



## County of Del Norte Board of Supervisors

### Board Report

**AGENDA DATE:** December 12, 2023  
**TO:** Del Norte County Board of Supervisors  
**FROM:** Jonathan Olson, County Engineer  
Community Development  
981 H Street, Suite 110  
Crescent City, CA 95531  
**SUBJECT:** Boulder Avenue engineering and traffic survey.

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#### **RECOMMENDATION FOR BOARD ACTION:**

1) Adjourn as the Board of Equalization, reconvene as the Board of Supervisors and review the findings of the engineering and traffic survey performed on Boulder Avenue as requested by the Board on November 21, 2023; and 2) discuss and direct the County Engineer on possible implementation of a new speed limit on Boulder Avenue.\*\*

#### **DISCUSSION/SUMMARY:**

On the petition of property owners, who are requesting a reduction in the speed limit of Boulder Avenue, and with Board direction, a formal engineering and traffic survey was performed in general accordance with California Vehicle Code (CVC). Boulder Avenue is a County maintained road. The current posted speed limit is 40 mph; this was established by County ordinance.

The CVC regulates how speed limits are set and how they can be modified. According to the CA Manual on Uniform Traffic Control Devices, "Speed limits cannot be set arbitrarily low, as this would create violators of the majority of drivers and would not command the respect of the public." Reducing speed limits outside these regulations creates what the CVC calls a "speed trap". In general, the speed limit is to be set at the 85th percentile speed rounded to the nearest 5 mph increment; the 85th percentile is the speed at or below which 85% of people drive on the street segment under free flowing conditions. This represents one standard deviation above the average speed.

Staff conducted an Engineering and Traffic Survey and found that the 85th % speed was 39.5 mph; the complete survey is attached for convenience. In accordance with the CVC this would dictate that the speed limit should be set at 40 mph. While this basic rule is the one most commonly applied, there are opportunities for moderate deviation. CVC Section 22358.6 (c) allows jurisdictions to "round down the speed limit to the lower five miles per hour increment." This means that we have flexibility based on the code to set the speed limit at 35

mph.

Additionally, beginning in June 2024, the BOS will be able to lower speed limits by a max of 5mph if, after an engineering and traffic survey, the BOS determines that the speed limit is "more than reasonable or safe" and finds that: 1) the portion of highway is designated a "safety corridor"; or 2) the portion of highway is adjacent to any land or facility that generates high concentrations of bicyclists or pedestrians. (Vehicle Code 22358.7). It is staff's opinion that neither the "safety corridor" nor bicyclist/pedestrian conditions would meet the standards outlined in the Code. Namely, determining that Boulder Avenue has the "highest number of serious injuries and fatalities based on collision data." If Boulder Avenue qualified as a safety corridor, then the speed limit could be reduced an additional 5 mph for a new speed limit of 30 mph; based on current collision data it is staff's opinion that Boulder Avenue would not qualify for either of these conditions. Another caveat is that the total reduction in speed limit allowed by the aforementioned codes "shall not exceed 12.4 mph from the 85th percentile speed."

Also, beginning June 2024, the BOS will be able to either retain a current speed limit or adopt the immediately previous speed limit, if it determines, after an engineering and traffic survey, that the speed limit is more than "reasonable or safe." Again, this would be done by ordinance and cannot be more than a 5mph reduction. (Vehicle Code 22358.8). If the BOS lowers the speed limit using these sections, the speed limit will NOT be considered a "speed trap" and will, therefore, be enforceable.

The question, "is Boulder Avenue a residential district" and therefore subject to a 25 mph speed limit, has been raised. In accordance with Section 515 of CVC it initially appears to meet the housing density required to classify it as a residential district. However, Section 240 only counts buildings that are "within 75 feet of the roadway." Therefore, the density requirement to meet a residential district is not met and a 25 mph speed limit would not be enforceable.

This Board may adopt an ordinance declaring any speed limit it chooses and the Roads Department can install signs reflecting that ordinance, but the speed limit would not be enforceable.

In accordance with staff's interpretation of the CVC, this Board has two options for enforceable speed limits:

Keep the speed limit at 40 mph.

Reduce the speed limit to 35 mph.

During the survey, it was noted that there was no speed limit sign posted on the Lake Earl Drive end of Boulder Avenue, and nothing in the County's records indicating that there has ever been a sign posted there. Staff recommends that a speed limit sign be added to the west end of Boulder Avenue.

It is staff's opinion that we have presented options to this Board as requested on 21 November 2023. We await your direction.

**ALTERNATIVES:**

No additional alternatives are suggested at this time.

**FINANCING:**

Road Fund (102 311)

**OTHER AGENCY INVOLVEMENT:**

None

**CHILDREN'S IMPACT STATEMENT:**

**This section meets the following outcome measures for children in Del Norte County:**

- Communities are safe and provide a high quality of life.

**ATTACHMENTS:**

1. Draft Boulder Ave. Engineering and Traffic Survey

**APPROVALS:**

Heidi Kunstal, Director  
Kylie Goughnour , Clerk of the Board

Approved - 11/30/2023  
Final Approval - 12/6/2023