

Good afternoon Ms. Miller,

On behalf of Secretary Miller, FDOT offers the following information regarding your recent inquiry at the Fills and appreciates your patience as the information requested was compiled:

- 1. Can the Village install additional no parking signs for enforcement purposes that include the fine for parking illegally in the Village? Many of these signs already exist in the areas where no parking is allowed.**

*If the Village proposes additional signage to manage and control parking at the Fills, a written request must be submitted to FDOT for consideration and approval. No Parking signage must meet the Manual of Uniform Traffic Control Devices (MUTCD) requirements. The Village can choose to add a MUTCD consistent supplementary sign plaque that includes a fine for illegal parking. The amount and enforcement of the fine must be consistent with Florida Statutes 316.1967.*

*Only the use of cones, low profile barrier, and safety rope/tape are allowed for directing and managing recreational traffic for public safety purposes under the lease agreement between FDOT and the Village. An addendum to the existing lease agreement between the Village and FDOT would be needed to install additional signage.*

- 2. Does the Village need to notify FDOT in order to put up information signs or other official signs such as No Camping, No Tents, No Picnicking?**

*Yes, the Village must submit a written request for any/all signage proposed within the Fills area covered under the current lease agreement between the Village and FDOT. An addendum to the current lease agreement would be needed assuming the proposed signs are approved.*

- 3. There are several paved areas where parking is allowed. Can those areas be improved by lining the parking spaces?**

*Only the use of cones, low profile barrier and safety rope/tape are allowed for directing and managing recreational traffic for public safety purposes within the Fills area covered under the lease agreement between the Village and FDOT. Any additional treatments proposed within the paved*

areas would require a written request from the Village to FDOT and would trigger a technical review of the treatment and revision to the terms of the lease agreement if deemed acceptable.

4. **Can we charge for parking? Can we limit the length of time visitors can stay - creating a "scenic pull-off" but prohibit longer or all day use?**

*The current lease agreement between FDOT and the Village is for public purpose at no consideration (zero fee). If the Village intends to charge for parking within the limits covered by the current lease agreement, the Village must obtain FDOT's written consent prior to doing so. Charging for parking will change the end-use of the parcel and will be subject to a rental fee in accordance with the current rental market. An addendum to the lease agreement would be needed prior to changing the use of leased premises.*

5. **Does FDOT require any type of barrier for any reason other than the slope requirements (guardrails closest to the bridges, already present)? If FDOT requires barriers, what type? Will FDOT do the installation? Who is responsible for the cost?**

*Roadside barriers present a hazard in and of itself, and as such, require engineering prior to installation. Roadside barriers are recommended when hazards (defined as anything greater than 4 inches in height and is firm and unyielding) exist within the clear zone (roadside area that must be free of hazards) and do not meet lateral offset. Other considerations for barriers include cases where hazards cannot be cost effectively eliminated or corrected, and collisions with the hazard are more serious than collisions with the barriers. Along this stretch of Overseas Highway, the Design Speed is 55 MPH and the clear zone width is 30 feet wide taken from the edge of the travel lane (and 60 feet wide when considering a water body hazard). Along the area of the Fills, the clear zone criteria is met and therefore, installation of roadside barriers is not warranted.*

6. **If the Village finds it most practical to create a barrier (if not required by FDOT) to prevent parking except in a few designated areas, what types of barriers would be allowed, what setbacks from edge of pavement, considering the location of the Heritage trail.**

*Currently the lease agreement between the Village and FDOT does not allow for installation of any of the suggested treatments below. However, if the Village were to propose additional treatments, FDOT offers the following guidance. Any additional*

*treatment would need to be reviewed and approved by FDOT and would trigger an addendum to the lease agreement.*

- **Vegetation (low shrubs) only?** *Vegetation, even shrubs would need to be placed outside the clear zone (30 feet from the edge of the travel lane).*
- **Fences?** *Fences would need to be placed outside the clear zone (30 feet from the edge of the travel lane). It should be noted that Overseas Highway is a scenic highway by designation and fences may detract from the scenic nature of the roadway.*
- **Steel wire barriers?** *Not justified based on the information provided in the response to item no. 5.*
- **Guardrails?** *Not justified based on the information provided in the response to item no. 5.*

**7. If the Village decides to install barriers, would they require FDOT permitting, what is the timeframe and requirements as to permitting with FDOT?**

*Roadside barriers would not be allowed on FDOT's right of way based on the information provided in the response to item no. 5. Treatments such as shrubs or fences that can be accommodated outside the clear zone would require an FDOT permit along with an addendum to the current lease agreement between the Village and FDOT. Typically, FDOT issues comments (or approvals) on permit applications 30 days from receipt of the application.*

**8. The lease with FDOT requires that any improvements must be removed immediately at the termination of the lease. Would this include removal of barriers? As required in the lease agreement, any improvement, including treatments such as shrubs or fences installed outside the clear zone and warranted must be removed once the lease is terminated or expires.**

Please do not hesitate to contact us if you have further questions or need additional information.

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