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OAKLAND

2013 JAN -3 PM 4: 13

AGENDA REPORT

TO: DEANNA J. SANTANA
CITY ADMINISTRATOR

FROM: Vitaly B. Troyan, P.E.

SUBJECT: Amending O.M.C. Titles 12 and
16 to Incorporate Complete Streets

DATE: December 6, 2012

City Administrator
Approval

Date

01/03/13

COUNCIL DISTRICT: City-Wide

RECOMMENDATION

Staff recommends that the City Council:

- A. Approve the resolution adopting the Complete Streets Policy; and
- B. Adopt the ordinance amending Titles 12 and 16 of the Oakland Municipal Code to 1) clarify and update street design and construction standards; 2) designate the Public Works Director or designee responsible for establishing, clarifying, and updating street design and construction standards consistent with the Complete Streets approach.

EXECUTIVE SUMMARY

Formally adopting a Complete Streets Policy is important in building streets that meet the needs of all users. The Metropolitan Transportation Commission (MTC) and Alameda County Transportation Commission (ACTC) have held many public presentations on Complete Streets and are now mandating this policy as a condition for receiving future funding. The requirement that future streets be constructed according to City standards is important in saving the City money and assuring consistent standards. This will reduce the long-term costs for maintenance and any immediate need for repair or replacement. Our current street paving backlog is such that a typical street can only be paved every 85 years on average. Streets or other public-right-of-way improvements that do not meet minimum standards can be a hazard, and their presence needs to be minimized in every way possible.

OUTCOME

Formally adopting the Complete Streets policy is required to meet regional policy directives and will improve the likelihood that Oakland will obtain its share of regional transportation funding.

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Adopting the ordinance amending Titles 12 and 16 of the Oakland Municipal Code (OMC) will:

1. Establish a policy of Complete Streets in the design and construction of Oakland's streets and ensure that the policy will be incorporated in all applicable design guidelines and standards, providing safe access and use of the public right-of-way for pedestrians, bicyclists, transit riders and motorists;
2. Designate the Public Works Director, or designee, responsible to establish and update engineering and construction standards for City streets, to include provisions for Complete Streets;
3. Provide clarity of engineering and construction standards for the development community and staff; and
4. Ensure that streets are properly constructed, in accordance with established standards, before being accepted into the City's inventory of public streets.

BACKGROUND/LEGISLATIVE HISTORY

Complete streets are generally defined as streets that are safe and convenient for all users of the roadway, including pedestrians, bicyclists, motorists, persons with disabilities, users and operators of public transit, seniors, children, and movers of commercial goods. A Complete Street is the result of comprehensive planning, programming, design, construction, operation, and maintenance, and should be appropriate to the function and context of the street. Over 400 communities in the U.S. have supported building complete streets, through the adoption of Complete Streets policies.

In Alameda County, there has been a tremendous growth in the number of people bicycling and walking. Studies by ACTC show that since 2002 bicycling has increased by 75 percent and walking by 47 percent. As more facilities are built, evidence shows that even more people will likely be attracted to these modes. At the same time, transit ridership has also been increasing, and this trend is expected to continue; the Alameda Countywide Transportation Plan projects that there will be a 130 percent increase in all daily transit trips in the county by 2035.

Regional and County Complete Streets Policy Requirements

Both MTC and ACTC recently enacted requirements that local jurisdictions must have an adopted Complete Streets policy in order to receive or be eligible for certain transportation funding. Both of these requirements take effect in 2013.

Existing Efforts Supportive of Complete Streets

Oakland, through existing policy documents and practice, has long moved toward a policy of complete streets. Examples include the Land Use and Transportation Element (LUTE) of the General Plan, the Pedestrian Master Plan, the Bicycle Master Plan, and various streetscape

projects that have been specifically designed to better balance the various users of the public right-of-way.

Future Complete Streets Policy Requirements

The California Complete Streets Act of 2008 (Assembly Bill 1358), which took effect in January 2011, requires cities and counties to include Complete Streets policies as part of their general plans. This must be done at the time that any substantive revisions of the circulation element in the general plan are made. The state Office of Planning and Research has developed guidance for locals to comply with the law.

To be eligible for future transportation funding cycles, MTC's Resolution 4035 requires that local jurisdictions must have updated their general plan to comply with the state's Complete Streets Act by late 2014. Oakland's Master Program Funding Agreement with ACTC also requires that it comply with the state act, but there is no deadline for this action. To address compliance with these requirements, staff plan to undertake a review in 2013 of the City of Oakland General Plan circulation element with respect to the incorporation of Complete Streets policies and principles consistent with the California Complete Streets Act of 2008 (AB 1358) and with the Complete Streets Policy adopted by this resolution.

The intent of the review will be to identify whether a General Plan Amendment is required to comply with the requirements, and the nature of any changes required for compliance.

Street Design and Construction Standards

In Oakland, public streets are those roadways and streets in the public right-of-way or within easements providing bicycle, pedestrian, and vehicular access.

The Public Works Agency (PWA) is responsible for the operation and maintenance of most public infrastructure, including the public street system within the City of Oakland. PWA's Department of Engineering and Construction is responsible for designing and constructing improvements to the public street system and the technical engineering standards for those improvements. The Department of Planning, Building, and Neighborhood Preservation oversees subdivision improvements and is currently responsible for reviewing and approving privately constructed extensions and improvements to the public street system when made as part of new development or renovation of existing development projects.

At present, the OMC regulates various aspects of the public street system in Title 16, Subdivisions. Some changes made over the years have introduced inconsistency in street design standards, and the standards do not address Complete Streets. The opportunity to incorporate a Complete Streets approach will provide a common framework for all decisions to be made on the development, implementation, and enforcement of uniform street design and construction

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standards. One set of engineering standards for street improvements will ensure consistency of construction and clarity to the design community.

ANALYSIS

The proposed resolution will establish Complete Streets standards that balance all modes of travel, including walking bicycling, and driving. The proposed changes will also provide a framework for establishing a complete and comprehensive set of design and construction standards for the entire (private and public) street system in Oakland.

Adopting the ordinance will ensure that the Complete Streets policy will be incorporated in all applicable design guidelines and standards, providing safe access and use of the public right-of-way for pedestrians, bicyclists, transit riders and motorists. Further, it will provide clarity of engineering and construction standards for the development community, and ensure that streets are properly constructed, in accordance with established standards, before being accepted into the City's inventory of public streets. Sub-standard streets are very difficult and costly, if not impossible, to maintain and represent a significant long-term liability to the City.

PUBLIC OUTREACH/INTEREST

The concept of Complete Streets has been presented and discussed with the Commission on Aging, the Commission on Persons with Disabilities, and the Bicycle and Pedestrian Advisory Committee. All advisory bodies responded enthusiastically to the concept. Additionally, the Metropolitan Transportation Commission and Alameda County Transportation Commission have held many public presentations on Complete Streets and are now mandating this policy as a condition for receiving future funding. Further, as noted above, The Land Use and Transportation Element of the General Plan and the Pedestrian and Bicycle Master Plans include policies and elements fundamental to a Complete Streets policy.

COORDINATION

The proposed OMC changes have been coordinated with the Fire, Planning, Building, and Neighborhood Preservation Departments, who currently oversee subdivision improvements and are responsible for processing privately constructed extensions and improvements to the public street system as part of new development or remodel of existing development projects.

COST SUMMARY/IMPLICATIONS

The Metropolitan Transportation Commission and the Alameda County Transportation Commission have both adopted policies requiring cities to adopt Complete Streets as guiding principles in new street construction and redesign. Future funding for transportation improvements will consider a city's policy in awarding transportation funding. Formally

adopting this policy will improve the likelihood that Oakland will obtain its share of regional transportation funding.

There are substantial cost implications to accepting substandard streets into the City's inventory. Requiring that all streets be constructed to appropriate engineering standards will reduce future street maintenance costs at a level which cannot be estimated but may be significant.

SUSTAINABLE OPPORTUNITIES

Economic: Streets that are pedestrian-friendly, safe for bicyclists, and accessible by transit have been shown to improve economic development and create more livable cities. Moreover, establishing consistent guidelines will streamline private project development and review, and enforcing consistent design standards will safeguard life and property and thus reduce the City's exposure to liability.

Environmental: The standards are fully coordinated and aligned with Oakland's environmental programs and their goals. Establishment of Complete Streets will help to reduce pollution and greenhouse gases, offer multiple choices for mobility, and make our streets safer for everyone.

Social Equity: The standards will establish Complete Streets guidelines for the design and construction of the street system for all modes of travel, including bicycling, walking, and driving. Many residents of Oakland cannot afford or do not have access to automobiles; creating streets that can accommodate other methods of travel affords everyone a chance to reach their destinations safely.

CEQA

The proposed ordinance and resolution rely on the previously certified Final Environmental Impact Reports (EIRs) for the Land Use and Transportation Element of the General Plan (1998) and the Bicycle Master Plan (2007) and the Mitigated Negative Declaration for the Pedestrian Master Plan (2002). Thus, no further environmental review is required. As a separate and independent basis, the proposed ordinance and resolution are also exempt from CEQA pursuant to CEQA Guidelines Section 15183 "Projects Consistent with a Community Plan, General Plan or Zoning" and/or 15061(b)(3)(General Rule—no possibility of significant environmental impact).

For questions regarding this report, please contact Gus Amirzehni, Principal Civil Engineer 510-238-6601.

Respectfully submitted,



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

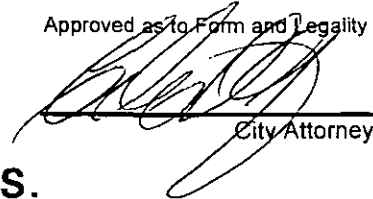
Reviewed by:
Michael Neary, P.E., Assistant Director,
PWA, Department of Engineering & Construction

Prepared by:
Gus Amirzehni, P.E., Principal Civil Engineer
Iris Starr, Division Manager

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January 15, 2013

FILED
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OAKLAND

OAKLAND CITY COUNCIL



City Attorney

2013 JAN -3 4:49 PM RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION ADOPTING A COMPLETE STREETS POLICY TO FURTHER ENSURE THAT OAKLAND STREETS PROVIDE SAFE AND CONVENIENT TRAVEL OPTIONS FOR ALL USERS

WHEREAS, the term “Complete Streets” describes a comprehensive, integrated transportation network, with roadways designed and operated to enable safe, attractive, and comfortable access and travel for all users, including: pedestrians, bicyclists, persons with disabilities, seniors, children, motorists, movers of commercial goods, operators of public transportation, public transportation users of all abilities, and emergency responders; and

WHEREAS, the City of Oakland recognizes that the planning and coordinated development of Complete Streets infrastructure provides benefits for local governments in the areas of infrastructure cost savings; public health; and environmental sustainability; and

WHEREAS, the City of Oakland, through its “Transit First Policy” (Resolution No. 73036 C.M.S.), acknowledges the benefits and value for the public health and welfare of reducing vehicle miles traveled and improving opportunities transportation by walking, bicycling, and public transportation; and

WHEREAS, the City of Oakland currently supports and pursues Complete Streets through the Bicycle Master Plan, Pedestrian Master Plan, General Plan Land Use and Transportation Element, CEQA Thresholds of Significance, and other plans and policies; and

WHEREAS, adoption of a “formal” Complete Streets Policy will allow the City of Oakland to better coordinate existing multimodal transportation planning, design, and operation activities under a single “Complete Streets” framework; and

WHEREAS, balanced transportation systems that offer an array of safe and convenient choices to travelers makes communities more livable; and

WHEREAS, the State of California has emphasized the importance of Complete Streets by enacting the California Complete Streets Act of 2008 (also known as AB 1358), which requires that when cities or counties revise general plans, they identify how they will provide for the mobility needs of all users of the roadways, as well as through Deputy Directive 64, in which the California Department of Transportation explained that it “views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system”; and

WHEREAS, the California Global Warming Solutions Act of 2006 (known as AB 32) sets a mandate for the reduction of greenhouse gas emissions in California, and the Sustainable Communities and Climate Protection Act of 2008 (known as SB 375) requires emissions reductions through coordinated regional planning that integrates transportation, housing, and land-use policy, and achieving the goals of these laws will require significant increases in travel by public transit, bicycling, and walking; and

WHEREAS, numerous California counties, cities, and agencies have adopted Complete Streets policies and legislation in order to further the health, safety, welfare, economic vitality, and environmental wellbeing of their communities; and

WHEREAS, the Metropolitan Transportation Commission, through its One Bay Area Grant (OBAG) program, described in Resolution 4035, requires that all jurisdictions, to be eligible for OBAG funds, need to address complete streets policies at the local level through the adoption of a complete streets policy resolution or through a general plan that complies with the California Complete Streets Act of 2008; and

WHEREAS, the Alameda County Transportation Commission, through its Master Program Funding Agreements with local jurisdictions, requires that all jurisdictions must have an adopted complete streets policy, which should include the “Elements of an Ideal Complete Streets Policy” developed by the National Complete Streets Coalition, in order to receive Measure B pass-through and Vehicle Registration Fund funding; and

WHEREAS, the City of Oakland therefore, in light of the foregoing benefits and considerations, wishes to improve its commitment to Complete Streets and desires that its streets form a comprehensive and integrated transportation network promoting safe and convenient travel for all users while preserving flexibility, recognizing community context, and using design guidelines and standards that support best practices; now, therefore be it

RESOLVED, that the City of Oakland adopts the Complete Streets Policy contained in *Exhibit A*, attached hereto and incorporated herein by reference; and be it

FURTHER RESOLVED, that staff will undertake a review of the City of Oakland General Plan circulation element with respect to the incorporation Complete Streets policies and principles consistent with the California Complete Streets Act of 2008 (AB 1358) and with the Complete Streets Policy adopted by this resolution, and that the General Plan will be amended, if necessary, to reflect the findings of this review; and be it

FURTHER RESOLVED, the proposal relies on the previously certified Final Environmental Impact Reports (EIRs) for the Land Use and Transportation Element of the General Plan (1998), and the Bicycle Master Plan (2007) and the Mitigated Negative Declaration for the Pedestrian Master Plan (2002). Thus, no further environmental review is required. As a separate and independent basis, the proposal is also exempt from CEQA pursuant to CEQA Guidelines Section 15183 “Projects Consistent with a Community Plan, General Plan or Zoning” and/or 15061(b)(3)(General Rule—no possibility of significant environmental impact). The Environmental Review Officer is directed to file a Notice of Determination/Exemption with the County Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, KALB, KAPLAN, KERNIGHAN, SCHAAF, McELHANEY and **PRESIDENT REID**

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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

This Complete Streets Policy was adopted by Resolution No. _____ C.M.S. by the City Council of the City of Oakland on _____, 2013.

COMPLETE STREETS POLICY OF THE CITY OF OAKLAND

The City of Oakland recognizes the necessity of providing safe and convenient pedestrian, bicycle and public transportation travel options in order to protect all road users, reduce negative environmental impacts, promote healthy living, and advance the well-being of Oakland citizens. As such, the City of Oakland will plan, design, construct, operate, and maintain appropriate facilities for pedestrians, bicyclists, transit users of all abilities, children, the elderly, and people with disabilities as a routine component of new construction, reconstruction, retrofit, and maintenance projects subject to the exceptions contained herein.

A. Complete Streets Principles

1. Complete Streets Serving All Users and Modes. The City of Oakland expresses its commitment to creating and maintaining Complete Streets that provide safe, comfortable, and convenient travel along and across streets (including streets, roads, highways, bridges, and other portions of the transportation system) through a comprehensive, integrated transportation network that serves all categories of users, including pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, emergency responders, seniors, children, youth, and families.

2. Context Sensitivity. In planning and implementing street projects, all departments and agencies of the City of Oakland will maintain sensitivity to local conditions in both residential and business districts as well as urban, suburban, and rural areas, and will work with residents, merchants, and other stakeholders to ensure that a strong sense of place ensues. Improvements that will be considered include sidewalks, shared use paths, traffic control signals, exclusive bicycle paths, bicycle lanes, bicycle routes, paved shoulders, street trees and landscaping, planting strips, accessible curb ramps, crosswalks, refuge islands, pedestrian signals, signs, street furniture, bicycle parking facilities, public transportation stops and facilities, transit signal prioritization, and other features assisting in the provision of safe travel for all users, particularly those features identified in the City of Oakland Bicycle Master Plan and Pedestrian Master Plan.

3. Complete Streets Routinely Addressed by All Departments. All relevant departments and agencies of the City of Oakland will work towards making Complete Streets practices a routine part of everyday operations, approach every relevant project, program, and practice as an opportunity to improve streets and the transportation network for all categories of users, and work in coordination with other departments, agencies, and jurisdictions to maximize opportunities for Complete Streets, connectivity, and cooperation.

4. All Projects and Phases. Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users will be incorporated into all planning, funding, design, approval, and implementation processes for any construction, reconstruction, retrofit, maintenance, operations, alteration, or repair of streets (including streets, roads, highways, bridges, and other portions of the transportation system), except that specific infrastructure for a given category of users may be excluded if an exception is approved via the

process set forth in section C.1 of this policy.

B. Implementation

1. **Design.** The City of Oakland will generally follow its own accepted or adopted design standards as prescribed in the Oakland Municipal Code (OMC). In particular, the Director of Public Works or his/her designee is responsible for developing and publishing Complete Street standards for the design and construction of the Street System with a goal of balancing user needs, and for updating the standards from time to time to reflect emerging best practices and innovative design options as appropriate for City of Oakland context. Such standards shall apply to all streets regardless of whether they are private streets or public streets.

2. **Network/Connectivity.** The City of Oakland will incorporate Complete Streets infrastructure into existing streets to improve the safety and convenience of all users, with the particular goal of creating a connected network of facilities accommodating each category of users, and increasing connectivity across jurisdictional boundaries and for anticipated future transportation investments.

3. **Implementation Next Steps.** The City of Oakland will take the following specific next steps to implement this Complete Streets Policy:

- A. *Plan Consultation and Consistency:* Maintenance, planning, and design of projects affecting the transportation system will be consistent with local bicycle, pedestrian, transit, multimodal, and other relevant plans, to the extent these local plans reflect complete street principles.
- B. *Stakeholder Consultation:* Develop and/or clearly define a process to allow for stakeholder involvement on projects and plans including, to the extent possible relying upon and refining existing advisory groups and stakeholder engagement channels. In particular, the Bicycle and Pedestrian Advisory Committee (BPAC) and Mayor's Commission on Persons with Disabilities will play important roles to support implementation of this Complete Streets policy within the City of Oakland.
- C. *Complete Streets Design Standards and Guidelines:* Develop and maintain a comprehensive set of Street Design Standards and Guidelines to promote complete streets principles in all types and phases of projects within the City of Oakland. The Design Guidelines will be developed by the Director of Public Works or his/her designee in accordance with the Public Works Agency authority over street standards.

4. **Performance Measures.** The Director of Public Works or his/her designee will compile the performance evaluations of well the streets and transportation network of Oakland are serving each category of user by (1) establishing specific performance measures pertaining to Complete Streets; (2) collecting and updating data to evaluate measures on a regular basis; and (3) making the results of Complete Streets performance analyses available publicly as completed. All relevant agencies or departments will contribute available data and other information to these performance evaluations by collecting baseline data and collecting follow-up data on a regular basis to ensure that the City of Oakland serves each category of roadway user.

C. Exceptions

1. **Exception Approvals.** Exceptions to the Complete Street standards will require written findings explaining accommodations for all users and modes were not included in the plan or project. The exception must be approved by the Public Works Director or his/her designee, and will be made publicly available. Exceptions must explain why accommodations for all users and modes were not included in the plan or project.

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INTRODUCED BY COUNCIL MEMBER AND

APPROVED AS TO FORM AND LEGALITY


City Attorney

2013 JAN -3 PM 4:13

OAKLAND CITY COUNCIL

ORDINANCE NO. _____ C.M.S.

ORDINANCE AMENDING TITLE 12 AND 16 OF THE OAKLAND MUNICIPAL CODE 1) CLARIFYING AND UPDATING STREET DESIGN STANDARDS; AND 2) DESIGNATING THE PUBLIC WORKS DIRECTOR OR DESIGNEE RESPONSIBLE FOR UPDATING AND ESTABLISHING DESIGN AND CONSTRUCTION STANDARDS CONSISTENT WITH THE COMPLETE STREETS APPROACH

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) for the purposes of accommodating all roadway users and modes; 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, implementation and monitoring 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) describes a comprehensive, integrated transportation network, with roadways designed and operated to enable safe, attractive, and comfortable access and travel for all users, including: pedestrians, bicyclists, persons with disabilities, seniors, children, motorists, movers of commercial goods, operators of public transportation, public transportation users of all abilities, and emergency responders; 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 Complete Street system design and construction standards and maintenance thereof; now, therefore

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

Section 1. Chapter 12.02 is added to read as follows:

Chapter 12.02 - COMPLETE STREET DESIGN STANDARDS

Sections:

12.02.001 – Definitions.

12.02.003 – Purpose.

12.02.005 – Responsibility.

12.02.007 – Acceptance by the City Council.

12.01.010 – Design Standards

12.02.001 – Definitions.

As used in this chapter:

“Complete Street”, which is reflected in City Resolution No. _____ C.M.S., as it may be amended, is a transportation facility that is planned, designed, operated and maintained to provide safe mobility and access for all users, including bicyclists, pedestrians (including seniors, children, and persons with disabilities), transit users of abilities, movers of commercial goods, and motorists, appropriate to the function and context of the facility.

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

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

12.02.003 – Purpose.

The purpose of this chapter is to augment Chapter 16.16 and establish the City’s intent to implement Complete Streets serving all users and modes so as to uniformly regulate the design, construction, operation, and maintenance of the street system. The City of Oakland will use Complete Streets to provide safe comfortable, and convenient travel along and across streets (including streets, roads, highways, bridges, and other portions of the transportation system) through a comprehensive, integrated transportation network that serves all categories of users, as defined above.

12.02.005 – Responsibility.

The Director of Public Works or his/her designee is responsible for developing and publishing 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 to reflect emerging best practices and innovative design options as appropriate for City of Oakland context. Such standards shall apply to all streets regardless of whether they are private streets or public streets.

12.02.007 – Acceptance by the City.

No street system or portion thereof shall be accepted by the City for maintenance as part of the public street system except by formal and written acceptance of the Director of Public Works or his/her designee upon recommendation of the Director of Planning and Building, or designee.

12.02.010 - Design Standards.

All roadway dimensions and geometric requirements, including but not limited to, right-of-way widths, pavement widths, alignment, grade, length of block and others are established in the context of the Complete Streets approach in compliance with Chapter 16.16 DESIGN STANDARDS.

Section 2. Section 12.16.050 is amended to read as follows:

12.16.050 - Improvement standards.

All improvements to be constructed under this section shall be at the abutting property owner's expense and installed according to city standards and shall consist of pavement, curbs, gutters, sidewalks, storm drainage including conduits and inlet structures, and any other structures such as retaining walls, public stairways, etc., as required by the City Engineer in accordance with Chapter 12.02. Plans and specifications shall be prepared at the owner's expense by a Civil Engineer registered in the state of California and no work in public area shall be started until said plans and specifications have been approved by the City Engineer. Where the existing street conforms to grades acceptable to the City Engineer and the required street improvements consist of sidewalk and/or curb and gutter only, plans and specifications will not be required and the work may be done with a sidewalk-driveway-curb-gutter permh.

(Prior code § 6-2.194)

Section 3. Chapter 16.16 is amended to read as follows:

Chapter 16.16 - **DESIGN STANDARDS**

Sections:

16.16.002 – Purpose.

16.16.010 - Alignment of streets.

16.16.020 - Width of streets Right of Way and Width of Pavement for Non-Hillside Areas.

16.16.025 - Width of Street Right of Way and Width of Pavement for Hillside Areas.

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.

16.16.002 – Purpose.

The purpose of this chapter is to establish the City's intent to implement Complete Streets concepts, which is reflected in City Resolution No. _____ C.M.S., as it may be amended, so as to uniformly regulate the design, construction, operation, and maintenance of the street system in parallel with the requirements of Chapter 12.02 Complete Streets Design Standards. These provisions shall be applied upon an application for the subdivision of land as applicable, and/or as referenced in Chapter 12.02.

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 planned or platted streets with which they are to connect.

(Prior code § 7-4.15)

~~16.16.020 – Width of streets.~~

~~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 hundred (300) feet in length 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), unless the Advisory Agency approved a "T" or "Y" shaped space in lieu of required turning circle.
(Prior code § 7-4.16)

16.16.020 - Width of street Right-of-Way and Width of Pavement for Non-Hillside Areas.

For the purpose of this Chapter, the term 'non-hillside area' shall be construed to mean land areas within the City of Oakland adjacent to street right-of-way which has an average difference in elevation of fifteen (15) feet or less in a horizontal distance of one hundred (100) feet. Street Right-of-way widths and pavement widths for non-hillside areas are established in the context of the Complete Streets approach as follows:

- A. Arterial streets shall be of the width indicated on the approved plans and not less than eighty (80) feet in right-of-way width, and shall have a pavement width as determined by the Director of Public Works or his designee.
- B. Collector streets shall not be less than sixty (60) feet in right-of-way width and shall have a pavement width as determined by the Director of Public Works or his designee.
- C. Local streets shall not be less than fifty (50) feet in right-of-way width and not less than thirty (30) feet in pavement width
- D. Blind streets shall not be over six hundred (600) feet in length unless it includes means of a secondary access and shall not be less than fifty (50) feet in right-of-way width and not less than thirty (30) feet in pavement width. All blind streets shall terminate in a circular end having a minimum right-of-way diameter of eighty (80) feet and a minimum pavement diameter of seventy (70) feet, unless the Advisory Agency or other approving authority approves a "T" or "Y" shaped space in lieu of required turning circle.
- E. Alleys shall not be less than twenty-six (26) feet in right-of-way width, and not less than twenty (20) feet in pavement width.

(Prior code § 7-4.16)

(Prior code § 7-4.22)

(Prior code § 7-4.27)

16.16.025 - Width of street Right-of-Way and Width of Pavement for Hillside Areas.

For the purpose of this Chapter, the term 'hillside area' shall be construed to mean land areas within the City of Oakland adjacent to street right-of-way which has an average difference in elevation of more than fifteen (15) feet in a horizontal distance of one hundred (100) feet. Street Right-of-way widths and pavement widths for hillside areas are established in the context of the Complete Streets approach as follows:

- A. Arterials shall have the same minimum width requirements as specified for non-hillside areas in Section 16.16.20.
- B. Collectors shall have the same minimum width requirements as specified for non-hillside areas in Section 16.16.20.
- C. Local streets shall not be less than forty (40) feet in right-of-way width.
 - 1. With lot frontage on both sides of the street, pavement width shall not be less than twenty-six (26) feet.
 - 2. With lot frontage on one side of the street only, pavement width shall not be less than twenty-four (24) feet.
- D. Blind streets shall not be over six hundred (600) feet in length unless it includes means of a secondary access and shall not be less than fifty (50) feet in right-of-way width and not less than twenty-six (26) feet in pavement width. All blind streets shall terminate in a circular end having a minimum right-of-way diameter of eighty (80) feet and a minimum pavement

diameter of seventy (70) feet, unless the Advisory Agency or other approving authority approves a "T" or "Y" shaped space in lieu of required turning circle.

- E. Alleys shall not be less than twenty-six (26) feet in right-of-way width, and not less than twenty (20) feet in pavement width.

16.16.030 - Grade of streets.

The grades on arterial, collector and local streets and alleys shall be approved by the City Engineer-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 comers 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)~~ ten (10) 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.~~

- ~~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) 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 - Reserves at end of streets or boundaries of subdivision.

Reserve 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 in downtown and where justified by topographic conditions, alleys will not be approved in residential districts. Minimum width of alleys shall be twenty-(20)-feet-with-twenty-(20)-foot-roads. (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 generally exceed one-thousand-(1,000)- three hundred (300) feet in length and dead-end-blind streets three-six hundred (300600) feet. Blind streets in excess of six hundred (600) feet shall include means of a secondary access. (Prior code § 7-4.29)

16.16.160 - Pedestrian ways.

Improved pedestrian ways not less than ten (10) 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, except as specified in Section 17.106.020.

- 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 two hundred (200) foot radius 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)

Section 4. This ordinance shall be effective immediately upon its adoption by the City Council, subject to the provisions of Section 213 of the Charter of the City of Oakland, but shall not apply to (a) building/construction related permits already issued and not yet expired; (b) to building/zoning applications approved by the City and not yet expired; or to (c) building/zoning applications deemed complete by the City as of the date of final passage, unless an applicant so requests.

Section 5. The proposal relies on the previously certified Final Environmental Impact Reports (EIRs) for the Land Use and Transportation Element of the General Plan (1998), and the Bicycle Master Plan (2007) and the Mitigated Negative Declaration for the Pedestrian Master Plan (2002). Thus, no further environmental review is required. As a separate and independent basis, the proposal is also exempt from CEQA pursuant to CEQA Guidelines Section 15183 "Projects Consistent with a Community Plan, General Plan or Zoning" and/or 15061(b)(3)(General Rule—no possibility of significant environmental impact). The Environmental Review Officer is directed to file a Notice of Determination/Exemption with the County Clerk.

Section 6. 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 7. 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 8. That the record before this Council relating to this Ordinance includes, without limitation, the following:

1. the application, including all accompanying maps and papers;
2. all relevant plans and maps;
3. all final staff reports, decision letters and other documentation and information

produced by or on behalf of the City;

4. all oral and written evidence received by the City staff, and City Council before and during the hearings on the matter;

5. all matters of common knowledge and all official enactments and acts of the City, such as (a) the General Plan and the General Plan Conformity Guidelines; (b) Oakland Municipal Code, including, without limitation, the Oakland real estate regulations, Oakland Fire Code; (c) Oakland Planning Code; (d) other applicable City policies and regulations; and, (e) all applicable state and federal laws, rules and regulations.

Section 9. That the custodians and locations of the documents or other materials which constitute the record of proceedings upon which the City's decision is based are respectively: (a) the City of Oakland Public Works Agency, 250 Frank H. Ogawa Plaza, 4th floor, Oakland; and (b) the Office of the City Clerk, 1 Frank H. Ogawa Plaza, 1st Floor, Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, GALLO, KALB, KAPLAN, KERNIGHAN, SCHAAF, McELHANEY, 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: _____

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2013 JAN -3 PM 4:13

NOTICE AND DIGEST

**AN ORDINANCE AMENDING
TITLES 12 AND 16 OF THE OAKLAND MUNICIPAL CODE
1) CLARIFYING AND UPDATING STREET DESIGN STANDARDS; AND 2)
DESIGNATING THE PUBLIC WORKS DIRECTOR OR DESIGNEE
RESPONSIBLE FOR UPDATING AND ESTABLISHING DESIGN AND
CONSTRUCTION STANDARDS CONSISTENT WITH THE COMPLETE
STREETS APPROACH**

This Ordinance will amend Titles 12 and 16 of the Oakland Municipal Code (Chapters 12.02 and 16.16) to clarify and update street design standards and designate the Public Works Director, or designee, responsible for updating and establishing design and construction standards consistent with the Complete Streets Approach. Complete streets are generally defined as streets that are safe and convenient for all users of the roadway, including pedestrians, bicyclists, motorists, persons with disabilities, users and operators of public transit, seniors, children, and movers of commercial goods.