



CITY OF

NEWPORT BEACH

City Council Staff Report

January 14, 2020
Agenda Item No. 19

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Ordinance No. 2020-1: Amending Chapter 12.24 of the Newport Beach Municipal Code Regarding Speed Limits

ABSTRACT:

California Vehicle Code (CVC) Section 40802 requires that the City review its speed limits every five (5), seven (7), or ten (10) years depending on changes to roadway conditions and other factors. Additionally, the CVC requires posted speed limits to be justified by a current Engineering and Traffic Survey (E&TS) if the speed limits are going to be enforced by the Police Department using radar. The last comprehensive E&TS was approved by the City Council in 2011.

Staff has prepared the updated 2019 E&TS confirming that all existing posted speed limits are set in conformance with the CVC and State law. Roadway speed limits citywide are recommended to remain unchanged from the current posted speed limits with the exception of six (6) streets.

RECOMMENDATION:

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Waive full reading, read by title only, introduce Ordinance No. 2020-1, *An Ordinance of the City Council of the City of Newport Beach, California, Amending Sections of Chapter 12.24 of the Newport Beach Municipal Code Regarding Increasing and Decreasing State Speed Limits*, and pass to second reading on January 28, 2020.

FUNDING REQUIREMENTS:

Sufficient funding is available in the current Capital Improvement Program budget for the purchase and installation of new speed limit signs for those roadways requiring changes. It will be expensed to the Traffic Signage, Striping and Marking project (19T03) account 01201927-980000-19T03.

DISCUSSION:

California Vehicle Code Section 40802 requires that the City review its speed limits every five (5), seven (7), or ten (10) years depending on changes to roadway conditions and other factors. As part of this review, new speed data was collected on every non-residential street in the city. The collection of speed data, accident records, and roadway conditions constitute an Engineering and Traffic Survey (E&TS). The last comprehensive E&TS was approved by the City Council in 2011.

The California Vehicle Code specifies that the posted speed limit on any street, other than a local street or school zone, must be established by a current E&TS if a speed-measuring device (laser, radar) is used by the Police Department to enforce speed limits.

The California Manual on Uniform Traffic Control Devices explains in detail the legal procedures for establishing speed limits throughout the State. Local jurisdictions are required to establish speed limits per State law, and do not have latitude to artificially raise or lower speed limits.

The basic process to setting legal speed limits is to sample the speed of traffic on a roadway and identify the “critical speed” or “85th percentile speed”, which is that speed at or below which 85% of the traffic is moving. The speed limit is then set at the nearest 5 MPH increment to the 85th percentile speed. When there is a high accident rate, or other “conditions not readily apparent to the driver”, a further reduction of 5 MPH may be justified if well documented. These conditions can include high pedestrian and bicycle usage. Public Works staff has reviewed all roadway segments to determine if there are speed related accidents or other conditions that would justify a 5 MPH reduction when establishing the posted speed limit.

The new E&TS was completed to confirm that all existing posted speed limits throughout the city are set in conformance with the California Vehicle Code and State law. Roadway speed limits citywide are recommended to remain unchanged from the current posted speed limits with the following exceptions:

The speed limits on the following two (2) street sections are recommended to be **increased** based on the latest E&TS survey:

- Camelback Street: 35 mph to 40 mph
- MacArthur Boulevard: Ford Road to San Joaquin Hills Road: 55 mph to 60 mph

The speed limits on the following four (4) street sections are recommended to be **decreased** based on the latest E&TS survey

- 15th Street: Superior Avenue to Monrovia Avenue: 40 mph to 35 mph
- Newport Center Drive: Coast Highway to Newport Center Drive E/W.: 45 mph to 40 mph
- Ford Road: Newport Hills Drive to San Miguel Drive: 45 mph to 40 mph
- Newport Ridge Drive W.: San Joaquin Hills Rd. to Newport Ridge Drive E.: 45 mph to 40 mph

A new ordinance establishing speed limits is necessary to enable effective enforcement of speed limits on streets throughout the city. Staff recommends the introduction of an ordinance that modifies speed limits on the above six (6) street sections.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENTS:

Attachment A – Ordinance No. 2020-1

Attachment B – Engineering and Traffic Survey Summary