

Kate Harrison
Councilmember District 4

RECEIVED AT
COUNCIL MEETING OF:

OCT 29 2019

OFFICE OF THE CITY CLERK
CITY OF BERKELEY

REVISED AGENDA MATERIAL

Meeting Date: October 29th 2019

Item Number: 23

Item Description: Oversized Vehicle Restrictions on Bicycle Boulevards

Revision Submitted By: Councilmember Harrison

“Good of the City” Analysis:

The analysis below must demonstrate how accepting this supplement/revision is for the “good of the City” and outweighs the lack of time for citizen review or evaluation by the Council.

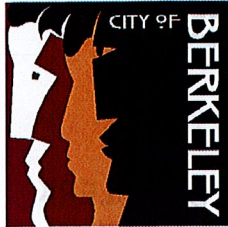
After consultations with community members and disability activists, we are proposing restricting vehicles over five tons, rather than three tons. Oversized vehicles are still restricted on these streets, but the slightly higher weight limit incorporates wheelchair vans, moving vans, and other large non-commercial vehicles.

Consideration of supplemental or revised agenda material is subject to approval by a two-thirds vote of the City Council. (BMC 2.06.070)

A minimum of **42 copies** must be submitted to the City Clerk for distribution at the Council meeting. This completed cover page must accompany every copy.

Copies of the supplemental/revised agenda material may be delivered to the City Clerk Department by 12:00 p.m. the day of the meeting. Copies that are ready after 12:00 p.m. must be delivered directly to the City Clerk at Council Chambers prior to the start of the meeting.

Supplements or Revisions submitted pursuant to BMC § 2.06.070 may only be revisions of the original report included in the Agenda Packet.



Kate Harrison
Councilmember District 4

ACTION CONSENT
CALENDAR

October 29, 2019

To: Honorable Mayor and Members of the City Council
From: Councilmembers Harrison, Robinson, and Bartlett, and Hahn
Subject: Oversized Vehicle Restrictions on Bicycle Boulevards

RECOMMENDATION

1. Refer to the Transportation Commission a draft ordinance amending Berkeley Municipal Code Chapter (BMC) 14.56.0570 to prohibit commercial trucks exceeding three-five tons gross vehicle weight from utilizing streets comprising the bicycle boulevards network. Ask the Commission to work with all business associations to determine any potential impacts on businesses.
2. Refer to the City Manager to update BMC 14.56.0570 as more Berkeley streets become Bicycle Boulevards, as outlined in the 2017 Bicycle Plan.

BACKGROUND

The Berkeley Bicycle Boulevard Network is a series of streets that are intended to be low-speed, low-volume, and optimized for bicycle traffic and other mobility users. The boulevards, now in the second phase of implementation, were approved by the City Council in 2000¹ and are key to improving bicycle safety and convenience.²

Restricting oversized vehicles from sharing streets with bicycles is intended as legal protection to complement the physical protection from protected bicycle lanes and other infrastructure. Additional referrals from Council, including the 2017 Bicycle Plan³ and Vision Zero⁴, seek to build out physical infrastructure, but the majority of streets in the network currently do not feature protected bike lanes and there are no restrictions on which vehicles may share the road with bicyclists. Although Bicycle Boulevards are typically narrower streets with lower than average speed limits, oversized vehicle operators may utilize these streets to avoid congestion.

¹ ~~[Use full citation notation]~~

https://www.cityofberkeley.info/Public_Works/Transportation/Bicycle_Boulevard_History.aspx

² <https://www.cityofberkeley.info/bicycleboulevards/>

³ <https://www.cityofberkeley.info/berkeleybikeplan/>

⁴ <https://www.cityofberkeley.info/visionzero.aspx>

The 2017 Bicycle Plan found that individuals who may otherwise cycle are hesitant to do so because they deem routes unsafe. Even though Berkeley has the highest rate of bicycling to work in the U.S. of cities with greater than 100,000 residents, City research uncovered that “90 percent of Berkeley residents already bicycle or *would consider* bicycling if the right bikeway facility or roadway conditions were available.”

Oversized vehicles have larger blindspots and take up more room in the lane, making them more dangerous to cyclists. As a result of this, intersections in mixed zones have a higher rate of cyclist injury.⁵ Additionally, oversized vehicles have a significant adverse effect on a given street’s Paving Condition Index, making roads worse and more difficult to cycle on. Damage done to streets is exponentially related to weight of vehicle – doubling weight of a vehicle will inflict 16 times as much damage.⁶ Paving regularly degrades over time, but oversized vehicles accelerate the process.

Maximizing participation from bicyclists and other mobility users is vital to achieving Berkeley’s health, safety and climate goals. BMC 14.56: Movement of Heavy Vehicles and Equipment specifies streets on which it is unlawful to drive vehicles over five tons (approximately any vehicle with six or more tires including small delivery trucks, box trucks, and walk-in vans) and streets on which it is unlawful to drive vehicles over three tons (approximately any vehicle larger than a pick-up truck which includes full sized pickup trucks and vans large enough to accommodate wheelchairs). The network of streets on which vehicles over three tons are not permitted (hereafter referred to as “restricted streets”) covers about 27-230 miles worth of Berkeley streets,⁷ and are especially concentrated in residential areas of Districts 1, 4, and 7. However, there are about nine miles of bicycle boulevards that are not restricted streets (see Attachment 4). This ordinance intends to include bicycle boulevards in the list of restricted streets.

This ordinance only includes streets that are currently Bicycle Boulevards and not currently included in BMC 14.56.0570. The associated referral requests that, as more streets become Bicycle Boulevards as outlined in the 2017 Bicycle Plan, those streets have the same restriction against oversized vehicles.

BMC 14.56 has provisions to restrict against oversized vehicles over three tons and over five tons. Vehicles between three and five tons include small moving trucks and vans large enough to accommodate wheelchairs.⁸ By restricting vehicles over five tons on Bicycle Boulevards, bicyclists will have more protection without negatively affecting disabled people in Berkeley or other individuals who need larger vehicles.

FISCAL IMPLICATIONS

Staff time for Traffic/Parking Enforcement to extend enforcement. Currently approximately 27-230 miles of City streets do not permit vehicles over three tons. The

⁵ <https://nyc.streetsblog.org/2018/02/26/heres-why-mixing-zones-scare-people-on-bikes-so-much/comment-page-1/>

⁶ “Assessing the Effects of Heavy Vehicles on Local Roadways”. Dr. W. James Wilde, P.E. Center for Transportation Research and Implementation, Minnesota State University, Mankato.

⁷ See Attachment 2

⁸ <https://ncltrucks.com/blog/truck-sizes-in-us/>

stretch of Bicycle Boulevards on which oversized vehicles are not currently restricted is approximately 8.8 miles, which would represent a 3229% increase.

Labor and material cost to post signs restricting trucks over three tons. By limiting the number of streets with oversized vehicles, less damage is done to Berkeley's PCI and fewer streets require frequent repaving.

ENVIRONMENTAL SUSTAINABILITY

Protecting the safety of dedicated bicycle lanes is directly in line with the Climate Action Plan and subsequent plans as it has the potential to lower greenhouse gas emissions by encouraging residents to use bicycles and other low-carbon methods of transportation.

CONTACT PERSON

Councilmember Kate Harrison, Council District 4, (510) 981-7140

ATTACHMENTS

- 1: Ordinance
- 2: Map of streets where vehicles over 3 or 5 tons are currently not permitted
- 3: Map of Berkeley's Bicycle Boulevard network
- 4: Map of streets to be affected by the adoption of this ordinance

ORDINANCE NO. -N.S.

AMENDING CHAPTER 14.56.0570 OF THE BERKELEY MUNICIPAL CODE
"PROHIBITING THE USE OF CERTAIN STREETS BY COMMERCIAL
TRUCKS/VEHICLES EXCEEDING THREE/FIVE TONS GROSS VEHICLE WEIGHT."

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

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

14.56.050 Prohibiting the use of certain streets by vehicles exceeding five tons gross vehicle weight.

A. It is unlawful for any person to operate any vehicle exceeding five tons gross vehicle weight on the following portions of streets, hereafter referred to as "restricted streets":

1. Gilman Street east of San Pablo Avenue;
2. Martin Luther King Jr. Way between Hearst Avenue and Hopkins Street;
3. Hopkins Street between Gilman Street and Sacramento Street;
4. Martin Luther King Jr. Way between Hearst Avenue and University Avenue;
5. The Alameda between Martin Luther King Jr. Way and Solano Avenue.
6. 8th Street between Camelia Street and Berkeley/Albany city limits;
7. Camelia Street between 8th Street and 9th Street;
8. 9th Street between Camelia Street and Cedar Street;
9. 9th Street between University Avenue and Heinz Street;
10. Channing Way between 4th Street and San Pablo Avenue;
11. Channing Way between Martin Luther King Jr. Way and Piedmont Avenue;
12. California Street between Hopkins Street and University Avenue;
13. California Street between Dwight Way and Russell Street;
14. Milvia Street between Dwight Way and Russell Street;
15. King Street between Russell Street and Stanford Avenue;
16. Russell Street between San Pablo Avenue and Shattuck Avenue;
17. Russell Street between Telegraph Avenue and Claremont Avenue;
18. Virginia Street between Sacramento Street and Martin Luther King Jr. Way;
19. Virginia Street between Shattuck Avenue and Euclid Avenue.

B. 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.

C. The prohibitions established herein shall not be effective until appropriate signs are erected indicating the streets affected by this section.

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. 8th Street between Camelia Street and Berkeley/Albany city limits;~~
- ~~57. Camelia Street between 8th Street and 9th Street;~~
- ~~58. 9th Street between Camelia Street and Cedar Street;~~
- ~~59. 9th Street between University Avenue and Heinz Street;~~
- ~~60. Channing Way between 4th Street and San Pablo Avenue;~~
- ~~61. Channing Way between Martin Luther King Jr. Way and Piedmont Avenue;~~
- ~~62. California Street between Hopkins Street and University Avenue;~~
- ~~63. California Street between Dwight Way and Russell Street;~~
- ~~64. Milvia Street between Dwight Way and Russell Street;~~
- ~~65. King Street between Russell Street and Stanford Avenue;~~

- 66. Russell Street between San Pablo Avenue and Shattuck Avenue;
- 67. Russell Street between Telegraph Avenue and Claremont Avenue;
- 68. Virginia Street between Sacramento Street and Martin Luther King Jr. Way;
- 69. Virginia Street between Shattuck Avenue and Euclid Avenue.

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.

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 the Maudelle Shirek Building, 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.