



# County of Fresno

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## Legislation Text

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**File #:** 19-1337, **Version:** 1

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**DATE:** November 5, 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):

**Conduct second 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; and waive the reading of the Ordinance in its entirety.**

The recommended action pertains to 13 road locations, or portions of the road defined by the boundaries, otherwise known as speed zones, 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. One speed zone was studied to have a speed limit that will increase. One speed zone was studied to have a speed limit that will decrease. One speed zone will revert to the maximum speed limit of 55 miles per hour (MPH), and will be removed from the Ordinance. The remaining nine speed zones consist of technical changes. The Vicinity Maps display four locations that are either a new zone, a zone with a speed change, or a zone reverting to the maximum speed limit of 55 MPH. 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 action is 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 \$1,020 for materials and \$400 for labor and equipment for a total estimated cost of \$1,420. Sufficient appropriations and estimated revenues are included in the Department of Public Works and Planning - Roads Org 4510 FY 2019-20 Adopted Budget.

### DISCUSSION:

On September 24, 2019, 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, related to 13 road locations.

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, 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 11.24.010 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 13 road locations (or portions of the road defined by the boundaries, otherwise known as “speed zones”). The changes are summarized into the following four categories: (1) new, (2) speed change, (3) maximum speed limit, and (4) technical change.

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

1. Annadale Avenue from McCall Avenue to Dockery Avenue will be 45 MPH. (District 4)

**(2) Speed change, supported by E&TS:**

**The speed limit of this zone will increase:**

1. Chestnut Avenue from Malaga Avenue to American Avenue will increase from 45 to 50 MPH. (Districts 3 and 4)

**The speed limit of this zone will decrease:**

1. Sky Harbour Drive from El Lado Drive to the north end of Sky Harbour Drive at the cul-de-sac will decrease from 35 to 25 MPH. (District 5)

**(3) Maximum speed limit: This zone is reverting to the maximum speed limit of 55 MPH and is supported by E&TS, and is to be removed from the Ordinance:**

**This zone is a two-lane undivided highway:**

1. Reed Avenue from South Avenue to Aspen Avenue will revert from 45 to 55 MPH. (District 4)

**(4) Technical change:**

The remaining nine speed zones consist of technical issues that the Department wishes to address making the Ordinance Code more accurate and well-organized. Technical changes are defined by any of the following: zone's E&TS was renewed and there was no speed change; description of the zone was changed to reflect a new boundary due to partial annexation to a city; or, description of the zone was grammatically corrected. (Districts 1, 2, 3, 4, and 5)

A notice that the Fresno County Speed Limits Ordinance is proposed for change was published in the Fresno Business Journal before the second hearing on November 5, 2019. 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 August 5, 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 Fresno was notified on August 2, 2019 for review of the traffic studies involving speed zones in shared-jurisdiction locations with the City of Fresno. The City of Reedley was notified on August 2, 2019 for review of the traffic studies involving speed zones in shared-jurisdiction locations with the City of Reedley. None of the notified agencies have objected to the changes.

REFERENCE MATERIAL:

BAI #9, September 24, 2019

ATTACHMENTS INCLUDED AND/OR ON FILE:

Vicinity Maps  
Speed Zone Ordinance

CAO ANALYST:

Sonia M. De La Rosa