

SPACE

CULTURAL POLICY RECOMMENDATIONS

March 21, 2018

Cultural spaces in Austin face growing and unprecedented pressure. The city, which prides itself in its arts-focused culture, is becoming increasingly unaffordable and hostile for arts spaces, especially those that are not profit-focused. These non-profit or lower-profit spaces are an essential part of the cultural fabric of Austin, and a huge part of what makes the city so desirable and livable. The loss of cultural space in central Austin neighborhoods is a huge threat to the city's quality of life.

It is crucial for the City of Austin, City Council, the Arts Commission, and all relevant City departments to do everything they can to **retain, sustain, and grow** cultural space in the city.

Some important components of that mission that should be addressed immediately:

- **Reducing barriers to entry.** Making the process of finding, securing, and opening a cultural space easier. Streamlining the cultural use permitting process. Reducing cost barriers.
- **Reducing barriers to information.** Providing cultural spaces easy and accurate access to information about safety and safety concerns. Minimizing the chance that reaching out to make spaces safer will lead to prohibitively expensive required alterations.

In support of these goals, we recommend that the city pursue and enact the following policies. These policy solutions primarily redistribute and reframe existing municipal resources and would not be a substantial financial strain for the city:

1. Put out an RFC to **contract a creative space code and permitting expeditor or liason**, who can provide accurate code, zoning, and permitting guidance and advice to creative community members and cultural organizations. This person would also be able to provide guidance concerning any of the other adopted policies and strategies listed below. (Values: Reducing barriers to entry, reducing barriers to information)
2. Additionally or alternatively, we suggest the development of an online portal where cultural spaces can **anonymously request feedback about code and safety** without triggering a full code review. (Values: Reducing barriers to information, sustaining cultural space, making spaces safer)

3. Implement a **“graded” system of code compliance** for cultural space similar to the way restaurant health safety is letter graded, allowing cultural spaces that are not completely up to code to continue operating as long as they do not pose an immediate life safety threat.
(Values: Making spaces safer, retaining cultural space, reducing barriers to entry)
4. Identify and **appoint an cultural arts & music specialist to coordinate between Contracted Permitting Expediter, Planning and Zoning, Development Services, Economic Development, and Code Compliance.** This person would serve as a point person for processing and articulating the needs of Austin’s arts community in this space-based context, and as a liaison between these departments and the public. This would be a “go-to” person at the city for addressing the space-based needs of Austin’s cultural community in a planning and code context. *(Values: Reducing barriers to entry)*
5. Additionally, **identify specific points of contact in both DAC and Planning and Zoning** that are topic experts within the department for issues around arts, music and cultural space.
(Values: Reducing barriers to entry)
6. **Expedited permitting for cultural space projects.** Allow projects that include significant cultural space complimentary access to the city’s “Expedited Permitting” process.
(Values: Reducing barriers to entry)

Precedent

- Seattle’s “Priority Green” program for expedited permitting for projects that meet a green building rating. <http://www.seattle.gov/dpd/permits/greenbuildingincentives/prioritygreenexpedited/default.htm>
- Austin’s current expedited permitting process for large projects.
<http://www.austintexas.gov/expeditedpermitting>

7. **Allow increased substantial alterations** to cultural spaces without triggering a full review from enforcement agencies. Allow more significant changes to older buildings without triggering a full “substantial alteration” review for cultural space projects. *(Values: Reducing cost barriers)*

Precedent

- Seattle’s CAP Report: “Provide Guidance Regarding Substantial Alteration Triggers: Allow more significant changes to older buildings without triggering a full ‘substantial alteration’ review for cultural space projects.” <https://www.seattle.gov/Documents/Departments/Arts/Downloads/Space/CULTURAL%20SPACE%20REPORT.pdf>

8. Develop and implement a **conditional occupancy program** for cultural spaces that do not meet code requirements that are not immediately life-threatening. (*Values: Preserving existing cultural spaces and resources*)

Precedent

- Similar to Denver’s Safe Occupancy program, this program would provide a “separate track” probationary period for cultural spaces to remain open while making necessary code compliance changes. We encourage the City of Austin to build on the potential of Denver’s Safe Occupancy by a) immediately pursuing a grant fund to incentivize participation in the program, and b) bringing landlords into the Safe Occupancy contract, ensuring continued occupation for cultural tenants who successfully bring their space up to code while simultaneously ensuring a responsible long-term tenant to the building owner. Although this list of proposals generally prioritizes low- or no-cost strategies, grant funding to incentivize participation in a conditional occupancy program will be essential for successful outcomes. <http://www.denvergov.org/content/denvergov/en/denver-development-services/help-me-find-/safe-occupancy.html>

9. **Raise auxiliary use for cultural purposes** from 10% to 33% in designated zoning district categories, similar to the “Austin Brewpub Ordinance.” We suggest that the City allow and incentivize an increase of auxiliary cultural use in zoning district designations such as (but not limited to) Warehouse Limited Office (W/LO), General Commercial Services (CS), and Limited Industrial Services (LI), from 10% to 33%, in recognition of the city’s prioritization of retaining and supporting Austin’s creative sector. (*Values: reducing barriers to entry, growing creative space*)

Precedent

- Austin breweries are granted an increased 33% auxiliary use for operating brewpubs in recognition of the overall economic benefit to the city that the this increased auxiliary use represents.

We consider **Cultural Certification** a potentially viable strategy for identifying appropriate spaces for these programs and policies. If pursued, the City should make Cultural Certification easy and straightforward to procure, perhaps using CAD’s CAMP Report cultural asset designation process as a template. The policies and strategies listed above are not conditional on the adoption of Cultural Certification. (*Values: Sustaining cultural ecosystem*)

Precedent

- Seattle’s CAP Report: “Craft a certification program for new and existing buildings that house space for arts and culture.” <https://www.seattle.gov/Documents/Departments/Arts/Downloads/Space/CULTURAL%20SPACE%20REPORT.pdf>

By implementing the policies listed above, the City can take a huge step toward supporting sustaining and preserving Austin's cultural ecosystem, and fulfilling the City's commitment to the arts and culture in Austin.

Contact Zac Traeger and Ben Martin with any questions.

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