



BERKELEY CITY COUNCILMEMBER
TERRY TAPLÍN
DISTRICT 2

**SUPPLEMENTAL
AGENDA MATERIAL
For Supplemental Packet 3**

Meeting Date: September 28, 2021

Item Number: 23

Item Description: Amending BMC Section 14.56.070 for 3-Ton Commercial Truck Weight Limit on Berkeley's Bicycle Boulevards and on At-Risk West Berkeley Residential Streets

Submitted by: Councilmember Taplin

Amendment would make the following additions to the referral:

- Clarifies exemptions to 3-ton truck ban in ordinance



BERKELEY CITY COUNCILMEMBER
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To: Honorable Mayor and Members of the City Council

From: Councilmember Terry Taplin, Councilmember Kesarwani (Co-Sponsor),
Councilmember Wengraf (Co-Sponsor), Councilmember Hahn (Co-Sponsor)

Subject: Amending BMC Section 14.56.070 for 3-Ton Commercial Truck Weight Limit
on Berkeley's Bicycle Boulevards and on At-Risk West Berkeley Residential Streets

RECOMMENDATION

Adopt first reading of an Ordinance amending Berkeley Municipal Code (BMC) Section 14.56.070 to add **exemptions for qualifying vehicles and** 3-ton commercial truck weight limits on:

1. Ninth Street between Dwight Way and Heinz Avenue
2. Addison Street between San Pablo Avenue and Sixth Street;
3. Allston Way between San Pablo Avenue and Sixth Street;
4. Bancroft Way between San Pablo Avenue and Sixth Street;
5. Channing Way between San Pablo Avenue and Fourth Street;
6. Dwight Way between San Pablo Avenue and Sixth Street;
7. Camelia Street between Eighth Street and Ninth Street;
8. Eighth Street between Jackson Street and Camelia Street;
9. Ninth Street between Camelia Street and Cedar Street;
10. Virginia Street between Sacramento Street and Martin Luther King Jr. Way;
11. Virginia Street between Shattuck Avenue and Euclid Avenue;
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CURRENT SITUATION AND ITS EFFECTS

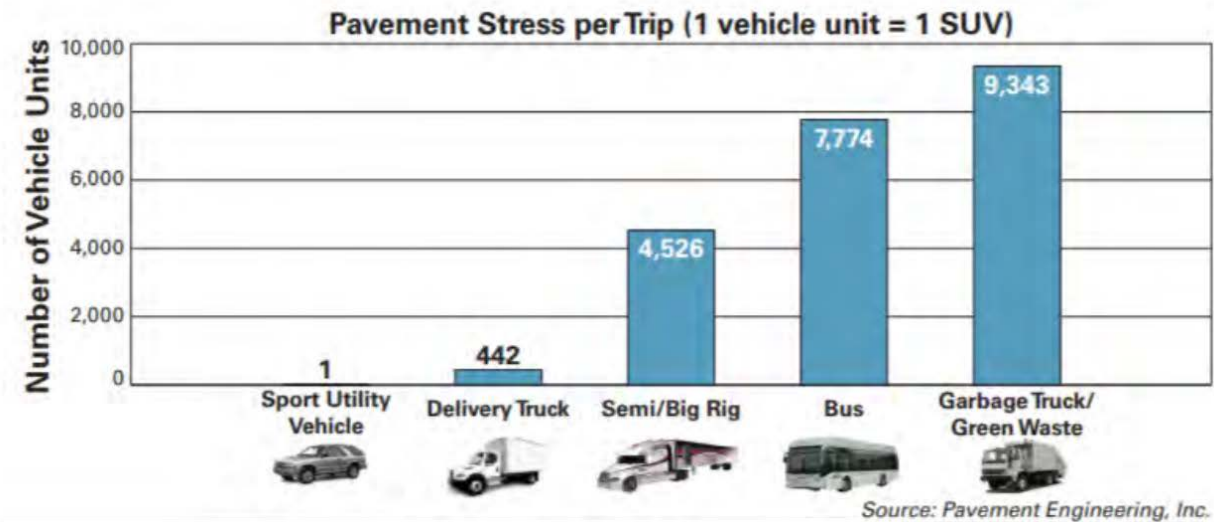
Berkeley's Bicycle Boulevard Network is a centerpiece of the City's mobility justice and greenhouse gas emission reduction policies. The Bicycle Boulevards were established with the adoption of the Bicycle Plan in 1999 "with the goal of providing safe, convenient, and low stress bikeways on pleasant neighborhood streets."¹ Despite having this goal in mind for more than twenty-two years, cyclists using a Bicycle Boulevard in Berkeley can still expect degraded road conditions, reckless drivers speeding alongside them, and large commercial trucks with low visibility threatening the safety of the children, families, and daily commuters who rely on the network. Despite their status as cyclist-priority streets, the Bicycle Boulevards still include many of the streets identified by the City's Vision Zero Action Plan as "High-Injury" Streets where the most traffic injuries and fatalities have occurred.² The Bicycle Boulevards identified by Vision Zero include California Street, Milvia Street, and Channing Way. Eliminating large truck traffic on the Bicycle Boulevards will mark an important step towards creating a network of streets that truly prioritizes the safety and ease of travel for cyclists in Berkeley.

Beyond protecting the bodily safety of cyclists on Berkeley's streets, restricting large truck traffic goes a long way towards reducing the degradation of the street infrastructure that is itself important for cyclist safety and for increasing bicycle mode

¹https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Transportation/Berkeley-Bicycle-Plan-2017-Executive%20Summary.pdf

²https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Transportation/Berkeley_Vision_Zero_Action_Plan_Approved_03102020.pdf

share. As the following chart lays out, the stresses on street pavement increases with the size and weight of the vehicles travelling on it:



Minimizing the amount of unnecessary large vehicle traffic on our residential streets is an important supplement to the Street Rehabilitation and Repair Policy and the 5-Year Street Rehabilitation Plan that will work to address the underlying causes of pavement degradation.

As the Vision Zero Action Plan makes clear, Berkeley’s traffic injuries are particularly concentrated in the neighborhoods of West Berkeley which the plan notes as “Equity Priority Areas” due to the disparity. Due to its proximity to the heavily trafficked commercial streets of University Avenue and San Pablo Avenue, the neighborhood encompassed by the non-Bicycle Boulevard streets within this proposal are regularly trafficked by large trucks cutting through the area. Truck traffic in this neighborhood, which is home to George Florence Park, the West Berkeley YMCA/Head Start facility, and Rosa Parks Elementary School, presents an ongoing danger to the pedestrians, cyclists, and especially children who use these streets on a daily basis. This neighborhood also includes University Avenue and Addison Street, which are also identified by the Vision Zero Action Plan as “High-Injury Streets”.³ In July of this year, the Berkeley City Council extended the 3-ton truck ban to the North-South streets of this neighborhood, but East-West coverage is necessary as well to truly protect this at-risk community.

Certain vehicles such as public utility vehicles, contractor vehicles engaging in construction and repairs, and commercial vehicles making deliveries will continue to have legitimate business to conduct on the streets included in the ordinance. As such, exemptions must be clarified in the ordinance to permit vehicles with good cause for driving on the relevant streets to continue to do so.

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FISCAL IMPACTS

Staff time and an estimated \$250 per sign location.

ENVIRONMENTAL IMPACTS

The City estimates that transportation-related emissions accounts for approximately 60% of our community's total annual greenhouse gas emissions.⁴ Restricting large truck traffic will make Berkeley's Bicycle Boulevards safer for pedestrian and cyclist transportation, thus encouraging zero-emission forms of transportation and standing to lower the emissions from our community's dominant source of carbon emissions.

CONTACT

Terry Taplin, Councilmember, District 2, (510) 981-7120

ATTACHMENTS

1. Ordinance

⁴https://www.cityofberkeley.info/Clerk/City_Council/2018/12_Dec/Documents/2018-12-06_WS_Item_01_Climate_Action_Plan_Update_pdf.aspx

ORDINANCE NO. ##,###-N.S.

AMENDING BERKELEY MUNICIPAL CODE SECTION 14.56.070 TO ADD NEW SECTIONS OF ROAD IN THE LIST OF LOCATIONS PROHIBITING THE USE OF CERTAIN STREETS BY COMMERCIAL VEHICLES EXCEEDING 3 TONS GROSS VEHICLE WEIGHT

BE IT ORDAINED by the Council of the City of Berkeley as follows:

Section 1. That Section 14.56.070 of the Berkeley Municipal Code is amended to read as follows:

14.56.070 Prohibiting the use of certain streets by commercial trucks exceeding three tons gross vehicle weight.

- A. It is unlawful for any person to operate any commercial vehicle exceeding three tons gross vehicle weight on the following portions of streets, hereafter referred to as "restricted streets":
1. Hearst Avenue between 6th Street and San Pablo Avenue;
 2. Hearst Avenue between San Pablo Avenue and Sacramento Street;
 3. 7th Street between University Avenue and Cedar Street;
 4. 8th Street between University Avenue and Cedar Street;
 5. 9th Street between University Avenue and Cedar Street;
 6. 10th Street between University Avenue and Cedar Street;
 7. Delaware Street between San Pablo Avenue and 6th Street;
 8. Delaware Street between San Pablo Avenue and Sacramento Street;
 9. Virginia Street between San Pablo Avenue and 6th Street;
 10. Virginia Street between San Pablo Avenue and Sacramento Street;
 11. Francisco Street between San Pablo Avenue and Sacramento Street;
 12. Hopkins Street west of Gilman Street;
 13. Blake Street between Shattuck Avenue and Telegraph Avenue;
 14. Blake Street between San Pablo Avenue and Sacramento Street;
 15. Parker Street between Shattuck Avenue and Telegraph Avenue;
 16. Carleton Street between Shattuck Avenue and Telegraph Avenue;
 17. Carleton Street between San Pablo Avenue and Sacramento Street;
 18. Channing Way between San Pablo Avenue and Sacramento Street;
 19. Derby Street between Shattuck Avenue and Telegraph Avenue;
 20. Ward Street between Shattuck Avenue and Telegraph Avenue;
 21. Stuart Street between Shattuck Avenue and Telegraph Avenue;
 22. Oregon Street between Shattuck Avenue and Telegraph Avenue;
 23. Parker Street between San Pablo Avenue and Sacramento Street;
 24. Russell Street between Shattuck Avenue and Telegraph Avenue;
 25. Howe Street between Ellsworth Street and Telegraph Avenue;
 26. Fulton Street between Ashby Avenue and Dwight Way;
 27. Ellsworth Street between Ashby Avenue and Dwight Way;
 28. Dana Street between Ward Street and Dwight Way;

29. Spaulding Avenue between Dwight Way and Addison Street;
30. California Street between Dwight Way and University Avenue;
31. Jefferson Avenue between Dwight Way and University Avenue;
32. McGee Avenue between Dwight Way and University Avenue;
33. Roosevelt Avenue between Dwight Way and Addison Street;
34. McKinley Avenue between Dwight Way and Addison Street;
35. Addison Street between Sacramento Street and Martin Luther King Jr. Way;
36. Allston Way between Sacramento Street and Martin Luther King Jr. Way;
37. Bancroft Way between Sacramento Street and Martin Luther King Jr. Way;
38. Channing Way between Sacramento Street and Martin Luther King Jr. Way;
39. Grant Street between Dwight Way and University Avenue;
40. Cedar Street east of 6th Street;
41. Dwight Way between San Pablo Avenue and Martin Luther King Jr. Way;
42. Claremont Avenue between Ashby Avenue and Belrose Avenue;
43. Belrose Avenue between Claremont Avenue and Derby Street;
44. Derby Street between Belrose Avenue and Warring Street;
45. Warring Street between Derby Street and Dwight Way;
46. Piedmont Avenue between Dwight Way and Bancroft Way;
47. Milvia Street between Dwight Way and Hopkins Street;
48. The Uplands between Claremont Avenue and Tunnel Road;
49. Panoramic Way between Canyon Road and Berkeley/Oakland city limits.;
50. Kains Avenue between Virginia Street and Harrison Street;
51. Virginia Street between Shattuck Avenue and Martin Luther King Jr. Way,
52. Francisco Street between Shattuck Avenue and Martin Luther King Jr. Way,
53. Delaware Street between Shattuck Avenue and Martin Luther King Jr. Way,
54. Hearst Avenue between Shattuck Avenue and Martin Luther King Jr. Way,
55. Berkeley Way between Shattuck Avenue and Martin Luther King Jr. Way.
56. Tenth Street between University Avenue and Dwight Way;
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B. All inter-city buses and tourist buses will be prohibited on these streets. School buses, emergency vehicles, and buses converted for use by disabled people will be allowed to use three-ton commercial truck weight limit routes.

C. ~~The provisions of this section shall not apply to subsections 14.56.050 B and C.~~ The provisions of this section shall not apply to:

1. Any vehicle subject to Sections 1031 through 1036 of the California Public Utilities Code (governing certain common carriers engaged in the transportation of passengers for compensation);
2. Any vehicle owned by a public utility company or a licensed contractor while necessarily in use in the construction, installation or repair of any public utility;
3. Any commercial vehicle using any restricted street for the purpose of (a) making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on such restricted street; or (b) delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure upon any restricted street for which a building permit has previously been obtained;
4. Any vehicle owned, leased, operated or controlled by any licensed contractor while necessarily in use in the construction, maintenance, or repair of a public works project, or by any highway carrier regulated by the Public Utilities Commission while transporting any materials to or from a public works project, when the bids for such project were opened prior to the adoption of the ordinance establishing this section, unless an alternate direct route is provided substantially within and by the City.

Section 2. Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way. Within 15 days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.



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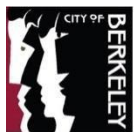
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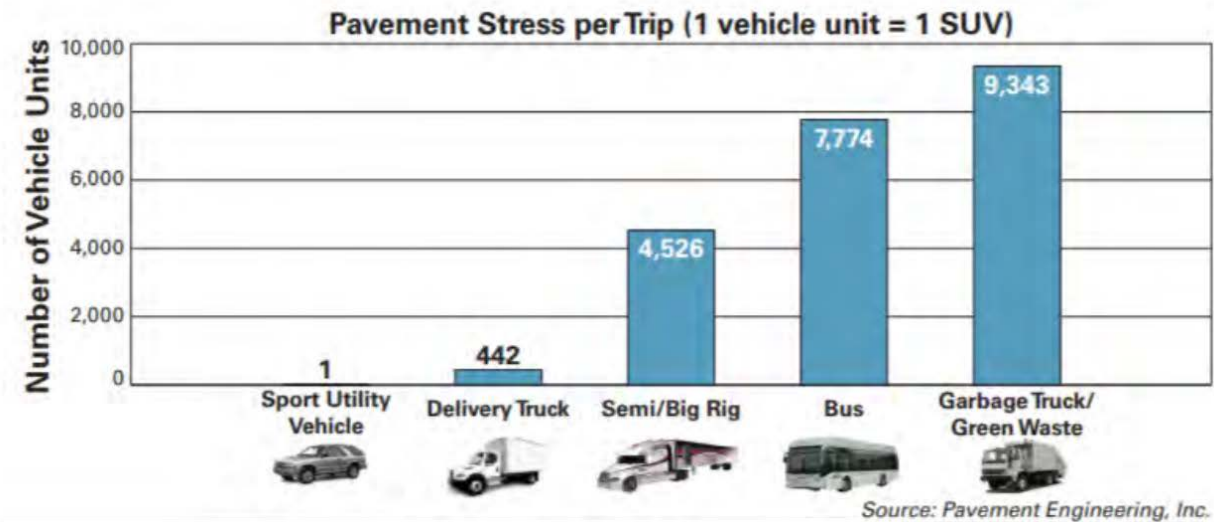
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3. Any commercial vehicle using any restricted street for the purpose of (a) making pickups or deliveries of goods, wares, and merchandise from or to any building or structure located on such restricted street; or (b) delivering materials to be used in the actual and bona fide repair, alteration, remodeling, or construction of any building or structure upon any restricted street for which a building permit has previously been obtained;
4. Any vehicle owned, leased, operated or controlled by any licensed contractor while necessarily in use in the construction, maintenance, or repair of a public works project, or by any highway carrier regulated by the Public Utilities Commission while transporting any materials to or from a public works project, when the bids for such project were opened prior to the adoption of the ordinance establishing this section, unless an alternate direct route is provided substantially within and by the City.

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