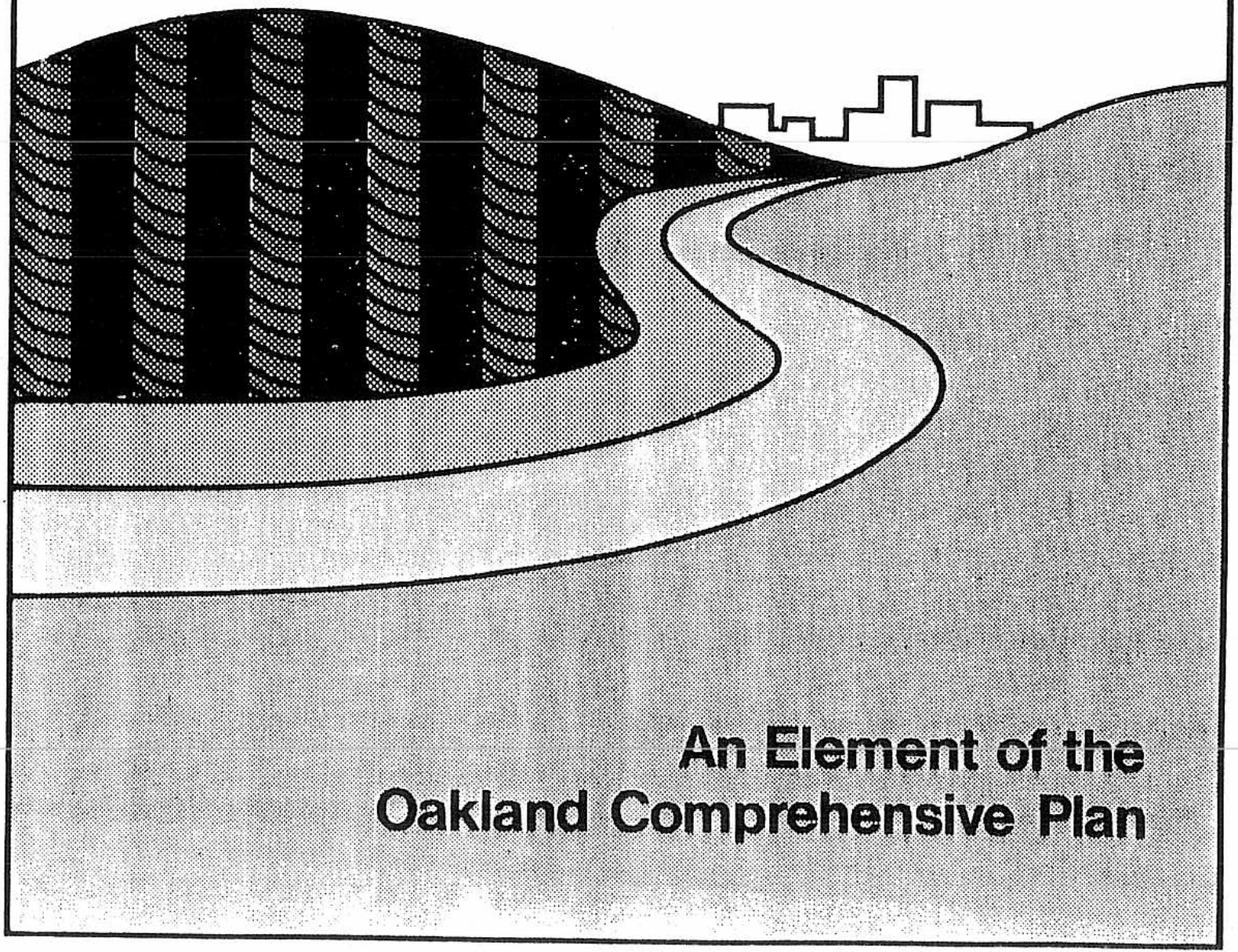
Scenic Highways



An Element of the Oakland Comprehensive Plan

Scenic Highways

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City of Oakland
September, 1974

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Introduction

The Scenic Highways Element of the Oakland Comprehensive Plan addresses itself to the preservation and enhancement of those distinctively attractive roadways that traverse the city and the visual corridors which surround them.

The terms "scenic highway" and "scenic route" are used interchangeably and can mean many things. The terms can refer to an officially designated State scenic highway, a municipally designated City roadway or an informally recognized local scenic byway.

The Scenic Highways Element is not meant to establish an official tour of Oakland. Rather, it is a vehicle to protect specific roadways that are particularly notable for the visual corridors that surround them. Of course, inherent in the designation of individual routes is the gradual definition of a system of scenic routes. Although this element discusses only the MacArthur Freeway and Skyline Boulevard/Grizzly Peak Boulevard/Tunnel Road at this time, the list of potential scenic routes is open ended. Thinking in terms of a scenic route framework, possible future designation might include, but is not limited to: the Grove-Shafter Freeway; the Warren Freeway; Park Boulevard, Joaquin Miller Road, Golf Links Road; the Embarcadero and Oak Street up to and around the Lake.

Map 1 depicts the framework for scenic route designation.

Several unofficial scenic tours which enable the motorist to take an attractive and meaningful trip through Oakland were developed by outside agencies prior to the development of this element by the City. The route plotted by the Chamber of Commerce is designated on commercial maps of the City and signed at roadside locations with the symbol of an oak leaf. The tour starts at Jack London Square and includes the downtown business district, the southern stretch of Skyline, Mills College, the Coliseum and the airport, in that order. The entire trip, including Alameda, would take approximately two hours, and is said to be "a pageant of magnificent views of Oakland's rich history and exciting present."

The Automobile Association of America (AAA) recommends a circle tour of the Berkeley-Oakland vicinity. The route enters Oakland on the Nimitz Freeway, continues to Lake Merritt, the Oakland Rose Garden and Piedmont, then picks up the Warren Freeway to go to Mills College and the Coliseum, returning to Berkeley via Skyline Boulevard/Grizzly Peak Boulevard/Tunnel Road. These two routes are almost mutually exclusive, demonstrating the variety of scenic tours possible in Oakland.

The Scenic Highways Element was developed for several reasons:

1. to establish a framework within which highways, roads and paths can henceforth be identified as component parts of the Oakland Scenic Route System;

2. to enumerate policies pertinent to the scenic routes discussed herein, and those to be added to the system at a future date;

3. to comply with State Government Code Section 65302 which requires that a Scenic Highways Element be prepared as part of the General Plan for all cities and counties;

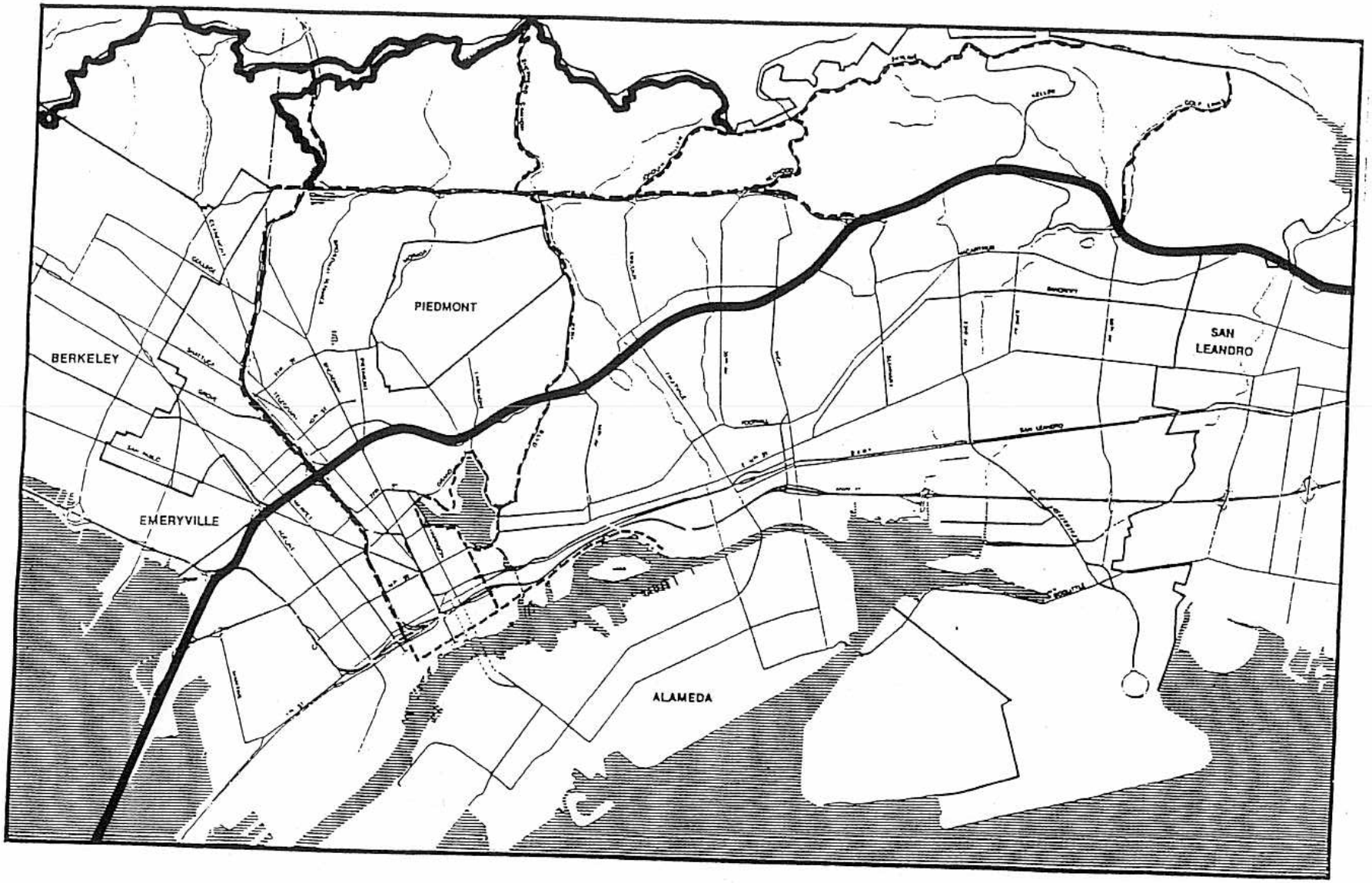
4. as a key step in the process of qualifying Route 580 as an Official California Scenic Route;

5. to further safeguard Skyline Boulevard/ Grizzly Peak Boulevard/Tunnel Road as a uniquely scenic drive in the City.

The contents of the Scenic Highways Element for the Oakland Comprehensive Plan include : the identification of significant visual corridors; a discussion of the existing measures that protect the corridors; a survey of the problems which exist as a result of the shortcomings of past planning efforts, inadequate legislation or enforcement; policy statements to corroborate the City's commitment; and an action program to implement proposed improvements.

The Oakland Comprehensive Plan is meant to be an integrated set of elements; the Scenic Highways Element, therefore, does not stand apart from the other components of the broader comprehensive plan. It is clearly related to the Circulation, the Land Use and the Open Space/Conservation elements.

The following chapters analyze the problems and potentials existing along the scenic routes designated to date, the MacArthur Freeway and Skyline Boulevard/Grizzly Peak Boulevard/ Tunnel Road.



Current Designation

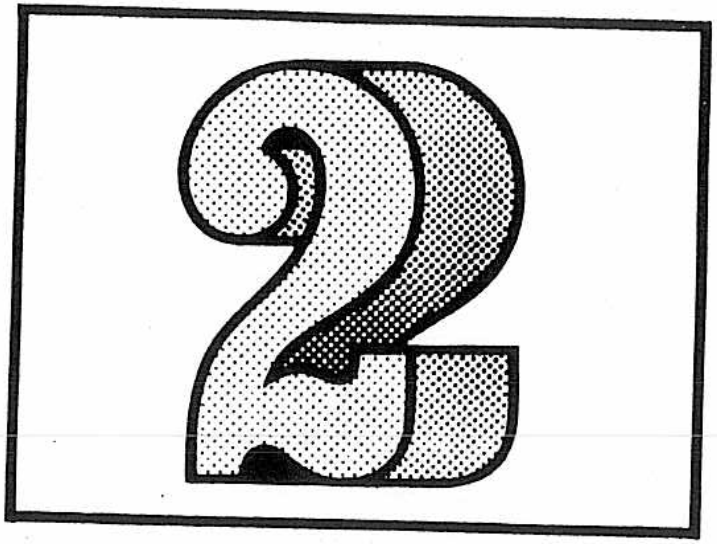
Possible Future Designation

MAP 1

Scenic Route Framework

4000 ft.

OAKLAND
CITY PLANNING
DEPARTMENT



The MacArthur Freeway

Basic Information

BACKGROUND

The MacArthur Freeway has been rightly called one of the most beautiful urban freeways in California. A lavishly landscaped highway, it is uniquely sited in a corridor that is primarily residential in character. The MacArthur Freeway won first prize in the United States Department of Transportation's Second Annual Highway Beauty Awards Competition in 1969. Upon receipt of the award, the freeway was described as "a harmonious and integral part of the City that provides a pleasant driving experience along with safety and efficiency in an urban area."

The MacArthur Freeway was completed in May, 1966. Due to the effective organization of concerned citizens, trucks were banned on 580 from Grand Avenue to San Leandro. This was possible because the Nimitz Freeway (Route 17) provides a relatively level and parallel route which is equally convenient for industrial through traffic. The result of the ban is a scenic highway that is much more attractive due to the absence of large trucks.

DESIGNATION

The State Scenic Highway Law of 1963 provides that any highway included in the State Master Plan for Scenic Highways is eligible for designation as an "Official State Scenic Highway."[1] Route designation, however, depends unon the completion of procedures prescribed by the State to preserve and protect the natural and man-made amenities of the route and its scenic corridor. The responsibility for the initiation of the designation procedure rests with the legislative body of the county or city having jurisdiction over lands adjacent to eligible scenic highways.

Route 580 in its entirety was included in the State Scenic Highways System in 1970 by an act of the State legislature. In turn, the Oakland City Council resolved in 1971 to conduct the appropriate studies to qualify that portion of Route 580 within the Oakland city limits as an "Official Scenic Highway."

This Scenic Highways Element is a major step in the qualifying procedure because it enumerates the development policies which will protect the distinct character of the MacArthur Freeway.

The designation of Route 580 as an Official Scenic Highway will provide several benefits to the City

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[1] Assembly Bill 2472, now pending approval in the State legislature, will revamp the eligibility procedure: routes listed as scenic in local general plan elements will qualify for designation in addition to those listed in the State's Master Plan. If there is a provision in the element to add the names of the routes at a future time, then the list of potential scenic routes is not closed with the completion and adoption of the Scenic Highways Element.

of Oakland:

1. Any improvements in the route or construction on any new future alignment will be done to the highest design standards of the California Department of Transportation. Special attention will be given to the highway's visual appearance.

2. Signs identifying the MacArthur Freeway as an Official State Scenic Highway will be posted along the route and may help to bolster Oakland's image. The logo on the sign is the California poppy seen against the Mount Shasta ridgeline. The State also prepares a map of California which is oriented toward recreational and environmental attractions, including official scenic highways. The map too, would increase Oakland's tourist potential.

3. Continued improvement in the environmental quality along the 580 corridor would result from the more stringent design controls.

4. A program to fund roadside rests, vista points, and the like on State scenic highways will eventually be funded by the State government. Once designated, 580 will be entitled to embellishments financed by this program.

DESCRIPTION

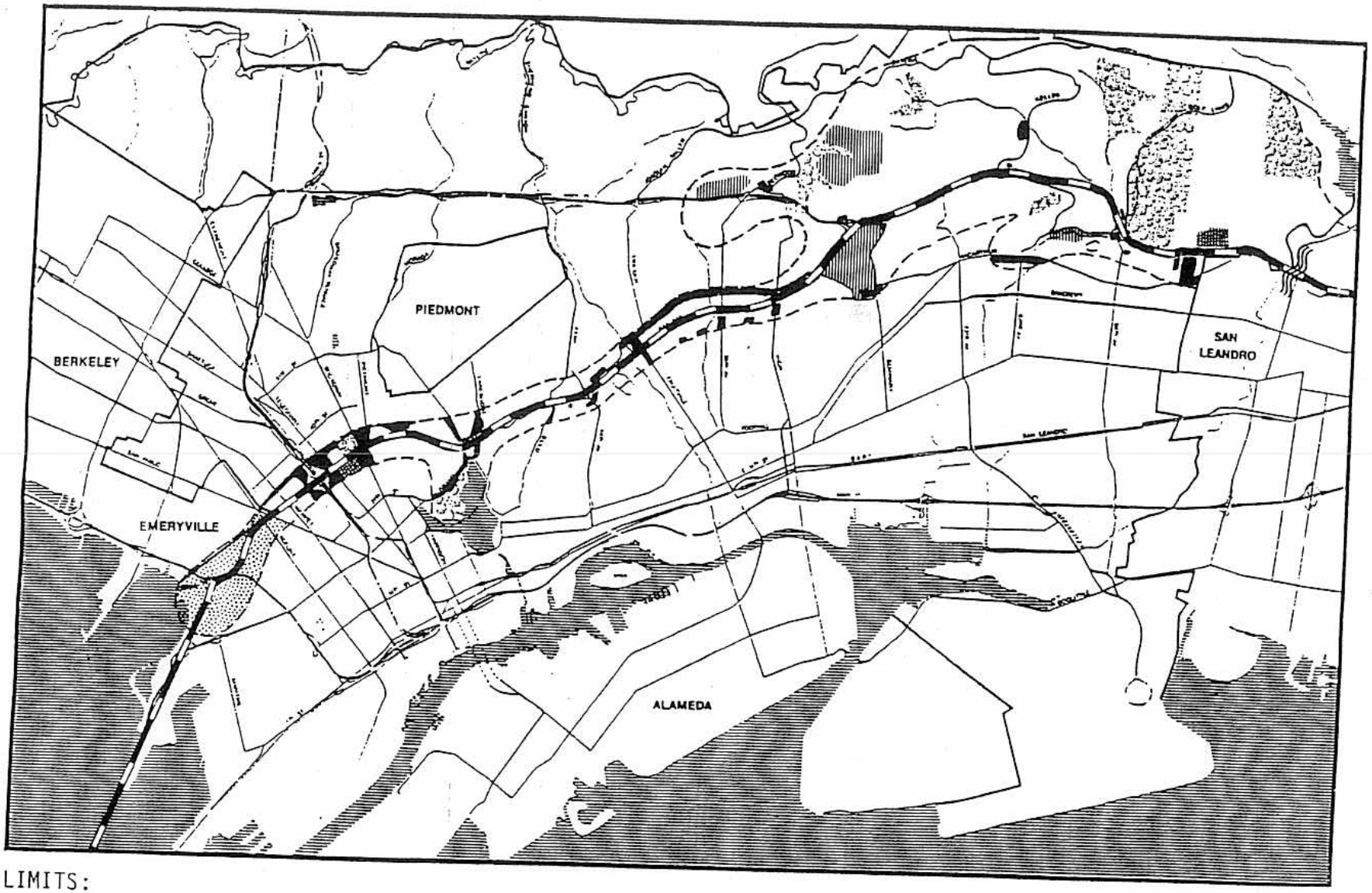
The MacArthur Freeway runs 12.4 miles in Oakland, from the San Leandro City limits to the San Francisco-Oakland Bay Bridge approach (see Map 2). It has an eight-lane roadway, a total of 104 feet wide in each direction and there are four foot shoulders on either side. Nearly 1.5 million dollars was spent on landscaping this freeway, with roughly 400,000 dollars per year spent on maintenance.

The average number of daily car trips on 580 in Oakland varies from 87,000 to 138,000. This means that well over 100,000 people a day experience the ride at roughly 55 miles per hour.

A combination of factors makes the MacArthur Freeway especially attractive and notable. The districts through which it passes are primarily residential in character and the dense clusters of pastel homes on irregularly platted streets create an appealing, almost Mediterranean pattern. The route traces, in a rough sense, the base of the Oakland hills, so the contours of the drive are neither tedious nor repetitive. The undisturbed native hillsides offer a visual counterpoint to the urban development--a contrast which is present both adjacent to the highway and in the more distant views. Similarly, the taller buildings of the intervening commercial areas frame and highlight scenic vignettes.

The views from the highway, although not spectacular, are continuously satisfying. At the western end of the route, the motorist can see across Mosswood Park, the Rockridge neighborhood and the City of Berkeley up into the hills. To the south rises downtown Oakland, and the observant traveler can spot Lake Merritt. Passing Mills College the motorist can sense the dirt roads and native vegetation that once determined the configuration of Oakland. The juncture with the Warren Freeway (Route 13) is visually clued by the plane cut through the hills. At the eastern end of the MacArthur Freeway the motorist travels tangent to the rhyolite hillsides which appear to rise from the roadbed itself. The pines along Foothill Boulevard create an attractive edge effect, lining the freeway with mature forty foot specimens. Hailed by an enormous American flag, mysterious for its size, but in fact hoisted from the gas station at Foothill Shopping Center, the driver approaches the San Leandro City limit.

In addition to the scenic qualities of the surrounding cityscape, the freeway itself was designed and built in an exemplary manner. The sequence of cut and fill necessitated by the rolling topography provides an interesting progression of expansive and enclosed spaces. On the fill segments the motorist achieves a unique vantage point to survey the surrounding landscape; in the cut segments, planted slopes and textured retaining walls reorient the focus to the roadway straight ahead.



LIMITS:

- Corridor Boundary
- MacArthur Freeway
- Truck Ban

ZONING:

- Residential
- Special
- Industrial
- Commercial

CIVIC FACILITIES:

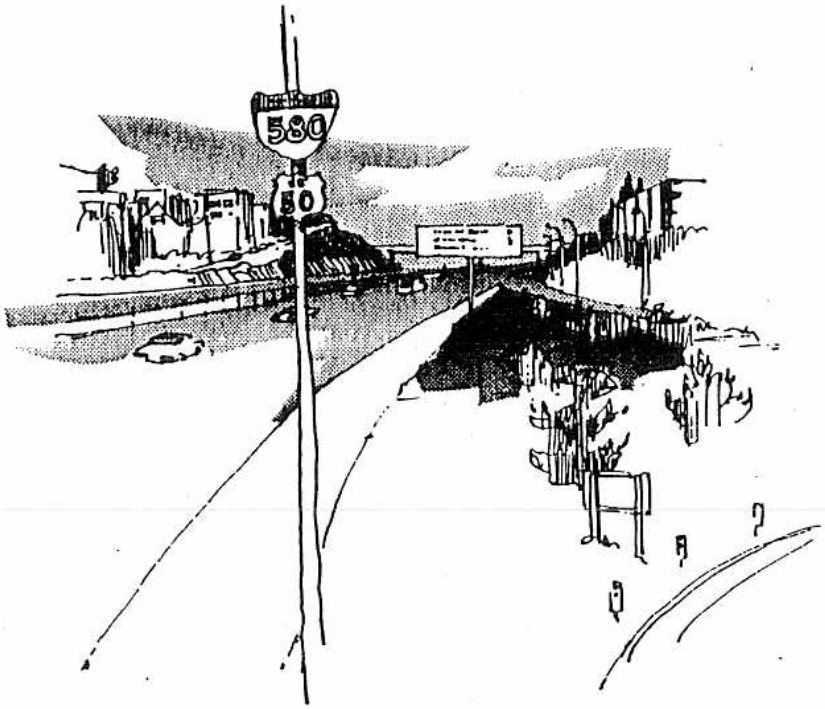
- Colleges
- Parks & Golf Courses

MAP 2

Existing Conditions in the MacArthur Freeway Scenic Corridor

4000 ft.

OAKLAND CITY PLANNING DEPARTMENT



The plant materials were expertly chosen for striking effects of foliage and flora and their demonstrated stamina in the face of automotive exhaust and reflective surfaces. The road is well maintained so that the scenic quality of the route is not blemished by neglect.

Although there are some specific problem areas along the MacArthur Freeway, the incidence of visual conflict is surprisingly low. The features that most detract from an optimized scenic corridor include the quarry at Edwards Avenue and billboards at Enos Avenue. There are remedies, perhaps ever cures, for the few existing problems, and these are addressed in the discussion of specific concerns and action programs.

THE CORRIDOR

The California Department of Transportation has designated a scenic corridor to circumscribe the MacArthur Freeway as part of a preliminary planning study. The boundaries of the corridor are meant to define the area most critical to the scenic quality of the route in question. However, in the case of distant panoramas, no corridor could be wide enough.

The corridor flanking Route 580 west of the Route 13 interchange is basically a strip two blocks wide on either side of the freeway, flaring out to include Lake Merritt. East of the Route 13 interchange the limits of the corridor extend north to the City boundary that separates Oakland proper from the East Bay Regional Park land. The limits also encompass several major educational institutions, including Mills College, Holy Redeemer College, Holy Names College, Golden Gate Academy and Merritt College.

ZONING

The zoning pattern within the State designated scenic corridor is primarily a residential one, with commercial service areas interlaced and special use facilities dispersed throughout the corridor. At the convergence of the MacArthur with the Nimitz and the Eastshore Freeways the land is zoned for industrial use.

The predominant residential zones are R-30 Single Family and R-50 Medium Density. Between the Grove-Shafter Freeway and Lakeshore Avenue the land is zoned R-70 High Density and R-80 High Rise. The segment between Grove and San Pablo is zoned R-40 Garden Apartment, as is a small area at Fontaine Street north of the freeway. East of Knowland State Park the residential area is zoned R-10 Estate.

The commercial zone between Piedmont Avenue and Grove Street inclusive is C-40 Community Thoroughfare. The predominant commercial zone between Piedmont Avenue and Mills College is C-30 District Thoroughfare, and east of Mills College, C-10 Local Retail. There is one C-20 Shopping Center, and that is on Lakeshore Avenue north of the freeway.

The area surrounding the juncture of Routes 17, 80 and 580 is zoned for M-30 General Industrial

Use east of the Nimitz and M-40 Heavy Industrial Use west of the Nimitz.

There are S-1 Medical Center districts at the Kaiser Hospital, on Pill Hill and at the Highland Hospital. (Kaiser and County are just beyond the boundary of the corridor.) At the San Leandro end of the MacArthur Freeway there is an S-3 Research Center Zone just east of Knowland State Park.

Specific Concerns and Existing Protective Measures

In the publication The Scenic Route, A Guide for the Official Designation of Eligible Scenic Highways the State of California outlines the recommended treatment of scenic routes and scenic corridors in light of particular land use and site planning considerations. The status of existing regulations in the City of Oakland that pertain to development within the scenic corridor are discussed below.

ENVIRONMENTAL PROTECTION POLICY

The minimum state requirement calls for the enunciation of an environmental protection policy in an adopted General Plan. The Oakland Policy Plan includes the following statement as one of its basic goals: "To improve Oakland's physical environment and to preserve the natural qualities of Oakland's setting." The policies which support this goal are itemized in the Conservation Element and cover such categories as Creeks, Soils, Minerals, Wildlife, Fisheries and Water Resources. These policies clearly demonstrate Oakland's committment to a program of environmental protection.

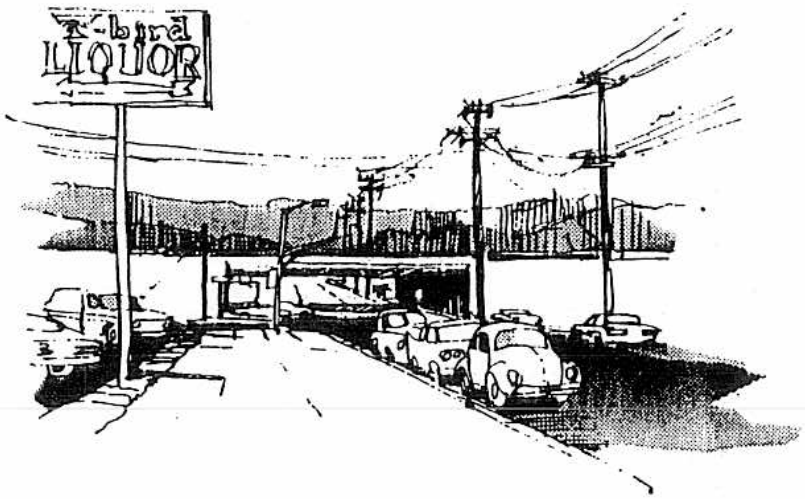
SIGNS

There are three sets of controls which govern the construction of signs within the scenic corridor of the MacArthur Freeway.

1. The Oakland Sign Code states in chapter 14 that "no sign shall be erected, constructed, relocated or maintained in the City of Oakland if such sign is designed to have or has the advertising thereon maintained primarily to be viewed from a freeway." The following exceptions are permitted for on-premise signs: the name of the person, firm or corporation occupying the premises; the type of business conducted and the name of product manufactured on the premises; a sign pertaining to the lease, sale, hire or display of the premises; and, time and temperature units. The Sign Code proceeds to spell out the expiration dates and removal requirements for non-conforming signs. See Appendix 1.

2. In the commercial and industrial zones, where all types of signs are permitted, the Oakland Zoning Regulations control the size, height, and type of on-premise signs.

3. The Outdoor Advertising Act, passed by the California legislature in 1970 states that no advertising display is permitted within 660 feet of the right of way of any inter-



state or primary highway. Further no advertising display beyond 660 feet shall be permitted if it is designed to be viewed primarily by persons traveling on any interstate or primary highway. The exceptions, which are similar to those defined by the City ordinance, are listed in Appendix 2. In addition, it should be noted that areas zoned for industrial or commercial use are exempt from the provisions of Section 5405.

Together, these regulations are sufficient to satisfy the billboard treatment demanded by the State's guidelines for scenic highways, except that there are no restrictions on the number of on-premise signs or the design quality of on-premise signs. These two loopholes allow options that may be detrimental to the scenic quality of the corridor.

UTILITIES

The City of Oakland participates with Pacific Gas and Electric Company and the Telephone Company in an on-going program to underground utility lines. They have been progressing at the rate of several miles a year since the 1940's. Many of the arterial streets that intersect the MacArthur Freeway have had their utility lines buried, an action which is entirely consistent with the scenic nature of the corridor. The streets include adjacent sections of Grove, Telegraph, Broadway, Piedmont, MacArthur Boulevard west of Oakland Avenue, Grand Avenue, Lakeside Drive, Park Boulevard, Fruitvale Avenue, Seminary Avenue and Golf Links Road. Other utility lines within the corridor that are being considered for future conversion by the Underground Coordinating Committee are Fruitvale Avenue south of 580 and 35th Avenue south of 580.

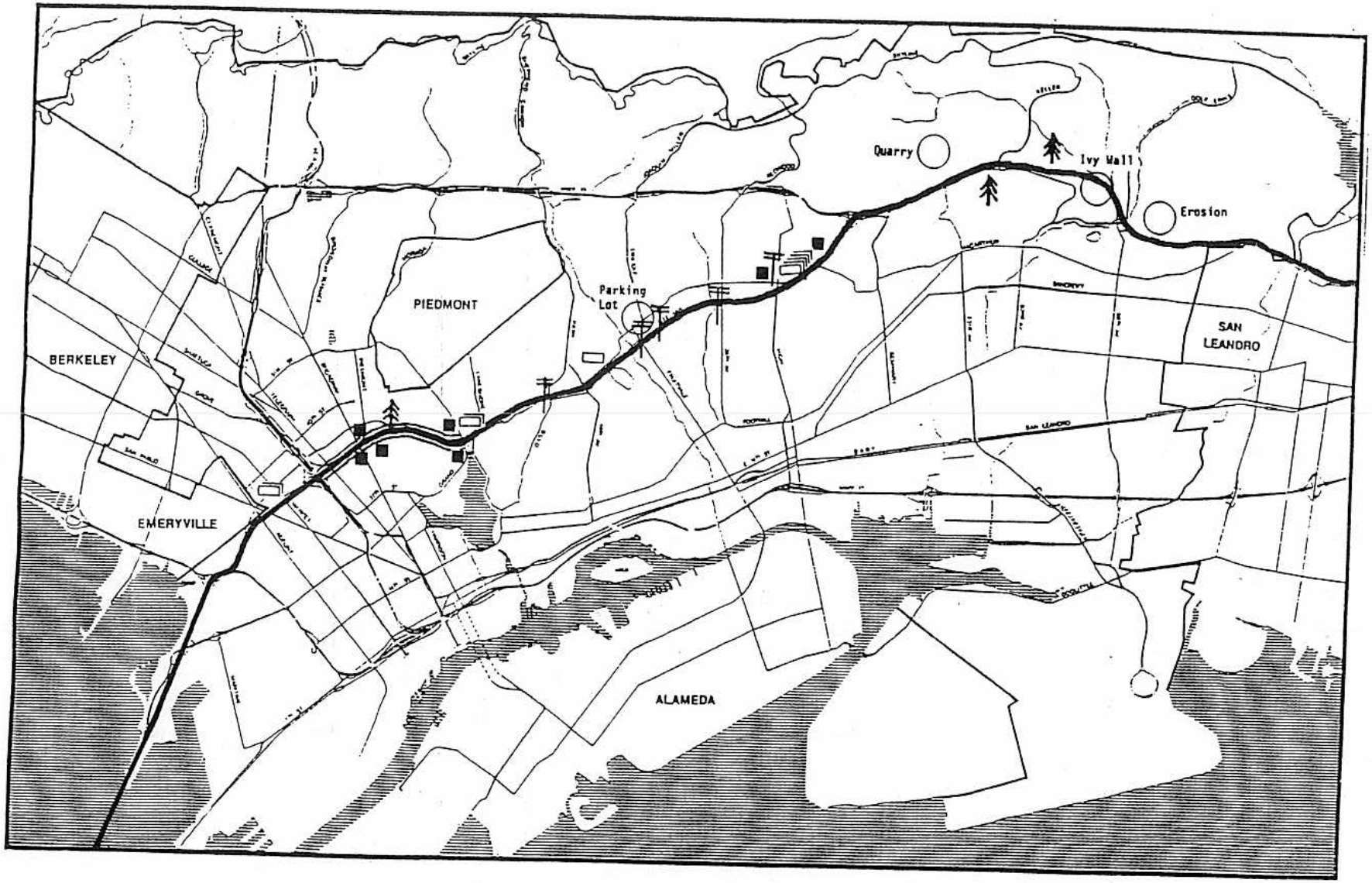
However, there are problem areas that merit further attention. The utility lines that traverse vehicular overpasses, never having been buried during the original construction, are very apparent to the motorist on the scenic highway. There is also the problem of obtrusive utility poles on several streets adjacent to the freeway.

Since the utilities conversion fund can only finance undergrounding on major thoroughfares, most existing residential areas must apply for a self-imposed utility undergrounding assessment district. For this reason, none of the non-arterial streets visible from MacArthur Freeway have had their utilities undergrounded.

The progress in undergrounding made to date is admirable and thoroughly in keeping with the State's guidelines for utility lines in official scenic highway corridors, however additional work is needed to attain exceptional quality.

SCREENING

Section 7100 of the Oakland Planning Code-Zoning Regulations establishes buffer controls to insure the orderly relationship of land uses. The code requires either landscaping or fencing to buffer parking, loading, open storage and illuminated areas from all abutting lots, streets and alleys,



- ■ Oversized On-Premise Signs
- ▭ Billboards
- Unsightly Utility Poles & Lines
- ◯ Visual Problem Areas
- Dead Vegetation
- Truck Traffic

MAP 3

Problem Areas in the MacArthur Freeway Scenic Corridor

OAKLAND CITY PLANNING DEPARTMENT

paths, private streets or other ways. This would include freeways in general and the MacArthur in particular. The planting or the fencing must be a minimum of 5½ feet high.

With one or two exceptions, there are no glaring problems areas that currently require screening for the aesthetic protection of the 580 scenic corridor. However, there are no provisions to assure that adequately high screening devices will be installed to screen unusual intrusion in the future.

MAINTENANCE

The Oakland Housing Code has stipulations to ensure that properties are maintained in safe condition, but there are no provisions applying to visual appearance. The premises abutting the MacArthur Freeway are currently maintained in a suitable manner, but there are no measures to guarantee a continued high calibre of exterior maintenance.

DESIGN REVIEW

Three zones within the scenic corridor include design review in their basic provisions: C-20 Shopping Center, S-1 Medical Center and S-3 Research Center. As elaborated upon in the section on zoning, the occurrence of these zones within the corridor is infrequent.

There are no S-4 Design Review zones within the MacArthur corridor, and the S-10 Scenic Route Combining Zone (which includes design review provisions) is inappropriate here.

VIEWS

Aside from the S-10 Scenic Route Combining Zone, there are no specific provisions in the Oakland Zoning Regulations that are geared to the protection of views, although the subject would be one considered by a thorough design review procedure. As explained above, the segments of the MacArthur corridor covered by zones with design review provisions are too intermittent to be effective.

EARTHWORK AND VEGETATION

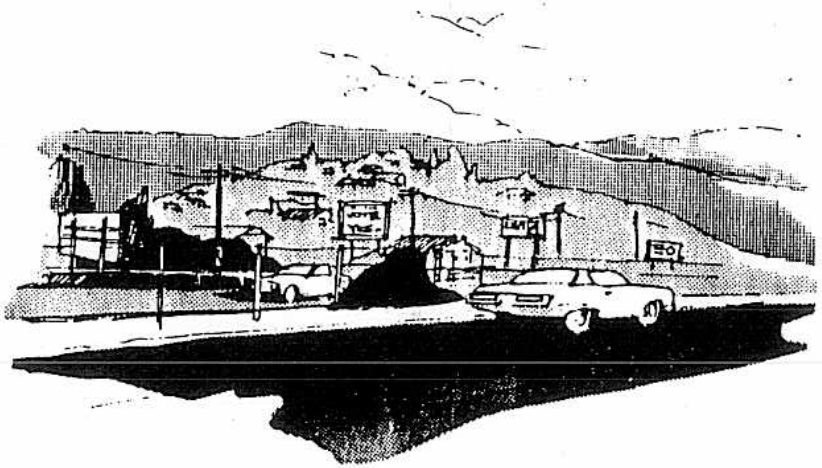
The existing regulations pertaining to grading permits are written solely with safety in mind, omitting features that would assure environmental integrity or scenic character. There are no provisions in the grading ordinance which would apply specifically to a scenic corridor.

A new grading ordinance has been proposed which is clearly sensitive to environmental quality. Section 2-6.06 of the new ordinance provides that all applications for grading permits are to be referred to the Director of City Planning. He shall report on any aspect of the proposed grading, excavation, or fill that relates to the preservation of natural scenic character. The ordinance lists the items of particular concern (vegetation, soils, streams, rocks) and gives the Director the power to require that a landscape plan be submitted. This ordinance would be highly significant for the protection of a scenic highway corridor. Refer to Appendix 3.

WATER BODIES

The treatment of water bodies that are related to the MacArthur Freeway is not a critical issue. Although Lake Merritt is included in the bounds of the corridor, the motorist's view of it is fleeting at best. The glimpse of water is so brief that it would be inappropriate to pursue additional development controls for the lake's edge in the name of scenic highways.

There are definite views of the San Francisco Bay from Route 580; however, the bay is well beyond the confines of the corridor. Even if it were possible to include the bay in the recommendations for scenic treatment, the distance of the bay from the freeway is too great and the speed of the motorist is too fast for detailed perception of the water's edge.



Problem Areas

Existing Oakland ordinances do not satisfactorily safeguard certain important visual characteristics of the scenic corridor. The following problems arise because of this deficiency.

SIGNS

On-Premise Signs

On-premise signs are regulated for size, height and type by the Zoning Regulations applicable to the district at hand. There are no limits, however, to the number of on-premise signs permitted. Ideally, the number of on-premise signs that are primarily viewable from the Freeway would be the minimum necessary to identify the establishment since the purpose of the signing is information, not advertising. The lack of control on the number of signs permitted has already created several distractions along the MacArthur Freeway, and there is no promise that it will stop here.

Similarly, many on-premise signs conform to the letter of the law, but far exceed the minimum size necessary for identification. Since the only signs that are subject to design review are those within certain limited use zones, there is no existing regulation or procedure to monitor the size of on-premise signs that are primarily viewable from the MacArthur Freeway.

Specific examples of on-premise signs that are larger or more numerous than is necessary for identification include Neptune Moving, Val Strough Chevrolet, Berman's Furniture, Albert Brown Mortuary, Long's Drugstore, Kentucky Fried Chicken, Safeway, Powerine Coin Power Press, Exxon, Shell, Dave's Color TV and two motels (see Map 3).

The problem, then, with the on-premise signs that are clearly viewable from the scenic highway is that there is no limit to the number of signs, an overly generous limit on the size of the signs, and no provision for design review of the signs.

Off-Premise Signs

Although the prohibition of billboards in the Route 580 corridor is clearly stated, there has not been strict implementation of the Oakland Sign Code or the Outdoor Advertising Act. There are a number of blatant offenders: five billboards in the Enos Avenue, MacArthur Boulevard neighborhood; two billboards west of the interchange of 580 and 24; two billboards at Grand Lake and one on MacArthur near 14th Avenue.

The problem is not an absence of restrictions but rather a lack of strict enforcement.

UTILITIES

There are three locations in the scenic corridor where utility poles are visibly obtrusive. These are Montana Street, a residential block between two freeway ramps; Wesley Street, a commercial area near Lucky Market; and High Street, at the MacArthur intersection north of the freeway.

There is a problem of utility lines that traverse the vehicular overpasses which cross the freeway. Since there was no provision to place these lines in a conduit within the structure of the bridge during the original construction, it may prove awkward to correct the error.

SCREENING

There are two areas that require screening for the aesthetic protection of the 580 scenic corridor. However, the real problem lies in the fact that there are no protective measures to screen potential visual intrusions in the future. The buffering provisions in the zoning regulations are ineffective in establishing visual breaks.

The Edwards Avenue quarry is the outstanding "sore thumb" within the MacArthur Scenic Corridor. Due to its massive intrusion on the hillside, there is no hope of properly screening the entire 110 acre scar. The only true remedy would be to reshape the hill and aspire toward as natural a state as possible. Currently some ornamental shrubbery and Monterey pines decorate the edge of the operation; these measures are insufficient. It would be desirable to at least have some additional screening at eye level for the motorist on 580, and, if at all possible, there should be taller, denser landscape treatment to hide more of the machinery, even if the entire face of the slope cannot be camouflaged.

The Shell/Lucky/Longs Complex near Fruitvale Avenue could use some landscape screening to separate it from the freeway. The massive commercial structures and the expansive parking area are inconsistent with the scenic character sought within the corridor; however, the harsh effect could be softened with some well-planned vegetation to intercede between the scenic highway and the shopping plaza.

EARTHWORK

The proposed grading ordinance would successfully handle any future conflict between earthwork and visual quality in the scenic corridor. If the new regulations are not adopted, the surrounding landforms, the hillsides in particular, may be subject to cut and fill that could seriously affect the environmental integrity as well as the visual quality of the resultant landform.

Again the Edwards Avenue quarry is a case in point. The ravaged hillside is indisputably contrary to the concern for environmental quality in a scenic corridor. The best recommendation at this time is to screen the scars as well as possible. When quarry use is terminated, all attempts should be made to restore the hillside to a more natural state.*[2]

On the north face of the freeway embankment adjacent to the Golf Links Road exit, the cut slope is barren and the erosion is quite severe. The situation is dangerous and wasteful and should be remedied by the State Department of Transportation as soon as possible.

VEGETATION

As a result of the freeze of 1972, many specimens used in the freeway planting program were killed. Much of this dead plant material has not yet been removed or replaced, giving a shabby appearance to the affected embankments. There are dead eucalyptus trees near the Naval Hospital, near Golf Links Road and near Edwards Avenue. There is also a large embankment of frost-killed iceplant between Edwards Avenue and Keller Avenue and another embankment of dead ornamental shrubbery at the Harrison Street exit.

Although not categorized as a problem, there is

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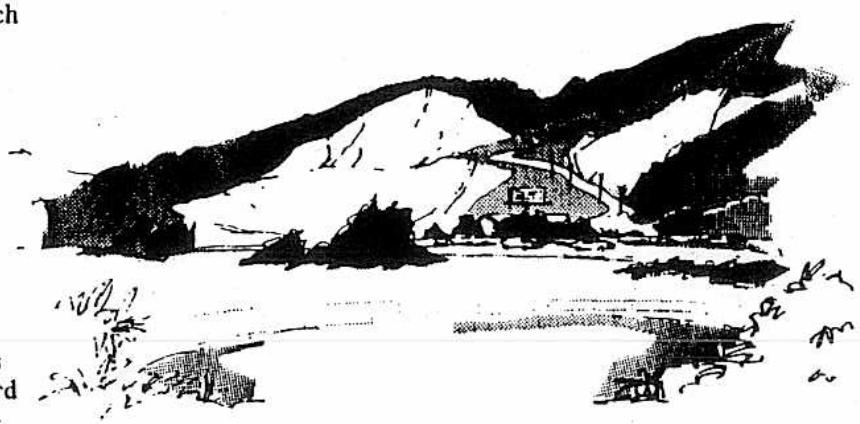
[2] Conceptual reclamation plans have been prepared by a landscape architect who was hired in 1968 by Gallagher and Burke, owners of the quarry, as a stipulation of a conditional use permit to construct an additional storage structure on the site. The storage structure was never built.

design interest in the 30 foot high retaining wall that raps around the curve of the roadway just west of 98th Avenue. The wall supports a spill of Algerian Ivy (Hedera canariensis) which virtually curtains the concrete surface. Although more than half of the ivy has grown all the way down to the freeway from the planting beds thirty feet above, many of the vines have grown only half way down the wall. The wind catches these shorter branches and tosses them gingerly, creating a delightful, but not distracting event. The concern is that these shorter vines will be permitted to grow to the freeway as well, creating one vertical mass of Hedera canariensis. Attractive as this would be, the impression created by the shorter vines is far superior. It is recommended that a third of the ivy vines be pruned at a variety of mid-wall levels for the optimum aesthetic treatment, if this can be worked into the maintenance program. This recommendation also applies to the ivy wall west of the Park Boulevard exit.



DESIGN REVIEW

With minor exceptions, there are currently no procedures to review the design, construction, alteration or demolition of structures within the scenic highway corridor. The exceptions are the C-20 District Thoroughfare Zone which exists on the east side of Lakeshore Drive, north of the freeway; the S-1 Medical Center district which appears at the Kaiser Hospital and at Pill Hill; and the S-3 Research Center District which is the zoning for the facilities at Peralta Oaks. These zones include design review procedures in their basic stipulations.

Since the greater portion of the corridor is already developed in residential land use, design review would not be critical for the entire stretch. However, there are specific critical areas where design review would be highly desirable because the construction of new buildings would clearly affect the character of the scenic route. These are the districts in which the zoning permits buildings taller than 40 feet to be constructed. Buildings of this height are permitted in the C-30, C-40, R-70, and R-80 zones along the MacArthur Freeway Scenic corridor. The massing of any building in these zones could be great enough to affect the visual quality of the corridor. It would be desirable, therefore, to institute design review proceedings for any buildings exceeding a specified size at these locations, if a workable set of regulations can be developed.

VIEWS

There are no regulations in existence to safeguard the views from scenic Route 580. It is difficult to specify the exact perimeters of scenic vantage points on the freeway since the vistas are taken in at high speeds and the scenery, in a sense, is always moving. To complicate the discussion further, the fact that the views are, more often than not, distant panoramas, makes it harder to control the quality of the view itself. A third point is that since the vistas sweep the landscape, the imposition of a single structure would not substan-

tially obstruct the view.

The problem lies in the threat of a wall of buildings circumscribing segments of the MacArthur Freeway, totally obscuring the panorama from the road. Although individual buildings may be attractive, in fact desirable because they frame a particular view and bring it into focus, an uncontrolled massing of high-rise structures should be avoided.

The design review procedure above could include an analysis of the effect of a proposed structure on the motorists' view from the freeway. The eye of the analyst could be sensitive to the accretion of several structures that would be detrimental to the panorama from the scenic highway.

The area subject to these regulations would be extensive, and, therefore, a heavy administrative work load would result. In addition, it may be extremely difficult, if not impossible, to develop a set of workable regulations to control height, bulk and mass of buildings in critical view corridors, Nevertheless, the development of possible regulations should be explored as soon as possible to determine their feasibility.

NOISE

The truck ban on the MacArthur Freeway begins at the San Leandro City Limits and ends at Grand Avenue. Trucks are permitted on the remaining stretch, but their presence is inappropriate from Grand Avenue to the Route 24 interchange for two reasons:

1. The absence of large trucks is one of the major reasons the other portion of the MacArthur Freeway is so attractive to drive on.

2. More important, however, is that the corridor adjacent to the stretch between Grand Avenue and the Route 24 interchange includes the Pill Hill hospitals and a great deal of high density housing. These two land uses are among the most sensitive to the noise and fumes of truck traffic.

3

Skyline Boulevard Grizzly Peak

Description

CHARACTER

Skyline Boulevard/Grizzly Peak Boulevard/Tunnel Road offer the Oakland resident an exceptional opportunity to enjoy a scenic drive in a thoroughly rural setting just a few miles from an equally intense urban core. The serpentine route rides high in the ridge of the Oakland hills, and the motorist is treated to spectacular panoramas of the Bay Area. Each turn unfolds a different aspect--the golden grasses of native canyons, the distant roofs of stucco homes, the texture of downtown office buildings, the Bay Bridge, the San Bruno Mountains and the spires of San Francisco.

The motorist can examine indigenous groves of live oak trees, or smell the distinctive scent of the California laurel nearer to the road Striking interbedded geologic formations are revealed in the cut slopes that flank the roadway. An observant visitor can at times spot hawks, turkey vultures, racoons, oppossum, and deer.

The generic architecture reveals the allure of the view and the structural adaptations necessary for construction on such steep slopes. The garages are on top of the houses, the only conceivable vehicular access from the road. It appears in places as if the road serves only houseless carports. Balconies abound, as do ramps and steps, cantilevers and concrete piles.

It takes only a few minutes on Skyline Drive to discover this lesser known and highly fascinating personality of Oakland.

BACKGROUND

Skyline Boulevard has been an unofficial scenic route since the 1930's when most of the existing right-of-way was acquired. East of Joaquin Miller Road a right-of-way of approximately 140 feet exists along the gently rolling ridgeline; west of Joaquin Miller Road the right-of-way narrows abruptly to 60 feet and the topography becomes quite rugged.

The City of Oakland gradually acquired property along the westerly segment of Skyline Boulevard from 1933 through 1971 as the land became available through tax sales. There were no funds available for roadway reconstruction; however, the lots were being accumulated with the hope that eventual realignment and improvement of the road could be carried out with "Scenic Highways" funds. In the late sixties the City altered its acquisition program and began to acquire any property west of Joaquin Miller Road that was proposed for development.

In November, 1972, the Oakland City Planning Commission conducted a public hearing regarding the purchase of land and the plans for street improvements along Skyline Boulevard. The majority of the speakers were opposed to all changes that would in any way alter the existing condition and character of the road. A Planning Commission staff report followed the hearing and all of the recommendations regarding the future

use of Skyline Boulevard reaffirmed the role of the roadway north of Joaquin Miller Road as a two-lane scenic route.

DESIGNATION AS SCENIC ROUTE

In order to implement the measures recommended by the staff report to protect the character of Skyline Boulevard, a scenic route combining zone was developed. The zone includes a strip to the rear lot line on each side of Skyline Boulevard from Joaquin Miller Road to the old Tunnel Road intersection and on Grizzly Peak Road from Skyline to the Berkeley city limits. The S-10 zone, as it is called, imposes restrictions on architectural treatment and site development in order to safeguard the unique qualities of the route and the exceptional views from the road.

The Scenic Route Combining Zone was adopted by the Oakland City Planning Commission in September, 1973.

EXISTING CONDITIONS

In practice, the Skyline Boulevard/Grizzly Peak Boulevard/Tunnel Road route performs these basic functions:

1. It is an access route to the regional parks east of Joaquin Miller Road and to Skyline High School south of Joaquin Miller Road;

2. It is a collector street to and from the smaller residential streets in the area.

3. It is a local street for those homes which front upon it.

4. It is a scenic drive used by Oakland residents, Bay Area residents and tourists. Scenic use may complement park access use and other leisure trips where speed is not important.

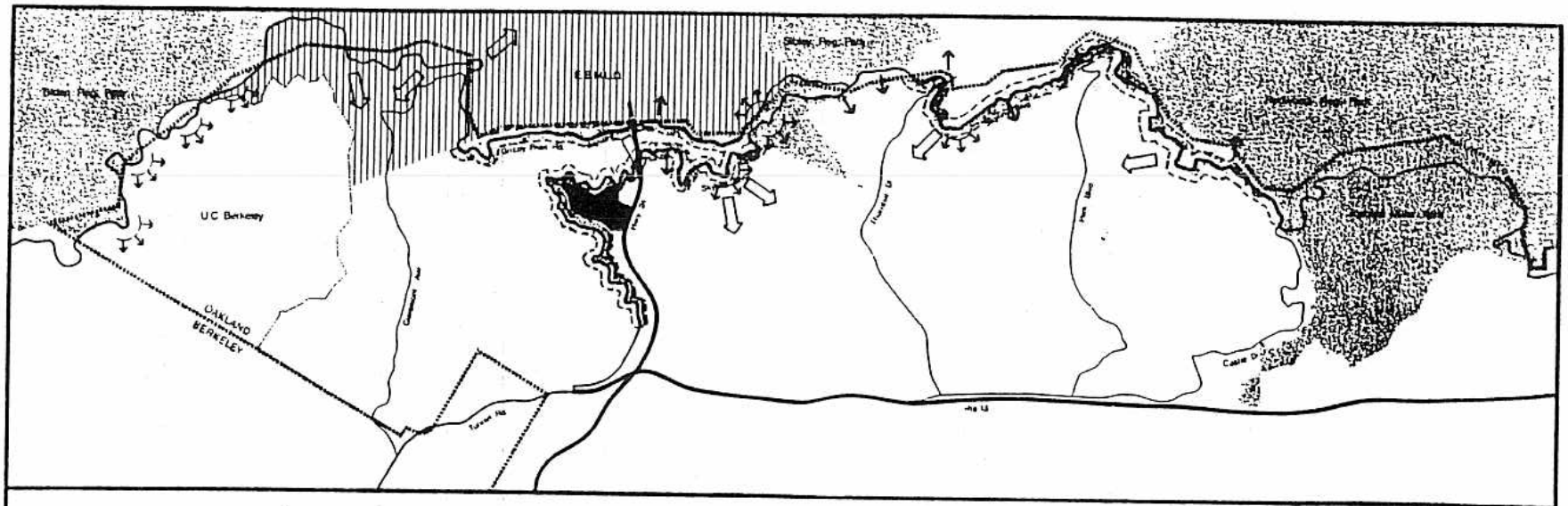
The volume of traffic on this scenic route ranges from less than 400 vehicles per day to over 1000 vehicles per day, depending on the season. The Traffic Engineering Department estimates that there will be 500 average daily trips on Skyline Boulevard in 1990.

These volumes do not adequately represent the numbers of people who utilize the regional recreation facilities. Tilden Regional Park, with an attendance of a million persons a year before the eucalyptus clearing, Roberts Recreation Area, with an attendance of roughly 150,000 people per year and Sibley Regional Park are all served in part by Skyline Boulevard/Grizzly Peak Boulevard/Tunnel Road as an access route.

The asphalt roadway west of Joaquin Miller Road occupies about 24 feet of the 50 foot right-of-way. The Office of Public Works requires that access ramps to all garages be constructed at street grade as far as the property line; the drive can only ascend or descend to the parking area once it is within the property boundary. This is required so that any future road widening would not interfere with access to residential parking. Conceivably, the property line might be 26 feet from the edge of the roadway pavement.

There are approximately 120 residential lots now developed along the scenic route. Of the remaining undeveloped frontage, roughly 77 per cent is currently in public ownership, including the 185 lots acquired by the City for possible street improvement.

As of June, 1974, there had been nine applications for the design review approval required before a building permit can be issued within the S-10 Scenic Route Combining Zone. The plans submitted by two applicants had been denied, six others were approved, and one case was still pending. Only one house subject to the S-10 zoning provisions had actually been constructed.



ZONING

- R-20
- R-30
- R-40
- S-10

- Panoramic View
- Glimpse View
- View Corridor

MAP 4

Existing Conditions in the Skyline Scenic Corridor

1600

OAKLAND
CITY PLANNING
DEPARTMENT

Existing Protective Measures

RESIDENTIAL ZONING

The entire stretch of land along the Skyline scenic route is zoned for residential use. It is virtually all R-30 Single Family. The pocket between Tunnel Road and the Grove-Shafter Freeway is zoned R-20 Low Density adjacent to the scenic route and R-40 Garden Apartments adjacent to the freeway (see Map 4).

Provisions of the R-20 and R-30 zones will safeguard the scenic corridor from the intrusion of an inappropriate land use. The regulations do not have the power, however, to assure environmental integrity, to define design quality or to prohibit the obstruction of panoramic views.

SCENIC ROUTE COMBINING ZONE

To fill in the regulatory gaps, the S-10 Scenic Route Combining Zone was instituted in September 1973. The S-10 zone protects the unique character of Skyline Boulevard/Grizzly Peak Boulevard/Tunnel Road in three ways.

1. In order to minimize the number of carports and garages within the view plane as well as to reduce the collision hazards caused by vehicles entering and exiting lots in areas of poor sight distance, driveway access is regulated. A conditional use permit will be granted and a driveway allowed if it is determined that vehicular access cannot reasonably be provided from a different street or other way, and that every reasonable effort has been made to share means of vehicular access with abutting properties.

2. In order to encourage superior architectural design within the scenic corridor and at the same time to preserve the existing natural features, a design review procedure is operative that is intended to maintain the visual quality of the total setting by means of siting, grading, planting, massing and exterior finish.

3. In order to protect the unusual panoramas available from the road, the S-10 ordinance restricts heights on downslope lots. No building or other facility may extend above an imaginary line drawn at a six degree angle below the horizontal, from a point 3' above the edge of the existing pavement. Exceptions will be permitted if the proposed design maintains all significant views from the road or if the natural slope of the lot is unusually gradual.

The S-10 Scenic Route Combining Zone is combined with the R-30 single family zone for every lot fronting on Skyline Boulevard, from the Tunnel Road intersection to Castle Drive; on Grizzly Peak from the Oakland-Berkeley boundary to the

Skyline intersection; and on the west side of Tunnel Road, the S-10 zone is combined with the R-20 low density zone and with a narrow strip of the R-40 Garden Apartment Zone.

The text of the S-10 ordinance is included in Appendix 4.

OWNERSHIP PATTERN

The predominance of open space along the scenic route corridor is due to the fact that a great deal of the property is currently in public ownership. In addition to the regional parks, the University of California and the East Bay Municipal Utilities District watershed, 185 lots were acquired by the City of Oakland for the purpose of constructing future road improvements. Due to the City's extensive holdings and its former policy of acquiring land along the proposed right-of-way, development had been curbed, and Skyline Boulevard/Grizzly Peak Boulevard/Tunnel Road retained an exceptionally rural character among urban roadways. The policy has changed and development is beginning to take place.

PARKS, RECREATION, OPEN SPACE AND CONSERVATION

Many of the policies of the Parks, Recreation, Open Space and Conservation Element apply specifically to the preservation of Skyline Boulevard as a scenic route. The policies indicate the City's committment to preservation of environmental quality, although they do not provide tools of enforcement.

Problems

S-10 ZONE

Although the S-10 Combining Zone does accomplish certain goals, it cannot be relied upon as a

comprehensive code to protect the unusual setting of Skyline Boulevard. The following are the major deficiencies in terms of environmental planning of the S-10 zone as it was originally drafted; however, it should be noted that the zone may not be susceptible to the modification desired:

1. The regulations control lots on an individual basis, with no provisions for controlling the cumulative effect of development. There are no provisions, for example, to preserve critical stretches of open space or to concentrate building in the less sensitive areas with the S-10 regulations alone.

2. Similarly, the S-10 regulations safeguard specific characteristics of Skyline Boulevard, but they do not preserve the total picture. The views are protected and the vegetation is protected on an individual lot basis, but since construction is not precluded, the rural flavor itself cannot be protected.

3. The height restrictions deal only with the components of the view rather than with the composite vistas. Although the San Francisco bayline may still be visible, it is underscored by the roof of the house instead of being framed by the native vegetation of the hills and the distinctive contours of the

canyons. It is the expansive panorama from Skyline Drive that is invigorating, and it is the distant city contrasted with immediate nature that is so satisfying. A horizon of rooflines will obscure these distinctive effects.

4. The access restrictions are treated on an individual lot basis, without specific reference to the road's capacity for accommodating access. The maximum number of houses that can safely and efficiently have access to the more narrow and winding portions of Skyline Boulevard/Grizzly Peak Boulevard/Tunnel Road has yet to be determined.

CITY-OWNED RIGHT-OF-WAY

In 1972, the Oakland City Council discontinued its plans for improving Skyline Boulevard north of Joaquin Miller Road. The State Attorney General confirmed that the land already purchased there with gas tax funds for street improvement could not be used for green-belt purposes; therefore, if the lots were to be retained by the City for park or open space, they would have to be purchased by the City at fair market value. This could be done by a transfer of general funds into the Gas Tax Fund.

Lots the City does not choose to retain will be sold and will consequently be available for development. By increasing the construction potential on Skyline Boulevard/Grizzly Peak Boulevard/Tunnel Road, the chances are that the existing character, the open spaces, the views, the verdure and the habitat will all be diminished in quality.

In that a study is currently underway to resolve the disposition of the lots, this particular problem is in the initial stages of solution.

4

Goals and Policies

The following goals and policies are developed in order to corroborate the City's concern for scenic routes and to establish guidelines for their preservation. A number of goals and policies already adopted by the City pertain directly to Scenic Highways and have been incorporated into the element. Other existing policies have been modified to this end. The majority of the following goals and policies, however, have been developed specifically to protect scenic routes in Oakland.

The policies which are specific to the designated scenic routes, the MacArthur Freeway and Skyline Boulevard/Grizzly Peak Boulevard/Tunnel Road, reflect the analysis of existing conditions within their respective scenic corridors that is presented in Chapters 2 and 3.

GOALS

To protect and enhance the distinctive character of scenic routes within the City.

To improve Oakland's physical environment and to preserve the natural qualities of Oakland's setting.

GENERAL POLICIES

1. *Streets illustrated as "current designation" on the Scenic Route Framework map are official scenic routes and should be signed as such by the City or State at appropriate roadside locations in order to encourage popular enjoyment of these roadways.*

2. *All or portions of visually significant trafficways are eligible for future designation as scenic routes and for the protective restrictions that may be appropriate thereto.*

3. *Urban development should be related sensitively to the natural setting.*

4. *High standards for preserving and enhancing natural landforms and vegetation should be established and maintained to regulate all activities related to earthwork and the removal of trees, shrubs or ground cover.*

5. *Budgets for street improvements will, as a matter of course, include items for landscaping and tree planting, and the City budget should reflect the need for continued maintenance.*

6. *Overhead utilities should be undergrounded along all freeways, scenic routes, and major streets. Programs should be developed to increase the present rate of undergrounding existing overhead utilities.*

7. *Billboards should be prohibited and other signs should be controlled along freeways and parkways.*

SPECIFIC POLICIES RELATED TO MACARTHUR FREEWAY

1. *The signs within the scenic corridor that are visible from the freeway should be for identification purposes only; no advertising should be permitted.*

2. *Visual intrusions within the scenic corridor*

should be removed, converted, buffered or screened from the motorist's view.

3. *Panoramic vistas and interesting views now available to the motorist should not be obliterated by new structures.*

4. *New construction within the scenic corridor should demonstrate architectural merit and a harmonious relationship with the surrounding landscape.*

5. *The ban of truck traffic on the MacArthur Freeway should continue indefinitely.*

SPECIFIC POLICIES RELATED TO
SKYLINE BOULEVARD/GRIZZLY PEAK BOULEVARD/
TUNNEL ROAD

1. *New development or modifications to existing development which interferes with significant views experienced by motorists or pedestrians from the roadway should be prohibited, unless such prohibition will deny reasonable use of the property.*

2. *Critical stretches of open space should be left intact, preserving visual continuity within the scenic corridor.*

3. *Grading of land and the clearing of vegetation should be kept to an absolute minimum on the properties adjacent to the scenic route.*

4. *Property that has the potential for reducing the driver's safe roadway viewing distance at a design speed of 25 miles per hour should remain clear and undeveloped for traffic safety reasons.*

5. *Efforts should be made to retain undeveloped areas that perpetuate the full range of plant types, plant communities and wildlife variety found in Oakland.*

6. *Development involving significant alteration of natural landforms or surface conditions should generally be discouraged on slopes greater than 30 per cent.*

7. *As much as feasible, wooded tracts of open land should be preserved with only careful inroads for development allowed.*

8. *The removal of large live trees, wherever they occur, should be avoided for desirable species of trees.*

Action Program

The action program consists of the initial steps recommended to effectuate the goals and policies enumerated in Chapter 4. It also proposes corrective measures that would ameliorate existing problem areas within the scenic corridors of the MacArthur Freeway and Skyline Boulevard/Grizzly Peak Boulevard/Tunnel Road.

General

1. A procedure for the nomination, designation and protection of scenic routes should be established and utilized.

2. The proposed grading ordinance initiated by the City Engineering Department with its emphasis on environmental quality should be completed and forwarded to the City Council for review and adoption.

MacArthur Freeway

SIGNS

1. The ordinances that prohibit off-premise advertising within the freeway corridor should be scrupulously enforced and the offending billboards removed.

2. The maximum size and number of identification signs permitted within the scenic corridor should be critically reviewed, and the Oakland Sign Code should be appropriately modified to reflect this analysis. Consideration should also be given to including a design review procedure for such signs within the scenic corridor.

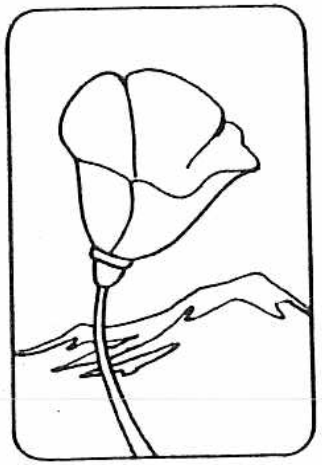
3. The City urges that an organized and attractive system of traveler information signs be developed by the State to indicate appropriate exits for fuel, food and lodging. This would eliminate the need for, and facilitate the removal of, the enormous on-premise signs at gasoline stations and motels along the scenic route. The names of the gas companies could be identified on the traveler information signs in exchange for a maintenance fee to be paid by the participating companies.

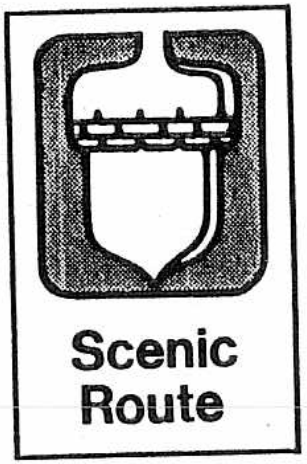
UTILITIES

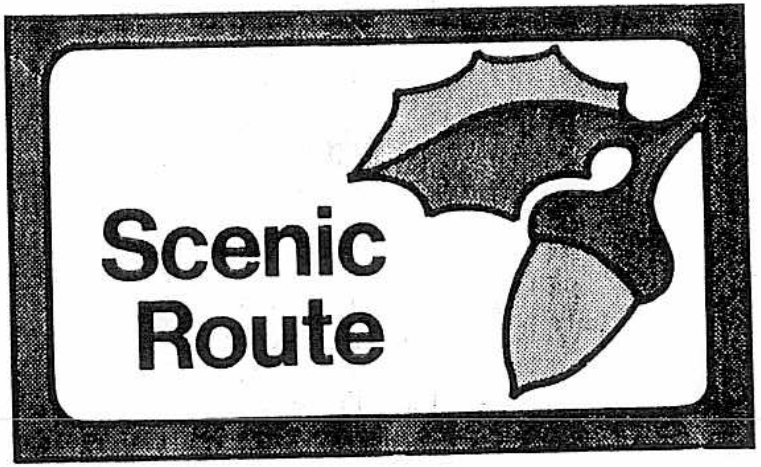
1. The City should give priority attention to the conversion of utility lines on those streets within the scenic corridor, and particularly to those lines which are distinctly visible to the motorist on the scenic route. The most obtrusive examples are the poles and and utility wires along Montana Street between Coolidge and Fruitvale, High Street north of the freeway, and Wesley Street at the intersection with Lake Park Avenue. The utilities on these streets should be undergrounded at the earliest date possible.

2. The City should request from P. G. & E. cost estimates for the conversion of utility lines which are suspended above the vehicular overpasses that cross the scenic highway to deter-

The official California Scenic Highways designation (poppy) & two possible Oakland Scenic Route signs







mine if it would be possible to conceal these lines in conduits tangent to the bridge structure. With the cost estimate on hand, the City should then consider the possibilities of implementing the project.

3. In that the rate of undergrounding within the scenic corridor is a direct function of the annual budget alloted to the City, and in that the yearly allocation has not been adjusted for inflation despite a 100% increase in the cost of utility conversion, the utility companies should recalculate their fund distribution in terms of current prices. This is the only way that utility conversion can resume its original pace and thereby provide sufficient opportunity to attend to undergrounding the utilities within the scenic corridor.

SCREENING

1. A cooperative landscape program between private enterprise and the Department of Transportation should be encouraged to arrange for effective screening of existing visual intrusions. The planting would be on the private premises or the State right-of-way or both, depending on the most appropriate planting design in each case. This recommendation particularly applies to the Edwards Avenue quarry and the Dimond Shopping District abutting Route 580 at Fruitvale Avenue.

2. The buffering codes of the Oakland Zoning Regulations should be reviewed for possible amendments to provide that large parking, loading or open storage areas that are clearly visible from the scenic highway might be visually screened from the view of the motorist.

MAINTENANCE

1. Property owners within the scenic corridor should be advised of this designation by the State Department of Transportation and encouraged to maintain their property in a manner appropriate to an official state scenic attraction.

DESIGN REVIEW

1. Every effort should be made to develop regulations and procedures to review selected types of development in the R-70, R-80, C-30 and C-40 zones within the scenic corridor.

VIEWS

1. The structures which are subject to design review should be analyzed with an eye to the building's individual and cumulative impact on the obstruction of the view from the scenic highway.

EARTHWORK AND VEGETATION

1. The Edwards Avenue quarry should be restored to a natural state when the excavation operation is terminated.

2. Specific maintenance problems of the landscaped areas along the MacArthur right-of-way should be corrected as soon as possible.

NOISE

1. The feasibility should be considered of banning trucks from that portion of the MacArthur Freeway extending from Grand Avenue to the Route 24 interchange.

SKYLINE BOULEVARD/GRIZZLY PEAK BOULEVARD/ TUNNEL ROAD

1. Review and, if appropriate, amend the S-10 Zone as soon as there is sufficient experience with the administration of those regulations.

2. Implement the recommendations of the disposition study currently being undertaken by the City Planning Department which is aimed at the preservation of the essential character of the scenic route.

Appendix 1

Signs Adjacent to Freeways

Sec. S-1401. Signs Prohibited Adjacent to Freeways. No Sign shall be erected, constructed, relocated or maintained in the City of Oakland if such sign is designed to have or has the advertising thereon maintained primarily to be viewed from a freeway provided that the provisions of this section shall not apply to any sign constructed, painted or maintained on which the advertising is limited to one or all of the following:

1. The name of the person, firm or corporation occupying the premises and the type of business conducted by such person, firm or corporation.
2. The name of the product manufactured on the premises.
3. A sign not exceeding six square feet in area appertaining only to the lease, hire, sale or display of the building or premises.
4. Time and temperature units.

Sec. S-1402. Existing Signs Not Conforming to Section S-1401. Any sign which does not conform to the provisions of Section S-1401, but which conformed to the rules and regulations in effect at the time of its erection, shall be deemed a nonconforming sign and may exist, except that:

(a) Within three years from the effective date of the rule or regulation rendering such sign illegal; or within three years from the date a freeway, or portion thereof, is opened to public travel; or, as to any such sign which is being maintained pursuant to the terms of a written lease with a sign company, within the term of said lease or within five years from the vacation or change of occupancy of the premises upon which said sign is loacted, whichever date shall occur first; all such nonconforming signs shall be removed, or shall be rearranged or relocated so as to eliminate any conflict with the provisions of said section; provided, however, that any existing sign which has been permitted by a variance granted by the City Council, prior to the adoption of these provisions, shall not be required to be so removed, rearranged, or relocated until within three years from the date a freeway, or portion thereof, from which such sign is viewed, has been landscaped. For the purposes of this section, a landscaped freeway shall be deemed to mean a section or sections of a freeway which has or have been improved by the planting, on at least one side of the freeway right-of-way, of lawns, trees, shrubs, flowers, or other ornamental vegetation which shall require reasonable maintenance. Planting for the purpose of soil erosion control, traffic safety requirements, reduction of fire hazards, or traffic noise abatement, shall not change the character of a freeway to a landscaped freeway. The Building Official and Director of City Planning and the Traffic Engineer shall determine by majority decision whether any sign is nonconforming as herein provided.

(b) No such nonconforming sign shall be altered, reconstructed, or relocated unless the same when so altered, reconstructed, or relocated will not be in conflict with any of the provisions and will conform with all the requirements of Section S-1401.

For the purpose of this section only, the terms "altered", "reconstructed" or "maintained" shall

not include normal maintenance; changing of the surface sign space, ornamental moulding, pilasters or ornamental features below the base line; or the addition, construction, installation or changing of electrical wiring or electrical devices, backgrounds, letters, figures, characters, or representation in cutout or irregular form.

Sec. S-1403. Signs Constituting Hazard to Freeway Traffic. No sign constructed, painted or maintained on any building which is permitted by Sections S-1401 and S-1402 of this Code shall be permitted in any event if it, because of its location, size, nature or type, constitutes or tends to constitute a hazard to the safe and efficient operation of vehicles upon a freeway, or creates a condition which endangers the safety of persons or property thereon.

Sec. S-1404. Statement in Application. Every application for a sign shall contain a statement by the applicant that said sign is not designed to have or has the advertising thereon maintained primarily to be viewed from a freeway, or that if said sign is so designed it falls within one or more of the exceptions provided for in Section S-1401.

Sec. S-1405. Consideration of Application by Building Official, Traffic Engineer and Director of City Planning. Every application for a sign shall be considered by the Building Official, Traffic Engineer and Director of City Planning for the purpose of determining whether or not the proposed sign falls within the prohibitions of Section S-1401 or Section S-1403. This determination shall be by majority decision.

Sec. S-1406. Appeal to City Council. Any persons aggrieved by the decision of the Building Official, Traffic Engineer, and Director of City Planning made pursuant to the provisions of Sections S-1402, S-1403, and S-1405, may appeal to the City Council. The appeal shall be filed with the City Clerk within ten days from the date of decision. The Clerk shall, with the approval of the Council, set the time and place of hearing, and give notice thereof to all interested parties. The Council shall fully advise itself in the premises and render its decision affirming, modifying, or reversing the determination of the Building Official, Traffic Engineer, and Director of City Planning. The Council's decision shall be final.

Appendix 2

Amendment to Section 5405

SECTION 1. Section 5405 of the Business and Professions Code, as amended by Chapter 1782 of the Statutes of 1971, is amended to read:

5405. (a) Notwithstanding any other provision of this chapter, no advertising display shall be placed or maintained within 660 feet from the edge of the right-of-way of, and the copy of which is visible from, any interstate or primary highway, and no advertising display shall be placed or maintained beyond 660 feet from the edge of the right-of-way if the advertising display is designed to be viewed primarily by persons traveling on any interstate or primary highway, other than the following:

(1) Directional or other official signs or notices that are required or authorized by law, including, but not limited to, signs pertaining to natural wonders, scenic and historical attractions, and which comply with regulations which shall be promulgated by the director relative to their lighting, size, number, spacing and such other requirements as may be appropriate to implement this chapter, which regulations shall not be inconsistent with such national standards as may be promulgated from time to time by the Secretary of Transportation of the United States pursuant to subdivision (c) of Section 131 of Title 23 of the United States Code.

(2) Advertising displays advertising the sale or lease of the property upon which they are located, provided all such advertising displays within 660 feet of the edge of the right-of-way of a bonus segment shall comply with the regulations prescribed pursuant to Sections 5251 and 5415.

(3) Advertising displays which advertise the business conducted or services rendered or the goods produced or sold upon the property upon which the advertising display is placed, if the display is upon the same side of the highway as the advertised activity; provided all such advertising displays within 660 feet of the right-of-way of a bonus segment shall comply with the regulations prescribed pursuant to Sections 5251, 5403, and 5415; and provided that no such advertising display shall be placed after January 1, 1971, if it contains flashing, intermittent or moving lights (except that part necessary to give public service information such as time, date, temperature, weather, or similar information, or a message center display as defined in paragraph (4) of this subdivision).

(4) Message center displays, provided they advertise the business conducted or services rendered or goods produced or sold upon the property upon which the display is placed. As used in this paragraph, message center displays are displays which have a changeable message which may be changed by electronic processes or by remote control. Such displays shall be considered as advertising displays for all purposes of this chapter. In addition to complying with all other permit requirements of this chapter, no person shall place such a message center display until after a finding and certification by the director that such display does not appear to constitute a hazard to traffic. All such advertising displays within 660 feet of the right-of-way of a bonus segment shall comply with the regulations prescribed pursuant to Sections 5251, 5403, and 5415.

(5) Advertising displays erected or maintained pursuant to regulations of the director, and not inconsistent with the national policy set forth in subdivision (f) of Section 131 of Title 23 of the United States Code and the standards promulgated thereunder by the Secretary of Transportation, and designed to give information in the specific interest of the traveling public.

(b) Notwithstanding the provisions of subdivision (a), any advertising display located beyond 660 feet from the edge of the right-of-way of any interstate or primary highway, and designed to be viewed primarily by persons traveling on such highway, which display was lawfully maintained in existence on the effective date of this subdivision but which was not on that date in conformity with the provisions of this article, shall not be required to be removed until the end of the 10th year after the effective date of this subdivision.

Appendix 3

Excerpt from Proposed Grading Ordinance

Sec. 2-6.06 Permit - Referred to the Director of City Planning. All applications for grading permits shall be referred to the Director of City Planning. He shall report on any aspect of the proposed grading, excavation, or fill that relates to or affects the Oakland General Plan, any District or Area Plan, the zoning and subdivision regulations of the City, and the preservation of natural scenic character.

In regard to the preservation of scenic character, it is intended that this section be administered with a view to:

(a) Ensuring that soil and plant cover will not be stripped and removed, leaving the land barren, unsightly, unproductive and subject to erosion and the hazards of subsidence and faulty drainage.

(b) Encouraging and directing special attention toward retaining, insofar as practical, the natural environment including plant cover, rock outcroppings, the maximum number of existing trees and especially natural streams.

(c) Ensuring that no person, except pursuant to a written order of an authorized official of the City of Oakland or for weed abatement purposes shall denude and destroy the natural cover of any watershed, except for the immediate use and occupation of the property so denuded in accordance with and subject to all applicable provisions of the building code of the City or for any other use approved by the Director of Public Works.

The Director of City Planning may recommend to the Director of Public Works that the applicant be required to submit landscape plans prepared by a licensed landscape architect.

The landscape plans shall include such of the following as may be required by the Director of City Planning:

(1) A scale plan of the site in sufficient detail to show all natural features including existing plant cover, rock outcroppings and streams at the site and in adjacent or surrounding areas affected by the proposed development.

(2) A scale plan of the site showing the areas to be graded and those to be landscaped including the limits of the natural planting and ornamental planting areas.

(3) A scale plan of the area showing proposed contours.

(4) List of plant material giving standardized botanical plant names, key number for each variety, for reference to plans, and in addition to the name, the size, quality, or other pertinent description common to the trade.

(5) A specification describing the methods for planting the areas to be landscaped with special emphasis on (a) soil preparation, fertilization, plant material and methods of planting, and (b) initial maintenance of the plant material

and slopes until a specified percentage of plant coverage is established uniformally on the cut and fill slopes.

(6) A statement by the person responsible for the preparation of the landscape plans giving his opinion regarding (a) the length of time after planting in which the specified planting with the specified initial maintenance will normally produce on the slopes in the slope control areas the specified percentage of plant coverage, and (b) the length of time in which this specified plant coverage without any special additional maintenance, will normally produce a coverage of permanent planting which will control erosion.

The Director of City Planning upon completion of his investigation, including review of landscape plans, shall transmit his report and recommendations to the Director of Public Works and no permit shall be issued until such report has been received; however, failure of the Director to transmit his report to the Director of Public Works within 20 days after the referral of the application to him shall be deemed to be an approval and the permit may thereafter be issued (as added by Ordinance No. 7736 C.M.S., passed December 7, 1967).

S-10 Scenic Route Combining Zone Regulations

SECTION 6550 TITLE, PURPOSE, AND APPLICABILITY. The provisions of Section 6550 through Section 6574, inclusive, shall be known as the S-10 SCENIC ROUTE COMBINING ZONE REGULATIONS. The S-10 Zone is intended to create, preserve, and enhance areas where hillside terrain, wooded canyons and ridges, and fine vistas or panoramas of Oakland, neighboring areas, and the Bay can be seen from the road, and is typically appropriate to roads along or near the crest of the Oakland Hills which have good continuity and relatively infrequent vehicular access from abutting properties. These regulations shall apply in the S-10 Zone, and are supplementary to the regulations applying in the zones with which the S-10 Zone is combined.

SECTION 6551 ZONES WITH WHICH THE S-10 ZONE MAY BE COMBINED. The S-10 Zone may be combined with any other zone.

SECTION 6552 DESIGN REVIEW FOR CONSTRUCTION OR ALTERATION. In the S-10 Zone no building, Sign, or other facility shall be constructed or established, or altered in such a manner as to affect exterior appearance, unless plans for such proposal shall have been approved pursuant to the DESIGN REVIEW PROCEDURE at Section 9300 and the provisions of Section 6562. However, design review approval is not required for Realty Signs, Development Signs, holiday decorations, and displays behind a window; and it is not required, except as otherwise provided in Section 7430(c), for mere changes of copy, including cut-outs, on Signs the customary use of which involves frequent and periodic changes of copy.

SECTION 6557 RESTRICTION ON DRIVEWAY ACCESS. No driveway shall have access to Grizzly Peak Boulevard, Skyline Boulevard, or Tunnel Road, except upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200 and upon determination:

(a) That vehicular access cannot reasonably be provided from a different street or other way; and

(b) That every reasonable effort has been made to share means of vehicular access with abutting properties.

SECTION 6562 DESIGN REVIEW CRITERIA. Design review approval pursuant to Section 6552 may be granted only upon determination that the proposal conforms to the general design review criteria set forth in the DESIGN REVIEW PROCEDURE at Section 9300 and to both of the following additional criteria:

(a) That the siting, grading, and design will, to the maximum extent feasible, preserve existing live trees and other desirable natural features.

(b) That the proposed development will, as far as practicable, maintain existing vistas or panoramas which can be seen from the abutting public road and maintain the visual value of the total setting or character of the surrounding area.

SECTION 6569 RESTRICTION OF HEIGHT ON DOWNSLOPE LOTS. The following height restriction shall

apply to each lot which abuts Grizzly Peak Boulevard, Skyline Boulevard, or Tunnel Road and which has an average elevation of natural grade less than the average elevation of the nearest edge of the paved roadway of such boulevard or road. Except for the projections allowed by Section 7075, no building or other facility or portion thereof shall extend above any line beginning three feet above any point on the nearest edge of the aforesaid roadway and extending outward at right angles to said edge and downward over the lot at an angle of six degrees to the horizontal, except upon the granting of a conditional use permit pursuant to the CONDITIONAL USE PERMIT PROCEDURE at Section 9200 and upon determination that the proposal conforms to one or both of the following criteria:

(a) That the proposal will maintain as far as is practicable all significant views from Grizzly Peak Boulevard, Skyline Boulevard or Tunnel Road; or

(b) That the natural slope of the lot is unusually gradual and therefore would not allow a reasonable use of the property under the above height restriction.

S-10 SCENIC ROUTE COMBINING ZONE GUIDELINES FOR DEVELOPMENT AND EVALUATION SECTION 6550 ZONING REGULATIONS - PLANNING CODE

Adopted by City Planning Commission September 19, 1973

Design Review Guidelines

The S-10 Zone is intended to create, preserve and enhance areas where hillside terrain, wooded canyons and ridges, and fine vistas of panoramas of Oakland, neighboring areas, and the Bay can be seen from the road. Design review should ensure that when man-made structures are introduced along the scenic route they are sensitively related to the natural setting and that special consideration has been given to their siting and design.

To facilitate siting and design of buildings, sensitively related to the natural setting, applications for design review of proposed development in the S-10 Zone shall be accompanied by the following:

a. plot plan;
b. building plans and elevations with exterior materials and colors noted;
c. landscape plan;
d. topographical site map with at least five foot contour intervals, prepared by a registered civil engineer or licensed land surveyor.

Such map should, in addition to normal siting, boundary and topographical information show: (1) location of the paved portion of the public street adjoining the subject property including elevations along the edge of the paved surface nearest the subject property, and (2) location, type, and size of all live trees on the property. Size is to be determined by measuring the diameter of the main trunk at a point four feet above the ground.

Design should be aimed at achieving an atmosphere of harmony with nature. The following design considerations shall be given special attention:

1. materials and architectural appointments;
2. colors;
3. landscaping;
4. building mass and siting.

These design elements form the basis for the design review guidelines as discussed below.

1. Materials and architectural appointments

   (a) Natural building materials such as brick, stone, masonry, or wood should be emphasized in the design of the exterior.
   (b) Uneven textures should predominate.

2. Colors

   (a) Preference should be given to "earth" colors, such as olive, ochre, sienna, gray, gray-green, gray-blue, etc. although warm colors may be appropriate in small accessory treatment, or as design counterpoints.

3. Landscaping

   (a) Preference should be given to planting and encouraging the growth of desirable low combustion plant types found in the area. Contrived, non-native landscaping such as cactus gardens, brightly colored gravel, extreme plant shaping, etc. are inappropriate.

   (b) Wherever removal of large live trees is necessary, they shall be replaced by planting, prior to building occupancy, of trees elsewhere on the property within view from the road.

4. Building Mass and Siting

   (a) Foundations should be stepped to reflect the natural slope of the terrain. Excessive support members or mechanical systems should be covered or screened.

   (b) Large flat building planes should be avoided. The spatial arrangement of the building including roof overhand, for instance, should be used to achieve alternating light and dark building surfaces which will blend with similar contrasts found in the surrounding natural vegetation.

   (c) Rooflines and roof surfaces should be an important part of the building design. Sloped roofs should reflect the natural slope of the terrain. Flat roofs should be developed as open space or as gardens serving nearby living space.

5. Accessory Equipment

   (a) Television or radio antennas should be placed so they are not silhouetted against the view, preferably not mounted on roof.

   (b) Fencing placed near the street should be of a height to allow for view; on downslope lots, fences should not violate the special height provision for the S-10 Zone.

   (c) Swimming pools and equipment sheds should not be placed in front yard area.

O A K L A N D C I T Y C O U N C I L

Resolution No. 54224 C.M.S.

RESOLUTION ADOPTING THE OAKLAND
SCENIC HIGHWAYS ELEMENT

WHEREAS, the City Planning Commission has held a public hearing on consideration of adopting the Oakland Scenic Highways Element and establishing a scenic highways section of the Oakland Policy Plan, thereby adding to and amending the Oakland Comprehensive Plan and Oakland's "general plan"; and

WHEREAS, the City Planning Commission has approved the document entitled the Oakland Scenic Highways Element, as amended and dated August 28, 1974 and has recommended that said document be adopted by the City Council; and

WHEREAS, subsequently, the City Council has itself held a public hearing on these matters; and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act of 1970, as amended, and City Council Resolution No. 53054 C.M.S. (adopting objectives, criteria, and procedures for implementation of said Act) the City Planning Commission has approved an Environmental Impact Report on the proposed Oakland Scenic Highways Element, and the City Council has subsequently reviewed and considered said Environmental Impact Report; now therefore be it

RESOLVED: That the Council of the City of Oakland finds that said Scenic Highways Element may have a significant impact upon the environment, and certifies that the aforesaid Environmental Impact Report, a copy of which is on file with the City Clerk, has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines; and be it

FURTHER RESOLVED: That the City Council finds and determines that the Oakland Scenic Highway Element, as amended and dated August 28, 1974, provides an appropriate and systematic statement of City goals, policies, and intentions regarding scenic highways; and be it

FURTHER RESOLVED: That the City Council hereby adopts the Oakland Scenic Highways Element, as amended and dated August 28, 1974, a copy of which is on file with the City Clerk and is available there for inspection by the public; and be it

FURTHER RESOLVED: That the Oakland Scenic Highways Element hereinabove adopted is hereby declared to be a component of the Oakland Comprehensive Plan as well as Oakland's "general plan"; and be it

FURTHER RESOLVED: That the Oakland Policy Plan is hereby amended by establishing the scenic highways section, by adding the appropriate goal and policy statements contained in the Scenic Highways Element, hereinabove adopted, to said section, and by adding or substituting said goal and policy statements to other sections, as appropriate.

I certify that the foregoing is a full, true and correct copy of a Resolution passed by the City Council of the City of Oakland, Calif., on September 3, 1974.

ROBERT C. JACOBSEN
CITY CLERK

Per Lorraine M. Simpson
DEPUTY

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