



1/12/2023

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CITY OF RIALTO
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RE: Report on Status of Truck Route Moratorium

Dear Mr. Paiva:

TKE Engineering has been assisting the City in implementation of Interim Urgency Ordinance No. 1673 approved by the City of Rialto City Council on 12/13/22. The Interim Ordinance is **Attachment A** to this report. This report is intended to satisfy the requirements of the Interim Urgency Ordinance as discussed in Section 4 quoted below:

“SECTION 4. Report. During the period of this Moratorium, and any extension thereof, the City Manager or his designees shall: (1) review and consider options for the regulation of Inter-City commercial vehicles and (2) shall issue a written report describing the measures which the City has taken to address the conditions which led to the adoption of this ordinance with the City Council ten (10) days prior the expiration of this Moratorium, or any extension thereof, and such report shall be made available to the public.”

Options for the Regulation of Inter-City Commercial Vehicles:

As discussed in the Citywide Truck Route Study, multiple California Vehicle Code (CVC) Sections apply. This includes CVC Section 21101, which states "Local authorities...may adopt rules and regulations by ordinance or resolution... (c) Prohibiting the use of particular highways by certain vehicles."

For roadways bordering other jurisdictions, CVC Section 21105 states "No rule or regulation... shall be effective as to boundary line streets where portions thereof are within different jurisdiction unless approved by all authorities having jurisdiction of such portions of the street concerned have approved the same."

Per Section 35700 any county or city may permit loads on highways under their jurisdictions of a maximum gross weight in excess of that specified in the CVC.

CVC Section 35701, states that any city or county may, by ordinance, prohibit the use of any vehicle exceeding any maximum gross weight limit in residential areas. This excludes certain vehicles, such as refuse collection trucks. Any ordinance impacting truck traffic is not effective until appropriate signs are erected. No ordinance proposed under CVC Section 35701 is effective with respect to any highway which is not under the exclusive jurisdiction of the local authority enacting the ordinance (CVC Section 35702 –Approval of Ordinances). In the case of any state highway, the ordinance must be submitted and approved by the Department of Transportation (CVC 35702). Upon restriction of any vehicle exceeding the maximum gross weight limit, the governing body of the local authority must designate an alternate route for the use of such vehicles (CVC 35702).

Per CVC Section 35703. Local authorities are not permitted to "prohibit any commercial vehicles coming from an unrestricted street having ingress and egress by direct route to and from a restricted street when necessary for:

- Picking up or delivering goods from or to any building or structure on the restricted street, or

- Delivering materials used in the repair, alteration, remodeling, or construction of any building or structure on the restricted street for which a building permit has previously been obtained.”

The effect of these CVC regulations is to establish the authority of local jurisdictions to regulate and enforce truck weight limits within their cities, including prohibiting trucks on residential streets.

In addition to the regulations above allowed by the California Vehicle Code, the State has established overall size and weight limits for trucks applicable to all roads and highways. According to CVC Length Sections 35400-35414, Width Sections 35100-35111, and Height Section 35250, “California Legal” trucks are at a maximum 14 feet high, 8.5 feet wide and 40 feet long if one vehicle, and 65 feet long if a combination vehicle. Per Section 35401 Vehicle Combinations, a combination of vehicles which consists of a truck tractor, semi-trailer, and a semi-trailer or trailer may not exceed 75 feet in length if each trailer is no more than 28 feet 6 inches long. There are applicable exceptions for STAA trucks on the National Network.

Prior to the enactment of the Interim Urgency Ordinance, the City of Rialto had enacted route restrictions for commercial heavy vehicles. These measures are outlined in Chapter 10.40 and 10.41 of the City of Rialto, Code of Ordinances. These sections state:

“A. Whenever any resolution of this city designates and describes any street or portion thereof as a street the use of which is permitted by any vehicle exceeding a maximum gross weight limit of five tons, the city engineer is authorized to designate such street or streets by appropriate signs as "truck routes" for the movement of vehicles exceeding a maximum gross weight limit of five tons.” And,

“B. When any such truck route or routes are established and designated by appropriate signs the operator of any vehicle exceeding a maximum gross weight limit of five tons shall drive on such route or routes and none other except that nothing in this section prohibits the operator of any vehicle exceeding a maximum gross weight of five tons coming from a "truck route" having ingress and egress by direct route to and from restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted streets for which a building permit has previously been obtained therefor.”

This form of restriction is typically termed a “Local Truck Route” and is permitted by the California Vehicle Code. Additionally, the City of Rialto, Code of Ordinances states, “10.41.060 - The city engineer may revoke any approved terminal or route if the terminal or route becomes a traffic hazard for vehicular traffic. A safety hazard includes the inability of interstate trucks to negotiate the route or said vehicles causing unsafe driving conditions for other vehicular traffic or pedestrians.”

As noted by Caltrans, most truck ban requests arise from noise complaints. However, overland trucking is the primary means of moving goods in the United States. Commerce and trade have state and federal legal protection; therefore, restriction of commerce is difficult. It requires substantial supporting evidence such as accident data and a reasonable alternate route. In 2022, the City of Rialto completed a Citywide Truck Route Study (see **Attachment B**) which obtained truck count data, obtained public input, gathered information related to regulations in adjacent jurisdictions, gathered accident data and considered alternatives.

Based on this study, various alternatives were evaluated along with options for regulation as constrained by Federal and State regulation. Main options include the following:

- Relying on State Regulation (size and length restrictions only- no local truck routes)
- Continuing with pre-existing local truck routes as established in the previous General Plan process
- Implementing an Interim Urgency Ordinance to establish a moratorium on routes recommended to be decommissioned

As discussed in the Citywide Truck Route Study as well as the Interim Urgency Ordinance, it was determined that establishing a moratorium on the following roadway segments was appropriate:

1. Riverside Avenue from Locust Avenue to Ayala Drive,
2. Ayala Drive from Casmalia Street to Riverside Avenue,
3. Ayala Drive from I-210 freeway to Baseline Road,
4. Baseline Road from Cedar Avenue to east city limits,
5. Pepper Avenue from I-210 freeway to Rialto Avenue,
6. Slover Avenue from Cactus Avenue to Riverside Avenue, and
7. Santa Ana Avenue between west city limits and east city limits,

As documented in the 2022 Citywide Truck Route Study and described in the Interim Urgency Ordinance, “the City Council finds that inter-city truck traffic on designated streets may have adverse impacts on the environment, traffic, aesthetics, and visual quality of surrounding properties and on the economic vitality within the City, and such impacts constitute and pose a current and immediate threat to the public health, safety, or welfare.” As a result, the Interim Urgency Ordinance was adopted. This ordinance may be extended by up to twenty-two (22) months.

Measures which the City has taken to address the conditions which led to the adoption of the Ordinance:

As directed by the City Council and City Manager, City staff has taken multiple steps to implement the Interim Urgency Ordinance and address the conditions which led to the adoption of the Ordinance. Specifically, implementation involves three complementary elements to reach full implementation of the Ordinance and for full effectiveness. These elements are listed below:

1. Administrative Actions
2. Notification and Publication
3. Legal Enforcement

The elements above have been broken down into a series of actions or measures. Multiple City Departments have met and have initiated actions towards full implementation of the Ordinance including measures in all three of the phases listed. Specific City Departments which have been engaged include Engineering Services, Maintenance and Facilities, Police Department, City Attorney, and Community Services Department.

Since adoption of the Ordinance the following actions or measures have been taken:

- Finalization of the Ordinance
- Creation of initial action plan
- Finalize design and ordering of truck route signage
- Determine initial type and location of signage
- Remove previous truck route signage for decommissioned routes
- Outreach to stakeholders identified as most impacted by route moratorium
- Preparation of Report and update City manager regarding status
- Media Outreach and interview
- Discussions with Police regarding future enforcement
- Prepare replacement information for truck route information page on City website with new ordinance and map
- Coordinate with Caltrans
- Generate press release with information on moratorium
- Discuss list of common carriers in the City
- Prepare staff report for moratorium extension
- Prepare ordinance for the extension
- Provide support for the General Plan Update towards final implementation of the Citywide Truck Route Study

Several planned actions have not yet been completed due to the holiday season or due to substantial winter weather events which have occurred since Ordinance adoption. An example includes updated traffic counts for the moratorium routes necessary to track performance. However, the substantial actions taken to-date

contribute towards implementation of the Ordinance and achievement of the goals outlined. Many of these actions will continue should the Ordinance be extended as recommended. This includes future actions such as the following:

- Additional notification and publication of moratorium status
- Installation of final signage
- Additional outreach to stakeholders
- Legal enforcement (awaiting final installation of signage)
- Continued coordination with adjacent Agencies
- Incorporation of recommendations of 2022 Citywide Truck Route Study in General Plan and future Specific Plans
- Continued traffic counts and evaluation of effectiveness

As discussed above, substantial outreach to stakeholders has already occurred and will continue through the moratorium period. In addition, full enforcement of the moratorium will occur once the restriction signage is fully installed. This is expected to occur over the next three weeks. These actions will continue to be coordinated with the Police Department to ensure proper and consistent enforcement. It is expected that additional counts will be obtained to determine effectiveness. This information will continue to be reported to the City Manager. It is expected that the full updated Citywide Truck Routes will be incorporated into the forthcoming General Plan Update with additional City Council action required to transition the Moratorium to a permanent truck route restriction.

Recommendation:

It is recommended that this Report be placed on the City website by end of day on 1/12/2023, if acceptable. In addition, it is recommended that the Ordinance be extended for up to twenty-two months if approved by City Council.

Please contact Justin Schlaefli at jschlaefli@tkeengineering.com and/or at (619) 818-6465 for questions or clarifications.

Sincerely,



Justin Schlaefli
Traffic Engineer