

ORDINANCE NO. 2024-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ENCINITAS, CALIFORNIA, ESTABLISHING LOWER SPEED LIMITS ON DIFFERENT STREETS IN ENCINITAS PURSUANT TO PROVISIONS OF ASSEMBLY BILL 43 (AB43)

WHEREAS, the City of Encinitas (“City”) enacted Chapter 14.44 of Title 14 to regulate the speed of vehicles within City limits in accordance with the California Vehicle Code; and

WHEREAS, the City of Encinitas Municipal Code 14.44.030 authorizes the City to adopt ordinances to determine and declare a prima facie speed limit of 50, 45, 40, 35, 30, or 25, 20, or 15 miles per hour for different city streets; and

WHEREAS, California Assembly Bill No. 43 (AB-43) was approved and filed with the Secretary of State on October 8, 2021; and

WHEREAS, AB43 adds Section 22358.7 to the California Vehicle Code which provides additional information and criteria related to establishing; and

WHEREAS, the Section 22358.7 of the California Vehicle Code authorizes lowering speed limits by an additional five (5) miles per hour on roadways designated as “Safety Corridors” by the City and on roadways adjacent to land or facility generating high concentrations of bicyclists and pedestrians; and

WHEREAS, the Section 40802 of the California Vehicle Code authorizes establishing prima facie speed limits for “local streets” without the need for Engineering and Traffic Surveys (E&TS); and

WHEREAS, Section 2B.13 of California Manual on Uniform Traffic Control Devices (CA-MUTCD) provides guidelines and criteria on selection of Safety Corridors and roadways adjacent to facilities generating high concentration of bicyclists and pedestrians.

NOW, THEREFORE, the City Council of the City of Encinitas, California, hereby ordains as follows:

SECTION 1:

Safety Corridors of the City of Encinitas are established as follows:

- o El Camino Real
- o Encinitas Blvd
- o Leucadia Blvd
- o Manchester Ave
- o Melba Rd
- o N. Coast Highway 101
- o N. Vulcan Ave
- o Olivenhain Rd
- o Piraeus St
- o Rancho Santa Fe Rd
- o S. Coast Highway 101
- o San Elijo Ave

- o Santa Fe Dr
- o S. Vulcan Ave

Following the effective date of this ordinance, the speed limit on each of the above-mentioned corridors will always be lowered by an additional five (5) miles per hour based on the most recent valid Engineering and Traffic Survey (E&TS) pursuant of provisions of AB43.

SECTION 2:

The following roadway segments are established as roadways adjacent to facilities generating high concentration of bicyclists and pedestrians and are separated into two (2) categories.

The following roads that are not classified as “local” on the “California Road System Maps” streets, speed limit will be lowered by an additional five (5) miles per hour from the most recent valid Engineering and Traffic Survey per provisions of AB43.

- o La Costa Ave
- o Quail Gardens Dr
- o Quail Hollow Dr
- o Garden View Rd
- o Via Cantebria
- o Via Molena
- o Via Montoro
- o Mountain Vista Dr
- o Lone Jack Rd
- o El Camino Del Norte
- o Birmingham Dr
- o Lake Dr
- o Saxony Rd
- o S. Rancho Santa Fe Rd
- o Villa Cardiff
- o Village Pkwy

The following streets/roads functionally are classified as “local” on the “California Road System Maps”. Therefore, no E&TS is required to establish speed limits and prima facie speed limit of 20 miles per hour is selected for these roadways.

- o Ahlrich Ave
- o Aloha Dr
- o Arcadia Rd
- o Avenida La Posta
- o Balour Dr
- o Beechtree Dr
- o Bonita Dr
- o Bracero Rd
- o Burgundy Rd
- o Cambridge Ave
- o Capri Rd
- o Caudor St
- o Cereus St
- o Coolngreen Way
- o Countryhaven Rd
- o Countrywood Ln

- o Crest Dr
- o Doris Dr
- o Edinburg Ave
- o Elmbranch Dr
- o Eolus Ave
- o Evergreen Dr
- o Gardena Rd
- o Gardendale Rd
- o Gascony Rd
- o Golden Rd
- o Greenlake Dr
- o Haydn Dr
- o Hermes Ave
- o Hickoryhill Dr
- o Hill Top Ln
- o Hygeia Ave
- o Hymettus Ave
- o Kings Cross Dr
- o Mackinnon Ave
- o Montgomery Ave
- o Morning Sun Dr
- o Mozart Ave
- o Munevar Rd
- o Nardo Rd
- o Oakcrest Park
- o Ocean View Ave
- o Olympus St
- o Orpheus Ave
- o Overland Rd
- o Oxford Ave
- o Park Dale Ln
- o Plato Pl
- o Rainbow Ridge Ln
- o Rambling Rd
- o Regal Rd
- o Requeza St
- o Rossini Dr
- o Rubenstein Dr
- o S. Willowspring Dr
- o Schubert Path
- o Sky Loft Rd
- o Somerset Ave
- o Sparta Dr
- o Splitrail Dr
- o Springwood Ln
- o Stafford Ave
- o Sunset Dr
- o Union St
- o Urania Ave
- o Walnutview Dr
- o Wandering Rd
- o Westlake St

- o Westminster Dr
- o Windsor Rd
- o Witham Rd
- o Woodlake Dr
- o Wotan Dr

Following the effective date of this ordinance, the speed limit on each of the above-mentioned corridors will always be lowered by additional five (5) miles per hour based on the most recent valid E&TS pursuant of provisions of AB43.

SECTION 3: ENVIRONMENTAL COMPLIANCE.

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15061(b)(3) and 15378(a) of the CEQA Guidelines. The action being considered by the City Council is an administrative activity of government that will not result in the direct or indirect physical change in the environment, and because reducing a speed limit is not a “project” that has the potential to result in a direct or reasonably foreseeable indirect physical change in the environment.

SECTION 4: CONSISTENCY.

Any provision of the Encinitas Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

SECTION 5: SEVERABILITY.

If any chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion of this Ordinance, or the application thereof to any person, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance or its application to other persons. The City Council hereby declares that it would have adopted this Ordinance and each chapter, article, section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, phrases, or portions of the application thereof to any person, be declared invalid or unconstitutional.

SECTION 6: EFFECTIVE DATE.

This Ordinance shall take effect and be in force 30 days after its passage and the City Clerk of the City of Encinitas is hereby authorized to use summary publication procedures pursuant to Government Code Section 36933 utilizing the Coast News, a newspaper of general circulation published in the City of Encinitas.

This Ordinance was introduced at a regular meeting of the City Council held on the 22nd day of May 2024.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council held on the 12th day of June, 2024.

DocuSigned by:

DEA1BC6BB88E438
Tony Kranz, Mayor

ATTEST:

DocuSigned by:

Kathy Hollywood

43EC63D34D9448C...
Kathy Hollywood, City Clerk

APPROVED AS TO FORM

DocuSigned by:

Tarquin Preziosi

160D99693D9741D...
Tarquin Preziosi, City Attorney

CERTIFICATION: I, Kathy Hollywood, City Clerk of the City of Encinitas, California, do hereby certify under penalty of perjury that the foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the 22nd day of May, 2024 and that thereafter the said ordinance was duly and regularly adopted at a meeting of the City Council on the 12th day of June, 2024 by the following vote, to wit:

AYES: **Blackwell, Ehlers, Kranz, Lyndes**

NOES: **None**

ABSENT: **Hinze**

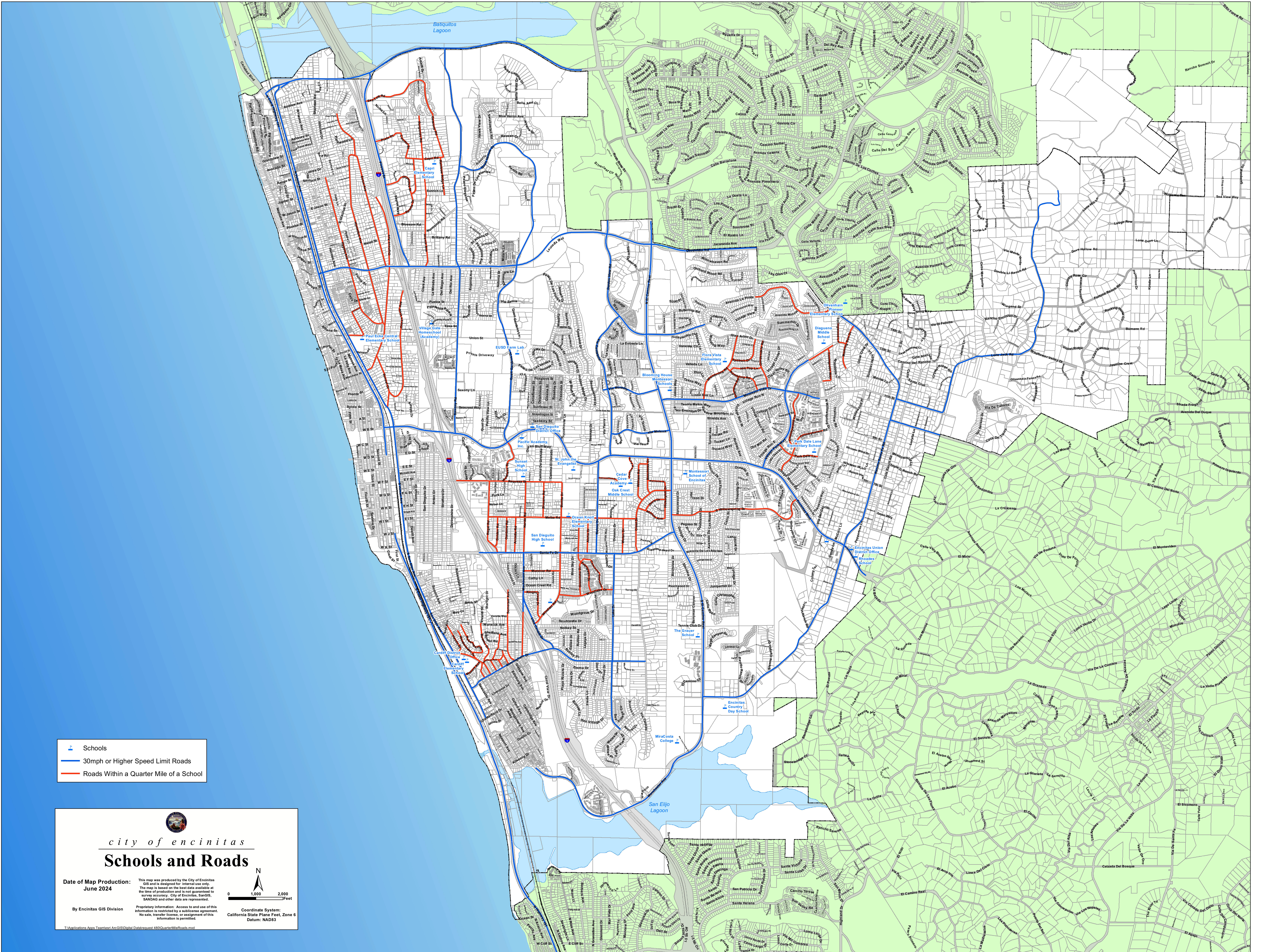
ABSTAIN: **None**




IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Encinitas, California, this 12th day of June, 2024.


DocuSigned by:

Kathy Hollywood

43EC63D34D9448C...
Kathy Hollywood, City Clerk



-  Schools
-  30mph or Higher Speed Limit Roads
-  Roads Within a Quarter Mile of a School



city of encinitas


Schools and Roads

Date of Map Production:
June 2024

This map was produced by the City of Encinitas GIS and is designed for internal use only. The map is based on the best data available at the time of production and is not guaranteed to survey accuracy. City of Encinitas, SanGIS, SANDAG and other data are represented.

By Encinitas GIS Division

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0 1,000 2,000 Feet

Coordinate System:
California State Plane Feet, Zone 8
Datum: NAD83

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