



Board Agenda Item 14

DATE: July 13, 2021

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 11.24.060 through 11.24.080, to reflect various changes to the Ordinance Code as a result of recent traffic studies; waive the reading of the Ordinance in its entirety; and set second hearing for August 10, 2021;**
- 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 nine speed zones, or road locations, or portions of the road, defined by cross streets and/or the incorporated jurisdictional boundaries, within the boundary of Fresno County. Seven new speed zones were studied for an established speed limit and are proposed for adoption into the Ordinance. One existing speed zone is now located outside of the County of Fresno's jurisdiction, due to an annexation for a City, and will be removed from the Ordinance. The remaining speed zone consists of a technical change in the Ordinance. The Vicinity Maps display locations that are either a new speed zone, or a removed speed zone, or a speed zone with a technical change. The speed limits are intended to improve traffic safety and service to be consistent with existing conditions. This item pertains to speed zones in Districts 1, 2 and 5.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved by your Board, the Speed Limits chapter of the Fresno County Ordinance Code will remain unchanged.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The estimated cost to install or replace speed limit signs is \$565 for materials and \$575 for labor and equipment for a total estimated cost of \$1,140. Sufficient appropriations and estimated revenues are included in the Department of Public Works and Planning - Roads Org 4510 FY 2020-21 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 roads classified as County roads are defined in the California Vehicle Code (CVC), Section 40802 as speed traps, and are not enforceable by radar.

Section 22349 of the Speed Law chapter of the CVC states that the maximum speed limit of a two-lane undivided highway is 55 MPH; therefore, it is not included in the Speed Limits Ordinance.

Sections 22357 and 22358 of the CVC allow a local authority to determine, upon the basis of an Engineering and Traffic Survey (E&TS), 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.

An E&TS is required as the basis for local authorities to establish speed limits higher or lower than those prescribed in the CVC. The E&TS includes radar measurements of operating speeds, analysis of accident records, and field reviews to inventory of 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 an E&TS are enforceable by radar.

The public, other agencies or County staff initiate requests for changes to existing speed limits, which require an amendment to the Fresno County Ordinance Code, Sections 11.24.020 through 11.24.100 of Chapter 11.24 - Speed Limits.

Department staff proposes changes to the Speed Limits chapter of the Ordinance Code relating to nine speed zones. The changes are summarized into the following three categories: (1) new speed zone, (2) removed speed zone, and (3) technical change speed zone.

(1) New speed zone.

These zones are proposed for adoption into the Ordinance with a recently established speed limit, supported by the E&TS:

1. Clinton Avenue from Sunnyside Avenue to Fowler Avenue except that portion within the boundaries of the City of Fresno, will be 40 MPH. (District 5)
2. Garfield Avenue from Bullard Avenue to Herndon Avenue, will be 50 MPH. (District 1)
3. Kings Canyon Road from Argyle Avenue to Fowler Avenue except that portion within the boundaries of the City of Fresno, will be 50 MPH. (District 5)
4. Kings Canyon Road from Fowler Avenue to Armstrong Avenue except that portion within the boundaries of the City of Fresno, will be 50 MPH. (District 5)
5. Nees Avenue from Chestnut Avenue to Willow Avenue except that portion within the boundaries of the City of Fresno, will be 45 MPH. (District 2)
6. Rio Vista Avenue from State Route 180 to Trimmer Springs Road, will be 45 MPH. (District 5)
7. Willow Avenue from Alluvial Avenue to Nees Avenue except that portion within the boundaries of the City of Clovis and the City of Fresno, will be 50 MPH. (District 2)

(2) Removed speed zone.

This zone is now located outside of the County's jurisdiction, due to an annexation for the City of Fresno, and will be removed from the Ordinance:

1. Temperance Avenue from Clinton Avenue to Shields Avenue except that portion within the boundaries of the City of Fresno, 45 MPH. (District 5)

(3) Technical change speed zone.

This zone was reevaluated by the E&TS, and based on that reevaluation, the speed limit will remain unchanged and the length will be extended by ½ mile. The description of the zone in the Ordinance

will be changed to reflect the new boundaries, supported by the E&TS:

1. Existing zone description:

Behymer Avenue from Sunnyside Avenue to Fowler Avenue, will remain 45 MPH. (District 5)

Proposed zone description:

Behymer Avenue from 1/2 mile east of Minnewawa Avenue to Fowler Avenue, will be 45 MPH.
(District 5)

A notice that the Fresno County Speed Limits Ordinance is proposed for change will be published in the Fresno Business Journal before the second hearing on August 10, 2021. With your Board's approval, the Ordinance amendment will take effect 30 days after it is adopted and signs, where required, will be installed or replaced shortly thereafter.

OTHER REVIEWING AGENCIES:

The California Highway Patrol (CHP) provides traffic enforcement on Fresno County roads. The CHP was notified on May 25, 2021 for review of the proposed Ordinance amendment. Incorporated cities in Fresno County have jurisdiction of the roads within their boundaries. A road location that has joint jurisdiction between the County and a City is a boundary line street, and is known as a shared-jurisdiction location. The City of Clovis was notified on May 25, 2021 for review of a traffic study involving the speed zone in the shared-jurisdiction location within the City of Clovis. The City of Fresno was notified on May 25, 2021 for review of the traffic studies involving the speed zones in the shared-jurisdiction locations within the City of Fresno. None of the notified agencies have objected to the changes.

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:

Ron Alexander