

SHB 1183 - S COMM AMD

By Committee on Agriculture, Water, Trade & Economic Development

ADOPTED 04/11/2017

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) Subject to the availability of amounts  
5 appropriated for this specific purpose, the commission may create a  
6 process for review of applications submitted by local governments or  
7 federally recognized Indian tribes for certification of state-  
8 certified creative districts. The application must be submitted on a  
9 standard form developed and approved by the commission.

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

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

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

23 (5) Upon approval by the commission of an application for  
24 certification, a creative district becomes a state-certified creative  
25 district with all of the attendant benefits under sections 2 through  
26 5 of this act.

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

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

1 assistance and planning aid, ensuring broad and equitable program  
2 benefits, and fostering a supportive climate for the arts and culture  
3 within the state.

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

10 NEW SECTION. **Sec. 5.** Subject to the availability of amounts  
11 appropriated for this specific purpose, the commission may appoint a  
12 coordinator. The coordinator must:

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

15 (2) Administer and promote the application process for the  
16 certification of creative districts;

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

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

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

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

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

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1        On page 1, line 1 of the title, after "governments" strike the  
2 remainder of the title and insert "to designate a portion of their  
3 territory as a creative district subject to certification by the  
4 Washington state arts commission; adding new sections to chapter  
5 43.46 RCW; and creating a new section."

EFFECT: Removes reference to federally recognized Indian tribes from the title of the act.

Removes null and void clause and adds subject to appropriations clauses. Removes provision limiting appropriations for the program. Removes technical clarification on program hiring.

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