

**CPA 2008-01
LEE COUNTY BIKEWAYS/WALKWAYS
FACILITIES PLAN MAP 3D UPDATE
BoCC SPONSORED
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**Lee County Board of County Commissioners
Sponsored Amendment and Staff Analysis**

BoCC Adoption Document

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(239) 479-8585*

**March 3, 2010
LEE COUNTY**

**DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA 2008-01**

Text Amendment

Map Amendment

✓	This Document Contains the Following Reviews:
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
✓	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
✓	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: June 15, 2009

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DEPARTMENT OF TRANSPORTATION

2. REQUEST:

Update Lee Plan Map 3D, the Unincorporated Bikeways/Walkways Facilities Map.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

Planning staff recommends that the Board of County Commissioners transmit the updated Unincorporated Bikeways/Walkways Facilities Plan (Map 3D).

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- Map 3D of the Lee Plan, the Unincorporated Bikeways/Walkways Facilities Plan, is a critical component for the planning and implementation of facilities for bicycling and walking within unincorporated Lee County.
- The critical nature of the map is reflected in the policy references included in the Lee Plan, in Policies 40.4.2, 40.4.4, 40.4.5, 40.4.6 and 85.1.2. The map is also referenced in Section 10-256 of the County's Land Development Code (LDC).

- Map 3D, the Unincorporated Bikeways/Walkways Facilities Plan, has not been updated since 1999, and changing conditions since then warrant some update.
- The County's Bicycle/Pedestrian Advisory Committee (BPAC) has proposed some changes to the County's LDC governing the provision of bicycle/pedestrian facilities as part of private development activities, which has prompted some related changes to Map 3D.
- Since the LDC is intended to implement the Lee Plan, the update of Map 3D of the Lee Plan should proceed forward in this current cycle before the LDC changes take effect.

C. BACKGROUND INFORMATION

The Unincorporated Bikeways/Walkways Facilities Plan included as Map 3D of the Lee Plan identifies both existing bicycle and pedestrian facilities on major roadways in unincorporated Lee County, and proposed (planned) facilities. The bicycle facilities are depicted on the current map as Bike Path/Trail (Class I/Off Road), Bike Lane/Paved Shoulder (Class II/On Road), and Bike Route (Class III/On Road). The pedestrian facilities are identified as sidewalks. The current Unincorporated Bikeways/Walkways Facilities Plan, which hasn't been updated since 1999, is included as Attachment A. The comprehensive plan and Land Development Code references to the map are noted below.

Lee Plan References (highlighted with bold face)

***POLICY 40.4.2:** The county will develop a safe and interconnected bicycle/pedestrian system in unincorporated Lee County to meet the users' needs for transportation and recreation, consistent with the **Bikeways/Walkways Facilities Plan (Map 3D)**. The system will provide facilities between residential, work, school, shopping, and recreation areas. **Map 3D** represents a desired future network unrestricted by jurisdictional responsibility or funding availability. The county is not obligated to build all the facilities depicted on **the map**.*

***POLICY 40.4.4:** County implementation of the relevant portions of the system as shown on **Map 3D** will be through incorporation of bicycle/pedestrian facilities where possible in the construction plans of new and expanded roadways, requirements for new development to install facilities, federal and state grant applications, and annual County funding of improvements.*

***POLICY 40.4.5:** The County will establish as priorities for its annual bicycle/pedestrian funding program the development of a network of bicycle/pedestrian facilities on arterial and collector roadways as identified on **Map 3D** and the connection of public schools to established residential neighborhoods. The county will establish priorities with assistance from the Bicycle/Pedestrian Advisory Committee.*

***POLICY 40.4.6:** Develop and maintain an environmentally sensitive transportation system that provides safe, convenient and efficient travel through an affordable balance of alternative transportation modes, coordination with the **Lee County Bikeways/Walkways Facilities Plan**, and coordination with adjacent communities in accordance with the Lee County Greenways Master Plan.*

POLICY 85.1.2: *Parks will be linked to bike paths, trails and greenways, and other parks as identified in the Lee County Greenways Master Plan and the Lee County Bikeways/Walkways Facilities Plan where feasible.*

Land Development Code References (highlighted with bold face)

Sec. 10-256. Bikeways and pedestrian ways.

1. (a) *Unincorporated bikeways/walkways facilities plan.* The **unincorporated bikeways/walkways facilities plan (hereinafter "the plan")** shows a proposed network of bikeways and pedestrian ways in the unincorporated areas of Lee County. All development proposed along the arterial and collector roadways depicted on **the plan** must provide for bikeways and pedestrian ways in accordance with this section. Construction of bicycle and pedestrian facilities shown on **the plan** along the frontage of subject property are deemed to be site-related improvements.

(b) *Provision of off-site bikeways and pedestrian ways.*

(1) *General.* Off-site bikeways and pedestrian ways are required for all new developments and for expansion of any existing development that results in a 25 percent or greater increase in either:

a. Building size or floor area; or

b. Residential dwelling units.

(2) *Off-site facilities.*

a. *Off-site facilities shown on the bikeways/walkways facilities plan.* The developer must construct a bikeway or pedestrian way in the public road right-of-way if the subject property abuts a street shown on **the plan**.

Note: The developer may choose to construct the facility outside the public road right-of-way on his own property. If the developer opts to construct the facility across the property in this manner, the easement must be at least two feet wider in width than the bikeway or pedestrian way and perpetually open to the public.

b. *Off-site facilities; other.*

1. When any portion of the property to be developed is located within one-quarter mile (as measured along the principal perimeter street) of a collector or arterial road shown on **the plan** as requiring either a bikeway or pedestrian way, or within a quarter mile (as measured along the principal perimeter street) of an existing facility, the developer must construct a similar facility within the existing road right-of-way from the subject property to the existing or proposed facility. This section will not require the purchase of right-of-way or easements by Lee County where none exist and will only apply where the required new facility can be constructed along a collector or arterial road.

2. When any portion of a proposed residential subdivision is located within one-quarter mile (as measured along the principal perimeter street) of an existing or proposed bicycle or pedestrian generator such as schools, parks, playgrounds, shopping centers or employment centers, or transit facilities, the developer must construct a bikeway or pedestrian way not less than 8 feet in width within the existing road right-of-way connecting the subdivision to the pedestrian generator. This section will not require the purchase of right-of-way or easements by Lee County where none exist and will only apply where the required new facility can be constructed along a collector or arterial road.

3. In instances where a proposed development is within one-quarter mile of a collector or arterial road shown on **the plan** as requiring a bikeway or pedestrian way and is also within one-quarter mile of an existing facility in the opposite direction on the same principal perimeter street, only one connecting link will be required. The director of development services will determine which link would be most beneficial to the intent and purpose of this ordinance.

4. When any portion of the parcel located along an arterial or major collector is developed, sidewalks, bike paths or multi-use facilities are required. Material, width and type of facility will be determined by **the plan** criteria and existing conditions within a quarter mile of the surrounding area of the proposed development. When any portion of a parcel along a minor collector or local street is developed with office or commercial uses, sidewalk is required.

(Balance of Section 10-256 not included)

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

Clearly Map 3D is an integral component to the County's efforts to expand the available bicycle and pedestrian facilities, both through the County's efforts and through the requirements imposed on private development. The map has not been updated since 1999, and changes have occurred in terms of both the inventory of built facilities and the planned future roadway network (which serves as a basis for planned future bicycle/pedestrian facilities). The County's Bicycle/Pedestrian Advisory Committee has been working on some changes to Section 10-256 of the LDC to clarify and expand the requirements for private development to provide bicycle/pedestrian facilities, and that has led them to propose some changes to Map 3D as well. The LDC changes have been through the LDCAC and EROC committees, and were presented to the LPA at the June 3rd meeting. One key change to the map is clearly evident in the proposed new map provided as Attachment B; it is actually proposed as two maps, one to reflect the proposed facilities (3D-1), and one to reflect existing facilities (3D-2). This should help make the map more readable. The map has also been expanded to include a wider range of facility types, reflecting the current engineering and design trends.

B. CONCLUSIONS

In order to reflect changes since 1999, to support and accommodate the LDC changes being proposed by the County's Bicycle/Pedestrian Advisory Committee, and to better reflect the County's plan for providing bicycle and pedestrian facilities, Lee Plan Map 3D must be updated.

C. STAFF RECOMMENDATION

Planning staff recommends that the Board of County Commissioners transmit this amendment that updates Lee Plan Map 3D, the Unincorporated Lee County Bikeways/Walkways Facilities Plan.

**PART III - LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC LPA HEARING: June 22, 2009

A. LOCAL PLANNING AGENCY REVIEW

Under the “Public Forum” section of the LPA agenda, Mr. Dan Moser, Chairman of the County’s Bicycle/Pedestrian Advisory Committee, spoke in favor of the map amendment that they helped draft, but also noted that further work needed to be done after the map is adopted. He felt the thinking in regard to accommodating bicylists was changing and those changes might need to be reflected in future updates of the map.

Staff provided a brief summary of the proposed amendment to the LPA. LPA members noted a couple of corrections to the maps and asked about the process for updating the maps in the future. The maps as revised to incorporate the corrections are attached.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

- 1. RECOMMENDATION:** The LPA recommends that the Board of County Commissioners transmit the proposed amendment.

- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

NOEL ANDRESS	<hr/> AYE <hr/>
CINDY BUTLER	<hr/> AYE <hr/>
CARIE CALL	<hr/> AYE <hr/>
JIM GREEN	<hr/> AYE <hr/>
MITCH HUTCHCRAFT	<hr/> AYE <hr/>
RONALD INGE	<hr/> AYE <hr/>
CARLA JOHNSTON	<hr/> AYE <hr/>

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: September 23, 2009

A. BOARD REVIEW: The proposed amendment was heard as part of the consent agenda. The Board of Commissioners provided no comment on the amendment. No member of the public spoke on the amendment.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

- 1. BOARD ACTION:** The Board voted to transmit the proposed amendment as part of the consent agenda.

- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff and the Local Planning Agency.

C. VOTE:

BRIAN BIGELOW	<u>AYE</u>
TAMMARA HALL	<u>AYE</u>
ROBERT P. JANES	<u>ABSENT</u>
RAY JUDAH	<u>AYE</u>
FRANK MANN	<u>AYE</u>

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: January 15, 2010

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

The Florida Department of Community Affairs provided no objections, recommendations, or comments concerning the proposed amendment.

B. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners adopt the proposed amendment as transmitted.

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: March 3, 2010

A. BOARD REVIEW:

This plan amendment was approved as part of the consent agenda. The Board provided no discussion concerning the proposed plan amendment. No members of the public commented on the proposed amendment.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

The Board of County Commissioners adopted the proposed plan amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The Board of County Commissioners accepted the finding of facts as advanced by Staff and the LPA.

C. VOTE:

BRIAN BIGELOW

AYE

TAMMARA HALL

AYE

ROBERT P. JANES

AYE

RAY JUDAH

AYE

FRANK MANN

AYE