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AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Vitaly B. Troyan, P.E.

SUBJECT: Supplemental Amending O.M.C. Title
16 to Incorporate Complete Streets

DATE: July 5, 2012

City Administrator
Approval

Date

7/05/12

COUNCIL DISTRICT: City-Wide

REASON FOR SUPPLEMENTAL:

This supplemental report provides additional information on the status of CEQA findings related to the proposed OMC changes. In consultation with the Office of the City Attorney, staff has concluded that amending the OMC complies with the California Environmental Quality Act (CEQA) based on the previously certified Final Environmental Impact Report (EIR) for the Land Use and Transportation Element of the General Plan (1998); the Final EIR for the 1998 Amendment to the Historic Preservation Element of the General Plan; the 2007-2014 Housing Element Final EIR (certified on November 17, 2010), and various Redevelopment Plan Final EIRs. Furthermore, amending OMC is exempt from CEQA pursuant to, without limitation, CEQA Guidelines Section 15183 "Projects Consistent with a Community Plan, General Plan or Zoning" and/or Section 15061(b)(3).

Respectfully submitted,

VITALY B. TROYAN, P.E.
Director, Public Works Agency

Reviewed by:
Michael Neary, P.E., Assistant Director,
PWA, Department of Engineering & Construction

Prepared by:
Gus Amirzehni, P.E., Principal Civil Engineer

Item: _____
Public Works Committee
July 10, 2012

FILED
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CITY OF OAKLAND

APPROVED AS TO FORM AND LEGALITY

INTRODUCED BY COUNCIL MEMBER NO. _____

2012 JUL -5 PM 5:23

City Attorney

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

ORDINANCE AMENDING TITLE 16 OF THE OAKLAND MUNICIPAL CODE 1) ADOPTING A COMPLETE STREETS POLICY; 2), DESIGNATING THE PUBLIC WORKS DIRECTOR OR DESIGNEE RESPONSIBLE FOR ESTABLISHING, CLARIFYING, AND UPDATING STREET DESIGN AND CONSTRUCTION STANDARDS CONSISTENT WITH THE COMPLETE STREETS APPROACH; AND 3), REQUIRING ACCEPTANCE OF FUTURE CITY STREETS FOR MAINTENANCE BY COUNCIL

WHEREAS, The Oakland Municipal Code does not currently fully regulate design standards for constructing or improving the public street system; and

WHEREAS, such design standards have, in the past, been established by the Public Works Agency's Department of Engineering and Construction (PWA-DEC); and

WHEREAS, during the past few years reorganizations have resulted in disjointing the authority within the City of Oakland to establish and enforce the design and construction standards for street improvements and responsibility of maintenance for the public street system; and

WHEREAS, it is in the interest of the City to establish responsibilities for development and implementation of Complete Street system design and construction standards and enforce them uniformly as part of the Oakland Municipal Code wherever the Oakland Municipal Code addresses street system design and construction standards; and

WHEREAS, Complete Streets (sometimes known as livable streets) are roadways designed and operated to enable safe, attractive, and comfortable access and travel for all users: pedestrians (including the elderly and persons with disabilities), bicyclists, motorists and public transportation users; and

WHEREAS, Public Works Agency (PWA) is responsible for the planning, design, construction, and maintenance of the Public Street System; and

WHEREAS, PWA and its Director are best suited in light of their responsibilities to establish the street system design and construction standards and maintenance thereof; and

WHEREAS, Prior to adopting this Ordinance, the City Council independently finds and determines that this action complies with CEQA because the proposal relies on the previously certified Final Environmental Impact Report (EIR) for the Land Use and Transportation Element

of the General Plan (1998); the Final EIR for the 1998 Amendment to the Historic Preservation Element of the General Plan; the 2007-2014 Housing Element Final EIR (certified on November 17, 2010), and various Redevelopment Plan Final EIRs. On a separate and independent basis, the proposal is also exempt from CEQA pursuant to, without limitation, CEQA Guidelines Section 15183 "Projects Consistent with a Community Plan, General Plan or Zoning" and/or Section 15061(b)(3); now, therefore

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

Section 1. The City Council finds and determines the forgoing recitals to be true and correct and hereby makes them a part of this Ordinance.

Section 2. Prior to adopting this Ordinance, the City Council independently finds and determines that this action complies with CEQA because the proposal relies on the previously certified Final Environmental Impact Report (EIR) for the Land Use and Transportation Element of the General Plan (1998); the Final EIR for the 1998 Amendment to the Historic Preservation Element of the General Plan; the 2007-2014 Housing Element Final EIR (certified on November 17, 2010), and various Redevelopment Plan Final EIRs. On a separate and independent basis, the proposal is also exempt from CEQA pursuant to, without limitation, CEQA Guidelines Section 15183 "Projects Consistent with a Community Plan, General Plan or Zoning" and/or Section 15061(b)(3).

Section 3. Nothing in this Ordinance shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any federal or state law.

Section 4. If any section, subsection, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional, the offending portion shall be severed and shall not affect the validity of the remaining portions, which shall remain in full effect.

Section 5. Chapter 16 of Title 16 is amended to read as follows:

Chapter 16.16 - DESIGN STANDARDS

Sections:

16.16.001 – Definitions.

16.16.002 – Purpose.

16.16.003 – Responsibility.

16.16.004 – Acceptance by the City Council.

16.16.010 - Alignment of streets.

16.16.020 - Width of streets.

16.16.030 - Grade of streets.

16.16.040 - Intersection of streets.

16.16.050 - Alignment and visibility of streets.

16.16.060 - Minimum radii of curvature on centerline of streets.

16.16.070 - Tangents.

16.16.080 - Roadway widths.

16.16.090 - Private streets.

16.16.100 - Effect of street layout on adjoining property.

~~16.16.110 – Reserves at end of streets or boundaries of subdivision.~~

16.16.120 - Street names.

16.16.130 - Alleys.

16.16.140 - Width of blocks.

16.16.150 - Length of block.

16.16.160 - Pedestrian ways.

16.16.170 - Lots.

16.16.001 – Definitions.

As used in this chapter:

“Complete Street” is a transportation facility that is planned, designed, operated and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit vehicles, truckers, and motorists, appropriate to the function and context of the facility.

“Private street” means an alley, roadway, or street, not maintained by the city, used for vehicular, bicycle, or pedestrian access.

“Public street” means an alley, roadway, or street, maintained by the city, used for vehicular, bicycle, or pedestrian access.

“Street” means any alley, roadway, or street providing vehicular, bicycle, or pedestrian access.

“Street system” means either the entire Complete Streets network or a portion of that network of publicly and privately maintained alleys, roadways, and streets, under the jurisdiction of the city, used for vehicular, bicycle, or pedestrian access.

16.16.002 – Purpose.

The purpose of this chapter is to establish the City’s intent to implement Complete Streets concepts so as to uniformly regulate the design, construction, operation, and maintenance of the street network.

16.16.003 – Responsibility.

The Director of Public Works or his/her designee is responsible for developing, publishing

and enforcing Complete Street standards for the design and construction of the Street System consistent with the Oakland Municipal Code, and for updating the standards from time to time. Such standards shall apply to all streets regardless of whether they are private streets or public streets.

16.16.004 – Acceptance by the City Council.

No street system or portion thereof shall be accepted by the City as part of the public street system except by Resolution of the City Council upon recommendation of the Director of Public Works or his/her designee.

16.16.010 - Alignment of streets.

The alignment of all arterial streets and collector streets shall conform to those designated in the circulation element adopted by the City Council prior to the date of filing of the tentative map with the Advisory Agency. All proposed minor streets shall be in alignment with existing platted or platted streets with which they are to connect.

(Prior code § 7-4.15)

16.16.020 - Width of streets.

Street widths shall be reviewed in the context of the Complete Streets approach.

- A. Arterial streets shall be of the width indicated on the approved plans and not less than eighty (80) feet in width.
- B. Collector streets shall be not less than sixty (60) feet in width.
- C. Local streets shall be not less than fifty (50) feet in width.
- D. Blind streets shall be not over ~~three-six~~ three-hundred (300) feet in length with turnaround at three hundred (300) feet and shall be not less than fifty (50) feet in width. All blind streets shall terminate in a circular end having a minimum diameter of eighty (80) feet with seventy (70) feet roadway diameter, unless the Advisory Agency approved a "T" or "Y" shaped space in lieu of required turning circle.

(Prior code § 7-4.16)

16.16.030 - Grade of streets.

The grades on arterial, collector and local streets and alleys shall be approved by the City Engineer/Director of Public Works of the city. Concrete pavement with approved finish is required when the street grade exceeds fifteen percent (15%).

(Prior code § 7-4.17)

16.16.040 - Intersection of streets.

Street intersection shall be as nearly at right angles as practicable.

- A. At street or alley intersections, property line corners shall be rounded by an arc, the minimum radius of which shall be fifteen (15) and five (5) feet respectively. In business districts a chord may be substituted for such arc.
- B. Street curb intersections shall be rounded by radii of at least twenty-five (25) feet.
- C. The above minimum radii for property line and curbs shall be increased when the smallest angle of intersection is less than sixty (60) degrees.

(Prior code § 7-4.18)

16.16.050 - Alignment and visibility of streets.

Clear visibility, measured along the centerline, shall be provided for at least three hundred (300)

feet on arterial streets; two hundred (200) feet on collector streets and at least one hundred (100) feet on local streets.

(Prior code § 7-4.19)

16.16.060 - Minimum radii of curvature on centerline of streets.

- A. Arterial streets, five hundred (500) feet;
- B. Collector streets, three hundred (300) feet;
- C. Local streets, one hundred (100) feet.

(Prior code § 7-4.20)

16.16.070 - Tangents.

There shall be a tangent between all reversed curves of at least one hundred fifty (150) feet in length on all arterial streets and collector streets; and fifty (50) feet on all local streets.

(Prior code § 7-4.21)

16.16.080 - Roadway widths.

Roadway widths shall be reviewed in the context of the Complete Streets approach

- A. Minimum roadway widths on local streets shall be thirty (30) feet.
- B. Roadway widths for turning circles on blind streets shall have a diameter of not less than ~~sixty (60)~~ seventy (70) feet.

(Prior code § 7-4.22)

16.16.090 - Private streets.

Private streets, alleys or ways shall not be platted or laid out except with the approval and consent of the Advisory Agency and the City Council, and then only on conditions which guarantee the construction of necessary local improvements and continued maintenance thereof.

(Prior code § 7-4.23)

16.16.100 - Effect of street layout on adjoining property.

Street layout shall be designed to provide for future access to and not impose undue hardship upon unsubdivided property adjoining the subdivision.

(Prior code § 7-4.24)

~~**16.16.110 - Roservcs at end of streets or boundaries of subdivision.**~~

~~Roserc strips at the end of streets or at the boundaries of subdivision shall be deeded unconditionally to the city.~~

~~(Prior code § 7-4.25)~~

16.16.120 - Street names.

Proposed street names shall not duplicate or too closely approximate phonetically the name of any street in Oakland or other East Bay Cities, or adjacent portions of Alameda County. Where streets are continuations of existing streets the existing street names shall be used.

(Prior code § 7-4.26)

16.16.130 - Alleys.

Alleys shall be required in all business and industrial districts. Except where justified by topographic conditions, alleys will not be approved in residential districts except for downtown.

Minimum right-of-way width of alleys shall be twenty-six (2026) feet with twenty (20) foot

roadways.
(Prior code § 7-4.27)

16.16.140 - Width of blocks.

The width of blocks shall be sufficient to allow two tiers of lots of approximate depth.
(Prior code § 7-4.28)

16.16.150 - Length of block.

Blocks shall not exceed ~~one-thousand-(1,000)~~ three hundred (300) feet in length and dead-end blind streets ~~three-six hundred (300600)~~ feet with turnaround at three hundred (300) feet and with termination requirement as required in Section 16.16.020.D.
(Prior code § 7-4.29)

16.16.160 - Pedestrian ways.

Improved pedestrian ways not less than ten feet wide shall be provided near the center and entirely across any block over five hundred (500) feet in length.
(Prior code § 7-4.30)

16.16.170 - Lots.

Lot design shall be consistent with the provisions of Section 16.04.010, Purpose, and the following provisions:

- A. Every lot shall abut on a street.
- B. Double frontage lots shall not be platted.
- C. Reversed frontage of key lots shall be avoided in blocks exclusively residential.
- D. Lot lines shall be approximately at right angles to the street line on which the lot faces.
- E. Each lot shall have the minimum area prescribed by the zoning district within which it lies.
- F. Lots shall be equal or larger in measure than the prevalent size of existing lots in the surrounding area except:
 - 1. Where the area is still considered acreage;
 - 2. Where a deliberate change in the character of the area has been initiated by the adoption of a specific plan, a change in zone, a development control map, or a planned unit development.
- G. Lots shall be designed in a manner to preserve and enhance natural out-croppings of rock, specimen trees or group of trees, creeks or other amenities.

(Prior code § 7-4.31)

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, and PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____