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OAKLAND



CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90141 C.M.S.

INTRODUCED BY COUNCILMEMBER FIFE

RESOLUTION DIRECTING THE CITY ADMINISTRATOR TO RETURN TO THE APRIL 23, 2024 COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE MEETING WITH REPORTS AND RECOMMENDATIONS ON THE FOLLOWING:

(1) AN ACCOUNTING OF AVAILABLE CITY FUNDS TO (A) IMPLEMENT A SERIES OF PUBLIC STREETSCAPE UPGRADES ALONG OAKLAND'S FOURTEENTH STREET CORRIDOR TO UPLIFT THE BLACK ARTS MOVEMENT AND BUSINESS DISTRICT (BAMBD); (B) SUPPORT ARTS AND CULTURAL INSTITUTIONS IN THE BAMBD, INCLUDING CORNERSTONE LEGACY AFRICAN AMERICAN INSTITUTIONS; AND (C) CREATE A BAMBD BUSINESS IMPROVEMENT DISTRICT (BID) FOR ONGOING REVENUE GENERATION FOR TENANT SUPPORT, FACADE IMPROVEMENT, PLACE-MAKING, SPACE ACTIVATION, ACCESSIBILITY, AND SAFETY IMPROVEMENTS WITHIN THE BAMBD;

(2) A MAP THAT ESTABLISHES THE EXACT BOUNDARIES OF THE BAMBD AND A LIST OF THE INSTITUTIONS WITHIN THE BAMBD BOUNDARIES; AND

(3) A PROPOSAL FOR LEGISLATION, AND A PROPOSED TIMELINE FOR ADOPTION, TO CREATE A SPECIAL ("S") ZONING DISTRICT OR SIMILAR ZONING CONTROL THAT CONTAINS MEASURABLE STANDARDS FOR DEVELOPMENT PROJECTS TO MEET THE INTENT OF THE BAMBD AND ENSURE THE LONG-TERM VITALITY OF THE BAMBD

WHEREAS, on January 7, 2016, the City Council approved Resolution No. 85958 C.M.S., designating the 14th Street corridor on or within four blocks of 14th Street from Oak Street to Frontage Road as the Black Arts Movement and Business District (BAMBD or District) to "highlight, celebrate, preserve and support the contributions of Oakland's Black artists and business owners" and designated "the corridor as a place central both historically and currently to Oakland's Black artists and Black owned businesses"; and

WHEREAS, through the BAMBD designation, the Council sought to bring in much needed funding from the State and private sources to the 14th Street corridor to support the businesses, artists, cultural venues and entertainment establishments located in the area; and

WHEREAS, from Geoffrey's Inner Circle, Malonga Casquelourd Center for the Arts, African American Museum and Library of Oakland (AAMLO) and to the Dr. Huey P. Newton Center for Research and Action (the Black Panther Museum), the BAMBD is currently home to a wide range of businesses, organizations, artists, and arts and entertainment establishments that are a cornerstone of Oakland's cultural and economic landscape; and

WHEREAS, Resolution No. 85958 C.M.S. took a significant step toward recognizing the cultural and economic contributions of Black businesses and artists, but since its establishment several issues have emerged, including lack of ongoing financial support, unclear protections for legacy buildings, businesses, and tenants as it relates to new developments within the area, ambiguous district boundaries, and inadequate assistance with the overall activation and visibility of the District; and

WHEREAS, on June 24, 2021, the City Council approved a \$250,000 allocation in the Fiscal Year 2021-2023 biennial budget for program development for lease support, grants, signage, and program development for small business incubation, pursuant to Resolution No. 88717 C.M.S.; the first significant financial contribution since the inception of the BAMBD; and

WHEREAS, the Fiscal Year 2021-2023 biennial budget also included a \$500,000 allocation for a feasibility study for renovations and upgrades to the Malonga Casquelourd Center for the Arts; and

WHEREAS, additional funds are available for capital improvements along the 14th Street corridor through the 14th Street Safety Project; and

WHEREAS, the District continues to have many and diverse needs, including improvements to streets and lighting, installation of signage, façade improvements, lease support to keep anchor tenants rooted in the area, graffiti abatement, public safety concerns, and so much more; and

WHEREAS, the BAMBD designation was supposed to bring in federal, state, and philanthropic funds to support and revitalize the area. However, to date, the only significant financial investment to the District is from the City's General Purpose Fund; and

WHEREAS, there is growing concern that the dynamic business, arts, and cultural fabric of the BAMBD is being altered as the community grapples with displacement of longstanding residents, commercial tenants, and access to performance spaces; and

WHEREAS, there is no clear branding and signage on the 14th Street corridor that identifies the BAMBD and it is imperative to advance the visibility of the area through the installation of branded banners that visually delineate the BAMBD and the arts and cultural institutions it boasts; and

WHEREAS, the preservation of the District also requires direct financial assistance to struggling businesses for delayed facilities upgrades, lease support, visible signage for businesses, and safety improvements; and

WHEREAS, the BAMBD also includes the National Register-Listed Downtown Oakland Historic District and other historic resources that qualify for historic preservation, but further steps are needed to ensure a comprehensive and updated cataloguing of historic resource status of buildings along the 14th Street corridor based not only on architectural significance but also association with important historic persons, organizations, and events, including Black history; and

WHEREAS, there are currently no codified land-use regulations and protections specifically based on the BAMBD designation; and

WHEREAS, in a 2021 Zoning Code Bulletin, the Department of Planning and Building shared preliminary direction on implementation of the BAMBD, stating that in reviewing development applications for projects within the BAMBD, the Planning Bureau should 1) Provide project applicants with a copy of Council Resolution 85958; 2) Encourage applicants to ensure the proposed project is consistent with the goals of the BAMBD; 3) Encourage applicants to consult with nearby business owners in the BAMBD; and 4) Offer capacity support by directing the applicant to resources; and

WHEREAS, as part of the draft Downtown Oakland Specific Plan (DOSP), Planning and Building proposed zoning tools to advance the objectives of the BAMBD, including New construction to dedicate at least 50% of ground floor to Arts & Culture; New Artisan Production Commercial zoning activity and Arts & Culture activity; and Zoning Incentive Program to provide below-market rate (BMR) commercial space; and

WHEREAS, the standards listed in the 2021 Zoning Code Bulletin are not mandatory and lack the specificity required for effective enforcement, and the proposed zoning changes included in the draft DOSP have yet to be adopted; and

WHEREAS, there is a need for regulatory standards and Planning Code changes to equitably advance the BAMBD; and

WHEREAS, the Council recommends that the Department of Planning and Building, as part of the Downtown Oakland Specific Plan (DOSP) and in consultation and collaboration with the businesses and establishments within the BAMBD, add specific zoning changes and construction regulations that ensure anchor tenants and historic sites are protected; and

WHEREAS, all development projects proposed in the BAMBD should take into consideration the historic sites and resources within the BAMBD and the Planning and Building Department should develop regulations pertaining to mitigating the impact of construction and development activities; and

WHEREAS, the formation of a BAMBD Business Improvement District could oversee and manage BAMBD activities and work with the City to further the intent of the BAMBD; and

WHEREAS, the BAMBD community is currently in the process of forming a nonprofit organization to represent the interests of the District and once established, this representative body would work with the City to address the needs and concerns of the District; and

WHEREAS, the BAMBD is the first cultural district in Oakland and it is critical that the City take action to preserve the culture, arts, and longstanding businesses and institutions in the District, while advancing equitable economic development; now, therefore, be it

RESOLVED: That the City Council directs the City Administrator, along with all relevant City departments, to prepare and return to the April 23, 2024 Community and Economic Development Committee meeting with a report that includes recommendations on (1) an accounting of available City funds to (a) implement a series of public streetscape upgrades along Oakland's 14th Street corridor to uplift the BAMBD; (b) support arts and cultural institutions in the BAMBD, including cornerstone legacy African American institutions; and (c) create a BAMBD Business Improvement District (BID) for ongoing revenue generation for tenant support, facade improvement, place-making, space activation, accessibility, and safety improvements within the BAMBD, which the report shall include the following:

1. A proposal with a map, developed in collaboration with the District 3 Office, that clearly delineates the boundaries of the BAMBD and the institutions that are or should be within the proposed boundaries;
2. Recommendations on coordinating with representatives from the BAMBD, to adopt policies and plans to further strengthen the BAMBD and ensure long-term vitality and support for arts and cultural institutions and activities in the District;
3. A proposal to expend available funds designated for the BAMBD and to secure additional resources to help facilitate the formation of a managing entity for the BAMBD and to help initiate the creation of a BID as a financing tool to sustain the BAMBD in the long-term and start the process of implementing infrastructural improvements, beautification, direct business support, series of public streetscape improvements, including public banners and signage that identifies the District and other improvements to the BAMBD, consistent with the intent of this Resolution;
4. A proposal to start the process of creating and installing branded logos, plaques, signage and other materials to clearly designate the BAMBD and the develop, foster, and promote businesses, events, and activities within the District through traditional and social media sources; and
5. Recommendations on economic workforce and business development strategies for the BAMBD, including programs to support legacy businesses with increasing their revenue generating capacity, incubation of new businesses and arts and cultural institutions, and a marketing plan.

FURTHER RESOLVED: That the City Council directs the City Administrator to prepare and return to the April 23, 2024 Community and Economic Development Committee meeting with a report that includes recommendations for the adoption of legislation that would establish a Black Arts Movement Special (“S”) Zoning District or similar zoning control, as well as additional

actions that would address the development, construction, and preservation issues identified in this Resolution, which the report shall include the following:

1. A recommendation on geographic boundaries for the Black Arts Movement Special Zoning District;
2. A proposal for community engagement with BAMBD businesses and residents;
3. A timeline for adoption that incorporates necessary public hearings and notice requirements;
4. A review of the 2021 Zoning Code Bulletin to determine whether aspects of the Bulletin should be incorporated into the Black Arts Movement Special Zoning District or otherwise incorporated into the Oakland Municipal Code;
5. Consideration of incorporating provisions of the Draft Downtown Oakland Specific Plan related to the BAMBD into the Black Arts Movement Special Zoning District;
6. Other recommendations for the Black Arts Movement Special Zoning District with the intent of strengthening existing businesses and fostering arts and culture within the District;
7. A proposal to prepare a revised historic resource survey of properties with frontages along 14th Street from Oak Street/Lakeside Drive to Castro Street which shall include recommendations for properties eligible for Landmark status; and
8. A summary of existing applicable standard conditions of approval that are intended to address the short and long-term impacts of construction and a plan for addressing those conditions of approval as part of Phase 2 of the City of Oakland General Plan Update.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAR 19 2024

PASSED BY THE FOLLOWING VOTE:

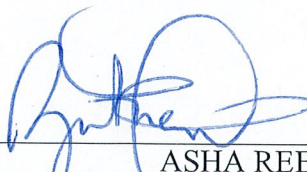
AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California