



# County of Fresno

Hall of Records, Rm. 301  
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Fresno, California  
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## Legislation Text

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**File #:** 18-0983, **Version:** 1

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**DATE:** September 25, 2018

**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 Reflect Changes for Speed Limits

### RECOMMENDED ACTION:

**Conduct second hearing on an Ordinance to amend Sections 11.24.010 through 11.24.100 of Chapter 11.24 - Speed Limits of the Fresno County Ordinance Code to reflect a speed limit change on E. Ashlan Avenue between N. Palm Avenue and N. Maroa Avenue; waive the reading of the Ordinance in its entirety; and adopt proposed Ordinance.**

Approval of the recommended action will reduce the speed limit on E. Ashlan Avenue between N. Palm Avenue and N. Maroa Avenue from 35 miles per hour to 30 miles per hour, as allowed by the California Vehicle Code (CVC). The area affected by the recommended change is shown on the attached map and is expected to improve traffic safety and service by making the speed limit consistent with existing conditions. This item pertains to a location in District 2.

### ALTERNATIVE ACTION:

If the recommended action is not approved by your Board, the speed limit will remain unchanged.

### FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The estimated cost to remove and replace speed limit signs is \$100 for materials and \$100 for labor and equipment. Sufficient appropriations and estimated revenues are included in the Department of Public Works and Planning - Roads Org 4510 FY 2018-19 Recommended Budget.

### DISCUSSION:

On August 21, 2018, your Board conducted the first hearing to amend Sections 11.24.010 through 11.24.100 of Chapter 11.24 - Speed Limits of the Fresno County Ordinance Code. The amendment is for a road segment on E. Ashlan Avenue between N. Palm Avenue and N. Maroa Avenue only.

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 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.

Your Board approved the construction of a traffic-calming project at Ashlan Avenue and Van Ness Boulevard. Traffic calming consists of measures to make roads safer, such as making them narrower or placing obstacles in them, so that drivers are forced to slow down. The project on Ashlan Avenue includes raised medians on either side of Van Ness Boulevard, with lighted signs on the east side of the intersection for pedestrian crossing. Due to these recent changes in the roadway geometrics, Department staff conducted a new E&TS.

The new E&TS shows that 30 miles per hour is an appropriate and safe speed for the conditions on E. Ashlan Avenue between N. Palm Avenue and N. Maroa Avenue. Therefore, Department staff recommends reducing the 35 miles per hour speed limit on E. Ashlan Avenue between N. Palm Avenue and N. Maroa Ave to 30 miles per hour.

The public, other agencies and County staff initiate requests for changes to existing speed limits. Speed Limit changes require an Ordinance update prior to any changes being made. A notice that the Fresno County Speed Limit Ordinance was proposed for change was published in a local newspaper at least 5 days before today's reading of the proposed Ordinance amendment. The Ordinance amendment will take effect 30 days after today's reading, and updated signs will be posted shortly thereafter.

The Fresno County Ordinance Code, section 11.24.040 depicts E. Ashlan Avenue between N. Palm Avenue and N. Maroa Avenue as already having a speed limit of 30 miles per hour. This is an error, as the Board changed the speed limit on May 24, 2016, to 35 miles per hour. Adopting this Ordinance will not result in an actual change in the speed limits listed in the Ordinance Code, but it will confirm that the correct speed limit for this section of road is depicted in Ordinance Code, section 11.24.040.

#### OTHER REVIEWING AGENCIES:

The California Highway Patrol (CHP) provides traffic enforcement on County roads and has reviewed the E&TS. The E&TS was provided on August 14, 2018, and they have no comments.

#### REFERENCE MATERIAL:

BAI #7.1 - August 21, 2018

#### ATTACHMENTS INCLUDED AND/OR ON FILE:

Vicinity Map  
Speed Zone Ordinance - Redline  
Speed Zone Ordinance  
On file with Clerk - Ordinance Summary

#### CAO ANALYST:

Sonia M. De La Rosa