



Board Agenda Item 8

DATE: December 11, 2018

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Amendment of the Fresno County Ordinance Code to Modify the Chapter on Speed Limits

RECOMMENDED ACTION(S):

1. **Conduct first hearing on an Ordinance to amend Chapter 11.24 - Speed Limits of the Fresno County Ordinance Code, Sections 11.24.010 through 11.24.100, to reflect various changes to the Ordinance Code, some of which result from recent traffic studies; waive the reading of the Ordinance in its entirety; and set second hearing for January 8, 2019;**
2. **Designate County Counsel to prepare a fair and adequate summary of the proposed ordinance; and**
3. **Direct the Clerk of the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1).**

The recommended actions pertain to 77 road locations within the boundary of Fresno County. One location was studied to have a speed limit that will increase. Two locations were studied to have a speed limit that will decrease. Twelve new locations were studied for an established speed limit and are proposed for adoption into the Ordinance. Ten locations are currently located outside of the County's jurisdiction, and will be removed from the Ordinance due to annexation to a city. The remaining 52 locations, currently listed in the Ordinance, have technical changes. The Vicinity Maps display 26 locations, which would result in either an increased speed limit change, a decreased speed limit change, a newly established speed limit, an annexation to a city, or an elimination from the Code. The speed limit changes are intended to improve traffic safety and service for consistency with existing conditions. This item pertains to locations in Districts 1, 2, 4, and 5.

ALTERNATIVE ACTION(S):

If the recommendation actions are not approved by your Board, the Speed Limits of Fresno County Ordinance Code will remain unchanged, contain technical issues, and there will be no change in the listed speed limits.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The estimated cost to replace or install speed limit signs is \$1,450 for materials and \$1,750 for labor and equipment for a total estimated cost of \$3,200. Sufficient appropriations and estimated revenues are included in the Department of Public Works and Planning - Roads Org 4510 FY 2018-19 Adopted Budget.

DISCUSSION:

The purpose of a speed limit is to regulate traffic so that reasonable driving speeds are maintained. National and State guidelines recommend speed limits be set so that the fifteenth percentile of the fastest motorists are subject to a citation with the burden to prove their driving was safe at the time of the citation. Arbitrarily low and restrictive limits set by local authorities on classified County roads are defined in the California Vehicle Code (CVC), Section 40802 as speed traps, and are not enforceable by radar.

Sections 22357 and 22358 of the CVC allow a local authority to determine, upon the basis of an engineering and traffic survey, a prima facie speed limit upon any street, other than a State highway, to facilitate the orderly movement of traffic that is reasonable and safe.

Engineering and Traffic Surveys (E&TS) are required as the basis for local authorities to establish speed limits higher or lower than those prescribed in the CVC. These include radar measurement of operating speeds, analysis of accident records, and field reviews to inventory road conditions and roadside conditions not readily apparent to drivers. The appropriate speed limit is recommended based upon analysis of the acquired data and actual road and traffic conditions. According to the CVC, only those prima facie speed limits based on E&TS are enforceable by radar.

The public, other agencies and County staff initiate requests for changes to existing speed limits, which require an amendment to the Fresno County Ordinance Code, Sections 11.24.010 through 11.24.100 of Chapter 11.24 - Speed Limits.

The Speed Limits chapter of the Ordinance contains 77 various changes pertaining to road locations (or portions of the road defined by the boundaries) and the locations are separated into the following categories: (1) New, (2) Speed change, (3) Annexed to a city, and (4) Technical change.

(1) New: These locations are proposed for establishment into the Ordinance with a recently established speed limit, supported by E&TS:

1. Armstrong Avenue from Belmont Avenue to Olive Avenue will be 45 miles per hour.
2. Armstrong Avenue from Church Avenue to Fresno City limits (Southern Pacific Railroad) will be 45 miles per hour.
3. Belmont Avenue from Armstrong Avenue to Temperance Avenue will be 50 miles per hour.
4. Bethel Avenue from McKinley Avenue to Shields Avenue will be 50 miles per hour.
5. Clinton Avenue from Cornelia Avenue to Polk Avenue will be 45 miles per hour.
6. Jensen Avenue from Clovis Avenue to Fowler Avenue will be 60 miles per hour.
7. Locan Avenue from Shields Avenue to a point 0.566 miles north of Shields Avenue except that portion within the boundaries of the City of Fresno will be 45 miles per hour.
8. Sky Harbour Drive from El Lado Drive to the north end of Sky Harbour Drive at the cul-de-sac will be 35 miles per hour.
9. Swift Avenue from Fruit Avenue to Palm Avenue will be 30 miles per hour.
10. Swift Avenue from Maroa Avenue to Palm Avenue will be 30 miles per hour.
11. Temperance Avenue from Clinton Avenue to Shields Avenue except that portion within the boundaries of the City of Fresno will be 45 miles per hour.
12. Trimmer Springs Road from Belmont Avenue to Kings Canyon Road will be 45 miles per hour.

(2) Speed changes, supported by E&TS:

The speed limit of this location will increase:

1. Brawley Avenue from State Highway 180 to Belmont Avenue is currently 45 miles per hour and will increase to 50 miles per hour.

The speed limit of these locations will decrease:

1. Butler Avenue from a point 850 feet west of Temperance Avenue to Temperance Avenue is currently 45 miles per hour and will decrease to 40 miles per hour.
2. Van Ness Boulevard from a point 200 feet north of Garland Avenue to Palm Avenue is currently 35 miles per hour and will decrease to 30 miles per hour.

(3) Annexed to a city: These are currently located outside of the County's jurisdiction, and are eliminated from the Ordinance:

1. Academy Avenue from 665 feet south of Kamm Avenue to 995 feet north of Stroud Avenue.
2. Chestnut Avenue from Jensen Avenue to a point 1,000 feet south of Jensen Avenue.
3. Church Avenue from Fig Avenue to 600 feet east of Walnut Avenue.
4. Dinuba Avenue from Sunset Avenue to Buttonwillow Avenue except that portion within the jurisdiction of the City of Reedley.
5. Fig Avenue from Church Avenue to Jensen Avenue.
6. Hayes Avenue from Gettysburg Avenue to Shaw Avenue.
7. Kearney Boulevard from a point 1,200 feet east of Vineland Avenue to a point 300 feet east of Vineland Avenue.
8. Kearney Boulevard from a point 300 feet east of Vineland Avenue to Vineland Avenue.
9. Parlier Avenue from Milton Avenue to Mendocino Avenue except that portion within the boundaries of the City of Parlier.
10. Polk Avenue from Ashlan Avenue to Dakota Avenue.

(4) Technical change:

The remaining 52 amendments, pertaining to road locations currently listed in the Ordinance, are related to technical issues and the Department wishes to amend the Ordinance Code to fix these issues and make the Ordinance Code more accurate and well-organized. Technical change amendments are limited to areas where there is no speed change, and are defined by any of the following: eliminated due to a boundary overlapping another location; the road name changed to reflect a new boundary due to partial annexation to a city and is not eliminated; the remaining changes address grammatical or alphabetical corrections.

A notice that the Fresno County Speed Limits Ordinance is proposed for change will be published in a local newspaper before the second reading on January 8, 2019. With your Board's approval, the ordinance amendment will take effect 30 days if and after it is adopted during the second reading and, where required, signs will be replaced or installed shortly thereafter.

OTHER REVIEWING AGENCIES:

The California Highway Patrol provides traffic enforcement on County roads. They will be notified for review of the proposed ordinance amendment. Representatives from the City of Fresno will be notified for review of shared-jurisdiction locations that are either new or existing with a speed change. Other cities (Clovis, Kerman, Kingsburg, Parlier, and Reedley), for existing locations of shared-jurisdiction, do not need to be notified since the studies resulted in either no change in speed limit or annexation.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Vicinity Maps
Speed Zone Ordinance
Speed Zone Ordinance (Redline)
On file with Clerk - Speed Zone Ordinance Summary

CAO ANALYST:

Sonia M. De La Rosa