



BERKELEY CITY COUNCILMEMBER  
**TERRY TAPLÍN**  
DISTRICT 2

CONSENT CALENDAR

July 13, 2021

To: Honorable Mayor and Members of the City Council

From: Councilmember Terry Taplin (Author) and Councilmember Hahn (Co-Sponsor)

Subject: Amending BMC Section 14.56.070 for 3-Ton Commercial Truck Weight Limit on Tenth Street, Ninth Street, Eighth Street, and Seventh Street

RECOMMENDATION

Adopt first reading of an Ordinance amending Berkeley Municipal Code (BMC) Section 14.56.070 to add 3-ton commercial truck weight limits on Tenth Street between University Avenue and Dwight Way, Ninth Street between University Avenue and Dwight Way, Eighth Street between University Avenue and Dwight Way, and Seventh Street between University Avenue and Dwight Way.

CURRENT SITUATION AND ITS EFFECTS

In November 2020, the Berkeley City Auditor released its report, “Rocky Road: Berkeley Streets at Risk and Significantly Underfunded”, detailing the derelict condition of Berkeley’s street pavement. This report painted a damaging portrait of Berkeley’s Pavement Condition Index (PCI), noting that it scored 59 out of 100 in 2018 and was the 15th lowest PCI out of 101 cities in the nine county jurisdiction covered by Metropolitan Transportation Commission in 2017.<sup>1</sup> Following this report, the Berkeley City Council approved an update to its 5-Year Street Rehabilitation Plan for City staff to move forward with rehabilitating Berkeley’s streets. The 5-Year Street Rehabilitation Plan is required of the City by way of the Street Rehabilitation and Repair Policy, which was passed in 2009 “to maintain a safe surface conveyance system in the public right-of-way for vehicles, bicycles, transit and pedestrians.”<sup>2</sup>

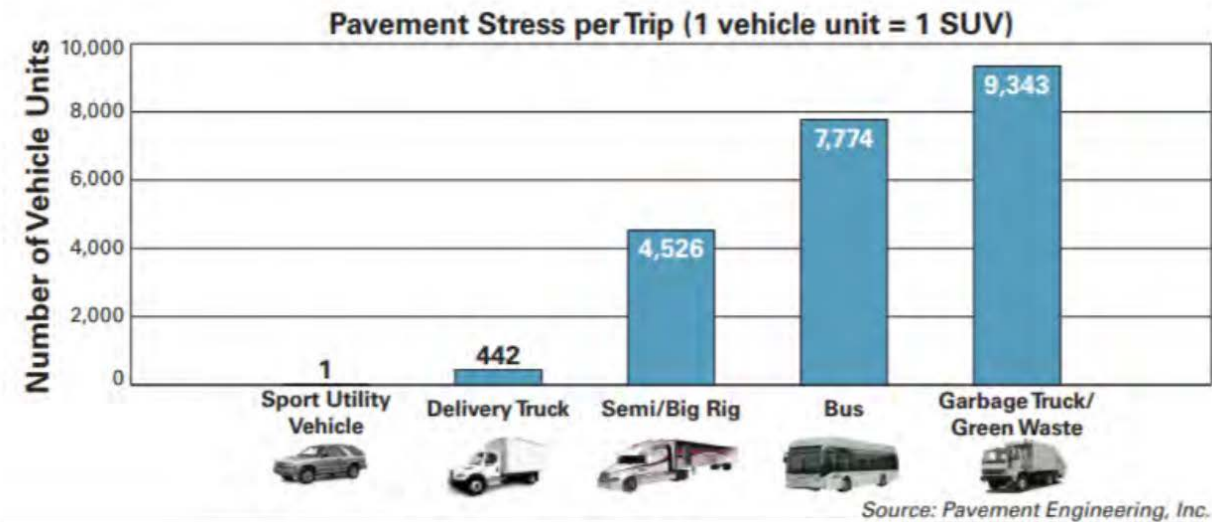
The 2009 Street Rehabilitation and Repair Policy and the 5-Year Street Rehabilitation Plan updated this year are critical City policies for maintaining and repairing the poor conditions of our roads as described in the City Auditor’s report. These policies, however, do not address the root causes of the ongoing degradation of our streets. Our roads, no matter what forms of traffic occupy them, will naturally deteriorate over time, but certain types of traffic do more damage over a shorter period of time than others. As

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<sup>1</sup> <https://www.berkeleyside.org/wp-content/uploads/2020/11/Berkeley-Streets-Audit-Nov.-2020.pdf>

<sup>2</sup> [https://www.cityofberkeley.info/Public\\_Works/Sidewalks-Streets-Utility/Street\\_Rehabilitation\\_and\\_Repair\\_Policy\\_updated\\_March\\_2009.aspx](https://www.cityofberkeley.info/Public_Works/Sidewalks-Streets-Utility/Street_Rehabilitation_and_Repair_Policy_updated_March_2009.aspx)

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. In 2004, the Berkeley City Council began addressing large vehicle traffic on residential streets with the passage of Ordinance No. 6,799-N.S., which modified BMC Section 14.56.070 to prohibit commercial trucks of over 3 tons from certain sections of residential roads throughout Berkeley. Having been updated on multiple occasions since 2004, BMC Section 14.56.070 now covers 55 sections of road in residential areas.

Beyond the benefits for our streets and pavement, restricting large truck traffic in residential areas is of critical importance for the City's Vision Zero goals. Due to its proximity to the heavily trafficked commercial streets of University Avenue and San Pablo Avenue, the neighborhood encompassed by the 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 identified by the Vision Zero Action Plan as "High-Injury Streets" where the most traffic injuries and fatalities have occurred in the past.<sup>3</sup> Residents and community members share a particular concern for the regular flow of large truck traffic in this area and are not unreasonable in their belief that it is an accident waiting to happen should the City not intervene. Restricting large truck traffic in this neighborhood will mark an important

<sup>3</sup>[https://www.cityofberkeley.info/uploadedFiles/Public\\_Works/Level\\_3\\_-\\_Transportation/Berkeley\\_Vision\\_Zero\\_Action\\_Plan\\_Approved\\_03102020.pdf](https://www.cityofberkeley.info/uploadedFiles/Public_Works/Level_3_-_Transportation/Berkeley_Vision_Zero_Action_Plan_Approved_03102020.pdf)

step towards improving both physical infrastructure and the health and safety of our pedestrians and cyclists.

### FISCAL IMPACTS

The anticipated cost for sign installation, including materials and labor, is \$10,000.

### ENVIRONMENTAL IMPACTS

The City estimates that transportation-related emissions accounts for approximately 60% of our community's total annual greenhouse gas emissions.<sup>4</sup> Restricting large truck traffic will make this residential area 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

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<sup>4</sup>[https://www.cityofberkeley.info/Clerk/City\\_Council/2018/12\\_Dec/Documents/2018-12-06\\_WS\\_Item\\_01\\_Climate\\_Action\\_Plan\\_Update\\_pdf.aspx](https://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;
57. Ninth Street between University Avenue and Dwight Way;
58. Eighth Street between University Avenue and Dwight Way;
59. Seventh Street between University Avenue and Dwight Way

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 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.