

**REGULAR**

**\*9**

**NUMBER**      **No. 43.210**

**TITLE:**            **AN ORDINANCE OF THE CITY OF MILPITAS AMENDING CHAPTER 100, TITLE V OF THE MILPITAS MUNICIPAL CODE RELATED TO TRAFFIC**

**HISTORY:**      This Ordinance was introduced (first reading) by the City Council at its meeting of December 16, 2008, upon motion by Vice Mayor McHugh, and was adopted (second reading) by the City Council at its meeting of \_\_\_\_\_, 2009. upon motion by Councilmember\_\_\_\_. Said Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Robert Livengood, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J Ogaz, City Attorney

ORDINANCE CLAUSE:

THE CITY COUNCIL OF THE CITY OF MILPITAS DDOES ORDAIN AS FOLLOWS:

Section 1. Amendments

- A. Milpitas Municipal Code V-100-14.01 is hereby amended and restated in its entirety to read as follows:

V-100-14.01. Increasing State Speed Limit in Certain Zones

It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by State law upon the following streets is less than is necessary for safe operation of vehicles thereon by reason of the designation and sign-posting of said streets as through highways and (or) by reason of widely spaced intersections, and it is hereby declared that the prima facie speed limit shall be as hereinafter set forth on those streets or parts of streets herein designated when signs are erected giving notice thereof:

Name of Street or Portion Affected	Declared Prima Facie Speed Limit
.1 Deleted by Ord. 43.210	
.2 Deleted by Ord. 43.202.	
.3 South Park Victoria Dr from Calaveras Boulevard to Landess Avenue	35-MPH
.4 North Park Victoria Drive from Calaveras Boulevard to Jacklin Road	35-MPH
.5 Serra Way from Calaveras Boulevard to South Abel Street	30-MPH
.6 Serra Way from South Abel Street to Main St	30-MPH
.7 Abbott Avenue from Calaveras Boulevard to Spence Avenue/Heath Street	30-MPH
.8 Dixon Road from North Milpitas Boulevard to Arizona Avenue	35-MPH
.9 Landess Avenue from I-680 to the Easterly End of Landess Avenue (those portions within the City)	35-MPH
.10 Sequoia Drive from Yellowstone Avenue to Yosemite Drive	30-MPH
.11 Deleted by Ord. 43.156	
.12 Deleted by Ord. 43.210	
.13 Deleted by Ord. 43.170	
.14 Dempsey Road from South Park Victoria Drive to a Point 300-Feet West of Dempsey Way	30-MPH
.15 Escuela Parkway from Jacklin Road to North Milpitas Boulevard	30-MPH
.16 Deleted by Ord. 43.139	
.17 Deleted by Ord. 43.162	

.18 Marilynn Drive from North Main Street to Abel Street	30-MPH
.19 Marilynn Drive from Abel Street to Penitencia Street	30-MPH
.20 Dixon Road from Arizona Avenue to the East End-of-Street	30-MPH
.21 Deleted by Ord. 43.188	
.22 Kennedy Drive from Evans Road to North Park Victoria Drive	30-MPH
.23 Midwick Drive from Arizona Avenue to North Milpitas Boulevard	30-MPH
.24 North Temple Drive from Calaveras Boulevard to Kennedy Drive	30-MPH
.25 Yellowstone Avenue from South Park Victoria Drive to Sequoia Drive	30-MPH
.26 Hillview Drive from Calaveras Boulevard to Jacklin Road	30-MPH
.27 McCandless Drive – Entire Segment	40-MPH
.28 Hillview Drive from Yosemite Drive to Calaveras Boulevard	35-MPH
.29 Gibraltar Drive(all including Yosemite Drive West Side of South Milpitas Boulevard)	30-MPH
.30 McCarthy Boulevard from Bellew Drive to Ranch Drive (N)	35-MPH

B. Milpitas Municipal Code V-100-14.02 is hereby amended and restated in its entirety to read as follows:

V-100-14.02. Decrease of State Law Maximum Speed

It is hereby determined upon the basis of an engineering and traffic investigation that the speed permitted by State law outside of business and residence districts as applicable upon the following streets is greater than is reasonable or safe under the conditions found to exist upon such street and it is hereby declared that the prima facie speed limit shall be herein set forth or parts of streets here designated when signs are erected giving notice thereof.:

<b>Name of Street or Portion Affected</b>	<b>Declared Prima Facie Speed Limit</b>
.1 Jacklin Road	35-MPH
.2 Removed by Ord. 43.210	
.3 Removed by Ord. 43.210	
.4 Montague Expressway between Trimble Road and its Easterly End at I-680	45-MPH
.5 Capitol Avenue from Montague Expressway Running East to the City Limits of the City	45-MPH

.6 Deleted by Ord. 43.105	
.7 Dempsey Road from Yosemite Drive to 300-FT West of Dempsey Way	35-MPH
.8 Evans Road from Calaveras Boulevard to Kennedy Drive	35-MPH
.9 Downing Road (those portions of Downing Road within the City Limits of Milpitas)	25-MPH
.10 Old Calaveras Road (those portions of Old Calaveras Road within the City Limits)	25-MPH
.11 Deleted by Ord. 43.202	
.12 Escuela Parkway from Jacklin Road to a Point 200-Feet South of Russell Lane	30-MPH
.13 Deleted by Ord. 43.127	
.14 Deleted by Ord. 43.127	
.15 Ayer Street between North Park Victoria Drive to Wool Drive	25-MPH
.16 Deleted by Ord. 43.105	
.17 Sinclair Frontage Road (Entire Segment)	40-MPH
.18 That portion of Piedmont Road within the City Limits of the City of Milpitas	35-MPH
.19 North Milpitas Boulevard beginning at the intersection of Jacklin Road and Running to the North City Limits	45-MPH
.20 Deleted by Ord. 43.127	
.21 South Milpitas Boulevard from Montague Expressway to Calaveras Boulevard	40-MPH
.22 Ames Avenue	35-MPH
.23 Deleted by Ord. 43.202	
.24 Dempsey Road between Landess Avenue and Yosemite Drive	35-MPH
.25 Dixon Landing Road between North Milpitas Boulevard and the West City Limits	40-MPH
.26 Deleted by Ord. 43.210	
.27 Deleted by Ord. 43.210	
.28 Los Coches Street from South Milpitas Boulevard to Sinclair Frontage Road	35-MPH
.29 South Main Street from Carlo Street to Curtis Avenue	30-MPH

.30 South Main Street from Curtis Avenue to Abel Street	35-MPH
.31 South Main Street from Abel Street to Montague Expressway	35-MPH
.32 Yosemite Drive from South Milpitas Boulevard to Sinclair Frontage Road	35-MPH
.33 Yosemite Drive from Sinclair Frontage to South Park Victoria Drive	30-MPH
.34 North Milpitas Boulevard between Calaveras Boulevard and Jacklin Road	35-MPH
.35 McCarthy Boulevard from Montague Expressway to Bellew Drive	40-MPH
.36 Barber Lane from McCarthy Boulevard to Bellew Drive	40-MPH
.37 Buckey Drive	35-MPH
.38 Cottonwood Drive	35-MPH
.39 Sycamore Drive	35-MPH
.40 Hillview Drive from Calaveras Boulevard to Yosemite Drive	35-MPH
.41 Watson Court	30-MPH
.42 Evans Road from Kennedy Drive to Country Club Drive	35-MPH
.43 Deleted by Ord. 43.139	
.44 California Circle	35-MPH
.45 Centre Point Drive	35-MPH
.46 Trade Zone Boulevard (that portion within the City Limits of the City of Milpitas)	40-MPH
.47 Milmont Drive (those portions within Milpitas)	30-MPH
.48 Tasman Drive from the San Jose City Limit Running East to the I-880 SB Ramps	40-MPH
.49 Alder Drive	40-MPH
.50 Magnolia Drive	40-MPH
.51 Sumac Drive	40-MPH
.52 South Abbott Avenue from Calaveras Boulevard to the South End	35-MPH
.53 Fairview Wy	25-MPH

.54 Cadillac Court	35-MPH
.55 Country Club Drive	25-MPH
.56 Deleted by Ord. 43.145	
.57 Calaveras Ridge Drive	25-MPH
.58 Cypress Drive	35-MPH
.59 Bellew Drive	35-MPH
.60 North Main Street from Railroad Avenue to Carlo Street	30-MPH
.61 on North Park Victoria Drive, approximately 100-feet North of Kirwall Place to the North City Limit	25-MPH
.62 on North Park Victoria Drive, 200-feet south of Carson Way, to approximately 100-feet north of Kirkwall Place	35-MPH
.63 N Park Victoria Drive from Jacklin Road to Carson Way	35-MPH
.64 Great Mall Parkway from I-880 to Montague Expressway	40-MPH
.65 Milmont Drive between Dixon Landing Road and California Circle	35-MPH
.66 Arizona Avenue from Washington to South End	25-MPH
.67 North McCarthy Boulevard between the North End of Ranch Drive and Dixon Landing Road	45-MPH
.68 Beresford Court	25-MPH
.69 North Park Victoria Drive from Kirkwall Place to the North City Limits	25-MPH
.70 Calaveras Boulevard from Sinclair Freeway (I-680) to Evans Road-Piedmont Road	35-MPH
.71 Calaveras Rd from Evans Road-Piedmont Road to Downing Road	35-MPH
.72 Calaveras Road from Downing Road to Easterly City Limits	35-MPH
.73 Heath Street	25-MPH
.74 Weller Lane	35-MPH
.75 Ranch Drive	30-MPH
.76 N Abel Street from North Milpitas Boulevard to Calaveras Boulevard	35-MPH
.77 S Abel Street from Calaveras Boulevard to Corning Avenue	35-MPH

.78	S Abel Street from Corning Avenue to Great Mall Parkway	35-MPH
.79	S Abel Street from Great Mall Parkway to S Main Street	35-MPH
.80	Yellowstone Avenue from Sequoia Drive to Landess Avenue	30-MPH

C. Milpitas Municipal Code V-100-15.05 is hereby amended and restated in its entirety read as follows:

V-100-15.05. Angle Parking on Certain Streets

In accordance with the provisions of Section 10.06 and when signs are erected giving notice thereof, angle parking shall be permitted upon:

No.	Street	Segment
.1	Removed by Ord. 43.210	
.2	Removed by Ord. 43.210	
.3	Barber Lane	East Side between Bellew Drive to North End-of-Street
.4	Ranch Drive	West of North McCarthy Boulevard to East End-of-Street
.5	Hammond Way	West Side from Curtis Avenue to 1,500-Foot North of Curtis Avenue

D. Milpitas Municipal Code V-100-15.06 is hereby amended and restated in its entirety to read as follows:

V-100-15.06. Parking Time Limited on Certain Enumerated Streets

In accordance with provisions of Section 12.01 and when signs are erected giving notice thereof, no person shall stop, stand, or park any vehicle for a period time in excess of the time therein indicated on the streets or portions of streets described as follows:

No.	Street	Segment	Duration	Time
.1	Deleted by Ord. 43.81			
.2	Deleted by Ord. 43.81			
.3	Deleted by Ord. 43.198			
.4	Deleted by Ord. 43.207			
.5	Milpitas Library	Parking Zones in front of the Library Parking Lot Facing the Main Entrance	5-Minutes	Any Time
.6	Deleted by Ord. 43.210			
.7	Deleted by Ord. 43.210			
.8	Deleted by Ord. 43.209			
.9	Alvarez Court	East Side	4 Hours	7AM-9PM
.10	Thompson Street	West Side from Great Mall Parkway to	3 Hours	Any Time

		Machado Street		
.11	Thompson Court	West Side from Machado Street to North End-of-Street	3 Hours	7AM-6PM Everyday
.12	Thompson Court	East Side from Machado Street to North End-of-Street	10 Hours	7AM-6PM Mon-Fri
.13	S Hillview Drive	East Side from Calaveras Boulevard to Los Coches Street	4 Hours	7AM-6PM Mon-Fri
.14	Hammond Way	West Side from Curtis Avenue to 1,500-Foot North of Curtis Avenue	10 Hours	7AM-6PM Mon-Fri

E. Milpitas Municipal Code V-100-15.12 is hereby amended and restated in its entirety to read as follows:

V-100-15.12. Vehicles in Excess of Certain Gross Weight Limits Prohibited

In accordance with the provisions of Section 12.07 of this Chapter, and where signs are erected giving notice thereof at all entrances to the highway or parts thereof affected, all streets and parts of streets in the City of Milpitas (now or hereafter existing) are hereby declared to be streets, the use of which is prohibited by any vehicle exceeding a maximum gross weight limit of four (4) tons, with the following specific exceptions:

No.	Street	Segment
.1	Deleted by Ord. 43.210	
.2	Weller Lane	Entire Segment
.3	Deleted by Ord. 43.210	
.4	Deleted by Ord. 43.210	
.5	Deleted by Ord. 43.210	
.6	Ames Avenue	Entire Segment
.7	Deleted by Ord. 43.210	
.8	Piper Drive	Entire Segment
.9	Landess Avenue	Entire Segment
.15	Hammond Way	Entire Segment
.16	Deleted by Ord. 43.146	
.17	Piedmont Road	Entire Segment
.18	Abbott Avenue	Spence Avenue and Calaveras Boulevard
.19	South Milpitas Boulevard	Montague Expressway and Calaveras Boulevard
.20	Los Coches Street	Entire Segment
.21	Hillview Drive	Calaveras Boulevard Yosemite Drive
.22	Sinclair Frontage Road	Entire Segment
.23	Yosemite Drive	West of Dempsey Road
.24	Vista Way	Entire Segment
.25	Wrigley Way	Entire Segment

.26	Watson Court	Entire Segment
.27	Pecten Court	Entire Segment
.28	Gladding Court	Entire Segment
.29	Deleted by Ord. 43.210	
.30	Sango Court	Entire Segment
.31	Houret Drive	Entire Segment
.32	Tarob Court	Entire Segment
.33	Milmont Drive	Dixon Landing Road and Northern City Limits
.34	Railroad Avenue	Entire Segment
.35	Deleted by Ord. 43.210	
.36	McCarthy Boulevard	Entire Segment
.37	Barber Lane	Entire Segment
.38	Buckeye Drive	Entire Segment
.39	Cottonwood Drive	Entire Segment
.40	Sycamore Drive	Entire Segment
.41	Turquoise Street	Entire Segment
.42	Topaz Street	Entire Segment
.43	Buckeye Court	Entire Segment
.44	Gibraltar Drive	Entire Segment
.45	Gibraltar Court	Entire Segment
.46	California Circle	Entire Segment
.47	Deleted by Ord. 43.210	
.48	Trade Zone Boulevard	That portion within the City Limits
.49	Centre Point Drive	Entire Segment
.50	Tasman Drive	Entire Segment
.51	Alder Drive	Entire Segment
.52	Magnolia Drive	Entire Segment
.53	Sumac Drive	Entire Segment
.54	Abbott Avenue	South of Calaveras Boulevard
.55	Fairview Way	Entire Segment
.56	Cadillac Court	Entire Segment
.57	Lundy Place	That portion within the City Limits
.58	McCandless Drive	Entire Segment
.59	Deleted by Ord. 43.210	
.60	Dempsey Way	Entire Segment
.61	N Abel Street	Weller Lane and Calaveras Boulevard
.62	S Abel Street	Great Mall Parkway and S Main Street
.63	N Main Street	Railroad Avenue and Weller Lane

.64	S Main Street	Curtis Avenue and S Abel Street
.65	Curtis Avenue	S Main Street to Easterly End-of-Street
.66	Great Mall Parkway	Tasman Drive to Capitol Avenue
.67	Capitol Avenue	Great Mall Parkway to Southerly City Limits
.68	Dempsey Road	Yosemite Drive to Montague Expressway

F. Milpitas Municipal Code V-100-15.16 is hereby amended and restated in its entirety to read as follows:

Section V-100-15.16. Specific Turning Movements Prohibited at Specific Areas

In accordance with the provisions of Section 5.06 and when signs are erected giving notice thereof, drivers of vehicles shall obey the directions of any such sign located as hereafter described:

No.	Street	Location	Time
.1	S Abbott Avenue	Brentwood Market Parking Lot	Any Time
.2	Deleted by Ord. 43.146		
.3	N Milpitas Boulevard	Beresford Square Shopping Center Parking Lot	7AM-7PM Everyday
.4	Deleted by Ord. 43.210		
.5	Jacklin Road	Westbound Jacklin Road at Hillview Drive	7am-8am Mon-Fri
.6	Jacklin Road	Westbound Jacklin Road at Campbell Street	7am-8am Mon-Fri
.7	N Abel Street	Southbound N Abel Street at Redwood Avenue (Carpools OK)	6am-9am Mon-Fri
.8	N Abel Street	Southbound N Abel Street at Marilyn Drive (Carpools OK)	6am-9am Mon-Fri
.9	N Abel Street	Southbound N Abel Street at Penitencia Street (Carpools OK)	6am-9am Mon-Fri

Section 2. Severability

The provisions of this ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

Section 3. Effective Date and Posting

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.