Temporary uses can enliven city neighborhoods

by Eric Fidler • November 8, 2011 2:07 pm

Imagine you have a long-vacant storefront or empty lot in your neighborhood. What if, just for a few months, it could become a plant nursery, a food garden, a beer garden, a sculpture garden, a playground, a clothing boutique or a tiny movie theater?

These small, temporary projects have the ability to revitalize vacant spaces, enliven neighborhoods, and provide small entrepreneurs a way test out their ideas with relatively small capital investments. This is what's called "temporary urbanism" and shows how we can put vacant space back into productive use, even if only temporarily.

Last weekend the National Building Museum held a panel discussion on temporary urbanism around the world. Office of Planning Director Harriet Tregoning and DC Councilmember Tommy Wells discussed what DC can do.

One theme became clear: our regulatory structure and business practices are very good at accommodating permanent enterprises, but when it comes to temporary uses, we apply the same licensing burdens, lease agreements, and review processes that are unsuitable for projects that may only last 4 weeks.

If you want to try opening a Christmas market in an unconventional space for just one month, it may be New Year's Eve before you get the necessary approvals to make it happen. All this assumes you were able to find a landlord who knew you existed and had an interest in a one-month lease in the first place.

Landlords prefer long-term tenants, even if it means they have to keep a property vacant for a year to find one. Real estate brokerages are set up to find long-term tenants and are often unaware of a neighbor who has a dream project that is only meant to last for a month. Often our regulatory structure makes short-term leases not worth the administrative and legal hassle.

Tregoning noted the irony that our regulatory and business structures are geared toward permanent uses even though many aspects of our society are increasingly ephemeral. The Office of Planning, she said, while currently in the process of overhauling the District's zoning code, is looking to for ways to make the revised code flexible enough to accommodate temporary uses.

Let's say several artists who live in your neighborhood want to exhibit their art work just for two weeks and they found a vacant home they could lease for two weeks. To turn it into a temporary gallery where they could sell their work, they would need to hire a land-use attorney, appeal to the Board of Zoning Adjustments, and seek ANC support.
That's a daunting and expensive task if you want to open an art gallery just for two weeks. Even if all the neighbors and the ANC commissioner supported the idea, the regulatory framework makes little distinction between this two-week project and the next Corcoran Gallery.

We need a new regulatory and commercial infrastructure to bring temporary projects to fruition:

- "Ephemera" brokerages that connect potential short-term tenants with landlords who have space that's vacant temporarily.
- Lease templates and leasing regulations that treat temporary leases strictly as term-limited and allow landlords to terminate the leases quickly the moment they find a permanent tenant.
- Zoning and regulatory flexibility for short-term uses. Most commercial activity is not permitted in residential zones and DPR prohibits the sale of food in its parks. We should consider permitting exceptions for modest, short-term projects.

One of the great things about living in a city, Washington especially, is the level of delightful surprise. Seeing a new restaurant open, seeing a neighbor paint their house a new color, or spotting a new work of public art can enhance the quality of life.

Whenever I walk around my neighborhood or over to U Street, I always see something new or something existing that was refashioned in an interesting way. These changes are often small, but the frequency of change tells a consistent story: our city is alive.

We have the creative talent to bring short-term projects to fruition, but we need the business and regulatory infrastructure to catch up to make these plans feasible.