

RESOLUTION 09-05

A RESOLUTION OF THE LEE COUNTY METROPOLITAN PLANNING ORGANIZATION REQUESTING FDOT DISTRICT 1 AND THE LOCAL GOVERNMENTS IN LEE COUNTY TO ACCOMMODATE BICYCLE PEDESTRIAN AND TRANSIT FACILITIES IN ROADWAY DESIGN AND CONSTRUCTION PLANS

Whereas, Florida ranks high among all the states in both bicyclist and pedestrian fatality rates according to the National Highway Traffic Safety Administration, while Lee County fatality rates for both bicyclists and pedestrians in 2008 places it in the middle third among all counties in the United States. While pedestrian and bicycle crashes in Lee County have declined over the years as a result of efforts by local law enforcement agencies, the county, cities, and coalitions, further improvements are needed to make the streets safer for cyclists and pedestrians; and

Whereas, Section 335.065, Florida Statutes, calls for bicycle and pedestrian facilities to be included in new road construction, reconstruction or other change of a state transportation facility with special emphasis to be given to projects in or within 1 mile of an urban area while also recognizing that prohibitive costs, absence of needs due to other available means, and public safety may exempt the requirement of such facilities; and

Whereas, the *FDOT Plans Preparation Manual* provides enhanced design standards and criteria for bicycle, pedestrian and transit facilities on state highways and consistent with Section 336.045, Florida Statutes, the local jurisdictions use the *Florida Green Book* to provide the minimum design and construction standards for the development of bicycle, pedestrian and transit facilities for all public streets, roadways and highways. Those two documents are not currently fully consistent in their treatment of bicycle, pedestrian and transit facilities, and

Whereas, the State also follows the MPO's adopted Bicycle/Pedestrian Plan to help determine what Bicycle and Pedestrian facilities should be included on State roadways and the local jurisdictions use their local Bicycle/Pedestrian plans to determine what facilities should be included on their arterial and collector facilities. Therefore, the MPO and the local jurisdictions will work to update and improve the bicycle/pedestrian and transit plans so that they can be relied on to provide this direction to ensure that the bicycle/pedestrian and transit facilities are planned and coordinated throughout the phases of a project so that we can avoid costly retrofits later on; and

Whereas, the Land Development Codes of the various local governments within Lee County call for new development to provide for bicycle, pedestrian and transit facilities on public streets, roadways and highways adjacent or in the proximity of new developments, although the requirements are not uniform among all jurisdictions; and

Whereas, *FDOT Districts One and Seven Transit Facility Handbook* provides comprehensive guidance of transit facilities and activities within this area; and

Whereas, adapting these guidelines to site specific conditions will improve roadway/transit design interaction, enhance transit safety, support the integration of transit facilities with land uses and accommodate the neighborhood needs in the design of transit stops; and

Whereas, the American Disability Act (ADA) provides equal access to transportation which is addressed under Title II - Public Entities and applies to state, county and municipal programs and facilities and public transportation programs; and

Whereas, the Lee County MPO will be soon developing a Countywide Bicycle Pedestrian Master Plan that will recommend policies in conjunction with local jurisdictions in Lee County; and

Whereas, the Lee County MPO Citizens Advisory Committee passed a motion at its April 2, 2009 meeting, recommending that the MPO Board adopt a resolution asking FDOT and the local governments to coordinate with LeeTran on roadway projects where LeeTran currently provides bus service or plans on providing transit service in the future; and

Whereas, the Lee County MPO Citizens Advisory Committee also recommended that the resolution include language asking FDOT and the local governments to accommodate bicycle, pedestrian and transit facilities on roadway projects.

NOW THEREFORE, BE IT RESOLVED that the Lee County Metropolitan Planning Organization requests FDOT District 1 and the local governments in Lee County to continue to coordinate with all multi-modal agencies to ensure that accommodations for bicycle, pedestrian and transit facilities are included in the planning and design of all roadway projects during new road construction, reconstruction, resurfacing and traffic operations/intersection improvements. In developing these accommodations the latest applicable standards and what is included in local approved plans should be used to determine the bicycle/pedestrian and transit facilities that will be included in the project, while recognizing the need for flexibility in balancing user needs in accordance with Chapters 335 and 336 of the Florida Statutes. Further, in developing these accommodations the policies of the Lee County MPO's Countywide Bicycle Pedestrian Master Plan, Local Government Bicycle/Pedestrian Plans, Land Development Codes and transit policies of local jurisdictions are to be respected. Also, FDOT District 1 and local governments are urged to comply with all applicable federal and state laws such as ADA policy while accommodating these facilities.

BE IT FURTHER RESOLVED to urge FDOT District 1 and the local governments in Lee County to refer to FDOT Districts One and Seven Transit Facility Handbook for guidance while designing transit facilities in roadway projects.

BE IT FURTHER RESOLVED to request that when FDOT District 1 reviews plans submitted by developers for permitting construction on state rights-of-ways they do so by ensuring that the plans adjacent to development accommodate bicycle, pedestrian and transit facilities consistent with the MPO's Long Range Transportation Plan and the Lee County Transit Development Plan. And FINALLY

BE IT RESOLVED by the Lee County Metropolitan Planning Organization to have staff report to the MPO Board on the exceptions to these policy statements granted by FDOT District 1 and any local government in Lee County.

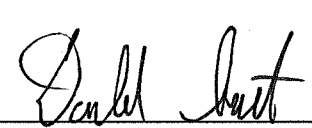
This resolution by the Lee County Metropolitan Planning Organization is intended to support a comprehensive, integrated and connected network for all modes of transportation taking into account the needs and safety of all users.

PASSED AND DULY ADOPTED this 21st day of August 2009.

LEE COUNTY METROPOLITAN PLANNING ORGANIZATION



Councilman Mike Flanders, MPO Chairman



Donald Scott, Lee County MPO Director