



Board Agenda Item 8

DATE: April 27, 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 11.24.050 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 June 8, 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 10 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 will be separated into two speed zones, and these two speed zones were studied to have a speed limit that will decrease by the amendment of the Ordinance. The Vicinity Maps display locations that are either a new speed zone, or a speed zone with a speed decrease. The Vicinity Maps will not display the speed zone which was removed from the Ordinance due to it being separated into two speed zones. 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, 3 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 \$1,395 for materials and \$1,130 for labor and equipment for a total estimated cost of \$2,525. 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 classified 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 survey includes radar measurements 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 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 10 speed zones. The changes are summarized into the following three categories: (1) new speed zone, (2) speed limit decrease, and (3) technical change.

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

1. Cedar Avenue from Malaga Avenue to Central Avenue except that portion within the boundaries of the City of Fresno, will be 50 MPH. (District 3)
2. Malaga Avenue from Cedar Avenue to Maple Avenue except that portion within the boundaries of the City of Fresno, will be 35 MPH. (District 3)
3. Malaga Avenue from Maple Avenue to Chestnut Avenue except that portion within the boundaries of the City of Fresno, will be 40 MPH. (District 3)
4. Marks Avenue from Church Avenue to Kearney Boulevard except that portion within the boundaries of the City of Fresno, will be 50 MPH. (District 1)
5. North Avenue from Fruit Avenue to Walnut Avenue except that portion within the boundaries of the City of Fresno, will be 50 MPH. (District 1)
6. Temperance Avenue from McKenzie Avenue to Belmont Avenue except that portion within the boundaries of the City of Fresno, will be 45 MPH. (District 5)
7. Whites Bridge Avenue from Valentine Avenue to Marks Avenue except that portion within the boundaries of the City of Fresno, will be 45 MPH. (District 1)

(2) Speed limit decrease, supported by E&TS:

1. Shields Avenue from Blythe Avenue to Brawley Avenue except that portion within the boundaries of the City of Fresno, will decrease from 50 to 45 MPH. (District 1)
2. Shields Avenue from Cornelia Avenue to Blythe Avenue except that portion within the boundaries of the City of Fresno, will decrease from 50 to 45 MPH. (District 1)

(3) Technical change, supported by E&TS:

One existing zone was reevaluated by E&TS, and based on that reevaluation, will be separated into two speed zones. The existing speed zone description below will be removed from the Ordinance Code, and the two speed zone descriptions, listed above under 'Speed Limit Decrease', will be added to reflect the separation:

1. Shields Avenue from a point 1,000 feet east of Blythe Avenue to Cornelia Avenue, 50 MPH.
(District 1)

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 June 8, 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 February 26, 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 Fresno was notified on March 2, 2021 for review of the traffic studies involving speed zones in 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