



County of Fresno

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Legislation Text

File #: 20-0245, **Version:** 1

DATE: April 14, 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):

Conduct second hearing on and adopt an Ordinance to amend Chapter 11.24 - Speed Limits of the Fresno County Ordinance Code, Sections 11.24.040 through 11.24.080, 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 actions pertain to 27 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. Ten new speed zones were studied for an established speed limit and are proposed for adoption into the Ordinance. Two speed zones were studied to have a speed limit that will decrease by the amendment of the Ordinance. The remaining 15 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 \$2,340 for materials and \$1,860 for labor and equipment for a total estimated cost of \$4,200. 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 March 10, 2020, your Board conducted the first hearing to amend Sections 11.24.040 through 11.24.080 of Chapter 11.24 - Speed Limits of the Fresno County Ordinance Code, related to 27 speed zones.

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 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 11.24.080 of Chapter 11.24 - Speed Limits.

Department staff proposes changes to the Speed Limits chapter of the Ordinance Code relating to 27 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: These zones are proposed for adoption into the Ordinance with a recently established speed limit, supported by E&TS:

1. Bethel Avenue from Church Avenue to 1/4 mile south of Woods Avenue except that portion within the boundaries of the City of Sanger will be 45 MPH. (District 5)
2. Chestnut Avenue from Alluvial Avenue to Herndon Avenue except that portion within the boundaries of the City of Fresno will be 40 MPH. (District 2)
3. Crystal Avenue from California Avenue to Eden Avenue except that portion within the boundaries of the City of Fresno will be 30 MPH. (District 1)
4. Floral Avenue from 1/2 mile east of DeWolf Avenue to State Route 99 south bound off-ramp except that portion within the boundaries of the City of Selma will be 30 MPH. (District 4)
5. Mount Whitney Avenue from Latonia to Nares will be 30 MPH. (District 4)
6. Nares from Mount Whitney Avenue to Fowler Avenue will be 30 MPH. (District 4)
7. North Avenue from Bethel Avenue to Greenwood Avenue except that portion within the boundaries of the City of Sanger will be 45 MPH. (District 4)
8. North Avenue from Greenwood Avenue to Sanger Avenue except that portion within the boundaries of the City of Sanger will be 35 MPH. (District 4)
9. Temperance Avenue from California Avenue to Kings Canyon Road except that portion within the boundaries of the City of Fresno will be 45 MPH. (Districts 4 and 5)
10. Temperance Avenue from Church Avenue to California Avenue except that portion within the boundaries of the City of Fresno will be 50 MPH. (Districts 4 and 5)

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

The speed limit of these zones will decrease:

1. Brawley Avenue from State Highway 180 to Belmont Avenue will decrease from 50 to 45 MPH. (District 1)
2. Shepherd Avenue from Sunnyside Avenue to Fowler Avenue will decrease from 45 to 40 MPH. (District 5)

(3) Technical change:

The remaining 15 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; or where the speed zone's description was changed to reflect a new boundary due to 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 was published in the Fresno Business Journal before the second hearing on April 14, 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 January 27, 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 Clovis was notified on January 27, 2020 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 January 27, 2020 for review of the traffic studies involving speed zones in shared-jurisdiction locations within the City of Fresno. The City of Orange Cove was notified on January 27, 2020 for review of the traffic studies involving speed zones in shared-jurisdiction locations within the City of Orange Cove. The City of Sanger was notified on January 17, 2020 for review of the traffic studies involving speed zones in shared-jurisdiction locations within the City of Sanger. The City of Selma was notified on January 27, 2020 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.

REFERENCE MATERIAL:

BAI #18, March 10, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

Vicinity Maps
Speed Zone Ordinance

CAO ANALYST:

Sonia M. De La Rosa