

Active Living

Promoting an Active Minnesota: Local Policy Options to Support Walking and Bicycling



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Purpose of this resource

Local policy initiatives play a pivotal role in ensuring that communities have a viable transportation and recreation system that supports walking and bicycling. This resource is designed for local government policy makers, local public health advocates, and active transportation advocates. It describes a variety of policy options available to local governments to facilitate walking and bicycling. It also provides specific examples showing how these policies have been used in Minnesota.

How this resource is organized

Part I summarizes the power and limitations of different types of local governments, the role of policy in active transportation, and provides basic pointers on the policy development process. Part II describes a variety of policy options being used by local governments to promote walking and bicycling, with examples from a variety of Minnesota jurisdictions.

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Disclaimer

The Public Health Law Center provides information and legal technical assistance on issues related to public health. The Center does not provide legal representation or advice. This document should not be considered legal advice. Legal research conducted for this resource was current through May 5, 2017.

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PART I:

Introduction, Definitions, and Policy Basics

Unhealthy diets and lack of physical activity contribute to serious health problems, including the chronic diseases that are the leading causes of death in Minnesota and around the nation (diabetes, cancer, and heart disease). Every level and type of government has a role to play in creating environments that support healthy behaviors and choices, including school districts, park districts, city halls, county boards, the state legislature, federal agencies, or Tribal governments. Local governments are particularly important because public health often starts at the local level.

To support Minnesota community efforts, Feeling Good MN, powered by CentraCare Health, and the Public Health Law Center have created a set of companion guides for Minnesota communities that describe a variety of local policy options to promote healthy eating, bicycling, and walking. The healthy eating resource, *Healthy Eating Policy Options for Minnesota Local Governments*, can be found at www.publichealthlawcenter.org and FeelingGoodMN.org.

The policy examples highlighted in this guide show how actual communities are working to address many of the challenges and issues related to active transportation. They are meant to provide real world examples--not simple answers. Good policies must be tailored for a community and should intentionally seek to address the needs and priorities of socially disadvantaged groups within the community. Maintaining an equity focus in active transportation work is vital to making progress towards health equity for all Minnesotans.

A. Local Governments as Agents for Active Living Change

Local governments are the lead agents for establishing the formal plans and laws that drive the social, economic, and physical environments for their communities. "Local government" often refers to townships/ towns, cities, and counties, but it can also refer to special districts such as soil-and-water-conservation districts, school districts, and park boards.¹ In general, local governments are created by the state and are considered subdivisions of the state, which means that the state legislature can grant and limit local powers.² Thus, to understand the scope of local authority in a specific situation, it is important to research whether state law addresses the issue, what it says about what local governments can do (or can't do), and how state law defines "local government" for that specific issue. For example, "municipality" can mean city or town, but may also include counties or school districts.³ These definitions vary across state law. A brief overview of some of the most common types of local governments is set out below (and school districts are highlighted in the Appendix to this guide).

Towns, Cities, and Counties

Townships, cities, and counties are involved in developing, constructing, and maintaining different parts of the transportation system, including bicycling and pedestrian networks. Local governments are granted broad discretion to regulate the roads within their jurisdictions.⁴

- County boards have authority over county state-aid highways and county highways;
- Town boards have authority over town streets; and
- City governments have authority over city streets.⁵

The power of these local governments includes, but is not limited to:

- Regulating traffic through police or traffic-control signals;⁶
- Designating highways as one-way roads or through highways;⁷
- Limiting highway use pursuant to other specified statutes;⁸ and
- Establishing speed limits within school zones based upon engineering and traffic studies as prescribed by the Minnesota Department of Transportation, with certain limitations.⁹

About 83% of Minnesotans live in a city.¹⁰ Minnesota has 853 cities and 1,784 towns or townships (the terms are used interchangeably).¹¹ Cities are divided into four “classes” based on population¹² and include both charter and statutory cities.¹³ Statutory cities are most common, with home rule charter cities numbering just over a hundred.¹⁴ The main difference between the two types is that for statutory cities, all local powers are either expressly or impliedly granted by the state legislature, while home rule charter cities “can exercise any powers outlined by their locally adopted charters as long as those powers do not conflict with state laws.”¹⁵ When working with a city, it is helpful to know what kind of administrative organization or plan the city uses—“weak mayor-council,” “strong mayor-council,” or “council-manager.”¹⁶

Most of the land outside of cities is governed by town boards that have three to five members.¹⁷ The state also recognizes “urban towns,” many of which have powers like those of city governments.¹⁸

County boards have five or seven elected commissioners and may use various administrative structures, including county managers, county administrators, and county administrator-auditors.¹⁹ Most counties have appointed a chief administrative official, who may have different titles and powers as determined by the county board. Ramsey County has a home rule charter and is the only county in the state that has been granted the authority to adopt one.²⁰

Park Boards and Park Districts

In some cities, *park boards* are part of the decision-making process for developing and incorporating trails, sidewalks, or other facilities into the larger transportation system. Statutory cities with populations over 1,000 and charter cities of any size can establish independent park boards.²¹ Park boards exist to “establish, improve, ornament, maintain, and manage parks, parkways, and recreational facilities and by ordinance protect and regulate their use.”²² Park boards are allowed to “construct roadways, paths, buildings, fountains, docks, boathouses, bathhouses, refreshment booths, amusement halls, pavilions, and other necessary structures and improvements in parks,” among other things.²³

Park districts “acqui[re], develop[] and maint[ain] . . . large parks, wild life sanctuaries, forest and other reservations, and means for public access to historic sites and to lakes, rivers, and streams and to other natural phenomena.”²⁴ They are created by the county or counties within which they operate.²⁵ Park districts generally have the same authority and responsibilities over park district property as other local authorities have over land within their jurisdictions.²⁶

The University of Minnesota and Minnesota State

The University of Minnesota owns and manages roadways on its campuses and provides transportation between campuses.²⁷ While state traffic regulations generally apply to all highways, streets, private roads, and roadways, the University has authority to establish its own parking and traffic rules on property that it occupies, leases, or owns.²⁸

Minnesota State (formerly known as Minnesota State Colleges and Universities System or MnSCU) has 37 colleges and universities that operate on over 54 campuses and serve almost 400,000 students.²⁹ Similar to the University of Minnesota, Minnesota State has authority to regulate traffic and parking on the property owned, leased, or used by these institutions.³⁰

And more . . .

The [Handbook for Minnesota Cities](#) published by the League of Minnesota Cities provides more information about the different types of local governments and how they are organized.

B. Policy—A Key Tool for Change

A policy is any written plan or course of action designed to influence and determine decisions. What type of policy is “best” to pursue depends on the situation. Below is a table that explains different kinds of policies.

Table A: Types of Local Policy Levers

POLICY TYPE	DESCRIPTION
<p>Plans</p>	<p>Plans are a “compilation of policy statements, goals, standards, maps, and action programs” for guiding future activities or development.³¹ Although plans do not always create enforceable legal requirements, they are an important tool for driving and shaping legal policy decisions. They may also identify laws and policies that need to be created, reviewed or amended to help implement the plan. Examples include comprehensive plans and pedestrian master plans.</p>
<p>Resolution</p>	<p>Resolutions are used to formally express “the sense, will, or action of a deliberative assembly” such as a city council or county board.³² They may be used to formally adopt an administrative policy.</p>
<p>Ordinance</p>	<p>An ordinance is an authoritative law or decree, at the municipal level, that forbids, authorizes, and/or regulates an activity.³³ Ordinances are typically incorporated into a jurisdiction’s code.</p>
<p>Municipal Code</p>	<p>A municipal code is the systematic compilation or revision of ordinances, laws, rules, or regulations of a town, city, or other local government unit.³⁴</p>
<p>Agreements between governments</p>	<p>These are memoranda of understanding; joint powers agreements; joint ventures; service contracts; mutual aid agreements; cooperative agreements; and other types of agreements. These agreements create mutual obligations and benefits between the participating governments.</p>

Other Helpful Definitions:

Active transportation: The Centers for Disease Control and Prevention defines this as “any self-propelled, human-powered mode of transportation, such as walking or bicycling.” This is sometimes called “non-motorized” transportation.³⁵

Facilities: Facilities are components of the built environment “designed . . . to serve a specific function affording a convenience or service.”³⁶ Examples of transportation and recreation facilities used by bicyclists and pedestrians include roads, sidewalks, trails, and shared-use paths.

Health disparities: Health differences that have a negative impact on socially disadvantaged groups.³⁷

Health equity: The absence of disadvantage in chronic disease-related health outcomes regardless of one’s race or ethnicity, religion, socioeconomic status, gender, age, or mental health; cognitive, sensory, or physical disability; sexual orientation or gender identity; geographic location, and/or any other characteristic associated with discrimination.³⁸

Pedestrian: “[A]ny person who is afoot or in a wheelchair.”³⁹

Socially disadvantaged groups: Groups that are subject to “unfavorable social, economic, or political conditions . . . based on their relative position in social hierarchies.” Socially disadvantaged groups experience a “restricted ability to participate fully in society and enjoy the benefits of progress.”⁴⁰

C. Laying the Groundwork for Policy Change

In assessing policy options, a good understanding of existing and anticipated needs, especially the needs of socially disadvantaged groups in your community, is essential. It is also important to understand how state and federal policy systems and infrastructure shape your community already, how local policy fits within those frameworks, and where the points of opportunity might be in the transportation system.

1. Maintain an Equity Focus

Understanding the range of priorities and needs across your community is essential to develop and implement policy change to increase opportunities for bicycling and walking in ways that are likely to bring meaningful improvements for all. It is likely that the needs and priorities—and the challenges—will be different for different groups, based on factors such as geographic location (urban or rural); race/ethnicity; age; income status; culture; disability; and other factors. For example, the challenges of improving streets and sidewalks in urban neighborhoods are different from the challenges in rural communities. Using an equity-focused toolkit can help you to apply equity principles to inform your policy development process. The Additional Resources section includes examples of these kinds of toolkits.

2. Think about the Transportation System

Here are other key considerations:

- What barriers currently discourage community members from walking or bicycling to work, school, and other places in your community?
- What component of the transportation system can you impact?
- What active transportation facilities and resources are already there in your community that could be modified or strengthened?
- What additional information or data is necessary or would be helpful?
- Who are the decision makers that you need to connect with?
- What objections or obstacles will you have to overcome or navigate?
- What tools are available to help?
- What funding sources could be utilized?

3. Plan for Implementation

The best policy in the world will not be worth much if it is not implemented effectively. Good implementation starts with the policy development stage, with considering all stakeholder perspectives (including those who will have to implement the policy), and actively cultivating community engagement. You will also need an implementation plan that assigns responsibility for roll out, monitoring, and enforcement, and ideally, allows for an evaluation of some kind to see how things are working.

Successful implementation strategies include, but are not limited to:

- Public involvement, especially for community groups who are most likely to be impacted
- Developing clear, explainable standards for what must be done and what other laws might need to be changed. For example, a city's zoning code may need to be changed to require sidewalks or bike lanes. Crosswalk standards may need to be modified or a transportation hub may need to be built.
- Using fiscal tools, such as funding streams, assessments, and economic incentives to meet the goals
- Assigning responsibilities to specific departments or offices for defined implementation activities
- Assigning clear enforcement and monitoring responsibilities and authority
- Allowing for updates or revisions over time to address unexpected consequences or accelerate progress

PART II:

Local Policy Options to Increase Bicycling and Walking

Local governments can use policy tools to promote bicycling and walking and ensure that future decisions are made with community health in mind. Policy tools include: approaches that lay out a vision or create a framework for change such as resolutions and plans, those that create requirements for transportation infrastructure or design, those that provide funding, and those that arise out of agreements between jurisdictions or government authorities.

A. Policies that Establish Frameworks —Plans and Resolutions

Policies that establish frameworks, such as comprehensive plans and resolutions, can lay out a vision for an active, healthy community and identify areas where laws and policies need to be developed or changed. They can also help build community and leadership support for and buy-in for specific strategies. As with any public policy, there is usually an opportunity for public input and comment.

1. Plans

In addition to laying out a vision, plans also can help with securing grant funding or other types of funding to help support implementation, especially if they demonstrate the community's effort to engage necessary and important stakeholders and reflect a well-designed and thought-out approach. Plans can be a rich source of data and information about existing pedestrian and bicycle networks and facilities, and help identify needs. They also can include specific recommendations about what policies should be pursued.

Land use planning

describes the way a local government regulates land to manage and develop the areas within its boundaries. Comprehensive plans, community development commissions, and zoning laws are legal tools that can be used for land use planning.

a. Comprehensive Plans

Public health advocates are working to make sure that language addressing health, including active transportation (and not just transportation), is included in their jurisdictions' comprehensive plans. A comprehensive plan creates a vision for what a community wants to look and be like. It addresses long-term goals and values that the community seeks to prioritize during future public decision-making, including active transportation, land use, and economic development. Once completed, government staff can use comprehensive plans to evaluate existing laws and policies and to drive future budget and policy decisions.

Comprehensive plans are developed by city or county planners, economic development commissioners, and other local government leadership. Municipalities within the seven-county metropolitan area are required to create a comprehensive plan and update it every ten years.⁴¹ Municipalities outside of the seven-county metropolitan area are “encouraged” to develop comprehensive plans.⁴² Municipal plans also become part of their respective county’s comprehensive plan.⁴³ Finally, adjoining communities can agree to create a joint planning district and develop one comprehensive plan that covers the entire area.⁴⁴ If your city or county has a comprehensive plan, it will likely be posted on the city or county’s website.

ST. CLOUD, MINNESOTA

Comprehensive Plan

St. Cloud’s comprehensive plan was updated in 2015. It sets forth a vision of St. Cloud as a health-conscious city that “ensur[es] residents are able to access health care, are physically active, and have access to safe, affordable and healthy food.”⁴⁵ The plan devotes a chapter to Transportation & Mobility, which includes a section on Active Transportation. In general, the plan calls for roadways to be designed with safety and efficiency in mind and to accommodate alternative modes of transportation, such as walking, bicycling, and transit.

b. Bicycle and Pedestrian Master Plans

Bicycle and pedestrian master plans focus on promoting bicycling and walking. The Minnesota Department of Transportation (MnDOT) has developed a [Statewide Bicycle System Plan](#), and the Minnesota Department of Health and MnDot collaborated to create a statewide pedestrian plan called [Minnesota Walks](#) (see Additional Resources section at the end of this guide). Cities and counties can develop their own plans. Several examples are highlighted below.

MINNEAPOLIS, MINNESOTA

Pedestrian Master Plan and Bicycle Master Plan

Minneapolis has separate master plans addressing pedestrians and bicycling. In its [Minneapolis Pedestrian Master Plan](#), the city has outlined seven main goals and a number of sub-goals, or objectives, to promote walking.⁴⁶ Some of the city's objectives are to add sidewalks to streets, better maintain pedestrian markings on crosswalks, and design streets that are wide enough for pedestrians to use.

Minneapolis has been ranked one of the most “bike-friendly” cities in recent years, both in the U.S. and internationally.⁴⁷ The [Minneapolis Bicycle Master Plan](#) was adopted in 2011 “to establish goals, objectives, and benchmarks that improve safety and mobility for bicyclists and increase the number of trips taken by bicycle.”⁴⁸

RED WING, MINNESOTA

Bicycle and Pedestrian Master Plan

Red Wing's [Bicycle and Pedestrian Master Plan](#) was created as a result of the city's 2007 Comprehensive Plan and 2010 Complete Streets Resolution. The plan seeks “to capture the wide variety of benefits that bicycling and walking bring to a community and its residents [and] provide Red Wing with a long-range plan that integrates bicycling and walking into the City's transportation system and best uses its limited resources to improve the transportation network as a whole.”⁴⁹

c. ADA Transition Plans—Making Facilities Accessible

Some federal laws, like the Americans with Disabilities Act (ADA), prohibit discrimination based on disability and provide standards that help individuals with disabilities access public services and programs.⁵⁰ These standards apply to transportation facilities used by pedestrians, bicyclists, and other non-motorized transportation users.

The ADA requires public agencies with more than 50 employees to make an ADA “transition plan.”⁵¹ ADA Transition Plans are used to address any deficiencies or physical obstacles that limit accessibility to individuals with disabilities within a specific community, and identify timelines for accomplishing changes to existing infrastructure. They can also identify areas where sidewalks and other types of pedestrian paths could improve community walkability.

CLAY COUNTY

2014 ADA Plan

Clay County conducted a self-assessment in May 2014 of county facilities and pedestrian facilities in the county right-of-way. Based on the assessment, the County created an “Online ADA Deficiency Map” to help visualize and track where deficiencies exist.⁵² It also identified problems with several county buildings.⁵³ The report noted, “[s]ome county roads through residential areas currently do not have pedestrian facilities for long stretches, or have no pedestrian facilities at all. The lack of pedestrian facilities along a roadway does not violate ADA standards, but such conditions limit pedestrian network connectivity, creating pedestrian access and safety issues.”⁵⁴ The report recommended that the county consider creating sidewalks in those areas and also “along county roads that intersect with roadways with existing pedestrian facilities.”⁵⁵



d. Safe Routes to School (SRTS) Plans

Safe Routes to School (SRTS) plans encourage children to walk or bicycle to school and promote safety in or around school zones. SRTS policies can support:

- The development of safe infrastructure for pedestrians and bicyclists;
- Programs that encourage students to walk and bicycle to school; and
- Cooperation between local stakeholders (school districts, cities, or counties).

ESKO SCHOOL DISTRICT

Safe Routes to School Plan

In 2008, the Esko Independent School District was awarded funds to develop a [Safe Routes to School \(SRTS\) Plan](#). The Arrowhead Regional Development Commission helped develop the plan, which was created by a committee of representatives from the town and the school district. One of the four goals of the plan was to “[i]mprove [the] sidewalk and trail network to allow for safer access to school for students walking or bicycling to school,” including constructing a trail along a highway to allow students living in a residential area within a half mile of the school to walk or bike there.⁵⁶ The school district received federal funding to design and create a trail along the highway shoulder.⁵⁷

NORTH MANKATO, MINNESOTA

Safe Routes to School Plan

The city of North Mankato created an SRTS Plan in 2013. This plan investigated walking and bicycling conditions and developed strategies in five categories (engineering solutions, evaluation, education, encouragement and enforcement) to increase students’ ability to walk or bike to school. The city obtained additional SRTS grants to place sidewalks around three elementary schools.⁵⁸

e. Other Types of Plans

Creating a transportation system that accommodates the needs of pedestrians and bicyclists can support increased physical activity in a community by creating a safe environment for people to walk and bicycle. Some communities are part of a Metropolitan Planning Organization (MPO) that may have a long-range transportation plan that includes policy recommendations to support walking and bicycling. MPOs are a creation of federal law and are central to transportation planning in several metropolitan areas in Minnesota with urban populations greater than 50,000.⁵⁹ There are eight MPOs in Minnesota:

- Metropolitan Interstate Council (Duluth/Superior);
- Grand Forks/East Grand Forks MPO;
- Fargo-Moorhead Metropolitan Council of Governments;
- St. Cloud Area Planning Organization;
- Twin Cities Metropolitan Council;
- Rochester/Olmsted Council of Governments;
- La Crosse Area Planning Committee; and
- Mankato/North Mankato Area.

Two examples of long-range transportation plans developed by MPOs are highlighted below.

ST. CLOUD AREA PLANNING ORGANIZATION Long Range Transportation Plan

The [Long Range Transportation Plan](#) developed by the St. Cloud Area Planning Organization (APO) includes a section on bicycling and walking with several specific policy recommendations. These recommendations relate to expanding Safe Routes to Schools and related activities, constructing pedestrian and bicycling facilities, collecting relevant data, supporting “pedestrian and bicycle network connectivity,” and ensuring that all local jurisdictions “provide safe, convenient pedestrian access at intersections that complies with the federal Americans with Disabilities Act (ADA) provisions.”⁶⁰

ROCHESTER/OLMSTED COUNCIL OF GOVERNMENTS

2040 Long Range Transportation Plan

The 2040 Long Range Transportation plan for the Olmsted County area includes a chapter that focuses on pedestrians and bicycling.⁶¹ The plan identifies common problems facing pedestrians and bicyclists, and provides crash data. The plan also includes several policy recommendations.

Many communities also have master plans addressing parks and trails. These plans can identify a long-term plan or short-term goals to connect trail systems and parks, identify new land or projects, and encourage community discussion about a community's trail and recreational system. Although these plans do not focus only on walking or bicycling, creating trails promotes physical activity within the community and provides an alternative to car commuting for pedestrians and bicyclists.

GRAND RAPIDS, MINNESOTA

Parks and Trails Master Plan

Grand Rapids' [Parks and Trails Master Plan](#) includes an assessment of existing parks and trails and makes recommendations for improvements or additions to these facilities. Some of these recommendations focus on ideas such as trail upkeep during the winter months, protecting the natural landscape, and making drinking water more widely available.⁶²

BENTON COUNTY, MINNESOTA

Master Plan for Parks, Trails and Open Space

Benton County has a [Master Plan for Parks, Trails and Open Space](#), which grew out of the Benton County 1999 Comprehensive Plan.⁶³ This plan provides recommendations on adding new trails and calls for the county to investigate how much those trails might cost and how feasible it would be to build them. For proposed trails along county and township roads within the county, the plan calls for the county to identify opportunities to incorporate trail development into town and county roadway capital improvement plans.⁶⁴

2. Resolutions

Local governments have the authority to pass resolutions to promote bicycling and walking and to guide future policy decisions affecting pedestrians and bicyclists.

a. Complete Streets Resolutions and Policies

Minnesota has a statewide Complete Streets law which expressly authorizes local governments to enact their own, more extensive Complete Streets policies.⁶⁵

Minnesota law describes Complete Streets as encompassing:

...the planning, scoping, design, implementation, operation, and maintenance of roads in order to reasonably address the safety and accessibility needs of users of all ages and abilities. Complete streets considers the needs of motorists, pedestrians, transit users and vehicles, bicyclists, and commercial and emergency vehicles moving along and across roads, intersections, and crossings in a manner that is sensitive to the local context and recognizes that the needs vary in urban, suburban, and rural settings.⁶⁶

MnDot's Office of Policy Analysis, Research & Innovation notes that Complete Streets projects require team effort: "[p]lanners and designers of each mode [of transportation] must be systematically considering all other modes when developing their long-range plans and short-term maintenance and construction projects."⁶⁷

Any local government that seeks to implement a Complete Streets project may request a formal variance from Minnesota roadway requirements and engineering standards if needed. MnDOT is required to evaluate all variance requests regarding Complete Streets principles using specific guidance publications.⁶⁸ If MnDOT denies a variance, it must explain the denial in writing.⁶⁹

A formal Complete Streets policy is not required to achieve the Complete Streets vision and related goals. Many jurisdictions that have not formally adopted a Complete Streets resolution or plan are implementing other measures that further Complete Streets goals.

Resolutions are motions that formally express the sense, will, or action of a deliberative assembly (such as a city council or other legislative body). They may be used to formally adopt an administrative policy.

HENNEPIN COUNTY, MINNESOTA

Complete Streets Policy and Resolution

In 2009, Hennepin County was the first Minnesota county to adopt a Complete Streets policy (Hennepin County Board Resolution 09-0058R1). Hennepin County’s policy requires the county to prioritize Complete Streets principles in developing road projects and consider “every transportation and development project . . . an opportunity to make improvements.” The policy also commits the county to “conduct an inventory and assessment of existing corridors, and develop Complete Streets implementation and evaluation procedures[, which] will be referenced in the county’s Transportation Systems Plan and other appropriate plans or documents.”⁷⁰

ST. CLOUD, MINNESOTA

Complete Streets Resolution

The St. Cloud Area Planning Organization passed a resolution in support of Complete Streets policy and principles in 2011. In this resolution, the city “affirms its support of Complete Streets and the need to provide transportation for all users of all ages and abilities.”⁷¹

NORTHFIELD, MINNESOTA

Complete Streets Policy and Resolution

Northfield’s Complete Streets policy, adopted in 2012 through City Council Resolution 2012-064,⁷² was recognized by the National Complete Streets Coalition as one of the top ten policies adopted nationwide that year.⁷³ The policy aims “to ensure all streets within the City are planned, funded, designed, constructed, operated and maintained to safely accommodate users of all ages and abilities.” The policy requires the city to “evaluat[e] and revis[e] relevant City plans, rules, regulations, and programs as appropriate to incorporate this policy by reference and to utilize the most current and effective design guidelines and other tools when designing projects.” It also calls for specific performance measures to be established.⁷⁴

b. Healthy Living Resolutions

Local governments can pass resolutions to express a commitment to taking active steps to increase opportunities for physical activity and improve access to healthy food.

THOMSON, MINNESOTA

Healthy Living Resolution

The town of Thomson passed a resolution in 2008 stating that it would work “to incorporate active living principles in [its] public policies, planning, programs, and physical infrastructure projects.” These active living principles include “prioritizing lighting, aesthetics, accessibility, and safety to encourage non-motorized travel;” “maintain[ing] a safe, convenient, attractive and complete street network;” and encouraging local organizations to work together “to increase opportunities for routine physical activity during their every day operations.”⁷⁵

EAGAN, MINNESOTA

Healthy Eating and Active Living Resolution

In 2012, Eagan adopted a resolution committing itself to become “a Healthy Eating and Active Living Community.”⁷⁶ Among other things, the resolution calls upon city staff to “[d]evelop and maintain a cohesive system of parks and trails;” “[e]stablish processes to assess and improve existing local active living infrastructures;” “[i]mplement and monitor a complete streets policy;” “improve access to and use of public routes, trails and other public places where people are or could be physically active” by addressing safety (e.g., lighting, intersections, traffic); and “[i]ntroduce active living issues, such as walkable communities, into the public dialogue.”



Image Source: CDC/ Amanda Mills

B. Policies that Establish Requirements that Can Support Walking and Bicycling

1. Zoning laws

In Minnesota, local governments generally have authority to create zoning laws.⁷⁷ Local governments can use zoning as a tool to implement local land use and comprehensive plans. Zoning helps guide development by controlling land uses, ensuring there is adequate space for each use, and setting development standards throughout the area.

Zoning laws are an important tool for supporting bicycling and walking. They typically include requirements and design standards for sidewalks, trails, pedestrian crosswalks, and similar measures in different types of zones. They can also promote bicycling and walking in other ways. For example, overlay districts create a special zone covering a specified area that is placed over (or “overlaid”) on an existing zone or set of zones. Overlay districts can be used by communities to control building density and transportation infrastructure, and, in turn, create settings, such as downtown districts, that are pedestrian- and bicycle-friendly. Within an overlay district, building standards can require buildings to be more accessible to pedestrians and walking traffic. These design standards can also help to preserve or establish an area’s distinctive character or feel.

Zoning is the division of land by legislative regulation into districts (“zones”) for different uses, such as for open space, single-family homes, multi-unit housing, businesses or other commercial uses, or other purposes.

NEW HOPE, MINNESOTA

Bicycle Parking in Commercial Zones

In 2013, the city of New Hope passed an ordinance requiring buildings in specific commercial zones to provide a minimum number of parking spaces for bicycles. For example, in buildings smaller than 40,000 square feet in area, there must be “4 bicycle spaces minimum plus 1 additional space per 20 automobile parking stalls.”⁷⁸

MINNEAPOLIS, MINNESOTA

Pedestrian Overlay District

Minneapolis’ Pedestrian Overlay District is designed to “preserve and encourage the pedestrian character of commercial areas and to promote street life and activity by regulating building orientation and design and accessory parking facilities, and by prohibiting certain high impact and automobile-oriented uses.”⁷⁹ Among other things, it limits fast food restaurants to utilizing only storefronts that existed when the district was created.⁸⁰

NOTE: Pedestrian Malls

State law specifically authorizes cities with populations over 100,000 to adopt ordinances establishing pedestrian malls to “enhance the movement, safety, convenience, or enjoyment of pedestrians.”⁸¹ These malls can include “seating, sidewalk cafes, displays of merchandise, exhibits, advertising, telephone, transit, newsstands, bus shelters, plantings, adornment, protection against the elements, and any other use or activity permitted by [law].”⁸²

Zoning laws can also create barriers to walking and bicycling. For example, some city zoning codes restrict use of bicycles, skates, and similar types of active transportation not just on downtown sidewalks, but also on the streets.⁸³ Without reasonable alternatives, residents could find it more difficult (or perhaps even impossible) to use these forms of active transportation to commute to work, ride to school, or exercise.

2. Transportation Facility Design and Traffic Control

Local governments in Minnesota can promote active transportation through the design and maintenance of transportation facilities and the control of traffic within the transportation system. Local governments can incorporate bicycle lanes and pedestrian ways into transportation facility designs, and reduce car parking to create space for them.⁸⁴ In some circumstances, they are also responsible for repairing damaged bicycle or walking paths⁸⁵ and taking care of bicycle paths near highways.⁸⁶

NOTE: Bicycle Transportation Facilities

“Bikeways” is an umbrella term for the wide variety of paths that bicyclists use for recreation and transportation.⁸⁷ The term includes paths designed to be exclusively used by bicycles and also those that are used with other forms of transportation.

Local governments have broad authority to develop, designate and regulate bicycle lanes.⁸⁸ Specifically, local governments may “designate any roadway or shoulder . . . as a bicycle lane or bicycle route . . . [or] any sidewalk or portion thereof under its jurisdiction as a bicycle path provided that the designation does not destroy a pedestrian way or pedestrian access.”⁸⁹

a. Facility Design and Maintenance

Design standards addressing the needs of pedestrians and bicyclists can be incorporated into roads, sidewalks, and other transportation facilities.

BROOKLYN PARK, MINNESOTA

Street Design Standards

Brooklyn Park created road design requirements for some of its residential zones. These standards require paths and sidewalks to be included in those areas to connect all areas of the development, including community facilities, public sidewalks, adjacent city parks and/or facilities, and transit.⁹⁰

ST. CLOUD, MINNESOTA

Street Design Standards

St. Cloud’s municipal code includes street design standards.⁹¹ One of the code’s requirements is that right-of-ways have certain minimum widths (for example, right-of-ways along cul-de-sacs must be at least 60 feet wide). The St. Cloud Planning Commission may create larger width requirements if needed to meet transportation needs. These kinds of requirements make it safer for bicyclists and pedestrians to travel alongside cars.

b. Traffic Rules and Traffic Calming Measures

A local government is responsible for traffic-control devices on highways and other roads within its jurisdiction.⁹² For example, a city council is allowed to use “No Turn” signs to regulate traffic along pedestrian malls.⁹³ However, local traffic-control devices must comply with the Minnesota Manual on Uniform Traffic Control Devices (MMUTCD).⁹⁴

Traffic rules can be used to ensure that the transportation system is safe for all users, including bicyclists and pedestrians. Traffic rules can include crosswalk ordinances, speed zone requirements, signage standards, and other local laws and policies governing traffic on local roads and sidewalks.

NOTE: Speed Limits

Speed limits can help create safer conditions for pedestrians and bicyclists. In Minnesota, local governments have limited authority to set their own speed limits—these are typically governed by state law.⁹⁵ A local road authority may request MnDOT to post a speed limit different from the state law default; however, MnDOT must first perform an engineering and traffic investigation to determine the appropriate limit.⁹⁶ Where a local government has authority over a street or highway that has an established bike lane, state laws allows it to set the speed limit by ordinance or resolution, without doing an engineering or traffic study, as long as the speed is not set below 25 miles per hour.⁹⁷

Traffic calming measures that lower traveling speeds can promote safe shared use of roads between motorists, bicyclists, and pedestrians. Traffic calming measures include speed bumps, traffic circles, and raised intersections.

NEW BRIGHTON, MINNESOTA

Traffic Calming as a Component of Comprehensive Planning

In response to the Met Council’s 2030 Transportation Policy Plan, New Brighton developed its own Transportation Plan. One policy recommendation included was to “[i]mplement traffic calming measures, as appropriate, to reduce the amount of through traffic on residential streets.”⁹⁸

c. Crossing Requirements and Crosswalk Standards

Local governments can establish crosswalk requirements and other policies to promote the use of marked crosswalks and other safety devices to communicate to both motorists and pedestrians the possibility of approaching traffic, and to provide for safe crossings.⁹⁹ This includes changing signal timing to benefit pedestrians crossing the roadway.¹⁰⁰ In addition, local governments can “designate a crossing for senior citizens or disabled persons on any street or highway [near] a senior citizen housing project, senior citizen nursing home, or residential care facility for disabled persons.”¹⁰¹ These crossings must comply with MMUTCD and MnDOT specifications.¹⁰²

ST. PAUL, MINNESOTA

Safe Pedestrian Crossings

The Director of Public Works in St. Paul is authorized to “designate intersections or other areas as safe pedestrian crossings.”¹⁰³ A safe pedestrian crossing gives pedestrians more time to cross a street than would otherwise be advised under the Minnesota Manual of Uniform Traffic Control Devices, and is useful in preventing crashes.¹⁰⁴

DULUTH, MINNESOTA

Student Police

Duluth’s municipal code includes a section allowing the appointment of special “student police.” School student police are authorized to regulate all traffic at specific intersections designated by the Duluth police department.¹⁰⁵



C. Fiscal Policies — Sidewalk Improvement Districts

Minnesota law authorizes local governments to adopt ordinances establishing sidewalk improvement districts so that “all areas within each district [will] have safe pedestrian walkways to and from schools and school bus stops, public transportation facilities, and other services to the neighborhood and community.”¹⁰⁶

These improvement districts allow the local government to finance the costs of construction or repairs for sidewalks through an assessment on real property in the district. Improvement districts can be created to support the development of sidewalks, trails, and similar facilities.

WEST ST. PAUL, MINNESOTA

Sidewalk and Trail Improvement District

West St. Paul established a Sidewalk and Trail Special Improvement District which encompasses all of the streets, sidewalks, trails, land and parcels within the city's boundaries.¹⁰⁷ Among other things, the law requires the city to create an assessment policy for the sidewalk or trail improvements or repairs within the District and apply that policy uniformly to each class of property.

D. Agreements between Local Governments

State law grants local governments in Minnesota the power to make agreements with each other to carry out projects, programs, and services. These are referred to as “joint powers” agreements, and they must comply with specific statutory requirements.¹⁰⁸ These agreements can result in the creation of a new entity (such as a joint powers board ¹⁰⁹), or can be more like a traditional services contract, where one city contracts with another to offer certain services.¹¹⁰ Joint powers agreements can help local governments work together to create, promote, and fund infrastructure that supports active transportation.

1. Memorandums of Understanding (MOU)

A memorandum of understanding (MOU) can be the first step a local government takes before entering into a contract. A memorandum of understanding (MOU) is an informal written statement that explains the preliminary understanding of the parties about the contract or agreement they are developing. For example, an MOU can be used to initiate multi-jurisdictional transit projects.

MOU between Minneapolis Park and Recreation Board, Minnesota Off-Road Cyclists, and Minneapolis Off-Road Cycling Advocates

In 2013, the Minneapolis Park and Recreation Board (MPRB) entered into an MOU with Minnesota Off-Road Cyclists (MORC) and Minneapolis Off-Road Cycling Advocates (MOCA). The purpose of the MOU is to promote mountain biking and develop and maintain quality trails for bikers at all ability levels at Wirth Park and Brownie Lake. In the MOU, the parties agree to either share or allocate certain responsibilities related to trail design, installation, maintenance, and fundraising.¹¹¹



2. Joint Powers and Other Cooperative Agreements

Local governments can enter into joint powers agreements with other government bodies. Because roads and trails often cross borders, these agreements are useful for coordinating on trail systems and related active transportation projects that go beyond the boundaries of one local government, and can help maximize land and facility resources that exist in overlapping or neighboring communities.

CITY OF LAKE ELMO AND STILLWATER SCHOOL DISTRICT Joint Powers Agreement to Create a Park

In April 2014, the City of Lake Elmo and the Stillwater School District entered into a joint powers agreement to build a local park on school district property.¹¹² In the agreement, the school district agreed to maintain the turf and recreational areas (among other things) while the city agreed to fund new tennis courts and provide signs for the park.

SCOTT COUNTY, MINNESOTA Joint Powers Agreement with Three Rivers Park District to Develop Outdoor Recreation Opportunities

In December 2010, the Scott County Board of Commissioners and the Three Rivers Park District Board of Commissioners entered into a joint powers agreement to develop outdoor recreation facilities. Through the agreement, the county and Three Rivers Park District agreed to “combine resources to collectively operate all regional parks and trails in the county.”¹¹³

3. Use Agreements

Local governments can utilize use agreements to increase physical activity levels by allowing community use of government spaces, such as parks, open space, and bikeways or trail ways to facilitate bicycling and walking and other forms of active transportation or physical activity.

ST. PAUL, MINNESOTA

Bicycle and Pedestrian Detour

MnDOT entered into a use agreement with the Minneapolis Park and Recreation Board for a bicycle and pedestrian detour for a bridge that MnDOT was building over the Mississippi River between St. Paul and Minneapolis. The park and recreation board agreed to let MnDOT use some of its property to create the detour so that walkers and bicyclers could access the bridge.¹¹⁴





E. Other Policy Options

Additional policy levers available to Minnesota local governments to increase walking and bicycling are outlined below.

1. Administrative or Departmental Policies

Local government agencies can establish internal policies to ensure consistent future decision-making and promote focus on long-term goals relating to bicycling and walking. City and county Complete Streets policies and school Safe Routes to Schools (discussed above) are examples of these types of policies.

2. Creating an Active Transportation Committee

Local governments can create active transportation committees through ordinances or other means. These committees can provide strategic guidance on community needs and priorities around walking and bicycling.

ST. CLOUD, MINNESOTA

Bicycle and Pedestrian Advisory Committee

The St. Cloud Area Planning Organization (APO) established a Bicycle and Pedestrian Advisory Committee (BPAC) in 2007. The committee provides advice and is responsible for “implement[ing] and support[ing] various bicycle and pedestrian public awareness projects and provide[s] the area with [a] forum for discussing bicycle and pedestrian topics.”¹¹⁵

3. Environmental Compliance and Studies

Active transportation policies supporting bicycling and walking often promote environmentally-friendly objectives as well. To reflect environmental considerations, many active transportation designs include a review of the environmental impact on the community.

Bicycle and Pedestrian Accommodation Feasibility Study in Minnesota

The Bicycle/Pedestrian Accommodation Feasibility Study was “undertaken to review potential bicycle and pedestrian trail alternatives for the Dresbach Bridge, such that a future trail system along the I-90 corridor [would not be] precluded from crossing the Mississippi River. This study is intended to inform and provide a recommendation pursuant to the relevant Bicycle and Pedestrian Accommodation section(s) in the Dresbach Bridge Environmental Assessment.”¹¹⁶

4. Geographic Information Systems (GIS) Mapping

Geographic Information Systems (GIS) data mapping is another way a community can plan for bicycle and pedestrian needs. GIS is a technology that displays data, patterns, and trends on maps. GIS data helps with community planning and can provide information regarding where to place bicycle and pedestrian facilities.

DULUTH, MINNESOTA

GIS Database of Sidewalks and Sidewalk Study

Duluth created a GIS database of all sidewalks in the city to store and analyze information on specific characteristics relating to sidewalks, such as sidewalk type, width, condition, relation to roadway and other additional information.¹¹⁷ The city also developed a system for rating the condition of sidewalks and curb ramps that was based on systems used by MnDot for assessing sidewalk and curb ramp compliance with Americans with Disabilities Act standards. The inventory is updated annually at the end of the construction season to include new and rehabilitated sidewalk segments and updated condition ratings. Additionally, the city developed a Pedestrian Priority Model (PPM) to identify the most heavily used sidewalks so that areas where pedestrian facilities are most needed can be identified and prioritized.¹¹⁸



Image Source: CDC/ Amanda Mills

Next Steps

Minnesota communities are taking actions to promote health, prosperity, and economic vitality by making it easier to walk, bicycle, and use other active transportation. Local policies that promote walking and bicycling are essential components to increasing physical activity levels in communities.

Meaningful policy change requires planning, development, implementation, and evaluation, and a focus on community members who are socially disadvantaged. These elements are integral to support good policy development. Fortunately, there are many materials and resources available to help guide and inform active transportation policy development.

Additional Resources

Policy drafting tools and resources:

- The Local and Regional Government Alliance on Race & Equity has [several resources](#)¹¹⁹ to help local governments operationalize equity principles in policy development and governance, including a [Racial Equity Toolkit](#).¹²⁰
- RaceForward’s [Racial Equity Impact Assessment Toolkit](#)¹²¹ can help with doing a systematic analysis of how different racial and ethnic groups will likely be affected by a proposed action or decision.
- The Public Health Law Center has a resource on [Drafting Effective Policies](#).¹²²

Active transportation resources:

- The Public Health Law Center’s [Active Living webpage](#)¹²³ has many fact sheets and resources related to promoting walking, bicycling, and active transportation.
- The Minnesota Department of Health offers a [Community Walkability Assessment Guide and training](#) on how to use it.¹²⁴
- [Minnesota Walks](#) (Dec. 2016)¹²⁵ is a collaborative effort between MnDOT and the Minnesota Department of Health designed to serve as a “shared roadmap for how all Minnesotans can have safe, desirable and convenient places to walk and roll.”
- MnDOT’s [Statewide Bicycle System Plan](#)¹²⁶ “represents MnDOT’s vision and goals for bicycle transportation, implementation strategies, and performance measures to evaluate progress toward achieving this vision. The plan falls in line with MnDOT’s family of plans, including [Minnesota GO](#).”¹²⁷
- MnDOT offers a [Complete Streets Implementation Resource Guide for Minnesota Local Agencies](#) (2013)¹²⁸ and [Safe Routes to School Resources](#).¹²⁹
- “The [Greater Minnesota Regional Parks and Trails Commission](#) was established in 2013 to carry out system planning and provide recommendations to the legislature for grants funded by the Legacy parks and trails fund to counties and cities outside the seven-county metropolitan area for parks and trails of regional significance.”¹³⁰
- The chapter on transportation in [Supporting a Resilient Region: A Best Practices Toolkit for the Central Minnesota Sustainable Development Plan](#)¹³¹ (2012) includes several policy recommendations that support active transportation.
- The National Physical Society’s [Stories from Small Towns](#)¹³² highlights the experiences of small communities that have improved walking conditions for their residents.
- The National Park Service’s [Parks, Trails & Health Workbook](#)¹³³ is “an outline and quick guide for incorporating public health considerations in the development of a park or trail” and can help readers who are interested in conducting a [parks and trails health impact assessment \(HIA\)](#).¹³⁴
- The [Partnership for Active Transportation’s website](#)¹³⁵ has many tools and resources to support active transportation efforts.

Appendix—School Districts and School Policies

School Districts

Schools play an important role in both teaching children health skills and providing opportunities for children to play and exercise before, during, and after the school day. Incorporating physical activity into school policies is an integral component of a comprehensive strategy to prevent childhood obesity and related health complications. Minnesota school districts have the power to create policies, execute contracts, and manage their property to promote the health of children and others in the community.

School boards and schools enact policies that can drive decision-making within schools, including wellness policies that address opportunities for physical activity. Schools also can support various active transportation policies, events, and objectives, as well as promote physical activity through community use of school property (such as permitting use of school facilities in the evening by community members).

School districts oversee and can make transportation available to school children in their districts.¹³⁶ School districts are required to create written policies on how to transport students safely.¹³⁷ Although school districts have largely focused on providing transportation through bussing,¹³⁸ districts are becoming increasingly involved in active transportation issues by supporting programs, activities, and the construction of facilities that promote walking and biking to school through the Statewide Health Improvement Partnership and Safe Routes to School projects (discussed above).¹³⁹



Image Source: CDC/ Amanda Mills



Image Source: CDC/ Amanda Mills

MOOSE LAKE COMMUNITY SCHOOL DISTRICT

Bicycle and Walk to School Policy

Moose Lake School passed a Bicycle and Walk to School Policy in 2010. The policy is designed to support and encourage walking and biking to “promote student and adult well being by integrating more physical activity into a daily routine and provid[ing] active living skills and healthy habits that will last a lifetime.”¹⁴⁰

RUSHFORD-PETERSON SCHOOL DISTRICT

Facility Use Policy

The Rushford-Peterson school district has a facility use policy that includes language expressly recognizing that “school facilities and grounds are community-owned property and the wise use of this property requires total community cooperation of all agencies and organizations.” The policy states that “community groups shall be permitted and encouraged to use school facilities and grounds for worthwhile purposes when such uses will not interfere with the school day or evening program.”¹⁴¹

Endnotes

¹ See LEAGUE OF MINN. CITIES, HANDBOOK FOR MINNESOTA CITIES: CHAPTER 1: LOCAL GOVERNMENTS IN MINNESOTA (Aug. 25, 2016), <http://www.lmc.org/page/1/handbook-for-mn-cities.jsp>.

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³ MINN. STAT. § 471.345 (2016).

⁴ See MINN. STAT. § 169.04 (2016).

⁵ See MINN. STAT. § 160.02, subd. 25 (2016).

⁶ MINN. STAT. § 169.04(a)(2) (2016).

- ⁷ MINN. STAT. § 169.04(a)(4), (5) (2016).
- ⁸ MINN. STAT. § 169.04(a)(6) (2016).
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- ¹⁹ See MINN. STATUTES CHAPTERS 375 (regarding county boards) and 375A (regarding administrative official options).
- ²⁰ Research Department, Minnesota House of Representatives, Options in County Government Structure, Information Brief at 7 (2014), available at <http://www.house.leg.state.mn.us/hrd/pubs/optcntygov.pdf>; see also Ramsey County Home Rule Charter, <http://co.ramsey.mn.us/cb/charter/index.htm>.
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- ²² MINN. STAT. § 412.491 (2016).
- ²³ MINN. STAT. § 412.521, subd. 3 (2016).
- ²⁴ MINN. STAT. § 398.07 (2016).
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- ⁴³ MINN. STAT. § 462.3535, subd. 2 (2016).
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- ⁸⁰ CITY OF MINNEAPOLIS, MINN. CODE OF ORDINANCES § 551.100 (2016).
- ⁸¹ MINN. STAT. §§ 430.101, 430.107 (2016).
- ⁸² MINN. STAT. § 430.101, subd. 1; 430.07, subd. 2 (2016).
- ⁸³ See Philip Hunsicker, Active Transportation Policy Review for Five Cities in Central Minnesota 10-12 (undated report), <http://www.resilientregion.org/cms/files/Active%20Transportation%20Policy%20Review.pdf> (discussing Wadena, Minn., City Code, listed as § 8.32 but may actually be § 70.07(B)(1)). Bicycling on sidewalks in business districts is prohibited unless the local government passes an ordinance allowing it. MINN. STAT. § 169.222 subd. 4(d) (2016).
- ⁸⁴ See Michael Anderson, 10 Tips for Cities Ready to Replace Car Parking With Safe Space for Biking (April 14, 2015), <http://usa.streetsblog.org/2015/04/14/10-tips-for-cities-ready-to-replace-car-parking-with-safe-space-for-biking/>.
- ⁸⁵ See MINN. STAT. § 160.264 (2016) (requiring road authorities to replace bikeways, pedestrian ways, or roadways used by bicycles or pedestrians that are destroyed by new, reconstructed, or relocated federal, state, or local highways, absent special circumstances).
- ⁸⁶ MINN. R. part 8810.6400 (2016).
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- ⁹⁴ MINN. STAT. § 169.06, subd. 3 (2016); 23 C.F.R. § 655.603 (2016).
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