

ORDINANCE NO. 26-262

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT AMENDING DISTRICT CODE TITLE 4, CHAPTER 1, SECTION 4-1-9 TO ESTABLISH SPEED LIMITS ON DISTRICT ROADS

The Board of Directors for the Bear Valley Community Services District does ordain as follows:

SECTION 1. Findings. The Board of Directors finds as follows:

- A. California Vehicle Code section 22358 allows the local authority to determine by ordinance the *prima facie* speed limits of 60, 55, 50, 45, 43, 35, 30, or 25 miles per hour, whichever is found most appropriate to facilitate orderly movement of traffic and is reasonable and safe.
- B. When it can be shown that *prima facie* speed limits are not applicable for the existing conditions of a roadway, the speed limit can be altered by posting an appropriate speed limit as determined by an engineering and traffic survey.
- C. The district contracted with Provost & Pritchard to conduct an engineering study, which was accepted by the Board of Directors on December 11, 2025 ("Engineering and Traffic Survey").
- D. On October 8, 2021, the Governor of the State of California approved AB 43 that allows the local authority to adopt *prima facie* speed limit of 20 or 15 miles per hour on any highway (road) in consideration of vulnerable pedestrian groups, defined as children, seniors, persons with disabilities, users of personal assistive mobility devices, and the unhoused.
- E. On the basis of the Engineering and Traffic Survey, the District finds that the currently adopted speed limits are more than is reasonable or safe, and the District desires to modify the speed limits within the District in accordance with the Engineering and Traffic Survey.
- F. The Board desires to amend Section 4-1-9 of the District Code to reflect the appropriate language and speed limits as required by the California Vehicle Code.

SECTION 2. Amendment to District Code Section 4-1-9. Section 9 of Chapter 1 of Title 4 of the Bear Valley Community Services District Code is amended in its entirety to read as follows:

- A. All roadways in Bear Valley are subject to the provisions set forth in the California Vehicle Code. Speed limits are determined by an engineering and traffic survey adopted by the Board of Directors. A copy of the survey shall be kept on file with the district secretary.

B. Per AB 43 and codified in Section 22358.7 of the California Vehicle Code, the portions of highway (roadway) from Bear Valley Road between Sutter Ct and Serra Place and South Valley Road and North Valley Road have been determined to generate concentrations of bicyclists or pedestrians, especially from vulnerable groups such as children and seniors.

C. Roadway Speed Limits: As determined by the most recent adopted engineering and traffic study, the speed limits are established per the following table.

ID #	Roadway	Section	Speed Limit
1	Bear Valley Road	Bear Valley Entrance Gate to Cumberland Road	40
2	Bear Valley Road	Cumberland Road to Sutter Court	40
3	Bear Valley Road	Sutter Court to Serra Place	35
4	Bear Valley Road	Serra Place to N Lower Valley Road	40
5	Bear Valley Road	N Lower Valley Road to S Lower Valley Road	35
6	N Lower Valley Road	Bear Valley Road to Pinedale Drive	40
7	S Lower Valley Road	Pinedale Drive to 400' W of Calico Court	40
8	S Lower Valley Road	400' W of Calico Court to Cumberland Road	40
9	S Lower Valley Road	Pinedale Drive West to Pinedale Drive East	40
10	Cumberland Road	S Lower Valley Road to Lakeview Drive	50
11	Cumberland Road	Lakeview Drive to Prairie Court	50
12	Cumberland Road	Prairie Court to Bear Valley Road	45
13	San Juan Drive	Hale Court to Cumberland Road	45
14	Pinedale Drive	S Lower Valley Road to N Lower Valley Road	25
15	Jamaica Dunes Drive	Pinedale Drive to S Lower Valley Road	25
16	Deertrail Drive	Bear Valley Road to Crocker Court	40
	All other roadways	Per CVC as amended	

D. Off Road Speed Limit: The speed limit for district-owned parking lots and campgrounds shall be ten (10) miles per hour.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is held to be invalid or unconstitutional such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 4. Environmental Quality Act. This ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines and is not a project which has the potential for causing a significant effect on the environment. The approval of the code amendments in the proposed ordinance does not approve any physical development and it would not result in a direct or indirect physical change in the environment. Any specific development project that may result from these changes will be subject to environmental review. For these reasons, the proposed amendments would not have the potential to result in individually or cumulatively significant effects on the environment and these District code amendments are exempt from review under CEQA and no further environmental review is necessary.

SECTION 5. Effective Date. The Secretary of the Board of Directors is directed to cause this ordinance to be published in the manner required by law. This Ordinance shall take effect and be enforced 30 days after its adoption.

PASSED AND ADOPTED by the Board of Directors of the Bear Valley Community Services District on the 22nd day of January 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Paul Paparella, Board President

ATTEST:

BY:

Denise Jelleschitz, Secretary of the Board of Directors

APPROVED AS TO FORM:

BY:

Palmer Hilton, District Counsel

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