



STAFF REPORT

City Council
Meeting Date: 5/7/2024
Staff Report Number: 24-072-CC

Consent Calendar: **Waive the second reading and adopt an ordinance setting speed limits on certain streets**

Recommendation

Staff recommends that the City Council waive the second reading and adopt an ordinance (Attachment A), setting speed limits on certain streets to go into effect July 1, in accordance with state law.

Policy Issues

Setting speed limits is consistent with the City’s Circulation Element, adopted in 2016, including:

- Policy Circ-1.1: Vision Zero. Eliminate traffic fatalities and reduce the number of non-fatal collisions by 50% by 2040.
- Policy Circ-1.5 Enforcement Program. Develop and implement enforcement program to encourage safe travel behavior and to reduce aggressive and/or negligent behavior among drivers, bicyclists and pedestrians.
- Policy Circ-2.3 Street Classification. Utilize measurements of safety and efficiency for all travel modes to guide the classification and design of the circulation system, with an emphasis on providing “complete streets” sensitive to neighborhood context.
- Policy Circ-2.5 Neighborhood Streets. Support a street classification system with target design speeds that promotes safe, multimodal streets, and minimizes cut-through and high-speed traffic that diminishes the quality of life in Menlo Park’s residential neighborhoods.

Background

The State of California has broad authority in regulating vehicles and traffic. The primary speed limit requirements are set within California Vehicle Code (CVC) §22352 which defines prima facie speed limits in California. "Prima facie," as used in the CVC, is a speed limit that applies when no other specific speed limit is posted. Under CVC §22352, the “prima facie” speed limit of 25 miles per hour (mph) is applicable to business and residential areas without other posted speed limits, school zones, and areas immediately around senior centers. The majority of the speed limits on City of Menlo Park streets are set by prima facie speed limits.

When an engineering and traffic survey, as defined in CVC §§627 and 40802, shows that prima facie speed limits are not applicable for the existing conditions on certain streets within the City, the City can alter the prima facie speed limits with the posting of different speed limits that are determined according to the findings of the engineering and traffic survey. The findings of the engineering and traffic survey legally enable the City to enforce posted speed limits with the use of radar and other electronic devices.

Assembly Bill 43 (AB 43) allows local governments, by ordinance, to set a prima facie speed limit of 20 mph

or 25 mph on highways contiguous to a “business activity district.” AB 43 also allows, under §22358.7 to the Vehicle Code, a local authority to reduce speed limits if, “after completing an engineering and traffic survey,” the local authority finds that the speed limit is still more than reasonable or safe if certain requirements are met. The safety-related speed reduction regulations in AB 43 take effect July 1.

On April 16, staff presented an ordinance to reduce speed limits on certain streets pursuant to AB 43. The staff report from the City Council meeting is included as Attachment B. At the meeting, the City Council unanimously approved a motion to introduce the speed limit ordinance as recommended, but with the expansion of the business activity district speed limits to include Oak Grove Avenue between University Drive and Alma Street and extend the limits of Santa Cruz Avenue from University Drive to Johnson Street. To alert drivers to the slower speed limits, City Council recommended the evaluation of speed reduction campaign signs (such as “20 is plenty” or “downtown slow zone”) in the downtown area. In addition, the City Council requested staff to consider design options to reduce speeds on Chilco Street, Constitution Drive, Haven Avenue, Middlefield Road and Valparaiso Avenue.

Analysis

Per City Council recommendation, staff reviewed Oak Grove from University Drive to Alma Street and the inclusion of Santa Cruz Avenue to Johnson Street to confirm that these segments meet the definition of business activity district under AB 43. These streets were found to meet the criteria of on-street parking, sidewalks with half of the properties being fronting retail and dining businesses, and either have less than 600 feet spacing between traffic signals or stops signs or uncontrolled marked crosswalks, so their speed limit may be reduced to 20 mph. Accordingly, staff updated the ordinance to expand the streets in the business activity district to include Oak Grove from University Drive to Alma Street and extend the limits of Santa Cruz Avenue from University Drive to Johnson Street. Attachment C includes a map of the proposed speed limits. If the City Council adopts the ordinance, it will go into effect July 1.

The City Council also requested staff to consider potential design changes to a number of streets that are currently or in the future will be adjacent to residential uses that do not meet the requirements to reduce their speed limits to 25 mph. Staff has identified a number of work efforts currently underway on most of these streets as summarized in Table 1 that improve road safety and reduce vehicle speeds.

| Table 1: Current design efforts | |
|--|---|
| Street | Current status |
| Chilco Street – Constitution Drive to Terminal Avenue ¹ | The street was reconstructed in 2016-2020 with a Class IV separated bikeway, sidewalks and narrow travel lanes. |
| Constitution Drive – Independence Drive to Chilco Street | Raised crosswalk recently installed near Menlo Portal development and two more proposed as part of future development projects. ² |
| Haven Avenue – City limits (County) to Bayfront Expressway | Haven Avenue Streetscape project is currently adding new sidewalks, a shared use pathway over the Atherton Channel, and bike lane striping. |
| Middlefield Road – City limits (Atherton) to City limits (Palo Alto) | Middlefield Road Safe Streets project is ongoing including evaluating the lane modification pilot and considering other safety improvements for the other segments of the street. |
| Valparaiso Avenue – City limits (County) to Cotton Street | City is currently evaluating lane width reduction changes as part of paving project in conjunction with the Town of Atherton. |

¹ City Council was interested in lowering Chilco Street to 25 mph. Although this segment of Chilco Street does not have any adjacent residential uses, it connects the residences in the Belle Haven neighborhood to open space and recreational opportunities at Meta Park, Bedwell Bayfront Park, the Don Edwards San Francisco Bay National Wildlife Refuge and San Francisco Bay Trail.
² Part of the Bayfront pedestrian circulation plan shared with City Council May 24, 2022 (Attachment D).

If the City Council adopts the ordinance, staff would work with our contractor to begin to install the new speed limit signs in June with the goal of installing as many as possible by July 1. Once the speed limit signs are installed, staff will evaluate the installation of signs for the downtown area to highlight the slower speed limits and will provide an update to City Council on this at a future date.

Impact on City Resources

The cost to replace existing speed limit signs for the identified streets can be accommodated within the existing operating budget amounts funded by Measure A, a countywide half-cent sales tax measure that funds transportation improvements.

Environmental Review

This action is not a project within the meaning of the California Environmental Quality Act (CEQA) Guidelines §§ 15378 and 15061(b)(3) as it will not result in any direct or indirect physical change in the environment.

Public Notice

Public notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours prior to the meeting.

Attachments

- A. Ordinance
- B. Hyperlink – April 16 Staff Report 24-065-CC: menlopark.gov/files/sharedassets/public/v/1/agendas-and-minutes/city-council/2024-meetings/agendas/20240416/i2-intro-and-first-reading-speed-limit-

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[ordinance.pdf](#)

C. Proposed speed limit map

D. Hyperlink – May 24, 2022 Staff Report 22-104-CC:

menlopark.gov/files/sharedassets/public/v/3/agendas-and-minutes/city-council/2022-meetings/agendas/20220524-city-council-agenda-packet.pdf#page=586

Report prepared by:

Kristiann Choy, Senior Transportation Engineer

Report reviewed by:

Azalea Mitch, Public Works Director

ORDINANCE NO. XXXX

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENLO PARK
 ADDING SECTION 13.01 TO THE CITY OF MENLO PARK MUNICIPAL CODE,
 PRIMA FACIE STREETS ESTABLISHED BY ENGINEERING AND TRAFFIC
 SURVEY (REGARDING SPEED LIMITS IN THE CITY OF MENLO PARK)**

WHEREAS, as set forth in California Vehicle Code, Section 21, the State of California has asserted broad authority over, and a statewide interest in, the entire field of regulating vehicles and traffic. The State has established a set of prima facie speed limits applicable to various classes roadway types, districts and locations (see California Vehicle Code Sections 22348 through 22366); and

WHEREAS, California Vehicle Code sections 22357 and 22358 further allow the City to determine and declare prima facie speed limits, by ordinance, that increase or decrease existing prima facie speed limits, provided that the revised prima facie speed limits are determined on the basis of an engineering and traffic survey; and

WHEREAS, on or around December 10, 2019, Kimley-Horn & Associates, Inc., a traffic engineering consultant, completed an engineering and traffic survey (“ETS”). The Survey provides background information; analysis results of the street and traffic conditions, justification for the use of radar to enforce declared prima facie speed limits, and recommendations for adjusting prima facie speed limits for 42 street segments analyzed, including both increases and decreases to existing prima facie speed limits on streets within the City; and

WHEREAS, AB43, adding Sections 22358.9 and 22358.7 to the California Vehicle Code, allows local agencies flexibility to reduce speed limits. Section 22358.9 allows the City to reduce speed limits to 20 or 25 miles per hour around “Business Activity Districts,” as defined by Section 22358.9. Section 22358.7 allows the City to reduce speed limits by 5 miles per hour in designated “safety corridors,” as defined by the CalTrans Manual on Uniform Traffic Control Devices, after completing an engineering and traffic survey and finding that the speed limit is still more than reasonable or safe; and

WHEREAS, in accordance with Section 22358.7, the City Council finds that, after conducting the ETS, streets where 93% of fatalities and serious injuries occur are “safety corridors,” as defined by the CalTrans Manual on Uniform Traffic Control Devices, and the City Council is authorized to reduce speed limits on these roads by 5 miles per hour; and

WHEREAS, in accordance with Section 22358.9, the City Council finds that streets in Downtown Menlo Park, between Menlo Avenue and Oak Grove Avenue and between Merrill Street and University Drive (excluding El Camino Real), are “business activity districts,” and the City Council is authorized to reduce speed limits to 20 miles per hour.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MENLO PARK DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 13.01 is hereby added to read in its entirety as shown in Exhibit A, attached hereto and incorporated by reference.

Section 2. For purposes of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.), a “project” is defined in State CEQA Guidelines Section 15378 (a) as

“the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment”. The City Council hereby finds that the action to adopt this ordinance will not result in any change in the environment and thus is not a project subject to the requirements of CEQA. Further, even if the action to adopt this ordinance was deemed to be a project subject to CEQA, the City Council finds the proposed ordinance is exempt from CEQA under the common sense exemption set forth in Section 15061(b)(3), which provides that CEQA only applies to projects which have the potential for causing a significant effect on the environment, and thus where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

Section 3. The City Council hereby declares every section, paragraph, sentence, clause and phrase of this ordinance to be severable. If any section, paragraph, sentence, clause or phrase of this ordinance is for any reason found to be invalid or unconstitutional, such invalidity, or unconstitutionality shall not affect the validity or constitutionality of the remaining sections, paragraphs, sentences, clauses or phrases.

Section 4. It is the intention of the Menlo Park City Council that the text in Exhibit A of this ordinance be made a part of the Menlo Park Municipal Code and that the text may be renumbered or re-lettered and the word “Ordinance” be changed to “Section,” “Chapter,” or any other appropriate word or phrase consistent with this intention.

Section 5. This Ordinance of the City of Menlo Park shall take effect and be in force 30 days after the date of its passage but not sooner than July 1, 2024 in accordance with CVC 22358.7.

Exhibit A

13.01 Prima facie speed limits established by engineering and traffic survey.

13.01.010 Purpose.

- (a) The State of California has asserted broad authority over, and a statewide interest in, the entire field of regulating vehicles and traffic, as set forth in the California Vehicle Code, Section 21).
- (b) The State has established a set of prima facie speed limits applicable to various classes of roadway types, districts and locations (see California Vehicle Code Sections 22348 through 22366). In California Vehicle Code Sections 22357 and 22358, the State has expressly authorized the City to establish declared speed limits that differ from the prima facie speed limits set under state law, if, based on engineering and traffic surveys, the declared speed limit would facilitate the orderly movement of vehicles and traffic, and would be reasonable and safe.
- (c) The intent of this chapter is to implement the City's authority to establish declared speed limits when supported by engineering and traffic surveys and to respond to safety and use of the road by people driving, walking, and bicycling.

13.01.020 Definitions.

- (a) "Declared speed limit" means the speed limits for individual streets and roadway segments determined and declared by the City Council in accordance with this chapter, as authorized by the California Vehicle Code. The term "declared speed limit" (as used in this chapter) shall include the "declared prima facie speed limit" or "maximum speed limit" (as used in California Vehicle Code Section 22357), or the "prima facie speed limit" (as used in California Vehicle Code Sections 22358, 22358.3 and 22358.4).
- (b) "Director" means the Public Works Director, or a designee of the Public Works Director or

the City Manager

- (c) "Prima facie speed limits" means the default speed limits for streets and highways established under California State Law, as generally set forth in the California Vehicle Code, particularly Sections 22348, et. seq., unless amended under this chapter.
- (d) "Safety Corridors" means streets as defined in California Vehicle Code Section 22358.7.
- (e) "Business Activity Districts" means downtown and neighborhood commercial areas as defined in California Vehicle Code Section 22358.9.

13.01.030 Decrease of prima facie speed limits.

- (a) The City Council may determine and declare speed limits lower than the Prima Facie Speed Limits for any particular street or roadway segment if the City Council determines, upon the basis of an engineering and traffic survey, that the Prima Facie Speed Limit is more than is reasonable or safe, and that the Declared Speed Limit is most appropriate to facilitate the orderly movement of traffic, and is reasonable and safe.
- (b) The City Council may determine and declare speed limits lower than the speed limit identified by an engineering and traffic survey by reducing speeds by an additional 5 miles per hour in areas defined as a "safety corridor" or near land uses that generate a high concentration of pedestrians and bicyclists (CVC Section 22358.7). Accordingly, no person shall drive a vehicle at a speed greater than the declared speed limit for the street segment:

| Street or Roadway Segment | CVC Section | Declared Speed Limit |
|--|------------------|----------------------|
| Alpine Road - Santa Cruz Ave to City Limits (County) | 22358.6, 22358.7 | 30 mph |
| Bay Road - Marsh Rd to Ringwood Ave | 22358.7 | 25 mph |
| Bay Road - Ringwood Ave to Van Buren Rd | 22358.7 | 25 mph |
| Chilco Street - Constitution Dr to Terminal Ave | 22358.7 | 30 mph |
| Constitution Drive - Independence Dr to Chilco St | 22358.7 | 30 mph |
| Middle Avenue - Olive St to University Dr | 22358.7 | 25 mph |
| Middle Avenue - University Dr to El Camino Real | 22358.7 | 25 mph |
| Middlefield Road - City Limits (Atherton) to City Limits (Palo Alto) | 22358.6, 22358.7 | 30 mph |
| O'Brien Drive - Willow Rd to Kavanaugh Dr | 22358.6, 22358.7 | 25 mph |
| O'Brien Drive - Kavanaugh Dr to University Ave | 22358.6, 22358.7 | 25 mph |
| Olive Street - Santa Cruz Ave to Middle Ave | 22358.6, 22358.7 | 25 mph |
| Ravenswood Ave - Laurel St to Middlefield Rd | 22358.7 | 25 mph |
| Sand Hill Road - Hwy 280 to Monte Rosa Dr | 22358.6, 22358.7 | 35 mph |
| Sand Hill Road - Monte Rosa Dr to Sharon Park Dr | 22358.6, 22358.7 | 35 mph |
| Sand Hill Road - Sharon Park Dr to City Limits (Palo Alto) | 22358.7 | 30 mph |
| Santa Cruz Avenue - City Limits (County) to Avy Ave/ Orange Ave | 22358.7 | 25 mph |
| Santa Cruz Avenue - Avy Ave/ Orange Ave to Olive St | 22358.7 | 25 mph |
| Santa Cruz Avenue - Olive St to Johnson St | 22358.7 | 25 mph |
| Valparaiso Avenue - City Limits (County) to Cotton St | 22358.7 | 30 mph |
| Valparaiso Avenue - Cotton St to El Camino Real | 22358.7 | 25 mph |

13.01.040 Speed limits in business activity districts.

The City Council may determine and declare speeds limits of 20 or 25 mph in “business activity districts,” as defined by CVC 22358.9.

Accordingly, no person shall drive a vehicle at a speed greater than the declared speed limit for the street segment:

| Street or Roadway Segment | CVC Section | Declared Speed Limit |
|--|-------------|----------------------|
| Menlo Avenue - University Dr to El Camino Real | 22358.9 | 20 mph |
| Santa Cruz Avenue – Johnson St to El Camino Real | 22358.9 | 20 mph |
| Santa Cruz Avenue - El Camino Real to Merrill St | 22358.9 | 20 mph |
| Oak Grove Avenue - University Dr to Alma St | 22358.9 | 20 mph |

13.01.050 Prima facie speed limits established by engineering and traffic survey.

The City Council hereby determines and declares, in accordance with this chapter, that the declared speed limits for the following streets or roadway segments, shall be as set forth in this section, below. No person shall drive a vehicle at a speed greater than the declared speed limit for the street segment:

| Street or Roadway Segment | CVC Section | Declared Speed Limit |
|---|-------------|----------------------|
| Alma Street - Oak Grove Ave to Ravenswood Ave | 22358.6 | 25 mph |
| Alma Street - Ravenswood Ave to East Creek Dr | 22358.6 | 25 mph |
| Avy Avenue - Cloud Ave to Santa Cruz Ave | 22358.6 | 25 mph |
| Avy Avenue - Altschul Ave to Monte Rosa Dr | 22358.6 | 25 mph |
| Coleman Avenue - Willow Rd to City Limits | 22358.6 | 25 mph |
| Encinal Avenue - El Camino Real to City Limits | 22358.6 | 25 mph |
| Hamilton Avenue - Chilco St to Willow Rd | 22358.6 | 25 mph |
| Haven Avenue - City Limit to Bayfront Expressway | 22358.6 | 30 mph |
| Ivy Drive - Chilco St to Willow Rd | 22358.6 | 25 mph |
| Laurel Street - Ravenswood Ave to Burgess Dr | 22358.6 | 25 mph |
| Marsh Road - City Limit to US-101 | 22358.6 | 35 mph |
| Oak Grove Avenue - Alma St to Middlefield Rd | 22358.6 | 25 mph |
| Ravenswood Avenue - El Camino Real to Laurel St | 22358.6 | 25 mph |
| Sharon Park Drive - Monte Rosa Dr to Sand Hill Rd | 22358.6 | 25 mph |
| University Drive - Valparaiso Ave to Santa Cruz Ave | 22358.6 | 25 mph |
| University Drive - Santa Cruz Ave to Middle Ave | 22358.6 | 25 mph |
| Willow Road - Alma St to Middlefield Rd | 22358.6 | 25 mph |
| Willow Road - Middlefield Rd to Coleman Ave | 22358.6 | 25 mph |
| Willow Road - Coleman Ave to US-101 | 223598.6 | 25 mph |

13.01.060 Installation of signs giving notice of declared speed limits.

The Public Works Director, or their designee, is hereby authorized and directed to erect signs giving notice of the Declared Speed Limits established under this chapter.

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INTRODUCED on the sixteenth day of April, 2024.

PASSED AND ADOPTED as an ordinance of the City of Menlo Park at a regular meeting of said City Council on the seventh day of May, 2024, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Cecilia Taylor, Mayor

ATTEST:

Judi A. Herren, City Clerk

City of Menlo Park Posted Speed Limits with Proposed Speed Limit Reductions

