



Legislation Details (With Text)

File #: 19-0065

On agenda: 2/26/2019 **Final action:** 2/26/2019

Enactment date: **Enactment #:**

Title: Conduct first hearing on an Ordinance to amend Chapter 11.24 - Speed Limits of the Fresno County Ordinance Code, Sections 11.24.010 through 11.24.100, to reflect various changes to Ordinance Code as result of recent traffic studies; waive reading of Ordinance in its entirety; and set second hearing for March 12, 2019; designate County Counsel to prepare fair and adequate summary of proposed ordinance; and direct 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
2/26/2019	1	Board of Supervisors	Approved (Consent Agenda)	Pass

DATE: February 26, 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 11.24.010 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 March 12, 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 two road locations within the boundary of Fresno County. The first location was studied for an established speed limit and is proposed for adoption into the Ordinance. The second location is currently in the Ordinance and will have no speed change but will have a technical change. The Vicinity Map displays the location and the limits of the new speed zone. The speed limits are intended to improve traffic safety and service for consistency with existing conditions. This item pertains to locations in Districts 1 and 4.

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 replace or install speed limit signs is \$215 for materials and \$150 for labor and equipment for a total estimated cost of \$365. 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.

Staff proposes changes to the Speed Limits chapter of the Ordinance Code relating to two road locations (or portions of the road defined by the boundaries, otherwise known as "speed zones"), and the locations are separated into the following categories: (1) New Speed Zone, and (2) No Speed change.

(1) New Speed Zone: Location(s) proposed for establishment into the Ordinance with a recently established speed limit, supported by E&TS:

1. Garfield Avenue from Mount Whitney Avenue to ½ mile north of Mount Whitney Avenue will be 45 miles per hour.

(2) No Speed change, but rather a technical change supported by E&TS:

1. Lincoln Avenue from 1/8 mile west of Fig Avenue to Cherry Avenue, will remain 35 miles per hour, and was previously defined as "Lincoln Avenue from Fig Avenue to Cherry Avenue."

A notice that the Fresno County Speed Limits Ordinance is proposed for change will be published in the Fresno Business Journal before the second reading on March 12, 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 (CHP) provides traffic enforcement on County roads. The CHP was notified on

January 7, 2019 for review of the proposed ordinance amendment. The CHP responded on January 11, 2019 and did not provide negative comment.

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