

**RESOLUTION T-15-04
ATTACHMENT 5**



BICYCLE AND PEDESTRIAN PLANNING POLICY
Routine Accommodations - 2004

“Routine Accommodation” can be defined as the practice of accommodating bicyclists and pedestrians in all transportation projects ...

Introduction

During the 1990's, Congress spearheaded a movement towards a transportation system that favors people and goods over motor vehicles with passage of the Intermodal Surface Transportation Efficiency Act (ISTEA) (1991) and the Transportation Equity Act for the 21st Century (TEA-21) (1998). ISTEA and the most recent legislation, TEA-21, contain explicit language on providing bicycle and pedestrian provisions. TEA-21 specifically states that, “Bicycle transportation facilities and pedestrian walkways shall be considered, where appropriate, in conjunction with all new construction and reconstruction of transportation projects, except where bicycle and pedestrian use are not permitted.” (Section 1202) The Clean Air Act Amendments of 1990 (CAAA) and the Americans with Disabilities Act of 1990 (ADA) also reinforce the need for facilities.

FHWA prepared in response “Design Guidance: Accommodating Bicycle and Pedestrian Travel: A Recommended Approach: A US DOT Policy Statement on Integrating Bicycling and Walking into Transportation Infrastructure (Guidance).”

The Design Guidance incorporates three key principles:

- a. a policy statement that bicycle and pedestrian facilities will be incorporated into all transportation projects unless exceptional circumstances exist;
- b. an approach to achieving this policy that has already worked in State and local agencies; and
- c. a series of action items that a public agency, professional association, or advocacy group can take to achieve the overriding goal of improving conditions for bicycling and walking.

MORPC met with representatives of FHWA and the Ohio Department of Transportation to receive an interpretation of the Guidance from FHWA. MORPC was informed that the Guidance was a recommended practice by the FHWA, but was not binding upon the states or MPOs and MORPC was not in violation of federal transportation laws.

Nevertheless, in its Design Guidance the FHWA states that "To varying extents, bicyclists and pedestrians will be present on all highways and transportation facilities where they are permitted and it is clearly the intent of TEA-21 that all new and improved transportation facilities be planned, designed and constructed with this fact in mind." For this reason, in the memorandum transmitting the Design Guidance to FHWA Division Offices, the Federal Highway Administrator said that "We expect every transportation agency to make accommodation for bicycling and walking a routine part of their planning, design, construction, operations and maintenance activities."

MORPC as the metropolitan planning organization for Central Ohio is required to plan for the “development and integrated management and operation of transportation systems and facilities (including pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system.”

The planning processes for metropolitan areas are further required to:

- consider a range of projects and strategies including those that will increase the safety and security of the transportation system for non-motorized users
- increase accessibility and mobility options available to people
- improve the quality of life
- enhance the integration and connectivity of the transportation system for people.

To assist local jurisdictions in ensuring they encourage and consider alternative modes, the regional transportation system goals were revised to reflect the following:

- Goal I: Improve the efficiency and service provided by the regional transportation system
- Goal II: Enhance the safety of the regional transportation system
- Goal III: Develop and redevelop the transportation system to improve the long-term quality of life of citizens and travelers in the region. Protect the transportation-related social, environmental and economic well being of the citizens of the region.
- Goal IV: Protect the investment in the regional transportation system.
- Goal V: Develop and redevelop land and make transportation investments that mutually reinforce appropriate uses of land, multiple modal options for travelers and freight, and the use of existing infrastructure to its optimum level.

As per MORPC goals, the regional transportation system must be planned and designed to serve all modes effectively, efficiently and safely.

MORPC, recognizing the importance of and encouraging the construction of bicycle and pedestrian facilities, wanted to put into place a mechanism that will provide the same or similar intent as the noted guidance. In that, MORPC proposes the following bicycle and pedestrian planning policy for all project sponsors.

Accommodating Bicycle and Pedestrians in Transportation Projects A Policy Statement

Many state, county and local jurisdictions are beginning to recognize the value and the need of routinely providing facilities for pedestrians or bicyclists. The inclusion of facilities in the early planning phases of new highway construction and residential and commercial development reduces the complexity and costs of attempting to retrofit years later. MORPC encourages and supports those communities that have taken the step toward routinely accommodating pedestrians and bicyclists in the planning process. To others, MORPC encourages and supports the inclusion of routine accommodation by providing the following policy:

Project sponsors are required to accommodate bicycles and pedestrians in the planning and design of all proposed transportation projects using MORPC-attributable federal

funds. Sponsors using local, state, or other federal funds are encouraged to accommodate bicycles and pedestrians in the planning and design of all proposed transportation projects. All transportation facilities on which bicyclists and pedestrians are permitted by law, including but not limited to streets, roads, highways, bridges, buses, trains, transit stops and facilities, and all connecting pathways shall be designed, constructed, operated and maintained so that all modes and pedestrians, including people with disabilities, can travel safely and independently. Project sponsors are responsible for determining, for each project and within the context of the regional long-range plans, the most appropriate facility or combination of facilities for accommodating bicycling and walking, including but not limited to marked bicycle lanes on the roadway, paved shoulders, wide outside lanes, signed bike routes, shared use paths, sidewalks, bike racks on buses, bicycle parking facilities, marked or raised street crossings (including over- and under-crossings), and pedestrian signals and signs.

Providing access for people with disabilities is a civil rights mandate that is not subject to limitation by project costs, levels of use, or "exceptional circumstances". While the Americans with Disabilities Act does not require pedestrian facilities in the absence of a pedestrian route, it does require that pedestrian facilities, when newly constructed or altered, be accessible.

To this end, project sponsors must provide in the written request for federal funding:

Documentation providing for the inclusion of a bikeway and pedestrian facilities in the proposed project seeking MORPC-attributable funds. Application materials must include a description of the facilities.

Specifically, every transportation project sponsor, when presenting its request for federal funding, must submit with its request a fully completed "Bicycle/Pedestrian Facilities Planning and Programming Checklist" form prescribed by MORPC, a copy of which is attached to this policy, showing that accommodating bicycling and walking, as well as accessibility for the disabled, have been properly considered throughout the planning of the proposed project.

The existing, committed, and proposed bikeways and pedestrian pathways in the bikeway and pedestrian plans created by MORPC should be considered the priority bikeways and pathways for the Central Ohio community. Planners and designers must accommodate bicycling and walking in all transportation projects for which MORPC attributable federal funding is requested, regardless of whether or not a bikeway is included and/or designated as a priority in bikeway and pedestrian pathway plans.

Below are specific planning and design guidelines to assist project sponsors in the accommodation of bicycles, pedestrians and people with disabilities. Project sponsors shall use these guidelines in planning for and designing their projects. The guidelines will be used by MORPC staff and relevant committees as the proposed project is processed through Project Selection and Planning Review.

1. Bikeways and pedestrian ways, including the appropriate facilities to accommodate people with disabilities to transit stops, shall be established in new construction and reconstruction of road and bridge projects unless one or more of the following conditions are met:

- Bicyclists and pedestrians are prohibited by law from using the roadway. In this instance, the applicant shall accommodate bicyclists and pedestrians elsewhere within the right of way or within the same transportation corridor.
- The cost of establishing bikeways or pedestrian ways that meet applicable standards would exceed 20% of the cost of the larger transportation project.
- Where the project consists of minor maintenance or repair (reconstruction is not included)
- Where the project consists primarily of the installation of traffic control or safety devices and little or no additional right-of-way is to be acquired.
- There are extreme topographic or natural resource constraints.
- The ADT is projected to be less than 1,000 vehicles per day over the life of the project.
- Where scarcity of population or other factors indicate an absence of need.
- An existing bikeway/pedestrian way currently exists or a bikeway/pedestrian way is scheduled for construction within the corridor.

2. On proposed projects that do not increase capacity bicycle and pedestrian facilities shall be included in the following ways:

- Resurfacing including striping for additional shoulder width and/or crosswalks
- Signalization including installation of pedestrian activated signals, review proper operation or timing of pedestrian phase
- Restriping sufficiently wide pavements and bridge decks for additional shoulder width
- Bridge deck replacement with extension of bridge deck (or other means) to accommodate bicyclists and pedestrians
- In cases where an adopted regional or local plan proposes a bikeway or pedestrian way that would pass under or over a bridge that is to be reconstructed, the bridge shall be reconstructed to accommodate the bikeway or pedestrian way.
- Intersection upgrades including crosswalks and pedestrian-actuated signals
- In rural areas, paved shoulders should be included in all new construction and reconstruction projects on roadways used by more than 1,000 vehicles per day. Paved shoulders have safety and operational advantages for all road users in addition to providing a place for bicyclists and pedestrians to operate.

3. The design and development of the transportation infrastructure shall improve conditions for bicycle and pedestrian movement by:

- Planning projects for the long-term. The design and construction of new facilities should anticipate likely future demand for bicycle and pedestrian movement and not preclude the provision of future improvements. In particular, where development is projected to change the character of an area from rural to suburban to urban over the long-term, bicyclists and pedestrians must be accommodated in near-term transportation projects

in order to create a bicyclist and pedestrian friendly transportation system over the long-term. Appropriate right-of-way or width should be set aside to accommodate future facilities. Every project should be planned and designed with the ultimate, long-term goal of creating, over time, a complete system of bikeways and pedestrian pathways. Even where a road or bridge project may create an unconnected bicycle or pedestrian facility for the short term, it should be expected and planned that when the roads or other transportation facilities adjacent to that project are created or improved, the appropriate bicycle and pedestrian facilities will be included.

- Connecting bicycle and pedestrian facilities across jurisdictional boundaries. As the metropolitan planning organization, MORPC has a vantage point from which to recommend to the jurisdictions within MORPC the connection and continuity of bicycle and pedestrian facilities for the purpose of qualifying for federal funding. MORPC does this through the Bikeway Plan which is updated every three years.
- Designing context-appropriate facilities to the best currently available standards and guidelines. The design of facilities for bicyclists and pedestrians should follow commonly used design guidelines and standards such as the AASHTO Guide for the Development of Bicycle Facilities, AASHTO's Policy on Geometric Design of Highways and Streets, the ITE Recommended Proactive "Design and Safety of Pedestrian Facilities", and the Americans with Disabilities Act's Accessibility Guidelines.
- Addressing the need for bicyclists and pedestrians to cross corridors as well as travel along them. Even where bicyclists and pedestrians may not commonly travel along a corridor that is being improved or constructed, they will likely need to be able to cross that corridor safely and conveniently. For instance, a roadway project that does not contain a bike facility (interstate highway) should address bridge crossings that are hostile for bicycles and pedestrians. Therefore, the design of intersections and interchanges shall accommodate cyclists and pedestrians in a manner that is safe, accessible and convenient.

4. Any questions about the meaning, intent, or application of this policy should be directed to the Transportation Division of MORPC.