

**SECOND READING AND ADOPTION**

ORDINANCE NO. \_\_\_\_\_

ORDINANCE OF THE CITY OF CHULA VISTA INCREASING THE SPEED LIMITS AT THE FOLLOWING SEGMENTS: (1) EAST “H” STREET BETWEEN SOUTHWESTERN DRIVE AND OTAY LAKES ROAD FROM 35 MPH TO 45 MPH, (2) TELEGRAPH CANYON ROAD BETWEEN HALECREST DRIVE AND CREST DRIVE/OLEANDER AVENUE FROM 40 MPH TO 45 MPH, AND (3) TELEGRAPH CANYON ROAD BETWEEN PASEO DEL REY AND OLD TELEGRAPH CANYON ROAD FROM 45 MPH TO 50 MPH, AND AMENDING SCHEDULE X OF THE REGISTER MAINTAINED IN THE OFFICE OF THE CITY ENGINEER TO REFLECT THE ESTABLISHED SPEED LIMITS (FIRST READING)

WHEREAS, staff completed an Engineering and Traffic Survey (E&TS) for East “H” Street between Buena Vista Way and Otay Lakes Road and for Telegraph Canyon Road between Halecrest Drive and Otay Lakes Road/La Media Road in accordance with the California Vehicle Code (CVC), which indicates that the posting of speed limits be determined by an E&TS for each street with a posted speed limit in the City; and

WHEREAS, the E&TS includes (1) prevailing speeds as determined by traffic engineering measurements; (2) accident records; and (3) traffic/roadside conditions not readily apparent to the driver; and

WHEREAS, the Manual on Uniform Traffic Control Devices (MUTCD) states that the speed limit shall be established at the nearest 5 mph increment to the 85th percentile speed; and

WHEREAS, based on the 85th percentile speed of the roadways, as well as other roadway characteristics outlined in each E&TS, staff has determined that the speed limit on East “H” Street between Southwestern Drive and Otay Lakes Road be increased to 45 mph, that the speed limit on Telegraph Canyon Road between Halecrest Drive and Crest Drive/Oleander Avenue be increased to 45 mph, and the speed limit on Telegraph Canyon Road between Paseo del Rey and Old Telegraph Canyon Road be increased to 50 mph; and

WHEREAS, on October 2, 2019, the City of Chula Vista Safety Commission concurred with staff’s recommendation that the speed limit on East “H” Street be 45 mph between Southwestern Drive and Otay Lakes Road; and

WHEREAS, on November 6, 2019, the City of Chula Vista Safety Commission concurred with staff’s recommendation that the speed limit on Telegraph Canyon Road be 45 mph between Halecrest Drive and Crest Drive/Oleander Avenue and 50 mph between Paseo Del Rey and Old Telegraph Canyon Road.

NOW THEREFORE the City Council of the City of Chula Vista does ordain as follows:

### **Section I. Establish Speed Limit**

The established speed limits and Schedule X of the register maintained in the office of the City Engineer shall be amended to reflect the revised speed limits as follows:

<b>10.48.020 Schedule X – Established Speed Limits in Certain Zones - Designated</b>			
<b>Street Name</b>	<b>Beginning At</b>	<b>Ending At</b>	<b>Speed Limit</b>
East “H” Street	Buena Vista Way	Otay Lakes Road	45 mph
Telegraph Canyon Road	Halecrest Drive	Paseo del Rey	45 mph
Telegraph Canyon Road	Paseo Del Rey	Otay Lakes Road	50 mph

### **Section II. Severability**

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

### **Section III. Construction**

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

### **Section IV. Effective Date**

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

### **Section V. Publication**

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by

Approved as to form by

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William S. Valle  
Director of Engineering & Capital Projects

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Glen R. Googins  
City Attorney