

CITY OF OAKLAND

AGENDA REPORT

2011 MAY 11 AM 10:14

TO: Office of the City Administrator
ATTN: P. Lament Ewell
FROM: Public Works Agency
DATE: May 24, 2011

RE: ORDINANCE AMENDING SECTION 10.52.060 OF THE OAKLAND MUNICIPAL CODE TO ADD SUNNYMERE AVENUE AND HILLMONT DRIVE TO THE LIST OF CITY STREETS WHERE COMMERCIAL VEHICLES EXCEEDING FOUR AND ONE-HALF TONS ARE PROHIBITED

SUMMARY

An ordinance has been prepared to amend Section 10.52.060 of the Oakland Municipal Code to add Sunnymere Avenue and Hillmont Drive to the list of City streets where commercial vehicles exceeding four and one-half tons in gross vehicle weight rating are prohibited. This action is being taken to eliminate cut-through truck traffic on residential streets. See *Attachment A* for the location of the streets.

California Vehicle Code section 35701 allows local authorities, by ordinance, to prohibit the use of a street by any commercial vehicle or by any vehicle exceeding a maximum gross weight limit.

The proposed restriction will not apply to passenger buses or commercial vehicles exceeding four and one-half tons that are using the subject streets as a direct route to deliver goods or services.

FISCAL IMPACT

The cost to install signs to indicate said limitations is approximately \$1,200. Funds are available in the Public Works Agency, Transportation Services Division's Neighborhood Traffic Safety Program (C371410), Measure B Fund (2211), Organization (92246).

BACKGROUND

Sunnymere Avenue and Hillmont Drive serve a pocket of single-family homes in the Millsmont neighborhood bordered by Seminary Avenue, Edwards Avenue, and the MacArthur Freeway (I-580). The two streets run parallel and adjacent to each other and are connected by eight side streets.

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May 24, 2011

The City's Transportation Services Division (TSD) received complaints from residents on Sunnymere Avenue about large trucks using their street as a cut-through route. They said that the trucks create loud noises, rattle their windows, damage the street, and create traffic hazards. They also said that the exhaust from the trucks poses health hazards.

After meeting with the residents, TSD conducted an origin-destination survey monitoring the trucks on Sunnymere Avenue to find out where they were coming from and where they were going. The survey recorded 12 large trucks using Sunnymere Avenue as a cut-through between 8 a.m. and noon on a typical weekday; most of them (9) were traveling eastbound from Seminary to Edwards to Mountain Boulevard. It appears that the trucks were passing through Oakland by using City streets such as Mountain and MacArthur Boulevards, which run close and parallel to I-580 until they reach the City of San Leandro where they can legally access I-580.

KEY ISSUES AND IMPACTS

Although the request to prohibit large trucks came from Sunnymere residents for Sunnymere Avenue, TSD's proposal includes Hillmont Drive. Hillmont runs parallel and adjacent to Sunnymere Avenue and is a likely alternative for the cut-through trucks if they are prohibited on Sunnymere Avenue. The decision to include Hillmont Drive in the ordinance was supported by a petition signed by Hillmont residents described in more detail below.

To demonstrate that there is a consensus among affected residents to prohibit large trucks on their streets, TSD sought a petition from the residents of both Sunnymere Avenue and Hillmont Drive. The residents submitted a petition to TSD in October 2010. Overall, 80 out of the 127 occupied addresses (63%) on these streets placed signatures on the petition. Of the 80 addresses represented on the petition, 47 were from Sunnymere Avenue and 33 were from Hillmont Drive. In addition, the petition contained 6 signatures, including that of the principal, from Burckhalter Elementary School.

According to the California Vehicle Code, the restriction of commercial vehicles over a certain weight on a street shall not apply to those that have a destination (for pick up or delivery) on that street or a destination to which the said street provides the most direct route. Therefore, the proposed restriction will not affect local pickups and deliveries on Sunnymere Avenue, Hillmont Drive, or nearby locations where these streets provide the most direct access.

SUSTAINABLE OPPORTUNITIES

Economic: There are no sustainable economic opportunities resulting from the proposed ordinance.

Environmental: The proposed ordinance will reduce the level of air and noise pollution in the area by the commercial trucks.

Social Equity: There are no sustainable social equity opportunities resulting from the proposed ordinance.

DISABILITY AND SENIOR CITIZEN ACCESS

There are no direct improvements to disability or senior citizen access resulting from the proposed ordinance.

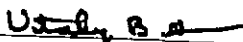
RECOMMENDATION AND RATIONALE

Staff recommends that the City Council approve the ordinance described above to amend Section 10.52.060 of the Oakland Municipal Code. The approved ordinance will allow staff to modify, erect, and maintain appropriate signs on the subject streets so designated by City Council.

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council adopt the ordinance.

Respectfully submitted,

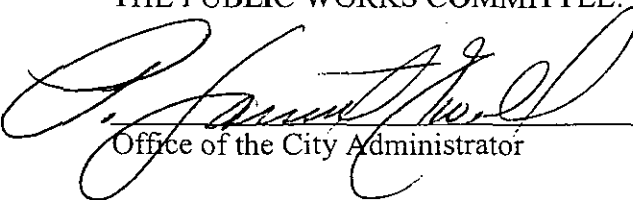

Vitaly B. Troyan, P.E.,
Director, Public Works Agency

Reviewed by:
Michael J. Neary, P.E.
Assistant Director, Public Works Agency
Dept. of Engineering & Construction

Wladimir Wlassowsky, P.E.
Transportation Services Division Manager

Prepared by:
Joe Wang, P.E.
Supervising Transportation Engineer

APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:


Office of the City Administrator

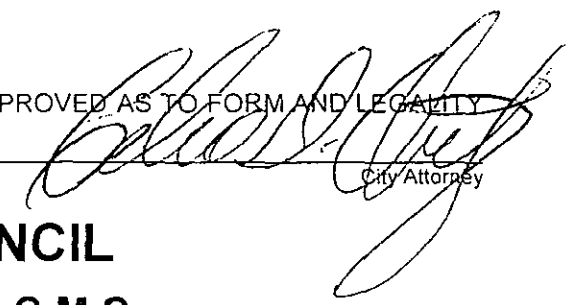
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ATTACHMENT "A"



COMMERCIAL VEHICLE PROHIBITED STREET

APPROVED AS TO FORM AND LEGALITY



City Attorney

OFFICE OF THE CITY CLERK
OAKLAND

2011 MAY 11 AM 10:14

OAKLAND CITY COUNCIL

ORDINANCE No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

ORDINANCE AMENDING SECTION 10.52.060 OF THE OAKLAND MUNICIPAL CODE TO ADD SUNNYMERE AVENUE AND HILLMONT DRIVE TO THE LIST OF CITY STREETS WHERE COMMERCIAL VEHICLES EXCEEDING FOUR AND ONE-HALF TONS ARE PROHIBITED

WHEREAS, California Vehicle Code section 35701 allows local authorities, by ordinance, to prohibit the use of a street by any commercial vehicle or by any vehicle exceeding a maximum gross weight limit; and

WHEREAS, Oakland Municipal Code (OMC) Section 10.52.060 prohibits commercial vehicles with a gross vehicle weight rating above four and one-half tons from using specific street segments; and

WHEREAS, the restriction in OMC Section 10.52.060 does not apply to passenger buses and commercial vehicles exceeding four and one-half tons that are using the restricted streets in question as a direct route to deliver goods or services; and

WHEREAS, Sunnymere Avenue residents requested City staff to prohibit large commercial trucks from using their street as a cut-through route; and

WHEREAS, said residents stated that the large commercial trucks create loud noises, rattle windows, damage street pavement, create traffic hazards, and exhaust air pollutants that pose health hazards; and

WHEREAS, staff s investigation indicated that large commercial trucks were using Sunnymere Avenue as a cut-through route between Seminary Avenue and Edwards Avenue; and

WHEREAS, residents agree with staff s recommendation to include Hillmont Drive, a residential street that runs parallel and adjacent to Sunnymere Avenue, in the proposal to prohibit large commercial trucks; and

WHEREAS, residents submitted a petition, signed by 63% of the occupied addresses on Sunnymere Avenue and Hillmont Drive combined, to prohibit large commercial trucks from using said streets; and

WHEREAS, the prohibition of large commercial trucks on Sunnymere Avenue and Hillmont Drive encourages said vehicles to use the designated City truck routes; now, therefore

MAY 24 2011

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1. Oakland Municipal Code, Title 10, Chapter 10.52.060 Amended. Oakland Municipal Code Title 10, Chapter 10.52.060 is amended adding 1) Sunnymere Avenue from Seminary Avenue to Edwards Avenue, and 2) Hillmont Drive from Sunnymere Avenue to 73rd Avenue to the list of streets where commercial vehicles exceeding a gross vehicle weight rating of four and one-half tons are prohibited.

10.52.060 - Vehicles exceeding four and one-half tons prohibited use on certain streets.

When such streets are appropriately sign posted, the use of the hereinafter described portion of the hereinafter named streets by any motor vehicle (other than passenger buses and passenger stages referred to in Section 50-1/4 of the Public Utilities Act of the state of California), when the total weight of the vehicle and load exceeds four and one-half tons, except for the purpose of loading and unloading thereon, is prohibited.

Section 2. This ordinance shall be effective upon approval by the Council of the City of Oakland if upon final passage it passes with six or more affirmative votes. It will take effect seven days after final passage if the ordinance passes with five affirmative votes.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20__

PASSED THE FOLLOWING VOTE:

AYES – BROOKS, BRUNNER, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF AND PRESIDENT REID

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____

NOTICE AND DIGEST

ORDINANCE AMENDING SECTION 10.52.060 OF THE OAKLAND MUNICIPAL CODE TO ADD SUNNYMERE AVENUE AND HILLMONT DRIVE TO THE LIST OF CITY STREETS WHERE COMMERCIAL VEHICLES EXCEEDING FOUR AND ONE-HALF TONS ARE PROHIBITED

This ordinance authorizes an addition to Chapter 10.52.060 of the Oakland Municipal Code prohibiting through commercial vehicles exceeding four and one half tons in gross vehicle weight rating on the street segments listed below:

<u>Street</u>	<u>From</u>	<u>To</u>
Sunnymere Avenue	Seminary Avenue	Edwards Avenue
Hillmont Drive	Seminary Avenue	73 rd Avenue

