

BEFORE THE CITY COUNCIL OF THE CITY OF ORINDA

In the Matter of:

Establishing a Policy and)
Criteria for the Acceptance)
of Existing Private Streets)
for Public Maintenance)

Resolution No. 56-90

Section 2.3.2-H of the Orinda General Plan provides that:

"Voluntary dedication of private streets will be considered for acceptance by the city on a case-by-case basis when streets and drainage systems are improved to city standards and present no expense to the city upon dedication."

A draft document entitled "Development Standard Guidelines" has been developed by the Development Standards Committee and staff and considered by the Planning Commission. Following several public hearings, the Planning Commission recommended that the City Council adopt the "Development Standard Guidelines" which included a chapter on existing roads.

On June 12, 1990, the City Council considered the "Development Standard Guidelines" at a public hearing.

NOW, THEREFORE the City Council of the City of Orinda finds, determines and orders as follows:

The policy and criteria for acceptance of existing private roads as set forth in Exhibit "A" attached to this resolution is adopted.

Passed and adopted at a meeting of the City Council of the City of Orinda at a meeting held on August 28, 1990 by the following vote:

| | | |
|---------|-----------------|-----------------------------------|
| AYES: | COUNCILMEMBERS: | Dabel, Heggie, Landers, Knebel |
| NOES: | COUNCILMEMBERS: | Guidotti |
| ABSENT: | COUNCILMEMBERS: | None |


Linda R. Knebel, Mayor

ATTEST:


Thomas C. Sinclair, City Clerk

Resolution No. 56-90
Exhibit A

EXISTING PRIVATE ROADS

City of Orinda Policy Statement Regarding Acceptance:

The acceptance of existing, privately maintained roads into the City's street system shall be by Resolution of the City Council and shall be subject to the following criteria:

A. The request for acceptance shall be signed by all record owners of fee interest in the road in question. This will apply in all cases where a private road has not been covered previously by an offer of dedication.

B. The road shall directly connect to a public street or highway. 90% of private streets are cul de sacs and could not meet this requirement. 30 miles of public Residential streets are also cul de sacs or loops which would be disqualified.

C. There shall be demonstrated a need for the incorporation of the road into the City's road system for purposes of traffic circulation, for example:

- the road connects two existing public streets and provides the only means of access to one of those streets.
- the road is a "collector" street that connects a public street with other private streets, particularly in situations where maintenance of the private streets is under separate agreement from the "collector" street.
- the road can provide a viable alternative to an existing public street in the event that public street is impassable.

D. Any road proposed for inclusion in the public street system shall be upgraded, at no expense to the City, to standards that the City has adopted for this purpose, which are as follows:

1. Pavement conditions - improvements shall be made as necessary to the asphalt and/or roadbed to provide a pavement life of 20 years. The roadway shall be in a condition as to not need surface maintenance treatment for a minimum of 5 years.
2. Drainage - adequate capacity of all drainage facilities shall be demonstrated and all damaged and undersized facilities shall be replaced.
3. Soil stability - A soils investigation, by a registered Civil Engineer with the title of "Soils Engineer" or "Geotechnical Engineer" as outlined in

section 6736.1 of the Professional Engineers Act, shall be conducted for the roadway, right-of-way and adjacent up and down slopes. The investigation shall also include the study of slides on adjoining property. The road area shall be stabilized to the satisfaction of the City Engineer.

4. Grades - the grade of any section of the roadway shall not exceed 20 percent.
5. Minimum width - the minimum width of the road shall be 16 feet. The roadway shall be widened, to the satisfaction of the city Engineer on recommendation from the Fire Chief, at fire hydrant locations. Parking shall be restricted on roads with widths of less than 22 feet.
6. Traffic hazards - signing shall be installed and safety measures shall be taken to reduce potential traffic hazard areas.
7. Fire Department access - the roadway shall be accessible to emergency vehicles. This may require additional street widening and construction of turn-around areas. The City Engineer on recommendation from the fire chief shall determine whether the roadway is in compliance with this criteria.
8. Alignment and sight distance - the alignment and sight distances along the roadway shall be evaluated by a registered civil engineer. Improvements shall be implemented in problem areas to the satisfaction of the City Engineer. Fifteen mile per hour sight distance and 50 foot centerline radius shall be used for minimum design standards.
9. Clear title of the right-of-way area shall be provided to the City, with appropriate recordation on all affected parcels.
10. Street name signs shall be installed that match City signs.
11. Private development on the property fronting the road generally meets zoning and subdivision standards applicable to property on public roads.
12. Compliance with the above criteria and standards shall be subject to the review and approval of the City Engineer.