can receive reimbursing grants to cover 25%, 50%, or 75% of the cost of remodeling work, with a maximum grant amount of \$ 150,000. The grant does not have to be repaid.

The New Market Tax Credit (NMTC) program is a federal initiative that aims to generate employment and other benefits for residents of low-income communities. The program provides federal income tax credits to financial institutions in exchange for investment in a Community Development Entity, which then uses these funds to provide capital to businesses or real estate projects in qualifying areas. The benefits of NMTC financing include below market interest rates, loan to value ratios as high as 95 percent of costs and potential for partial debt forgiveness.

Cook County Property Tax Incentives are designed to encourage industrial and commercial development throughout the county by offering reduced real estate taxes over a 12-year period. The incentive for industrial property is known as the Class 6b. Eligible projects include new construction, rehabilitated facilities and preoccupation of industrial buildings that have been vacant for two years. In the absence of a 6b incentive, industrial real estate would normally be assessed at 25 percent of its market value. Properties receiving Class 6b are assessed at 10 percent of market value for the first 10 years, 15 percent for the 11th year and 20 percent for the 12th year, returning to 25 percent in year 13.

Street and Alley Vacation program conveys ownership of underutilized public streets and alleys to adjacent industrial businesses. The vacated properties are used to expand plant operations, provide for parking, truck staging and improve security.

Local Industrial Retention Initiative (LIRI) funds local non-profit industrial councils to provide planning and stewardship to the city's 24 industrial corridors and business retention services to the companies that operate within them. They serve over 2,500 companies in corridors throughout the city. Along with the activities they perform for their city contracts, many of these independent organizations have extensive community development services and expertise and all are important economic development partners. As city delegate agencies, the industrial councils (known as LIRIs) reach out to the companies in their service areas and identify and address their needs in order to retain or expand those companies within the city. LIRIs provide varied services including facilitating city services, marketing and assisting with public incentives, providing educational and networking opportunities, promoting the area and local business and planning and advocating for the long-term vitality of the industrial corridors. Two LIRIs have sector focused on responsibilities for apparel and metals.

2. **Objective** – preserve Planned Manufacturing Districts
Strategy – develop lists of permitted uses and prohibited uses; for example, for Clybourn Corridor:

Permitted uses include:

- Any production, processing, cleaning, servicing, testing, repair, or storage of materials, goods, or products which shall conform to the performance standards set forth.
- Auto laundries
- Automobile service stations, for the retail sale and dispensing of fuel, lubricants, tires, batteries, accessories and supplies including installation and minor services customarily incidental thereto. Facilities for chassis and gear lubrication and for vehicle washing including auto laundries, are permitted only if enclosed in a building
- Building material sales
- Contractor or construction offices, shops, and yards, such as: building, cement, electrical, heating, ventilating and air conditioning, masonry, painting, plumbing, refrigeration, and roofing.
- Fuel and ice sales, if located in completely enclosed buildings
- Garages and parking lots, for motor vehicles
- Greenhouses
- Public utility and public service uses, including: bus terminals, bus garages, electric sub-stations, fire stations, gas utility service sub-stations, police stations, railroad passenger stations, railroad rights-of-way, telephone exchanges, microwave relay towers, telephone transmission equipment buildings, water filtration plants, and water pumping stations.
- Restaurants, excluding the sale of liquor in conjunction therewith
- Signs
- Storage, warehousing, and wholesale establishments
- Dwelling units, for watchmen and their families located on the premises where they are employed in such capacity
- Accessory uses
- Railroad and water freight terminals, railroad switching and classification yards, repair shops, and roundhouses.
- Storage of flammable liquids above ground in tanks in excess of capacity limits set forth.

Prohibited uses:

Notwithstanding all other provisions of the Chicago Zoning Ordinance and the Clybourn Corridor PMD, no dwelling units will be permitted in the Clybourn Corridor PMD, including houses, apartments, condominiums, and work/live spaces. The only exception shall be dwelling units for watchmen per Section 10.3-1 of the Chicago Zoning Ordinance.

Sources

https://www.cityofchicago.org/content/dam/city/depts/zlup/Sustainable_Development/Publications/Chicago_Sustainable_Industries/Chicago_Sustainable_Book.pdf