

2SSB 5300 - H COMM AMD

By Committee on Community Development, Housing & Tribal Affairs

NOT CONSIDERED 01/05/2018

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature finds that:

4 (a) A creative district is a designated, geographical, mixed-use
5 area of a community in which a high concentration of cultural
6 facilities, creative businesses, or arts-related businesses serve as
7 a collective anchor of public attraction;

8 (b) In certain cases, multiple vacant properties in close
9 proximity may exist within a community that would be suitable for
10 redevelopment as a creative district;

11 (c) Creative districts are a highly adaptable economic
12 development tool that is able to take a community's unique
13 conditions, assets, needs, and opportunities into account and thereby
14 address the needs of large, small, rural, and urban areas;

15 (d) Creative districts may be home to both nonprofit and for-
16 profit creative industries and organizations;

17 (e) The arts and culture transcend boundaries of race, age,
18 gender, language, and social status; and

19 (f) Creative districts promote and improve communities in
20 particular and the state more generally in many ways. Specifically,
21 such districts:

22 (i) Attract artists and creative entrepreneurs to a community and
23 thereby infuse the community with energy and innovation and enhance
24 the economic and civic capital of the community;

25 (ii) Create a hub of economic activity that helps an area become
26 an appealing place to live, visit, and conduct business, complements
27 adjacent businesses, creates new economic opportunities and jobs in
28 both the cultural sector and other local industries, and attracts new
29 businesses and assists in the recruitment of employees;

30 (iii) Establish marketable tourism assets that highlight the
31 distinct identity of communities, attract in-state, out-of-state, and

1 international visitors, and become especially attractive destinations
2 for cultural, recreational, and business travelers;

3 (iv) Revitalize and beautify neighborhoods, cities, and larger
4 regions, reverse urban decay, promote the preservation of historic
5 buildings, and facilitate a healthy mixture of business and
6 residential activity that contributes to reduced vacancy rates and
7 enhanced property values;

8 (v) Provide a focal point for celebrating and strengthening a
9 community's unique cultural identity, providing communities with
10 opportunities to highlight existing cultural amenities as well as
11 mechanisms to recruit and establish new artists, creative industries,
12 and organizations;

13 (vi) Provide artists with a creative area in which they can live
14 and work, with living spaces that enable them to work in artistic
15 fields and find affordable housing close to their place of
16 employment; and

17 (vii) Enhance property values. Successful creative districts
18 combine improvements to public spaces such as parks, waterfronts, and
19 pedestrian corridors, alongside property development. The
20 redevelopment of abandoned properties and historic sites and
21 recruiting businesses to occupy vacant spaces can also contribute to
22 reduced vacancy rates and enhanced property values.

23 (2) It is the intent of the legislature that the state provide
24 leadership, technical support, and the infrastructure to local
25 communities desirous of creating their own creative districts by,
26 among other things, certifying districts, offering available
27 incentives to encourage business development, exploring new
28 incentives that are directly related to creative enterprises,
29 facilitating local access to state assistance, enhancing the
30 visibility of creative districts, providing technical assistance and
31 planning help, ensuring broad and equitable program benefits, and
32 fostering a supportive climate for the arts and culture, thereby
33 contributing to the development of healthy communities across the
34 state and improving the quality of life of the state's residents.

35 NEW SECTION. **Sec. 2.** The definitions in this section apply
36 throughout this chapter unless the context clearly requires
37 otherwise.

38 (1) "Commission" means the Washington state arts commission.

1 (2) "Coordinator" means the employee of the Washington state arts
2 commission who is responsible for performing the specific tasks under
3 section 5 of this act.

4 (3) "Creative district" means a land area designated by a local
5 government in accordance with section 3 of this act that contains
6 either a hub of cultural facilities, creative industries, or arts-
7 related businesses, or multiple vacant properties in close proximity
8 that would be suitable for redevelopment as a creative district.

9 (4) "Local government" means a city, county, or town.

10 (5) "State-certified creative district" means a creative district
11 whose application for certification has been approved by the
12 commission.

13 NEW SECTION. **Sec. 3.** (1) A local government may designate a
14 creative district within its territorial boundaries subject to
15 certification as a state-certified creative district by the
16 commission. Two or more local governments may jointly apply for
17 certification of a creative district that extends across a common
18 boundary.

19 (2) In order to receive certification as a state-certified
20 creative district, a creative district must:

21 (a) Be a geographically contiguous area;

22 (b) Be distinguished by physical, artistic, or cultural resources
23 that play a vital role in the quality and life of a community,
24 including its economic and cultural development;

25 (c) Be the site of a concentration of artistic or cultural
26 activity, a major arts or cultural institution or facility, arts and
27 entertainment businesses, an area with arts and cultural activities,
28 or artistic or cultural production;

29 (d) Be engaged in the promotional, preservation, and educational
30 aspects of the arts and culture of the community and contribute to
31 the public through interpretive, educational, or recreational uses;
32 and

33 (e) Satisfy any additional criteria required by the commission
34 that in its discretion will further the purposes of sections 2
35 through 5 of this act. Any additional eligibility criteria must be
36 posted by the commission on its public web site.

37 (3) The commission may grant certification to a creative district
38 that does not qualify for certification under subsection (2) of this
39 section if the land area proposed for certification contains multiple

1 vacant properties in close proximity that would be suitable, as
2 determined by the commission, for redevelopment as a creative
3 district.

4 NEW SECTION. **Sec. 4.** (1) The commission may create a process
5 for review of applications submitted by local governments or
6 federally recognized Indian tribes for certification of state-
7 certified creative districts. The application must be submitted on a
8 standard form developed and approved by the commission.

9 (2) After reviewing an application for certification, the
10 commission must approve or reject the application or return it to the
11 applicant with a request for changes or additional information. The
12 commission may request that an applicant provide relevant information
13 supporting an application. Rejected applicants may reapply at any
14 time in coordination with program guidelines.

15 (3) Certification must be based upon the criteria specified in
16 section 3 of this act.

17 (4) If the commission approves an application for certification,
18 it must notify the applicant in writing and must specify the terms
19 and conditions of the commission's approval, including the terms and
20 conditions set forth in the application and as modified by written
21 agreement between the applicant and the commission.

22 (5) Upon approval by the commission of an application for
23 certification, a creative district becomes a state-certified creative
24 district with all of the attendant benefits under sections 2 through
25 5 of this act.

26 (6) The commission may revoke a certification previously granted
27 for failure by a local government to comply with the requirements of
28 this section or an agreement executed pursuant to this section.

29 (7) In addition to any powers explicitly granted to the
30 commission under sections 2 through 5 of this act, the commission is
31 granted such additional powers as are necessary to carry out the
32 purposes of sections 2 through 5 of this act. Where authorized by
33 law, such powers may include offering incentives to state-certified
34 creative districts to encourage business development, exploring new
35 incentives that are directly related to creative enterprises,
36 facilitating local access to state economic development assistance,
37 enhancing the visibility of state-certified creative districts,
38 providing state-certified creative districts with technical
39 assistance and planning aid, ensuring broad and equitable program

1 benefits, and fostering a supportive climate for the arts and culture
2 within the state.

3 (8) The creation of a district under this section may not be used
4 to prohibit any particular business or the development of residential
5 real property within the boundaries of the district or to impose a
6 burden on the operation or use of any particular business or parcel
7 of residential real property located within the boundaries of the
8 district.

9 (9) Total appropriations for this program may not exceed one
10 hundred fifty-six thousand dollars in the 2017-2019 biennium and two
11 hundred thirty-five thousand dollars in the 2019-2021 biennium.

12 NEW SECTION. **Sec. 5.** The commission may not dedicate additional
13 staff to the administration of the program beyond the coordinator.
14 The coordinator must:

15 (1) Review applications for certification and make a
16 recommendation to the commission for action;

17 (2) Administer and promote the application process for the
18 certification of creative districts;

19 (3) With the approval of the commission, develop standards and
20 policies for the certification of state-certified creative districts.
21 Any approved standards and policies must be posted on the
22 commission's public web site;

23 (4) Require periodic written reports from any state-certified
24 creative district for the purpose of reviewing the activities of the
25 district, including the compliance of the district with the policies
26 and standards developed under this section and with the conditions of
27 an approved application for certification;

28 (5) Identify available public and private resources, including
29 any applicable economic development incentives and other tools, that
30 support and enhance the development and maintenance of creative
31 districts and, with the assistance of the commission, ensure that
32 such programs and services are accessible to creative districts; and

33 (6) With the approval of the commission, develop such additional
34 procedures as may be necessary to administer this section. Any
35 approved procedures must be posted on the commission's public web
36 site.

37 NEW SECTION. **Sec. 6.** Sections 2 through 5 of this act are each
38 added to chapter 43.46 RCW.

1 NEW SECTION. **Sec. 7.** If specific funding for the purposes of
2 this act, referencing this act by bill or chapter number, is not
3 provided by June 30, 2017, in the omnibus appropriations act, this
4 act is null and void."

5 Correct the title.

EFFECT: Requires that appropriations may not exceed \$156,000 in the 2017-2019 biennium, and \$235,000 in the 2019-2021 biennium. Provides that the Arts Commission may not dedicate staffing to the program beyond the coordinator position. Includes a null and void clause if funding is not provided in the 2017-2019 budget.

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