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March 25, 2004

**OAKLAND CITY COUNCIL**  
Oakland, California

**RE: A RESOLUTION URGING THE LEGISLATURE OF THE STATE OF CALIFORNIA TO ENACT LEGISLATION DECLARING THE WARREN FREEWAY, STATE ROUTE 13, ELIGIBLE FOR SCENIC HIGHWAY STATUS**

**BACKGROUND:**

At the March 25, 2004, Rules and Legislation Committee, City Councilmember Jean Quan brought a request to schedule a resolution that would urge the legislature of the state of California to enact legislation declaring the warren freeway, state route 13, eligible for scenic highway status.

The stated intent (Streets and Highways Code Section 260) of the California Scenic Highway Program is to protect and enhance California's natural scenic beauty and to protect the social and economic values provided by the State's scenic resources.

**What are some of the benefits of scenic highway designation?**

1. A scenic highway designation protects the scenic values of an area. Official designation requires a local jurisdiction to enact a scenic corridor protection program that protects and enhances scenic resources. A properly enforced program can:
  - o Protect from encroachment of inappropriate land uses such as junkyards, dumps, rendering plants, gravel pits.
  - o Mitigate uses which detract from scenic values by proper siting, landscaping or screening.
  - o Prohibit billboards and regulate on-site signs so that they do not detract from scenic views.
  - o Make development more compatible with the environment by requiring building siting, height, colors and materials that are harmonious with the surroundings.

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- Regulate grading to prevent erosion and cause minimal alteration of existing contours and to preserve important vegetative features along the highway.
  - Prevent the need for noise barriers (sound walls) by requiring a minimum setback for residential development adjacent to a scenic highway.
2. A scenic highway designation can enhance community identity and pride, encouraging citizen commitment to preserving community values.
  3. By preserving scenic resources, a scenic highway designation will enhance land values and make the area more attractive.
  4. A scenic highway designation can be used to promote local tourism that is consistent with the community's scenic values. It may help promote the adjacent City and Regional Parks and regional institution such as the Chabot Science Center.

**Respectfully Submitted By: Councilmember Jean Quan**

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

City Attorney

**RESOLUTION No. 25 PM 3:08 C.M.S.**

**DRAFT**

**RESOLUTION URGING THE LEGISLATURE OF THE STATE OF CALIFORNIA TO ENACT LEGISLATION DECLARING THE WARREN FREEWAY, STATE ROUTE 13, ELIBLE FOR SCENIC HIGHWAY STATUS**

**WHEREAS**, in 1963 the State of California established the Scenic Highway Program to preserve and enhance the natural beauty of California by designating certain highways as having particular scenic significance; and

**WHEREAS**, the Warren Freeway, State Route 13, is a prime example of the urban/forest interface with lush vegetation on both sides of the roadway alternating with vistas of the San Francisco Bay, rolling hills, urban forests and glimpses of historic structures and unique houses; and

**WHEREAS**, Highway 13 is surrounded by unique City & Regional Parks, Creeks and Open Space; and

**WHEREAS**, members of the communities surrounding the Warren Freeway have declared their interest in designating Highway 13 a scenic highway to memorialize this scenic beauty and maintain it into the future; and

**WHEREAS**, the Warren Freeway has been recognized for its beauty, but has never been nominated eligible for Scenic Highway status, and requires an act of the Legislature of the State of California for such eligibility; and

**WHEREAS**, the State Scenic Highway Coordinator on March 8, 2004 noted his support for the proposal to enact legislation to place Highway 13 as an eligible scenic highway in the California Streets and Highways Code; now, therefore be it

**RESOLVED:** that the City of Oakland urges the Legislature of the State of California to enact legislation declaring the Warren Freeway, State Route 13, eligible for Scenic Highway Status.

**THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:**

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, REID, QUAN, WAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

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ATTEST: \_\_\_\_\_

CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California