

ORDINANCE NUMBER O- **21959** (NEW SERIES)

DATE OF FINAL PASSAGE **MAY 22 2025**

AN ORDINANCE AMENDING CHAPTER 8, ARTICLE 5,
DIVISION 00 OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 85.06, RELATING TO THE
ESTABLISHMENT OF SPEED LIMITS ON CITY STREETS
AND HIGHWAYS.

RECITALS

The Council of the City of San Diego (Council) adopts this Ordinance based on the following:

- A. Statutory speed limits are set forth in the California Vehicle Code (Vehicle Code).

The Vehicle Code authorizes local authorities to adjust the default speed limits based on certain findings detailed in an engineering and traffic survey. Assembly Bill 43, Traffic Safety, (Chapter 690, Statutes of 2021) codified Vehicle Code sections 22358.8 and 22358.9 to allow local authorities to adjust speed limits based on engineering and traffic surveys and other specified criteria.

- B. Vehicle Code section 22358.8 allows local authorities to retain currently adopted speed limits or restore the immediately prior adopted speed limit by resolution or ordinance.

- C. Vehicle Code section 22358.9 allows local authorities to determine and declare a 25 or 20 mile per hour prima facie speed limit on a highway contiguous to a business activity district by resolution or ordinance when posted with a sign that indicates a speed limit of 25 or 20 miles per hour.

- D. The City seeks to amend Municipal Code Section 85.06 in order to implement the speed reductions authorized by Vehicle Code sections 22358.8 and 22358.9 and streamline the City's existing process for future speed limit setting actions. The City's Transportation Department has prepared and will maintain a document entitled Attachment S, City of San Diego

Posted Speed Limit Locations, which lists the speed limits of all street segments in the City of San Diego, except for those where prima facie speed limits have been established under Vehicle Code section 22352.

E. The Office of the City Attorney prepared this Ordinance based on the information provided by City staff, including information provided by affected third parties and verified by City staff, with the understanding that this information is complete and accurate.

ACTION ITEMS

Be it ordained by the Council of the City of San Diego:

Section 1. Chapter 8, Article 5, Division 00 of the San Diego Municipal Code is amended by amending section 85.06, to read as follows:


§85.06 Variation of State Speed Limit

- (a) The City Manager, or designee, will conduct all engineering and traffic surveys when necessary under Division 11, Chapter 7, Article 1 of the California Vehicle Code, as may be amended, to establish, maintain, and enforce prima facie speed limits on all streets or highways, or portions thereof, within the jurisdiction of the City. The prima facie speed limit will be based upon an engineering and traffic survey and will be appropriate, reasonable and safe to facilitate the orderly movement of traffic.
- (b) Prima facie speed limits applicable on streets or highways, or portions thereof, will be established by resolution of the City Council, when required by Division 11, Chapter 7, Article 1 of the California Vehicle Code, as may be amended.

Section 2. The Council dispenses with a full reading of this Ordinance before its passage because a written copy of this Ordinance was made available to the Council and the public before the date of its passage.

Section 3. This Ordinance will take effect and be in force on the thirtieth day from and after its final passage.

APPROVED: HEATHER FERBERT, City Attorney

By _____
Cassandra E. Mougín
Deputy City Attorney

CEM:cc
January 22, 2025
Or.Dept: Transportation
Doc. No. 4014456

I certify that the Council of the City of San Diego adopted this Ordinance at a meeting held on
MAY 13 2025.

DIANA J.S. FUENTES
City Clerk

By _____
Deputy City Clerk

Approved: 5/22/25
(date)

_____
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~

NEW LANGUAGE: Double Underline

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AMENDING SECTION 85.06, RELATING TO THE
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AND HIGHWAYS.

§85.06

Variation of State Speed Limit

- (a) ~~Whenever the City Manager determines, upon the basis of an engineering and traffic survey that a speed greater than 25 miles per hour would facilitate the orderly movement of vehicular traffic and would be reasonable and safe upon any street otherwise subject to a prima facie limit of 25 miles per hour under the Vehicle Code, the City Manager may determine and declare a prima facie speed limit of 30, 35, 40, 45, 50, 55, or 60 miles per hour, or a maximum speed limit of 65 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie speed limit shall be effective when appropriate signs giving such notice thereof are erected upon said street~~ The City Manager, or designee, will conduct all engineering and traffic surveys when necessary under Division 11, Chapter 7, Article 1 of the California Vehicle Code, as may be amended, to establish, maintain, and enforce prima facie speed limits on all streets or

highways, or portions thereof, within the jurisdiction of the City. The prima facie speed limit will be based upon an engineering and traffic survey and will be appropriate, reasonable and safe to facilitate the orderly movement of traffic.

- (b) ~~Whenever the City Manager determines upon the basis of an engineering and traffic survey that the maximum speed limit of 65 miles per hour is more than is reasonable or safe upon any portion of any street or highway where such maximum speed limit of 65 miles per hour is applicable under the Vehicle Code, the City Manager may determine and declare a prima facie speed limit of 60, 55, 50, 45, 40, 35, 30, or 25 miles per hour, whichever is found most appropriate to facilitate the orderly movement of traffic and is reasonable and safe, which declared prima facie limit shall be effective when appropriate signs giving notice thereof are erected upon such street~~ Prima facie speed limits applicable on streets or highways, or portions thereof, will be established by resolution of the City Council, when required by Division 11, Chapter 7, Article 1 of the California Vehicle Code, as may be amended.
- (c) ~~The provisions of this section shall not apply to any state highway or extension thereof.~~
- (d) ~~Any Councilmember may file a request with the City Clerk for a review of the determination of a speed limit set pursuant to subsection (a) or (b) of this section.~~

~~The City Clerk shall immediately transmit a copy of said request to the Committee Consultant who shall thereupon set a time and place for the hearing before the Committee on Smart Growth and Land Use and shall so notify the requesting Councilmember. The hearing shall be held within thirty (30) days after the request is filed. At the hearing, the Councilmember may present evidence in support of his contentions. Any interested persons may be allowed to participate in the hearing and present evidence. After the conclusion of the hearing the Committee on Smart Growth and Land Use may, based upon the engineering and traffic survey, sustain or modify in whole or in part the Manager's determination. If the committee modifies in whole or in part, the City Manager's determination, it shall make findings as to the appropriate speed limit and the reasonableness thereof based upon the engineering and traffic survey. The decision of the Committee shall be final unless a hearing is set before the City Council pursuant to Section 22.0101, Rule 2.3 Special Orders of Business.~~

CEM:cc
January 22, 2025
Or.Dept: Transportation
Doc. No. 4014477

Passed by the Council of The City of San Diego on MAY 13 2025, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry L. Foster III	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 22 2025.

AUTHENTICATED BY:

TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

APR 22 2025

and on

MAY 22 2025

I FURTHER CERTIFY that said ordinance was read in full prior to passage or that such reading was dispensed with by a vote of five members of the Council, and that a written copy of the ordinance was made available to each member of the Council and the public prior to the day of its passage.

(Seal)

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

By Connie Patterson, Deputy

Office of the City Clerk, San Diego, California

Ordinance Number O- 21959