

ORDINANCE NO. 19-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, AMENDING AND RESTATING SECTION 12.01.090 (SPEED LIMITS) OF CHAPTER 12.01 (GENERAL AND ADMINISTRATIVE PROVISIONS) OF TITLE 12 (VEHICLES AND TRAFFIC) OF THE CITY OF RANCHO SANTA MARGARITA MUNICIPAL CODE REGARDING SPEED LIMITS, INCLUDING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER CEQA GUIDELINES SECTION 15301

THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council of the City of Rancho Santa Margarita hereby finds, determines, and declares as follows:

A. California Vehicle Code Section 40803(b) provides, in pertinent part, as follows:

“In any prosecution under this Code of a charge involving the speed of a vehicle where enforcement involves the use of radar or other electronic devices which measure the speed of moving objects the prosecution shall establish, as part of its prima-facie case, that evidence or testimony presented is not based upon a speed trap as defined in subdivision (b) of Section 40802.”

B. Pursuant to California Vehicle Code Section 40802 vehicle speed limit enforcement involving the use of radar or other electronic device is permissible and does not constitute a “speed trap” where the prima facie speed limit is justified by an engineering and traffic survey conducted within five to seven years prior to the date of the alleged violation.

C. The City desires to continue to use radar and other electronic devices to measure the speed of moving objects to protect the lives and property of motorists traveling on City streets and to improve the enforcement of speed limits within the City of Rancho Santa Margarita.

D. The City has caused an Engineering and Traffic Survey for Speed Limits to be prepared in compliance with California Vehicle Code § 40802 establishing and justifying prima-facie speed limits on certain City streets within the City of Rancho Santa Margarita, which is incorporated herein by reference.

E. Amendments to Rancho Santa Margarita Municipal Code Section 12.01.090 (Speed Limits) are necessary to ensure continued enforcement of vehicle speed limits in accordance with the California Vehicle Code.

F. The amendments are also necessary to protect the general health, safety, or general welfare of the community as a whole through the establishment and maintenance of speed limits on certain streets within the City of Rancho Santa Margarita.

SECTION 2. Section 12.01.090 (Speed Limits) of Chapter 12.01 (General and Administrative Provisions) of Title 12 (Vehicles and Traffic) of the Rancho Santa Margarita Municipal Code is hereby amended and restated in its entirety to read as follows:

“The following speed limits are hereby established in the City:

ID	Street	Segment	Speed Limit (mph)
1	Alas de Paz	Antonio Parkway to Plano Trabuco Road	40
2	Alma Aldea	La Promesa to Santa Margarita Parkway	35
3	Antonio Parkway	Coto de Caza Drive to Santa Margarita Parkway	50
4	Antonio Parkway	Santa Margarita Parkway to Avenida de Las Flores	45
5	Arroyo Vista	Las Mesitas to Ria	40
6	Avenida de Las Banderas	El Carazon to Avenida de Las Flores	25
7	Avenida de Las Banderas	Avenida Empresa to Antonio Parkway	45
8	Avenida de Las Flores	Avenida de Las Banderas to Santa Margarita Parkway	40
9	Avenida de Las Flores	Santa Margarita Parkway to Laurel Road	45
10	Avenida de Las Flores	Laurel Road to Antonio Parkway	45
12	Avenida Empresa	Santa Margarita Parkway to Avenida de Las Banderas	40
13	Avenida de Las Fundadores	Avenida de Las Flores to Santa Margarita Parkway	30
14	Avenida de Las Fundadores	Santa Margarita Parkway to Alma Aldea	30
15	Aventura	West Terminus to Avenida Empresa	35
16	Aventura	Avenida Empresa to Avenida de Las Banderas	35
17	Bienvenidos	Alma Aldea to Antonio Parkway	30
18	Buena Suerte	Avenida de Las Flores to Santa Margarita Parkway	35
19	Comercio	Avenida Empresa to Avenida de Las Banderas	35
20	Coto de Caza Drive	Antonio Parkway to Access Gate	35
21	El Camino Montana	Avenida de Las Flores to Juneberry	40
22	El Camino Montana	Juneberry to Via Con Dios	40
23	Richard Reese Way	Avenida de Las Flores to El Paseo	35
24	Richard Reese Way	El Paseo to La Promesa	30
25	Esperanza	Avenida Empresa to Avenida de Las Banderas	40
26	Heritage Drive	Robinson Ranch Road to Bird Hollow Drive	40
27	La Promesa	Richard Reese Way to Antonio Parkway	30
28	Los Alisos Boulevard	SR-241 to Altisima	50
29	Melinda Road	Santa Margarita Parkway to Via Regressos	50

ID	Street	Segment	Speed Limit (mph)
30	Melinda Road	Via Regressos to SR-241 (Overcrossing)	50
31	Melinda Road	SR-241 (Overcrossing) to Altisima	50
32	Plano Trabuco Road	Trabuco Canyon Road to Robinson Ranch Road	45
33	Plano Trabuco Road	Robinson Ranch Road to Santa Margarita Parkway	45
34	Plano Trabuco Road	Santa Margarita Parkway to Dove Canyon Road	45
36	Rancho Trabuco Road	Melinda Road to Las Sordina	30
37	Santa Margarita Parkway	Avenida Empresa to Avenida de Las Flores	50
38	Santa Margarita Parkway	Avenida de Las Flores to Alma Aldea	50
39	Santa Margarita Parkway	Alma Aldea to Plano Trabuco Road	50
40	Via Arribo	Melinda Road to Via Regressos	40
41	Via Con Dios	El Camino Montana to Avenida de Las Flores	30
42	Via Petalos	Avenida de Las Flores to El Camino Montana	30
43	Via Regressos	Via Arribo to Melinda Road	40
44	Alicia Parkway	Santa Margarita Parkway to South City Limits	55
45	Alma Aldea	Avenida de Las Banderas to La Promesa	40
46	Altisima	Melinda Road to Rancho Trabuco	35
47	Altisima	Rancho Trabuco to Celeste	35
48	Antonio Parkway	South City Limits to Tijeras Creek	60
50	Antonio Parkway	Avenida de Las Banderas to SR-241	55
51	Antonio Parkway	SR-241 to Coto de Caza Drive/La Promesa	55
52	Arroyo Vista	Avenida de Las Banderas to Las Mesitas	35
53	Avenida de Las Banderas	Avenida de Las Flores to Aventura/Esperanza	45
54	Avenida de Las Banderas	Aventura/Esperanza to Avenida Empresa	45
55	Avenida Empresa	Avenida de Las Banderas to Antonio Parkway	40
57	Robinson Ranch Road	Plano Trabuco to Lindsay Drive	40
58	Robinson Ranch Road	Lindsay Drive to Shadow Rock Lane	40
59	Robinson Ranch Road	Shadow Road to North Peak Drive	40
61	Santa Margarita Parkway	Melinda Road to Alicia Parkway	55
62	Santa Margarita Parkway	Alicia Parkway to Avenida Empresa	55
63	Camino Altozano	Avenida de Las Banderas to North Cul-de-sac	35
64	Dove Canyon Drive	Plano Trabuco Road to Gate Entrance	40
65	Trabuco Canyon Road	West City Limits to Plano Trabuco Road	45
66	Sycamore Canyon Drive	Dove Canyon Drive to Inverary	35
67	Sycamore Canyon Drive	Inverary to Mountain Laurel	40
68	Dove Canyon Drive	Main Gate to Ravensridge	40
69	Arroyo Vista	Avenida Empresa to Avenida de Las Banderas	40

SECTION 3. The City Council of the City of Rancho Santa Margarita hereby finds and determines that this Ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the Class 1, Existing Facilities exemption. (14 Cal. Code Regs. § 15301). This exemption applies to the operation of public facilities, including streets and highways, that involve no or negligible expansion of such facilities. In this case, the City is merely adjusting the speed limit on existing streets within the City. The City is not contemplating any actual physical improvements to widen or otherwise increase the capacity of these facilities.

SECTION 4. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance 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 portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

SECTION 5. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen days after passage and adoption as may be required by law; or, in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five days prior to the date of adoption of this Ordinance; and, within fifteen days after adoption, the City Clerk shall cause to be published, the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of the City Clerk.

SECTION 6. This Ordinance shall take effect thirty (30) days after its adoption. The City Clerk, or his or her duly appointed deputy, shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published as required by law.

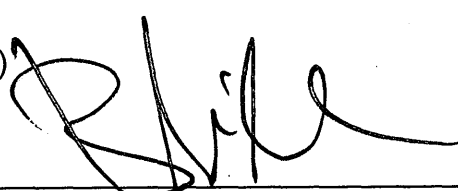
PASSED, APPROVED AND ADOPTED THIS 27TH DAY OF MARCH, 2019.

AYES: Council Members Beall, Figueroa, Gamble and Mayor Pro Tempore McGirr (4)

NOES: None (0)

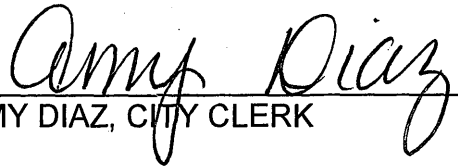
ABSTAIN: None (0)

ABSENT: Mayor Holloway (1)



BRADLEY J. MCGIRR, MAYOR PRO TEMPORE

ATTEST:



 AMY DIAZ, CITY CLERK

STATE OF CALIFORNIA)
 COUNTY OF ORANGE) ss
 CITY OF RANCHO SANTA MARGARITA)

I, Amy Diaz, City Clerk of the City of Rancho Santa Margarita, California, DO HEREBY CERTIFY that the foregoing Ordinance No. 19-02 was duly introduced and placed upon its first reading at a Regular Meeting of the City Council on the 13th day of March, 2019, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council held on the 27th day of March, 2019, by the following vote, to wit:

- AYES: Council Members Beall, Figueroa, Gamble and Mayor Pro Tempore McGirr (4)
- NOES: None (0)
- ABSTAIN: None (0)
- ABSENT: Mayor Holloway (1)



 AMY DIAZ, CITY CLERK

AFFIDAVIT OF POSTING
AND PUBLICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF RANCHO SANTA MARGARITA)

AMY DIAZ, being first duly sworn, deposes and says:

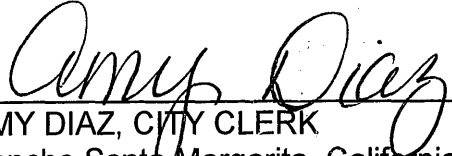
That she is the duly appointed and qualified City Clerk of the City of Rancho Santa Margarita;

That in compliance with State Laws of the State of California, ORDINANCE NO. 19-02, being:

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on the 5th day of April, was published in the Coto De Caza News; and was in compliance with City Resolution No. 00-01-06-07, on the 5th day of April, caused to be posted in three places in the City of Rancho Santa Margarita, to wit:

Rancho Santa Margarita City Hall
Fire Station 45
Trabuco Canyon Water District



AMY DIAZ, CITY CLERK
Rancho Santa Margarita, California