

ORDINANCE NO. 18-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EASTVALE, CALIFORNIA, AMENDING CHAPTER 10.32, "MISCELLANEOUS TRAFFIC REGULATIONS," OF THE EASTVALE MUNICIPAL CODE, REGARDING DESIGNATED TRUCK ROUTES.

WHEREAS, The City of Eastvale is authorized by Article XI, "Local Government," §5 and §7 of the California State Constitution to exercise the police power of the State by adopting regulations to promote public health, public safety and general prosperity, and other ordinances and regulations not in conflict with general laws.

WHEREAS, The City of Eastvale has authority pursuant to Sections 21101, "Local Regulation" and 35700, "Local Authorities," of the California Vehicle Code to prohibit the use of particular highways by certain vehicles, including by weight, subject to certain exceptions.

WHEREAS, The Circulation and Infrastructure Element of the City of Eastvale General Plan provides under the "Goods Movement/Designated Truck Routes" section that "Over time, the City may adopt primary truck routes on roadways designed and maintained specifically for heavier vehicles," and per Policy C-32 that "The City will evaluate the circulation system and determine if a truck route and parking ordinance is appropriate." The General Plan envisions the possibility that, on the basis of an appropriate evaluation, the City may designate specific citywide truck routes and implement weight restrictions to direct truck traffic flows along the appropriate street network, and to prevent trucks from impacting local neighborhoods and schools in the City. As such, this Ordinance is consistent with the General Plan;

WHEREAS, certain Sections in Chapter 10.32 of the City of Eastvale Municipal Code, "Miscellaneous Traffic Regulations," address commercial vehicle weight restrictions on city streets; and

WHEREAS, the City of Eastvale contains several land use that generate truck trips, and is neighbor to several adjacent cities that generate inbound and outbound sub regional truck traffic through the City of Eastvale;

WHEREAS, the City of Eastvale at the present time has no officially designated truck routes;

WHEREAS, in April 2016 the City Council approved an agreement directing Public Works staff to contract with a professional consulting firm, funded by the current City Budget, to conduct a study to reinvestigate existing truck policies and identify truck routes in the City based on appropriate criteria;

WHEREAS, pursuant to the findings of the said study, a designated network of truck routes on existing and future street segments in the City has been identified and recommended, which includes the following specified portions of public streets upon which the operation of any vehicle exceeding the maximum gross weight of five tons (GVWR) is permitted, when appropriate signs are erected along the routes:

- Archibald Avenue, between Remington Avenue (north city limit) and River Road

- Cantu-Galleano Ranch Road, between Hamner Avenue (west city limit) and Interstate 15
- Hamner Avenue, between Riverside Drive and Santa Ana River (south city limit)
- Hellman Avenue, between Hellman Avenue (north city limit) and River Road
- Limonite Avenue, between Archibald Avenue and Interstate 15 (east city limit)
- Limonite Avenue (future), between Hellman Avenue (west city limit) and Archibald Avenue
- Milliken Avenue, between Philadelphia Street (north city limit) and Riverside Drive
- Mission Boulevard, between Milliken Avenue and Interstate 15
- Philadelphia Street, between Milliken Avenue and Interstate 15
- River Road, between Hellman Avenue (west city limit) and River Road/Kendra Lane
- River Road, between River Road/Kendra Lane and Santa Ana River (south city limit)
- Riverside Drive, between Hamner Avenue (west city limit) and Interstate 15 (east city limit)
- Schleisman Road, between Hellman Avenue (west city limit) and Archibald Avenue

WHEREAS, the Eastvale City Council wishes to approve and accept the changes to Chapter 10.32 based on the findings of the Truck Route Study, and the collaborative outreach efforts with Eastvale residents, neighboring jurisdictions and major trucking stakeholders within the City;

WHEREAS, for the further purpose of enforcing said truck route regulations, the City Council of the City of Eastvale wish to adopt an ordinance declaring and ordaining that failure of certain trucks to follow and use the said designated truck routes is illegal and constitutes a misdemeanor;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EASTVALE, DOES HEREBY ORDAIN that:

SECTION 1. Eastvale Municipal Code Chapter 10.32.030(e)(1), “Weight prohibitions and reductions” shall be amended to read as follows:

“Pursuant to Vehicle Code §§ 21101(c) and 35700 et seq, the city council prohibits any commercial vehicle exceeding a manufacturer's gross vehicle weight rating of 10,000 pounds (five tons) or weighing more than 10,000 pounds from using any identified city highways or identified CSA roads within a residential area for any duration of the day or from using any identified city highways or identified CSA roads if the use of such highways or roads may adversely affect traffic circulation or safety within a residential area.”

SECTION 2. Eastvale Municipal Code Chapter 10.32.030(f), “Identification of affected city highways, unimproved city highways, CSA roads and city bridges” is hereby amended in its entirety to read as follows:

“The City Council finds that a citywide truck route study has been completed in full compliance with the requirements of the California Vehicle Code and the recommendations in the study should be implemented. Based upon the review of the study and related information, the city council has identified by resolution those city highways, unimproved city highways, CSA roads and city bridges to which the weight prohibitions and reductions described in subsection (e) of this section apply, and finds that all trucks within the city shall be operated only on the truck

routes illustrated on the "Map of Citywide Truck Routes", attached hereto and made a part hereof, when appropriate signs are erected along the routes.

SECTION 3 Eastvale Municipal Code Chapter 10.32.050, "STAA Truck Terminal and Service Access Routes" is hereby added in its entirety as follows:

"Sec. 10.32.050. - STAA Truck Terminal and Service Access Routes

(a) *Purpose; authority.* The purpose of this section is to establish a process for the designation and signing of truck terminal and service access routes as provided by State law, and to promote the general health, safety and welfare of the public. This article is adopted pursuant to Vehicle Code § 35401.5(d) and the City's general police power. The City Council finds that this article is necessary in consideration of public safety on, and preservation of, highways under the City's jurisdiction.

(b) *Definitions.* As used in this section, the following terms apply to this section, and if any word or phrase used in this article is not defined in this section, it shall have the meaning set forth in the California Vehicle Code or, if not defined in the Vehicle Code, the meaning attributed to it in ordinary usage.

"*Caltrans*" shall mean the Department of Transportation of the State of California, or its successor agency.

"*National Network*" shall mean those highways within the National System of Interstate and Defense Highways and those portions of federal-aid primary highways and federal-aid urban system highways that have been qualified by the United States Secretary of Transportation for such uses.

"*STAA Vehicle (Truck)*" means any Truck exceeding the legal length under the California Vehicle Code, but in conformance with the Federal Surface Transportation Assistance Act of 1982, Public Law 97-424, 96 Stat. 2097, 49 U.S.C. § 2311 et seq., and as addressed by Vehicle Code § 35401.5.

"*Public Works Director*" shall mean the Director of Public Works of the City of Eastvale or his or her authorized representative.

"*Service Access (SA) Route*", shall mean a route designated by the State allowing STAA vehicles to exit the National Network (NN) for a distance of one road mile to access food, fuel, lodging, and repair services, provided the exits are identified.

"*Terminal*" shall mean any facility at which freight is consolidated to be shipped or where full load consignments may be offloaded or at which freeway trucks are regularly maintained, stored or manufactured.

"*Terminal Access (TA) Route*" shall mean a route designated by the State allowing STAA vehicles to access terminals or services.

(c) *Application—Requirements generally.* Any interested person requiring access for an STAA truck or trucks from the national network, for the purposes of providing a terminal access route or service route, along highways under the City's jurisdiction to a terminal or terminals shall submit the following to the Public Works Director: an application, on a form as provided by the City, the requisite fee, and such further information as may be required by the Public Works Director.

(d) *Application—City action.* Upon receipt of the application, the Public Works Director will cause an investigation to be made to ascertain whether or not the proposed terminal facility meets the requirements for a terminal, as defined. Upon his or her approval of the terminal facility, and in cooperation with the Department of Transportation (Caltrans), to the extent required by the California Vehicle Code, the Public Works Director will then determine the capability of the route requested and alternate routes, whether requested or not. Determination of route capability will include a review of adequate turning radius and lane widths of ramps, intersections, streets and highways, general traffic conditions such as sight distance, speed and traffic volumes, and other considerations as deemed relevant by the Public Works Director. No STAA access from the national network will be approved without the approval of Caltrans. Based on these considerations, the Public Works Director will then decide either to make a recommendation to the City Council to approve the terminal access route by resolution or the Public Works Director shall disapprove the terminal access route.

(e) *Fees and costs.*

(i) At the time of submitting the application, the applicant shall pay a nonrefundable application fee, as established by resolution which may be amended from time to time, sufficient to pay the cost of the review of the terminal designation and the review of the route and alternate route, and related administrative costs.

(ii) Upon the approval of the terminal designation and route by the City Council, the applicant shall deposit with the City sufficient funds as estimated by the Public Works Director to pay for the purchase and installation of terminal trailblazer signs. Trailblazer signs will be required at every decision point in the City on route to the terminal. Upon completion of the installation of the signs, the actual cost shall be computed and any difference between the actual and the estimated cost shall be billed or refunded to the applicant, whichever the case may be. No terminal or route may be used until such signs as may be required are in place.

(iii) Notwithstanding subsections (i) and (ii) of this section, a fee will not be charged if the applicant is a terminal operator.

(f) *Retrofitting.*

(i) If all feasible routes to a requested terminal are found unsatisfactory by the Public Works Director, the applicant may request retrofitting of the deficiencies. All costs of engineering, construction and inspection will be the responsibility of the applicant. Except when the retrofitting of deficiencies is within the jurisdiction of Caltrans, the actual construction will be done by the City or by a contractor acceptable to the City.

(ii) When the work is to be done by the City, the applicant shall deposit with the City the estimated cost of retrofitting. Adjustments between the estimated and actual costs

shall be made after completion of the work and any difference between the actual and the estimated cost shall be billed or refunded to the applicant, whichever the case maybe.

(iii) If at any time within five years from the date of completion of the retrofitting by the applicant, should any other applicant seek terminal access route approval which would use the route upon which such retrofitting was accomplished, any such applicant's fee may include that applicant's proportionate share of the retrofitting, as determined by the Public Works Director, which fee shall be disbursed by the City to the applicant who paid for the retrofitting as well as to any other applicant who contributed to the cost of retrofitting.

(g) *Revocation of route.* The Public Works Director may revoke any approved terminal or terminal access route if the terminal or route becomes an unreasonable traffic hazard for vehicular or pedestrian traffic. A traffic hazard includes the inability of STAA trucks to negotiate the route or such vehicles causing unsafe driving conditions for other vehicular traffic or pedestrians.

(h) *Appeal process.* If the Public Works Director denies terminal designation or route feasibility or revokes a previously approved terminal or route, the applicant or terminal owner, within 15 days following the date of receipt of the decision of the Public Works Director, may appeal the decision to the City Council in writing. The appeal shall state specifically whether there was an error or abuse of discretion by the Public Works Director or whether his or her decision is not supported by the evidence in the record. Within five days of receiving notification that the appeal has been filed, the Public Works Director shall transmit to the City Clerk the terminal application, the sketches of the revoked route and all other data filed there with, the written decision, and all other relevant documentation. The City Council will then reconsider the Public Works Director's decision and either affirm or reverse it. The City Council's decision shall be final.

(i) *Prohibition.* No person shall drive an STAA truck upon any street not designated as a terminal access route pursuant to this article.

(j) *Prohibited STAA truck parking.* In accordance with the provisions of this article relating to terminal access routes, no person shall at any time cause STAA trucks or semitrailers to be parked upon any street not so designated as a terminal access route in accordance with this article.

(k) *Sign requirements.* A resolution adopted pursuant to this section shall not be effective with respect to any city highway, unimproved city highway, CSA road or city bridge until the director of transportation posts signs indicating that STAA truck terminal access is permitted along said routes."

SECTION 4. Designate STAA Truck Terminal Access Route as follows:

- Cantu-Galleano Ranch Road, between Hamner Avenue (west city limit) and Interstate 15
- Goodman Avenue, between Cantu-Galleano Ranch Road and Hamner Avenue
- Hamner Avenue (northbound), between Goodman Avenue and Cantu-Galleano Ranch Road.

SECTION 5. CEQA. In accordance with California Environmental Quality Act Guidelines (CEQA) section 15301(c), amendment of a citywide truck route ordinance categorically exempt from CEQA because the amended truck routes make use of the existing roadways currently used by trucks. No new segments of roads have been identified for truck routes that are not currently used by trucks. As a result, the adoption of the recommended truck routes would not change the distribution of truck traffic compared to existing conditions. In addition, in accordance with CEQA Guidelines 15301, amendment of the City's existing commercial vehicle weight ordinance to include specified streets is categorically exempt from CEQA in that it relates to operation of a public street and will result in no expansion of use.

SECTION 6. Conflicting ordinances repealed. All ordinances in conflict with this ordinance are hereby repealed.

SECTION 7. The City Council finds that all of the facts set forth in the Recitals of this Ordinance are true and correct.

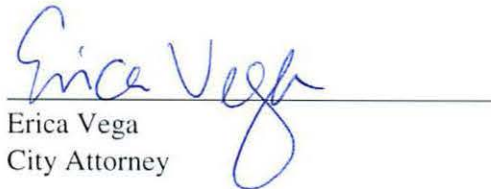
SECTION 8. Effective date. This ordinance shall be effective thirty days after its final adoption by the City Council.

PASSED, APPROVED AND ADOPTED this 24th day of October, 2018.



Clint Lorimore, Mayor

APPROVED AS TO FORM:



Erica Vega
City Attorney

ATTEST:



Steven D. Aguilar, CMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF EASTVALE)


I, Steven D. Aguilar, City Clerk of the City of Eastvale, California, do hereby certify that the foregoing Ordinance No. 2018-11, was introduced at a regular meeting of the City Council of the City of Eastvale held on the 10th day of October, 2018 and was passed by the City Council of the City of Eastvale at a regular meeting held the 24th day of October, 2018, by the following vote:

AYES: Council Members Plott, Rush, Tessari, Mayor Pro Tem Rigby, Mayor Lorimore

NOES: None

ABSENT: None

ABSTAIN: None



Steven D. Aguilar, CMC
City Clerk