



DATE: February 3, 2016

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **ORDINANCE ESTABLISHING PRIMA FACIE SPEED LIMITS UPON VARIOUS STREETS**

SYNOPSIS

Staff recommends that the City Council introduce an ordinance amending Article 14, Sections 14 and 14.1 of the Oceanside Traffic Code by the addition and changes of various subsections to establish various speed limits on various streets.

BACKGROUND

In order to enforce a posted speed limit, the Oceanside Police Department (OPD) requires a valid engineering and traffic study that not only meets the standard per the California Vehicle Code (CVC), but also adheres to the requirements set forth in the CVC for setting a speed limit. If the posted speed limit does not fall within the engineering and traffic survey's parameters, then the Vista Superior Court's Traffic Commissioners will deem the areas a speed trap and dismiss the contested citation.

The basic speed law, per the California Vehicle Code (CVC), Section 22350, states, "No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property." A prima facie speed limit for a street is deemed reasonable and prudent under normal conditions. A prima facie speed limit can be changed if an appropriate engineering and traffic survey is conducted by the governing agency, per the standards outlined in the CVC. The City of Oceanside's Traffic Code also requires that speed limits be established by a City Council Ordinance. A new engineering and traffic study shall be generated if the limits of the speed zone changes, the prima facie speed limit changes, or a new prima facie speed limit is established. The process of establishing a prima facie speed limit requires that an engineering and traffic survey be completed in which essential data is included in the study justifying a specific speed limit for a road. A few of the requirements reviewed in the process of establishing a prima facie speed limit is the 24-hour traffic volume, reported traffic collision history, and the critical speed. The critical speed (also referred to as the 85th percentile) is the speed at or below which 85 percent of the traffic is traveling. Establishing a prima facie speed limit will allow the Police Department to enforce the posted speed limit.

One way to achieve a safe roadway and to enhance efficient traffic flow is to establish proper and reasonable prima facie speed limits that can be enforced. Establishing a prima facie speed limit that is reasonable can help achieve voluntary compliance by the majority of drivers without the need for the presence of a police officer.

ANALYSIS

The California Roadway System Maps, approved by the Federal Highway Administration, is reviewed to determine the classification of the street that requires a speed survey. If a street is classified as a principal arterial, a minor arterial, or a collector road, an engineering and traffic study is conducted for the street.

Speed limits are established by rounding the critical speed, obtained from a speed survey, to the nearest five (5) miles per hour increment. There are three options that a speed limit can be reduced and still be enforceable. For example:

- Option 1: If the critical speed is 37 mph, then it would round down to the nearest 5 mph increment, which would be 35 mph. If there is appropriate justification to lower the speed limit another 5 mph, then the speed limit could be lowered to 30 mph.
- Option 2: If the critical speed is 38 mph, then it would round up to the nearest 5 mph increment, which would be 40 mph. If there is appropriate justification to lower the speed limit another 5 mph, then the speed limit could be lowered to 35 mph.
- Option 3: If the critical speed is 38 mph, then one could round down to the nearest 5 mph increment, which would be 35 mph, but then the speed limit would not be able to be rounded down any further.

To justify the reduction of a speed limit is based off conditions such as:

- Residential density
- Pedestrian and bicycle safety
- Collision data (such as comparing the City of Oceanside's accident rate to the Statewide accident rate)

A court case from 1992, *People vs. Goulet*, states that if a prima facie speed limit is established at a speed lower than the 50th percentile (the speed at or below which 50 percent of the traffic is traveling), then the prima facie speed limit would be considered a "speed trap" and therefore is unenforceable. There are some prima facie speed limits that could not be lowered another 5 mph because the prima facie speed limit would then fall below the 50th percentile, creating a speed trap scenario.

All the street segments listed in Table A (Attachment 1) show the current posted speed limit versus the proposed prima facie speed limit. The street segments are having either a prima facie speed limit established for the first time or having their prima facie speed limit changed and/or the street segments altered. The City of Oceanside's Traffic Code identifies street segments along with their established speed limits. However, due to certain changes in the roads' characteristics, the speed zone and limits must be changed. Also, there are some locations that are being removed from the Traffic Code because per the California Roadway System Maps, those locations are classified as local and have a prima facie speed limit of 25 mph. Table B (Attachment 2) provides additional information such as which option (1, 2 or 3) was used to help determine the proposed speed limit for each segment.

Table A shows that nine (9) street segments show an increase in the posted speed limit, three (3) segments show a decrease in the posted speed limit, thirteen (13) segments will keep the same posted speed limit, one (1) segment will have a new speed limit established, and four (4) street segments will be omitted from the municipal code.

FISCAL IMPACT

The installation of speed limit signs on all the segments will cost approximately \$400 per segment with an increase in annual maintenance of one work hour. Costs will be expended from the Street Traffic Control System Maintenance & Operations account (640621101.5355) which has a current available balance of approximately \$525,000. Therefore, sufficient funds are available.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

COMMISSION OR COMMITTEE REPORT

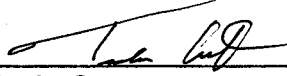
At its October 26, 2015 meeting, the Planning Commission voted 5-2 to recommend City Council approval of the prima facie speed limits proposed by staff, with the following changes: Airport Road between Mission Avenue and Roymar Road from 30 mph to 25 mph; Mission Avenue between Interstate 5 and Canyon Drive from 35 mph to 30 mph; and North River Road between North River Circle and Stallion Drive from 45 mph to 35 mph.

The Planning Commission was advised before voting on the motion that speed limits posted lower than what are established per the State standards are non-enforceable, unless a vehicle's speed is measured at a speed greater than 55 mph on a two lane road or greater than 65 mph on a road with more than two lanes.

RECOMMENDATION


Staff recommends that the City Council introduce an ordinance amending Article 14, Sections 14 and 14.1 of the Oceanside Traffic Code by the addition and changes of various subsections to establish various speed limits on various streets.

PREPARED BY:



Teala Cotter
Associate Traffic Engineer

SUBMITTED BY:




Michelle Skaggs Lawrence
City Manager

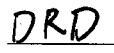
Rick Brown, Development Services Director




Scott O. Smith, City Engineer



David DiPierro, City Traffic Engineer



Jane M. McPherson, Financial Services Director



- Attachment 1: Table A (Proposed Speed Limits)
- Attachment 2: Table B (Speed Survey Data)
- Attachment 3: Ordinance

Table A: Proposed Speed Limits

	Location	Limits	Current Posted Speed Limit (MPH)	Proposed Speed Limit (MPH)
1	Airport Road	Mission Ave. to Roymar Rd.	25	30
2	Benet Road	SR-76 to Airport Rd. (North)	40	45
3	College Boulevard	Thunder Dr. to Roselle Dr.	40	45
4	Downs Street	California St. to Ivy Rd.	OMIT*	
5	Emerald Drive	Lake Blvd. to Sunset Dr.	40	45
6	Galbar St.	Thunder Dr. to Emerald Dr.	OMIT*	
7	Lake Boulevard	Sky Haven Ln. to Cannon Rd.	45	45
8	Mission Avenue	I-5 to Canyon Dr.	30	35
9	Mission Avenue	Canyon Dr. to Mesa Dr.	40	40
10	Mission Avenue	Airport Rd./Carolyn Circle to Fireside St.	45	45
11	Mission Avenue	Fireside St. to a point 1150' e/o Douglas Dr.	45	45
12	Mission Avenue	a point 1150' e/o Douglas Dr. to Academy Rd.	45	45
13	Mission Avenue	Academy Rd. to Old Grove Rd.	45	45
14	Mission Avenue	Old Grove Rd. to Frazee Rd.	45	45
15	North River Road	Douglas Dr. to College Blvd.	45	45
16	North River Road	College Blvd. to N. River Rd./Vandegrift Blvd.	45	45
17	North River Road	North River Circle to Stallion Dr.	50	45
18	North River Road	Stallion Dr. to Sleeping Indian Rd.	50	50
19	North Santa Fe Avenue	SR-76 to Melrose Dr.	50	50
20	Old Grove Road	SR-76 to College Blvd.	40	45
21	Papagallo Drive	Vandegrift Blvd. to Senegal St.	OMIT*	
22	Soto Street	California St. to Kelly St.	OMIT*	
23	Vandegrift Boulevard (NB)	Castellano Dr. to North City Limits	55	55
24	Vandegrift Boulevard (SB)	Castellano Dr. to North City Limits	55	50
25	Vandegrift Boulevard (NB)	North River Rd. to Castellano Dr.	45	50
26	Vandegrift Boulevard (SB)	North River Rd. to Castellano Dr.	45	45
27	Via Esmarca	Via Las Rosas to Vista Wy.	35	30
28	Vista Way	Jefferson St. to El Camino Real	35	40
29	Vista Way	El Camino Real to College Blvd.	40	45
30	Vista Way	College Blvd. to Easterly City Limits	N/A	40

*Locations classified as "local", per the California Roadway System Maps, has a prima facie speed limit of 25 mph.

Table B: Speed Survey Data

	Location	Limits	Accident Rate (MVM)	California Statewide Accident Rate	Current Posted Speed Limit (MPH)	Critical Speed (MPH)	Proposed Speed Limit (MPH)	Which option was used? *
1	Airport Road	Mission Ave. to Roymar Rd.	4.43	1.42	25	33	30	2
2	Benet Road	SR-76 to Airport Rd. (North)	0.46	1.42	40	47	45	1
3	College Boulevard	Thunder Dr. to Roselle Dr.	0.80	1.60	40	48/46	45	3/1
4	Downs Street	California St. to Ivy Rd.	OMIT**					
5	Emerald Drive	Lake Blvd. to Sunset Dr.	0.92	1.60	40	45	45	1
6	Galbar St.	Thunder Dr. to Emerald Dr.	OMIT**					
7	Lake Boulevard	Sky Haven Ln. to Cannon Rd.	0.59	1.60	45	47/48	45	1/3
8	Mission Avenue	I-5 to Canyon Dr.	2.11	1.60	30	37/37	35	1
9	Mission Avenue	Canyon Dr. to Mesa Dr.	1.58	1.60	40	42/40	40	1
10	Mission Avenue	Airport Rd./Carolyn Circle to Fireside St.	1.27	1.60	45	46/48	45	1/3
11	Mission Avenue	Fireside St. to a point 1150' e/o Douglas Dr.	1.5	1.60	45	46/47	45	1
12	Mission Avenue	a point 1150' e/o Douglas Dr. to Academy Rd.	1.5	1.60	45	48	45	3
13	Mission Avenue	Academy Rd. to Old Grove Rd.	1.25	1.60	45	46	45	1
14	Mission Avenue	Old Grove Rd. to Frazee Rd.	0.65	1.60	45	48/47	45	3/1
15	North River Road	Douglas Dr. to College Blvd.	1.17	1.60	45	48/48	45	3
16	North River Road	College Blvd. to N. River Rd./Vandegrift Blvd.	1.67	1.60	45	45/46	45	1
17	North River Road	North River Circle to Stallion Dr.	0.54	1.42	50	47	45	1
18	North River Road	Stallion Dr. to Sleeping Indian Rd.	1.27	1.42	50	53	50	3
19	North Santa Fe Avenue	SR-76 to Melrose Dr.	0.91	1.60	50	50/50	50	1
20	Old Grove Road	SR-76 to College Blvd.	1.07	1.60	40	49/46	45	3/1
21	Papagallo Drive	Vandegrift Blvd. to Senegal St.	OMIT**					
22	Soto Street	California St. to Kelly St.	OMIT**					

*Which option was used to help determine what the proposed speed limit will be with relation of the critical speed? (See page 2 of the report for "option" descriptions.)

**Locations classified as "local", per the California Roadway System Maps, has a prima facie speed limit of 25 mph.

Table B: Speed Survey Data (continued)

	Location	Limits	Accident Rate (MVM)	California Statewide Accident Rate	Current Speed Limit (MPH)	Critical Speed (MPH)	Proposed Speed Limit (MPH)	Which option was used? *
23	Vandegrift Boulevard (NB)	Castellano Dr. to North City Limits	0.83	1.60	55	56	55	1
24	Vandegrift Boulevard (SB)	Castellano Dr. to North City Limits	0.11	1.60	55	53	50	3
25	Vandegrift Boulevard (NB)	North River Rd. to Castellano Dr.	0.27	1.60	45	51	50	1
26	Vandegrift Boulevard (SB)	North River Rd. to Castellano Dr.	0.51	1.60	45	48	45	3
27	Via Esmarca	Via Las Rosas to Vista Wy.	2.97	1.42	35	33	30	2
28	Vista Way	Jefferson St. to El Camino Real	1.56	1.60	35	43	40	3
29	Vista Way	El Camino Real to College Blvd.	1.44	1.60	40	48	45	3
30	Vista Way	College Blvd. to Easterly City Limits	2.43	1.60	N/A	42	40	1

*Which option was used to help determine what the proposed speed limit will be with relation of the critical speed? (See page 2 of the report for "option" descriptions.)

**Locations classified as "local", per the California Roadway System Maps, has a prima facie speed limit of 25 mph.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA, AMENDING ARTICLE 14, SECTION 14 and 14.1 OF THE OCEANSIDE TRAFFIC CODE BY THE ADDITION AND CHANGES OF VARIOUS SUB-SECTIONS TO ESTABLISH VARIOUS SPEED LIMITS ON VARIOUS STREETS

WHEREAS, the City of Oceanside establishes speed limits on public streets based on criteria set forth in the California Vehicle Code and California Manual on Uniform Traffic Control Devices, and enforced in the San Diego Superior Court, North County District, Vista Traffic Court regarding posted speed limits on public streets.

NOW THEREFORE, the City Council of the City of Oceanside, California, does ordain as follows:

SECTION 1. The following subsections of Article XIV, Section 14, of the Oceanside Traffic Code are hereby amended to read:

“(1) Reserved”

“(3) College Boulevard between Thunder Drive and Roselle Avenue --- 45 mph”

“(7) Reserved”

SECTION 2. The following subsections of Article XIV, Section 14.1, of the Oceanside Traffic Code are hereby amended to read:

“(17) Lake Boulevard between Sky Haven Lane and Cannon Road --- 45 mph”

“(19) Airport Road between Mission Avenue and Roymar Road --- 30 mph”

“(25) Reserved”

“(31) North Santa Fe Avenue between State Route 76 and Melrose Drive --- 50 mph”

“(34) Old Grove Road between State Route 76 and College Boulevard --- 45 mph”

“(39) Emerald Drive between Lake Boulevard and Sunset Drive --- 45 mph”

“(64) Reserved”

“(67) Via Esmarca between Via Las Rosas and Vista Way --- 30 mph”

“(69) Reserved”

“(73) Reserved”

1 “(77) Benet Road between State Route 76 and Airport Road (North) --- 45 mph”

2 “(79) Reserved”

3 “(80) Reserved”

4 SECTION 3. Article XIV, Section 14.1, Subsection (2) of the Oceanside Traffic Code is
5 hereby amended to read:

6 “(2a) Mission Avenue between Interstate 5 and Canyon Drive --- 35 mph”

7 “(2b) Mission Avenue between Canyon Drive and Mesa Drive --- 40 mph”

8 “(2d) Mission Avenue between Airport Road/Carolyn Circle to Fireside Street --- 45 mph”

9 “(2e) Mission Avenue between Fireside Street and a point 1150 feet east of Douglas
10 Drive --- 45 mph”

11 “(2f) Mission Avenue between a point 1150 feet east of Douglas Drive and Academy
12 Road --- 45 mph”

13 “(2g) Mission Avenue between Academy Road and Old Grove Road --- 45 mph”

14 “(2h) Mission Avenue between Old Grove Road and Frazee Road --- 45 mph”

15 SECTION 4. Article XIV, Section 14.1, Subsection (5) of the Oceanside Traffic Code is
16 hereby amended to read:

17 “(5a) North River Road between Douglas Drive and College Boulevard --- 45 mph”

18 “(5b) North River Road between College Boulevard and North River Road/Vandegrift
19 Boulevard --- 45 mph”

20 “(5c) North River Road between North River Circle and Stallion Drive --- 45 mph”

21 “(5d) North River Road between Stallion Drive and Sleeping Indian Drive --- 50 mph”

22 SECTION 5. Article XIV, Section 14.1, Subsection (12) of the Oceanside Traffic Code
23 is hereby amended to read:

24 “(12a) Vandegrift Boulevard (Northbound) between North River Road and Castellano
25 Drive --- 50 mph”

26 “(12b) Vandegrift Boulevard (Southbound) between North River Road and Castellano
27 Drive --- 45 mph”

28 //

1 “(12c) Vandegrift Boulevard (Northbound) between Castellano Drive and the North City
2 Limits --- 55 mph”

3 “(12d) Vandegrift Boulevard (Southbound) between Castellano Drive and the North
4 City Limits --- 50 mph”

5 SECTION 6. Article XIV, Section 14.1, Subsection (11) of the Oceanside Traffic Code
6 is hereby amended to read:

7 “(11a) Vista Way between Jefferson Street and El Camino Real --- 40 mph”

8 “(11b) Vista Way between El Camino Real and College Boulevard --- 45 mph”

9 “(11c) Vista Way between College Boulevard and Easterly City Limits --- 40 mph”

10 SECTION 8. This ordinance shall be codified in the Oceanside Traffic Code.

11 SECTION 9. The provisions of this ordinance shall be effective thirty days
12 following its adoption. Within fifteen days following its adoption, the City Clerk shall publish
13 this ordinance in the San Diego Union Tribune North County Edition, a newspaper of general
14 circulation in the City of Oceanside.

15 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
16 California held on the _____ day of _____, 2016, and thereafter,

17 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,
18 this _____ day of _____, 2016, by the following vote:

19 AYES:

20 NAYS:

21 ABSENT:

22 ABSTAIN:

23
24
25
26 ATTEST:

27 _____
28 CITY CLERK

MAYOR OF THE CITY OF OCEANSIDE

APPROVED AS TO FORM:


CITY ATTORNEY

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE, CALIFORNIA, AMENDING
ARTICLE 14, SECTION 14 and 14.1 OF THE OCEANSIDE TRAFFIC CODE BY THE ADDITION AND CHANGES
OF VARIOUS SUB-SECTIONS TO ESTABLISH VARIOUS SPEED LIMITS ON VARIOUS STREETS