



MEMORANDUM

TO: City Council

FROM: Shannon Sweeney, Acting Public Works Director/City Engineer

SUBJECT: Consider Introduction of Tally Ho Road Speed Limit Reduction Ordinance

DATE: September 26, 2023

SUMMARY OF ACTION:

Recommend that City Council waive first reading and introduce for reading by title only an ordinance authorizing a speed limit reduction on Tally Ho Road between James Way and Highway 227 from 35 miles per hour (mph) to 30 mph (Attachment 1).

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

A significant number of staff hours have been spent to date, including:

- Evaluating current conditions
- Developing and implementing a restriping plan
- Conducting multiple speed surveys, and
- Meeting with and communicating with the neighborhood residents, most recently with a postcard survey intended to receive feedback on the potential reduction of the current 35 mph to 30 mph.

A small financial impact on staff and resources is anticipated to replace the existing 35 mph speed limit signs with 30 mph signs, and possibly an increase in education and enforcement for a short time following the speed limit adjustment, and periodically thereafter.

RECOMMENDATION:

1) Waive the first reading and introduce for reading by title only an ordinance authorizing a speed limit reduction on Tally Ho Road between James Way and Highway 227 from 35 mph to 30 mph' and 2) Make findings that the speed limit adjustment is not a project subject to the California Environmental Quality Act ("CEQA") because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, §§ 15060, subd. (b)(2)-(3), 15378.) Other than the replacement of existing street signs, there is no additional physical alteration or

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construction associated with this action, and this speed adjustment is not anticipated to alter traffic patterns other than to reduce speed.

BACKGROUND:

Following numerous residential complaints about speeding, a speed survey was conducted on Tally Ho Road east of James Way from February 8-15, 2021. That speed survey (Exhibit A of Attachment 1) indicated an 85th percentile of 41 mph, which is then rounded to the nearest 0 or 5, or in this case 40 mph. Posted speed limits are only enforceable 5 mph below the 85th percentile, or in this case 35 mph, the current posted speed limit.

Although the posted speed limit of 35 mph was the lowest postable enforceable speed allowable at that time, many residents continued to express safety concerns with the existing speed. City staff hosted two well-attended meetings in the Tally Ho neighborhood, one on September 2, 2021, and the other on May 25, 2022. In response to resident input and the residential and family character of this neighborhood, staff developed a street restriping plan (Attachment 2) and implemented this restriping plan in winter 2022. Following the street restriping, intended to calm traffic, reduce excessive speeding, and provide a bike lane, a new speed study was conducted from July 6-13, 2023. That speed survey (included in Exhibit A of Attachment 1) indicated an 85th percentile of 36 mph, which is then rounded to the nearest 0 or 5, or in this case 35 mph. The new speed survey indicates that the restriping was successful in lowering vehicle speed. However, residents continue to have safety concerns with the current speed limit of 35 mph.

Public Works staff spoke with Commander Zak Ayala, who supervises the Arroyo Grande Police Department Traffic Division to confirm that the proposed Ordinance has their full support.

ANALYSIS OF ISSUES:

The 2006 California Manual on Uniform Traffic Control Devices (MUTCD) and Caltrans Policy Directive 09-04 recommend setting a speed limit at the nearest 5 mph increment to the 85th percentile speed of free-flowing traffic. According to the latest speed survey, this recommended speed is 35 mph.

The MUTCD and Caltrans Policy Directive 09-04 allow for speed limit reduction below the 85th percentile, if the conditions and justification for this lower speed limit are documented in an engineering and traffic study (E&TS) and approved by a registered Civil or Traffic Engineer.

Factors that may be considered when considering a speed limit reduction 5 mph below the 85th percentile speed include the following (a definition of each factor below):

- Road characteristics, shoulder condition, grade, alignment, and sight distance;

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- The pace speed;
- Roadside development and environment;
- Parking practices and pedestrian activity; and
- Reported crash experience for at least a 12-month period.

Road Characteristics

There are no road characteristics on this section of Tally Ho Road, such as shoulder condition, grade, alignment, or sight distance that justify a lower speed limit.

Pace Speed

Based on the speed survey conducted in July 2023, both eastbound and westbound pace speed (10 mph increment of speed containing the largest number of vehicles) in this area averages 27-36 mph. Average speed eastbound is 31.4 mph and westbound 31.6 mph. Given that 30 mph is within the pace speed range, this lower speed limit is justified.

Roadside Development and Environment

California Vehicle Code (CVC) §515 defines a “residence district” adjacent to a highway as a section of highway that contains 16 or more separate dwelling houses within a quarter mile. This 0.37-mile section of road contains 42 residences, which is the equivalent of 28 homes per quarter mile, which would easily qualify this area as residential if this were a highway. The Vehicle Code does not provide a definition for residential districts for streets not defined as highways.

In the E&TS, the engineer may consider conditions unforeseen to the driver as justification for a lower speed limit. Forty-two residential properties front Tally Ho Road between James Way and Highway 227; however, six properties are flag lots, meaning that only thin drive approaches front the street and the residential structures on these lots are not visible to drivers on Tally Ho Road. Therefore, there are more residences on the street that are apparent to the driver, which contributes towards justifying a lower speed limit. An aerial image of the street is located in the E&TS in Exhibit A of Attachment 1.

Parking Practices and Pedestrian Activity

The restriping plan reduced parking only one side of the street so parking practices do not help justify a lower speed limit. However, the residential nature of this neighborhood and associated pedestrian traffic and children playing in the yards and on the sidewalks of the street, as well as the presence of a school bus stop, contribute to justifying a lower speed limit.

Collision History

Collision history must consider for at least a 12-month period. To date this year, there have been no reported collisions. There were two collisions in all of calendar year 2022, and no collisions in all of 2021. Anecdotally, many residents shared near miss accidents, excessive speeds, and pets being hit by vehicles due to speeding.

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Resident Input

Resident input has driven much of the work to date on this topic. Given that both 30 and 35 mph speed limits are enforceable, staff wished to verify that the interest in a reduced speed limit on this street was widespread and not just the interest of one or two homeowners. To obtain feedback, staff issued a postcard to all 42 residents on Tally Ho Road between James Way and Highway 227. The postcard said:

Dear resident

Some residents on Tally Ho Road between James Way and Highway 227 have requested a lower speed limit. Both 30 mph and 35 mph are supported by data. Before City staff recommend that the speed limit be reduced to 30 mph, we want to hear from you. Please call (805) 473 – 5485 or email ireyes@arroyogrande.org by September 8, 2023, and indicate your preference from the choices below.

- Please recommend a speed limit of 30 mph*
- Please leave the speed limit of 35 mph*
- I have no preference.*

Thank you for your input.

The City received eleven responses. Ten responses requested a speed limit of 30 mph. Of those ten responses, eight indicated a preference for 25 mph. One response requested that the speed limit remain at 35 mph.

California Vehicle Code section 22352 sets the prima facie or expected and accepted speed limit of 25 mph in residential areas when a speed limit is not posted. However, posted speed limits can only be set at the 85th percentile of the speed survey data speeds (in this case the posted speed limit in the Tally Ho neighborhood 35 mph), or 5 mph below the 85th percentile when justified by an E&TS (in this case/recommendation, 30 mph). The posting of other speed limits, not meeting the 85th percentile thresholds are not enforceable, meaning that the issuance of a speeding ticket will generally not be upheld.

An E&TS prepared by Shannon Sweeney, registered Civil Engineer C61453, is included as Exhibit A of Attachment 1. The Ordinance may be adopted after two readings, which would set the date of adoption for the October 10, 2023 City Council meeting.

ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

1. Introduce an Ordinance reducing Tally Ho speed limit from 35 mph to 30 mph - this is the lowest enforceable speed that can be posted;

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2. Do not introduce an Ordinance and do not reduce the posted speed limit of 35 mph, as 35 mph represents the 85th percentile and is within the pace speed window and therefore is enforceable;
3. Remove existing speed limit signs, which would revert the speed limit to the prima facie limit of 25 mph for residential areas per California Vehicle Code (CVC) 22352. While this speed is enforceable, it cannot be posted, and staff is concerned that with no speed limit signs present, speeding will persist and potentially revert to speeds shown in the 2021 speed survey; or
4. Provide other direction to staff.

ADVANTAGES:

The recommended action fulfills the desire of numerous residents on this street for a lower speed limit. Continued resident dissatisfaction and staff time to address concerns are very likely to remain if the speed limit is not reduced. A 25 mph speed limit is enforceable, but only if not posted. Staff is concerned that lack of a posted speed limit sign will not accomplish the desired goal of reducing speed at this location.

DISADVANTAGES:

Since the recommended posted speed limit is within the pace speed of the area where the speed survey was conducted, no negative impacts are anticipated to the surrounding community. Drivers in the area do run a higher risk of receiving a speeding ticket because of the drop in speed limit. This likelihood can be reduced in part through an initial weeklong enforcement period when drivers who exceed the speed limit are provided a warning instead of a ticket.

ENVIRONMENTAL REVIEW:

No environmental review is required for this item. Speed limit adjustment is not a project subject to the California Environmental Quality Act (“CEQA”) because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, §§ 15060, subd. (b)(2)-(3), 15378.) Other than the replacement of existing street signs, there is no additional physical alteration or construction associated with this action, and this speed adjustment is not anticipated to alter traffic patterns other than to reduce speed.

PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City’s website in accordance with Government Code Section 54954.2.

Attachments:

1. Proposed Ordinance
2. Tally Ho Restriping Plan

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