



Legislation Details (With Text)

File #: 19-1482

On agenda: 12/10/2019 **Final action:** 12/10/2019

Enactment date: **Enactment #:**

Title: Conduct first hearing on an Ordinance to amend Chapter 11.24 - Speed Limits of the Fresno County Ordinance Code, Sections 11.24.030 through 11.24.100, to reflect various changes to the Ordinance Code as a result of recent traffic studies; waive reading of Ordinance in its entirety; and set second hearing for January 21, 2020; and designate County Counsel to prepare a fair and adequate summary of proposed Ordinance; and direct the Clerk of the Board to post and publish required summary in accordance with Government Code, Section 25124(b)(1)

Attachments: 1. Agenda Item, 2. Vicinity Maps, 3. Speed Zone Ordinance, 4. Speed Zone Ordinance (Redline), 5. Speed Zone Ordinance Summary, 6. Additional Information

Date	Ver.	Action By	Action	Result
12/10/2019	1	Board of Supervisors	Approved as Recommended	Pass

DATE: December 10, 2019

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 11.24.030 through 11.24.100, 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 January 21, 2020; and**
- 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 25 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. Two new speed zones were studied for an established speed limit and are proposed for adoption into the Ordinance. Four speed zones were studied to have a speed limit that will decrease by the amendment of the Ordinance. One speed zone is now located outside of the County's jurisdiction and will be removed from the Ordinance due to annexation to a city. Two speed zones will revert to the maximum speed limit of 55 miles per hour (MPH) and will be removed from the Ordinance. The remaining sixteen speed zones consist of technical changes. The Vicinity Maps display locations that are either a new speed zone, a speed zone with a speed change, a speed zone annexed to a city, a speed zone reverting to the maximum speed limit of 55 MPH, or a

speed zone meeting residential requirements. The remaining fifteen speed zones not displayed in the Vicinity Maps will remain in the Ordinance and will have no change in speed limit. The speed limits are intended to improve traffic safety and service for consistency with existing conditions. This item pertains to speed zones in Districts 1, 2, 4 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 \$690 for materials and \$625 for labor and equipment for a total estimated cost of \$1,315. Sufficient appropriations and estimated revenues are included in the Department of Public Works and Planning - Roads Org 4510 FY 2019-20 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 and County staff initiate requests for changes to existing speed limits, which require an amendment to the Fresno County Ordinance Code, Sections 11.24.030 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 25 road locations (or portions of the road defined by the boundaries, otherwise known as "speed zones"). The changes are summarized into the following five categories: (1) new speed zone, (2) speed limit change, (3) annexed to a city, (4) maximum speed limit, and (5) 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. Academy Avenue from California Avenue to State Route 180 will be 60 MPH. (District 5)
2. Conejo Avenue from Bethel Avenue to Rafer Johnson Drive except that portion within the boundaries of the City of Kingsburg will be 35 MPH. (District 4)

(2) Speed limit change supported by E&TS:

The speed limit of these zones will decrease:

1. Forkner Avenue from Palo Alto Avenue to Warner Avenue except that portion within the boundaries of the City of Fresno will decrease from 45 to 35 MPH. (District 2)
2. Forkner Avenue from Shaw Avenue to Palo Alto Avenue except that portion within the boundaries of the City of Fresno will decrease from 40 to 35 MPH. (District 2)
3. Swift Avenue from Fruit Avenue to Palm Avenue will decrease from 30 to 25 MPH. (District 2)
4. Swift Avenue from Maroa Avenue to Palm Avenue will decrease from 30 to 25 MPH. (District 2)

(3) Annexed to a city: This zone is located outside of the County's jurisdiction, and will be removed from the Ordinance:

1. Shepherd Avenue from Chestnut Avenue to Willow Avenue except that portion within the boundaries of the City of Fresno. (District 2)

(4) Maximum speed limit: These zones are reverting to the maximum speed limit of 55 MPH and are supported by E&TS, and will be removed from the Ordinance:

These zones are a two-lane undivided highway:

1. Nebraska Avenue from Bethel Avenue to a point 300 feet west of Amber Avenue will revert from 50 to 55 MPH. (District 4)
2. Nebraska Avenue from Dockery Avenue to a point 300 feet west of Amber Avenue will revert from 45 to 55 MPH. (District 4)

(5) Technical change:

The remaining sixteen speed zones consist of technical issues that the Department wishes to address in order to make the Ordinance Code more accurate and well-organized. No changes in speed limit will be proposed for the speed zones with technical changes. Technical changes are defined by any of the following: where the speed zone was reevaluated by E&TS, and based on that reevaluation, it will remain in the Ordinance without a change in speed limit; where the speed zone's description was changed to reflect a new boundary due to partial annexation to a city; or, where the speed zone was removed from the Ordinance due to residential district requirements, supported by E&TS. (Districts 1, 2, 4, and 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 January 21, 2020. 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 October 21, 2019 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 October 21, 2019, for review of the traffic studies involving speed zones in shared-jurisdiction locations within the City of Clovis. The City of Fresno was notified on October 21, 2019, for review of the traffic studies involving speed zones in shared-jurisdiction locations within the City of Fresno. The City of Kingsburg was notified on October 21, 2019, for review of the traffic studies involving speed zones in shared-jurisdiction locations within the City of Kingsburg. The City of Reedley was notified on October 21, 2019, for review of the traffic studies involving speed zones in shared-jurisdiction locations within the City of Reedley. The City of Selma was notified on October 21, 2019, for review of the traffic studies involving speed zones in shared-jurisdiction locations within the City of Selma. 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:

Sonia M. De La Rosa