Legislation Details (With Text)

File #:	20-0607	**Name:**	1st Hearing - Amendment Speed Zone Ordinance
		In control:	Public Works & Planning
On agenda:	7/7/2020	**Final action:**	7/7/2020
Enactment date:		**Enactment #:**	

Title: Conduct first hearing on an Ordinance to amend Chapter 11.24 - Speed Limits of the Fresno County Ordinance Code, Sections 11.24.040 through 11.24.090, to reflect various changes to the Ordinance Code as a result of recent traffic studies; waive reading of the Ordinance in its entirety; set second hearing for August 18, 2020; designate County Counsel to prepare a fair and adequate summary of the proposed Ordinance; and direct the Clerk of the Board to post and publish the required summary in accordance with Government Code, Section 25124(b)(1)

Sponsors:

Indexes:

Code sections:

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
7/7/2020	1	Board of Supervisors	Approved as Recommended	Pass

DATE: July 7, 2020

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 11.24.040 through 11.24.090, 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 18, 2020;**

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 21 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. One new speed zone was studied for an established speed limit and is proposed for adoption into the Ordinance.

Three speed zones were studied to have a speed limit that will decrease by the amendment of the Ordinance. The remaining 17 speed zones consist of technical changes. The Vicinity Maps display locations that are either a new speed zone, or a speed zone with a speed change. The speed zones not displayed in the Vicinity Maps 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 is countywide.

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 $360 for materials and $525 for labor and equipment for a total estimated cost of $885. 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 15th 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 11.24.040 through 11.24.090 of Chapter 11.24 - Speed Limits.

Department staff proposes changes to the Speed Limits chapter of the Ordinance Code relating to 21 speed zones. The changes are summarized into the following three categories: (1) new speed zone, (2) speed limit change, and (3) technical change.

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

1. Ashlan Avenue from Polk Avenue to Bryan Avenue except that portion within the boundaries of the City of Fresno will be 45 MPH. (District 1)

(2) Speed limit change supported by E&TS:
The speed limit of these zones will <u>decrease</u>:

1. Belmont Avenue from Hughes Avenue to Marks Avenue except that portion within the boundaries of the City of Fresno will decrease from 45 to 40 MPH. (District 1)
2. Church Avenue from West Avenue to Marks Avenue except that portion within the boundaries of the City of Fresno will decrease from 50 to 45 MPH. (District 1)
3. Spruce Avenue from Van Ness Boulevard to Marks Avenue except that portion within the boundaries of the City of Fresno will decrease from 35 to 30 MPH. (District 2)

(3) Technical change:
The remaining 17 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 as 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, and its description changed to reflect either a new boundary or a partial annexation to a city. (Districts 1, 2, 3, 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 August 18, 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.

<u>OTHER REVIEWING AGENCIES:</u>

The California Highway Patrol (CHP) provides traffic enforcement on Fresno County roads. The CHP was notified on May 20, 2020 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 May 20, 2020 for review of the traffic studies involving speed zones in shared-jurisdiction locations within the City of Fresno. The City of Sanger was notified on May 20, 2020 for review of the traffic studies involving speed zones in shared-jurisdiction locations within the City of Sanger. None of the notified agencies have objected to the changes.

<u>ATTACHMENTS INCLUDED AND/OR ON FILE:</u>

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

<u>CAO ANALYST:</u>

Debbie Paolinelli