

Facing Up to a Street Closure Epidemic

BY R. MARSHALL ELIZER JR. AND NAZIR LALANI

As major street networks in urbanized areas become more congested and traffic seeks alternative routes, local agencies throughout the United States are facing street closure requests by their residents. Local residential streets with back-out driveways that were intended to carry a few hundred vehicles per day are now frequently carrying in excess of several thousand vehicles per day. Agencies are being asked to either close these streets to through traffic in order to improve residents' safety and quality of life, or to restrict the traffic flow by installation of medians and other barriers. Street closures are also being generated in parts of California by the desire to limit high-volume vehicular access to streets adjacent to schools for security and safety reasons. Increasing crime rates have triggered moves by cities in Southern California to close streets to reduce gang and drug-related activities from being conducted in residential neighborhoods.

One example of this growing problem was recently played out in the City of San Buenaventura. The City Council decided to close Poli Street (Figure 1), a collector street that bisects Ventura High School's campus, but carries 9,500 vehicles a day. Currently the high school staff place barricades across the street and close it to traffic between 7:30 a.m. and 4:30 p.m. This closure was enacted by the City Council in response to demands from school administrators that something be done to curb the potential for gang violence and drive-by



Figure 1. Poli Street closed to traffic through Ventura High School campus between 7:30 a.m. and 4:30 p.m.

shootings. To prevent traffic using parallel, narrow residential streets to circumvent the closure, barricades (Figure 2) are placed across two residential streets during the time that Poli Street is closed to traffic. Figure 3 shows the location of all three street closures. This action has been strongly resented by the area residents and has resulted in frequent, long and heated City Council meetings with little opportunity for compromise.

The decision to close a public street to through traffic, even if a local street, is an important and often controversial public policy decision. Even if adjacent residents are solidly in favor of such a street closure or modification of traffic

flow, motorists from outside the immediate area who are impacted will often vehemently oppose the removal of this "public" facility. There are also important traffic engineering and safety considerations to be determined, such as if problems actually exist (volume, speed, accidents) to warrant the closure. Other considerations are:

- Will the diverted traffic create similar problems or request on other streets?
- How will the proposed changes in traffic flow affect the ability of police, fire, and ambulance services to access the immediate and surrounding neighborhoods?
- Are there other less restrictive ways to address the residents' concerns?

■ How and where should the street closure or traffic flow modification take place, and who will pay for and maintain the installation?

In order for local agencies to effectively address requests for street closures or traffic flow modifications, comprehensive policies should be developed in order to determine how such requests are going to be evaluated and decisions made. When there is not a documented need and solid consensus among area residents on the need for closure, efforts by local agencies to close streets or modify traffic flow can often lead to divisive neighborhood debates that require vast amounts of staff time and result in heated no-win hearings in front of elected officials. For that reason, the City of San Buenaventura drafted a policy¹ that is designed to provide a comprehensive process whereby street closure and traffic flow modification requests can be properly evaluated and decision made. The city's recently adopted policy was based on a street closure policy that was adopted by the City of Lakewood, Colorado, in 1985.² To assist other local agencies who might be attempting to address similar problems in their own communities, the City of Buenaventura has provided a summary of what they believe to be the essential elements a typical policy of this type should contain.

Purpose of Policy

It should be the general policy of all agencies to not allow temporary or permanent closure of any public street to vehicular traffic. Requests for closure or modification of traffic flow on a public street may be considered, however, based on a petition that meets all the criteria and procedures outlined herein. Agencies should carefully review each street closure or traffic flow modification request to ensure that the proposed location and attending circumstances meet all the criteria outlined in this policy and in relevant state laws. The purpose of a street closure or traffic flow modification policy should be to set forth the process and criteria by which modification of traffic flow or closure of public streets may be considered by the agencies' staff and elected officials, and to identify the conditions under which closures or modifications may be enacted.

This policy should only apply to the closure or modification of traffic flow on public streets initiated by citizens. The policy should not apply to closures or modifications initiated by a local agency to address specific traffic safety issues or to comply with state and federal standards and warrants. The policy also should not apply to temporary changes in traffic that are needed to stage construction/maintenance activities or special events.

Traffic Flow Modifications Covered by Policy

Traffic flow modifications covered by any proposed policy should preferably include, at a minimum, typical geometric design features and official traffic control devices authorized by the state vehicle code. Some of the methods authorized by the policy might include traffic islands, curbs, traffic barriers/diverters, or other roadway design features; and removing or relocating traffic signals or stop signs and one-way traffic flow.

Criteria

A petition request for the closure or modification of traffic flow on public streets, including reopening previously closed streets, should only be considered by local agencies for those streets meeting all of the following criteria:

1. The street should be classified as a "local street" on the agency's officially adopted Circulation Plan.
2. The street should be primarily residential in nature.
3. Traffic volumes on the street should equal or exceed 2,000 vehicles per day for a complete closure. Volumes for a partial closure should equal or exceed 1,000 vehicles per day.
4. There is not sufficient evidence of any major emergency response or public safety concerns regarding the proposed closure or modifications.
5. An engineering and safety study has determined that the proposed closure or modifications will not create unacceptable traffic conditions on the subject street or on streets that may be impacted by diverted traffic.
6. The changes in traffic flow will not result in unreasonable liability exposure for the agency as determined by engi-

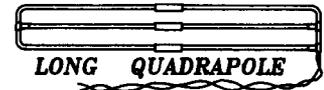
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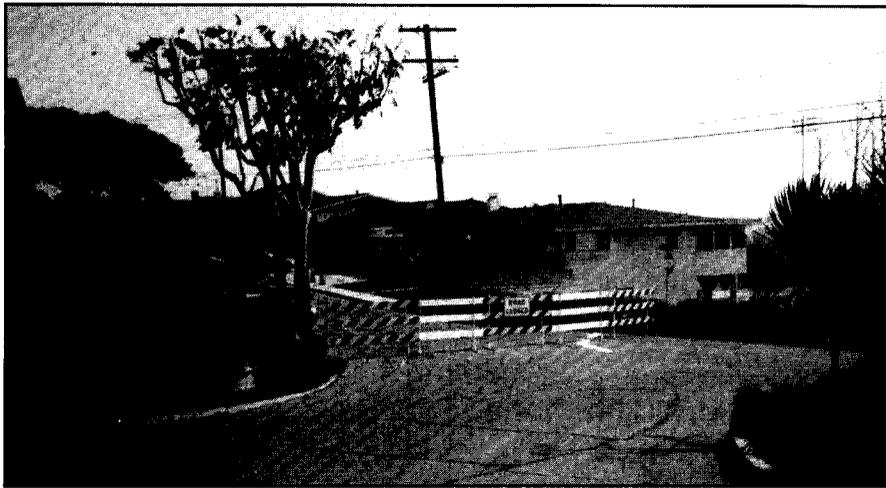


Figure 2. This residential street was closed to prevent traffic from using the street to circumvent the Poli Street closure.

neering staff in conjunction with the local agency's attorneys.

7. All those signing a petition requesting a street closure or traffic flow modification acknowledge it is the agency's policy that they may be required to participate in all costs directly associated with the street closure or traffic flow modification in order to facilitate the funding of the ultimate improvements needed to implement the closure or modifications.

8. The requested action is authorized by legislative authority in state and local laws.

Review of State Law

Most states preempt the field of traffic control, and local authority is allowed to enact or enforce any ordinance on the matters covered by the state's vehicle code unless expressly authorized by statute. Also it is usually most states' policy that all people have an equal right to use the streets and highways, and localities have no *carte blanche* and, absent express authority, may not determine which traffic shall or shall not use streets. Based upon this policy, in the absence of specific state legislative authority to the contrary, an agency may not be able to restrict the right to travel upon one of its streets to its residents or to other exempted drivers. Some examples in the California Vehicle Code of such specific authority to regulate travel upon streets are: if the agency's elected officials determine the

street is no longer needed for vehicular traffic [21101(a)]; if the street is needed to implement the agency's officially adopted circulation plan [21101(f)]; and if the street divides school grounds and protection of students is a consideration [21102]. When a local agency decides to utilize the express delegation of such authority, it may only utilize geometric design features or "official traffic control devices" authorized by the vehicle code. All requests for street closures or traffic flow modifications should be reviewed by local agencies for conformance with state and local laws

Petition Requirements

The following procedures should be followed for submitting petitions:

1. The agency's traffic or transportation engineer should examine the technical feasibility and anticipate impacts of the proposed street closure or traffic flow modification. This review should include, but not be limited to, items such as state law, the agency's officially adopted circulation plan, the type of road or street involved, compliance with engineering regulations, existing traffic conditions, projected traffic conditions, the potential for traffic diversion to adjacent streets, the increased liability exposure for the city, or conflicts with future planned improvements.

2. The agency's traffic or transportation engineer should determine the boundary of the "affected area" to be

petitioned. The affected area includes, but is not limited to, those properties where normal travel routes to and from the affected area are to be altered by the street closure or traffic flow modifications, and/or properties that are significantly impacted by traffic to be diverted.

3. The petition should be supported by a minimum of 80 percent of the total citizens affected by the proposed changes in traffic flow, as determined by the agency. Affected citizens are defined as property owners, tenants, business owners, and long-term tenants (such as mobile home park residents) within the affected area who might be significantly affected by the proposed modifications or closure. People submitting petitions must attempt to contact all affected parties. At a minimum, 95 percent of all those affected who may need to use the street(s) on a daily basis must be contacted for the petition to be accepted by the agency. This requirement is satisfied by signatures from 95 percent of the affected parties indicating support or non-support for the changes.

4. At a minimum, the petition submitted to the agency for review should include the following:

—A statement that all those signing the petition acknowledge it is the agency's policy that they may be required to participate in all costs directly associated with the street closure or traffic flow modifications in order to facilitate the funding of the ultimate improvements needed to implement the closure or modifications.

—A drawing showing the exact location of the proposed street closure or traffic flow modifications and the boundary of the area in which traffic could potentially be affected. The drawing should include changes in traffic patterns anticipated as a result of the proposed street closure or traffic flow modifications.

—A clear explanation of the location and nature of the proposed closure or modifications.

—Approval of the petition language and attached drawing by the agency's traffic or transportation engineer to ensure its accuracy and ability to be clearly understood.

—A specific reference to the vehicle code³ section authorizing such street closure or traffic flow modifications from the local agency.

Petition Review Process

The following process should be used to review all petitions associated with a proposed street closure or traffic flow modifications:

1. The agency's traffic or transportation engineer should review any petition to verify compliance with all petition requirements set forth above. Any petition not complying with these requirements should not be accepted for consideration.

2. If the petition contains all of the required information under the agency's adopted policy, the local agency should send a letter to affected citizens who signed the petition. The purpose of the letter is to obtain verification of support or opposition to the proposed closure or modifications from each person who signed the initial petition.

3. If the petition contains all of the required information under this policy, the proposed closure or modifications should be referred to all affected public agencies in conjunction with the environmental review process. At a minimum, these agencies should include all the agency's own departments, all affected local utility companies, school districts, emergency response providers, and transit agencies. They should also include the local office of the highway patrol, the local office of the state Department of Transportation, and any other agencies that have authority over the streets affected by the requested closure or traffic flow modification.

Where the closure or modifications on a street or system of streets may be accomplished by several different methods, a public workshop should be held, and affected citizens invited to participate. The purpose of the workshop is to attempt to determine the method that has the greatest community support prior to circulation of the petition.

Agency Action on Street Closure or Traffic Flow Modification Requests

Once a petition contains all of the required information and the petition review process has been completed, the agency's traffic or transportation engineer should prepare a report with recommendations, and initiate and com-

plete the environmental review process for the project. To the extent required, project alternatives should be defined for a temporary or permanent street closure or traffic flow modification. Where they exist, the agency's traffic or transportation committee should review the closure or modifications request, any environmental review document prepared for the project, all public agency referral responses received during the environmental review process, and the results of the technical staff review. The traffic or transportation committee should be requested to either support or recommend against the street closure or traffic flow modifications. If the committee recommends against the closure or modifications, that action should be final and the agency's engineer should notify all petitioners. If the request is recommended for further consideration, the agency's elected officials may, after public notice is given and after making any necessary findings, establish a temporary or permanent period of street closure or traffic flow modifications.

When contemplating a potential street closure or traffic flow modifications, the agency should typically follow the process outlined below:

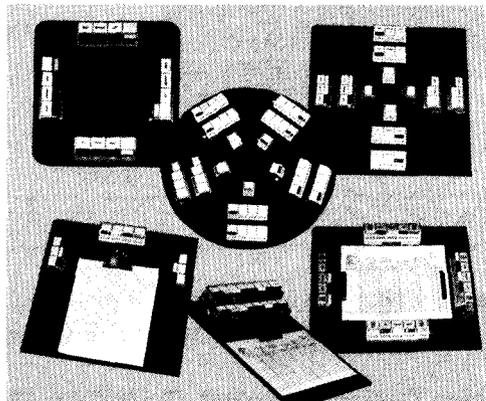
1. A letter explaining the street closure or traffic flow modifications and the time and place when the matter is to be heard by the agency's elected officials should be sent to all petitioners, property owners, tenants, and businesses within the affected area prior to its installation.

2. A public hearing should be set before the public notice is given.

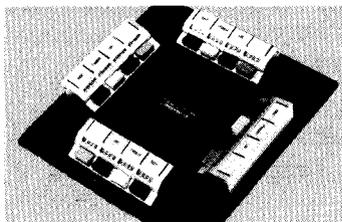
3. Public notification of the agency's official action should be given in cases when a closure or modification is approved by a majority of the elected officials, and signs giving notice of the closure or modifications should also be erected at least two weeks prior to the date of implementation.

4. A letter explaining the final decision of the agency should be sent to all affected citizens.

The officially adopted policy should contain language that clearly states that



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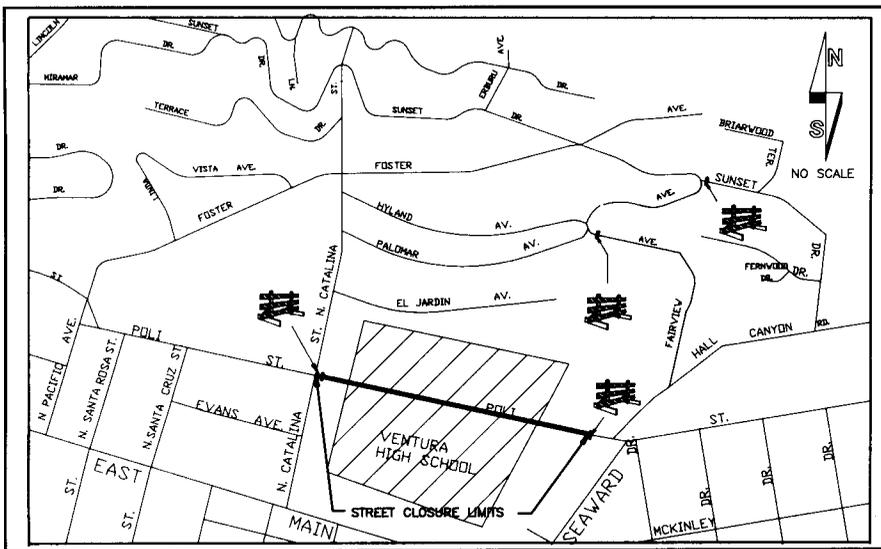


Figure 3. Location of Poli Street closure and two parallel residential streets.

the agency has the sole discretion, subject to all applicable laws, to approve, modify, continue, or deny any street closure or traffic flow modification request regardless of any support or

lack of support via the petition process. Any official action by the agency to approve or deny a closure or modification request should be by adoption of a formal resolution.

Citizen Information Brochure

The City of San Buenaventura has developed an informational brochure to explain the city's Traffic Flow Modification Policy to citizens. This is part of the city's series of informational brochures on traffic engineering issues such as speed limits, crosswalks, traffic signal stops, parking, left turn phasing, and school zone safety. Anyone wishing to obtain copies of brochures should send a written request including a mailing address to: Nazir Lalani, P.O. Box 99, Ventura, CA 93003. Fax 805/648-1809.

References

1. City Council of the City of San Buenaventura, California, *Policy of the City of San Buenaventura Relative to Closure or Modification of Traffic Flow on Public Streets* (1993), Resolution 93-130.
2. City of Lakewood, Colorado, *A Resolution Establishing a Policy for Street Closures in the City of Lakewood, Colorado* (1985), Resolution 85-181.
3. Vehicle Code, State of California, (1993).

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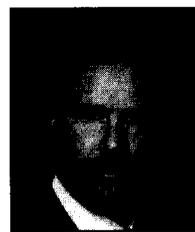
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