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OAKLAND

2003 JUN 12 PM 2:40

## OAKLAND CITY COUNCIL

RESOLUTION NO. 77931

C.M.S. *R. V. [Signature]*

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLAND  
ADOPTING RULES AND REGULATIONS PROHIBITING INGRESS/EGRESS  
TO LOCAL STREETS BY MEANS OF ROADWAY DESIGN FEATURES SUCH  
AS ISLANDS, CURBS, TRAFFIC BARRIERS, ETC., TO IMPLEMENT THE  
TRANSPORTATION ELEMENT OF THE CITY'S GENERAL PLAN AND  
AUTHORIZING THE USE OF APPROPRIATE ROADWAY DESIGN  
FEATURES TO PERMANENTLY PROHIBIT INGRESS/EGRESS TO 59<sup>TH</sup>  
STREET EAST OF SHATTUCK**

**Whereas** pursuant to California Vehicle Code Section 21101.4 and following a number of public hearings establishing a high level of crime-related traffic problems occurring at this location, the City installed street barriers on 59<sup>th</sup> Street East of Shattuck; and

**Whereas** the street barriers have remained for over nine years and have been fully integrated into the traffic routes and patterns at this location without a major adverse impact on the delivery of emergency services; and

**Whereas** the Council finds that, from time to time, the heavy use of local streets for through traffic related to criminal activity will conflict with the City's goals of providing for the safety of its citizens, especially those who live along such heavily traveled local streets; and

**Whereas** the Council finds that continuing concerns about traffic and speeding related to criminal activity and supporting data collected by the Oakland Police Department require that the street barriers at this location be permanently retained in order to adequately protect public health and safety; and

**Whereas** the Council finds that there is a pressing need to implement a program that provides for the permanent retention of traffic barriers on local streets where such barriers have been previously placed pursuant to California Vehicle Code Section 21101.4 and where the permanent retention of these barriers would further public health and safety by discouraging through traffic, crime and high speed travel on such streets; and

**Whereas** consistent with the responsibility of local governments to provide for the health and safety of its citizens, California Vehicle Code Section 21101 (f) specifically authorizes cities to adopt rules and regulations prohibiting entry to, exit from, or both, from any street by means of islands, curbs, traffic barriers or other roadway design features to implement the circulation/transportation element of a city's general plan; and

**Whereas** the Land Use and Transportation Element of Oakland's General Plan provides that local streets should be designed in such a way that they create intimate neighborhood environments; are used primarily to provide access to abutting properties in residential neighborhoods; discourage through traffic, large traffic volumes and high-speed travel; and

**Whereas** the Land Use and Transportation Element of Oakland's General Plan requires the City to take every opportunity to explore street design and small-area planning to minimize adverse impacts to the environment; respect the importance of pedestrian and bicycle movement and contribute to the overall quality of a neighborhood; and

**Whereas** Object N11.4 of the Oakland General Plan mandates that "The City should be designed to allow community members to use City codes to facilitate nuisance abatement in their neighborhood"; and

**Whereas** the Council finds that the adoption of this resolution is exempt from CEQA pursuant to CEQA Guidelines Section 15061 (b)(3) General rule of no potential for causing significant impact and CEQA Guidelines section 15301 – Existing Facilities; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Oakland that the following rules and regulations are hereby adopted and in effect:

**Use of Roadway Design Features to Prohibit Entry to or Exit from Local Streets**

1. Roadway Design Features, as set forth above, that would permanently prohibit entry to or exit from a local street where such entry to and exit from has been temporarily prohibited for a period of three years or more as a result of the installation of temporary traffic design features pursuant to California Vehicle Code Section 21101.4 may be allowed to permanently remain upon a determination by the City Council that such measures are necessary to protect public health and safety and help implement or are consistent with the Oakland Land Use and Transportation Element of the General Plan.

**BE IT FURTHER RESOLVED** that street barrier at 59<sup>th</sup> Street East of Shattuck deters traffic related to criminal activity and shall be permanently retained as a roadway design feature that protects public safety and which is consistent with and helps implement the Oakland Land Use and Transportation Element of the General Plan.

JUL 1 5 2003

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

**PASSED BY THE FOLLOWING VOTE:**

**AYES-** BRUNNER, CHANG, BROOKS, NADEL, REID, QUAN, WAN and PRESIDENT DE LA - 8

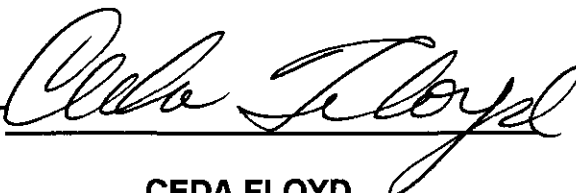
**FUENTE**

**NOES-** 0

**ABSENT-** 0

**ABSTENTION-** 0

ATTEST



\_\_\_\_\_  
**CEDA FLOYD**  
**City Clerk and Clerk of the**  
**Council**  
**of the City of Oakland,**  
**California**