



Americans with Disabilities Act

# Transition Plan

for County Highway Rights of Way

December 2024



# Dakota County Americans with Disabilities Act Transition Plan for County Highway Rights of Way, 2024

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## Introduction

The Americans with Disabilities Act of 1990 is a civil rights statute that prohibits discrimination against people who have disabilities. Title II of the Act specifically addresses making public services and public transportation accessible to those with disabilities. Designing and constructing facilities for public use that are not accessible by people with disabilities constitutes discrimination. Government agencies and public entities are required to perform ADA self-evaluations of their current facilities. Agencies are then required to develop a Transition Plan to address any deficiencies and include the following:

- Identify physical obstacles that limit the accessibility of facilities to individuals with disabilities.
- Describe the methods to be used to make facilities accessible.
- Provide a schedule for taking the steps necessary to make access modifications.
- Identify public officials responsible for implementation of the transition plan.

The purpose of the *Dakota County American with Disabilities Act (ADA) Transition Plan for County Highway Rights of Way* is to address the above ADA requirements as they pertain to the County highway system, including roads, sidewalks, trails, curb ramps and traffic signals within county highway rights of way. In addressing the above ADA requirements, this Transition Plan will accomplish the following:

- Provide information for Dakota County as it continues its efforts to comply with ADA on its county highway system and within the county highway rights of way.
- Develop an inventory of progress on ADA on the county highway system and within the county highway rights of way including identification of physical obstacles and general condition of facilities.
- Develop an implementation schedule that identifies the time frames and methods to meet compliance.
- Inform the public of the county's ADA compliance efforts on the county highway system and within the county highway rights of way.
- Provide a Grievance Procedure for concerns on the county highway system and within county highway rights of way.
- Provide County Staff contact information for the public for issues related to accessibility and ADA along the county's roads, sidewalks and trails that are on the county highway system and within county highway rights of way.

This Transition Plan only applies to existing transportation facilities and is not intended to address other accessibility within the county. All new transportation construction projects will be ADA compliant. The County is conducting a comprehensive review of pedestrian and bicycle

facilities through the development of a Pedestrian and Bicycle Master Plan to address non-existent facilities.

## **Transition Plan Background, Need and Purpose**

The Americans with Disabilities Act of 1990 (ADA), enacted on July 26, 1990, is a civil rights statute prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:

1. Employment
2. State and local government services
3. Public accommodations
4. Telecommunications
5. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide. As a provider of public transportation services and programs, Dakota County must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides that, "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." ([42 USC. Sec. 12132](#); [28 CFR. Sec. 35.130](#))

As required by Title II of [ADA, 28 CFR. Part 35 Sec. 35.105 and Sec. 35.150](#), government agencies and public entities are required to perform ADA self-evaluations of their current facilities and then required to develop a Transition Plan to address any deficiencies.

The *Dakota County Americans with Disabilities Act Transition Plan for County Highway Rights of Way* is part of the county's compliance with the ADA for its county highway system and the county highway rights of way. It supports the Dakota County mission, "to provide efficient, effective, responsive government that achieves the Board of Commissioners' vision for Dakota County: a premier place in which to live and work."

## **ADA and its Relationship to Other Laws**

Title II of ADA is companion legislation to two previous federal statutes and regulations: the [Architectural Barriers Acts of 1968](#) and [Section 504 of the Rehabilitation Act](#) of 1973.

Architectural Barriers Act of 1968 (ABA) – This is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 – This is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

The American with Disabilities Act (ADA) – The ADA was enacted in 1990 and was intended to address and provide remedies for disability discrimination by employers, public services, public and private transportation providers, public accommodations, and certain telecommunications providers. Most provisions of the ADA took effect in 1992. While the ADA has five separate titles, Title II is the section specifically applicable to “public entities” (state and local governments) and the programs, services and activities they deliver.

28 CFR 35 – This refers to Title 28 of the Code of Federal Regulations Part 35 which is the portion of the federal rules applying to the Department of Justice and purposed to effectuate Subtitle A of Title II of the ADA of 1990, which prohibits discrimination on the basis of disability by public entities.

## **Title II of ADA - Agency Requirements**

Under Title II, Dakota County meets these general ADA requirements:

### General Requirements

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities ([28 C.F.R. Sec. 35.150](#)).
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability ([28 C.F.R. Sec. 35.130 \(a\)](#)).
- Must make reasonable modifications in policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result ([28 C.F.R. Sec. 35.130\(b\) \(7\)](#)).
- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective ([28 C.F.R. Sec. 35.130\(b\)\(iv\) & \(d\)](#)).

Dakota County has conducted a self-evaluation of its facilities within public rights of way and has developed this Transition Plan for County Highway Rights of Way. This document details how Dakota County will ensure that facilities within the County highway rights of way are accessible to all individuals. This document serves as a supplement to Dakota County’s existing Transition Plan covering buildings, services, programs and activities.

### Communications

- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others [\(29 C.F.R. Sec. 35.160\(a\)\)](#).

### ADA Coordinator

- Must designate at least one responsible employee to coordinate ADA compliance [\[28 CFR Sec. 35.107\(a\)\]](#). This person is often referred to as the "ADA Coordinator." The public entity must provide the ADA coordinator's name, office address, and telephone number to all interested individuals [\[28 CFR Sec. 35.107\(a\)\]](#).

As of 2016, the County has designated the Risk Management/Homeland Security Manager as the ADA Coordinator for the County. Plans are underway for an ADA Coordinator position to be established in 2025.

- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [\[28 CFR Sec. 35.106\]](#). The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [\[28 CFR Sec. 104.8\(a\)\]](#).

### Grievance Procedure

- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [\[28 CFR Sec. 35.107\(b\)\]](#). This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

**This document has been created to specifically cover accessibility within the County highway public rights of way and does not include information on Dakota County programs, practices, or building facilities not related to County highway public rights of way.**

# Self-Evaluation

## Overview

Dakota County, in accordance with Title II of the Americans with Disabilities Act (ADA) and 28 CFR 35.105, performed a self-evaluation of its current transportation infrastructure policies, practices, and programs. This self-evaluation identifies Dakota County Transportation Plan strategies and policies that have elements addressing accessibility. The purpose of the self-evaluation is to verify that, in implementing Dakota County's strategies, policies and practices, the Dakota County Transportation Department is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The self-evaluation also identifies barriers in the existing County highway infrastructure including sidewalks, curb ramps, bicycle/pedestrian trails and traffic control signals that are located within Dakota County rights of way. Any barriers to accessibility identified in the self-evaluation and the remedy to the identified barrier are set out in the practices and strategies of this plan.

## Summary

In 2016, Dakota County conducted an inventory of pedestrian facilities and traffic signals within its public right of way. The inventory was conducted using the most current county Geographical Information System (GIS) data, latest aerial and street-level photography, and latest County Transportation Department database information. Locations that require a site visit based on recent roadway construction improvements or lack of current data is identified in the self-evaluation. In 2024, the County updated this inventory to determine existing conditions and progress in compliance.

The inventory only includes existing transportation facilities. Non-existent facilities are not required to be identified or addressed under ADA Transition Plan guidelines. However, ADA stipulates that any project identified for construction or alteration that provides access to pedestrians must be made accessible to persons with disabilities.

The County will ensure that all new transportation facilities to be constructed will be ADA compliant. Future improvements or alterations to existing transportation facilities will also follow ADA guidance in meeting compliance. Details are identified under the Implementation Schedule section of this document.

The inventory included the following findings:



## Center Line Miles

- In 2016, approximately **200 center line miles** of County highways that exist within County municipalities were surveyed. County highways located within rural townships were not surveyed because no pedestrian facilities exist on the County highways within the townships.
- In 2024, approximately **202 center line miles** were surveyed. These were limited to highways within the urban and suburban areas of the county.

## Right of Way Miles

- Considering a pedestrian facility does or can exist on both sides of a highway, approximately **400 miles** of County highway right of way existed within the inventory area in 2016.
- In 2024, the inventory included **404 miles** of County highway right of way. Of these, **334 miles** of County highway right of way within urban or suburban areas of municipalities are considered as available space for sidewalks or trails. **Seventy miles** of County highway right of way within municipalities exist that are considered rural or outside of the Metropolitan Council's Metropolitan Urban Service Area. These seventy miles were included in the 2016 inventory evaluation and excluded in the 2024 inventory evaluation.

## Traffic Signals

- In 2016, the inventory included **146 total traffic signals** in the inventory area.
- In 2024, the inventory includes **142 traffic signals** in the inventory area which are under County jurisdiction or maintenance agreement.

## Existing Sidewalks and Trails

- In 2016, approximately **191 miles**, or **48 percent** of County highway mileage within county municipalities, had **concrete sidewalks** or **bituminous trails**. This was comprised of:
  - Approximately **52 miles**, or **13 percent** with **concrete sidewalks**; and
  - Approximately **139 miles**, or **35 percent** with **bituminous trail**.
- In 2024, approximately **244 miles**, or **73 percent** of County highway mileage within urban or suburban areas of the county, have **concrete sidewalks** or **bituminous trails**. This is comprised of:
  - Approximately **52 miles**, or **16 percent** with **concrete sidewalks**; and
  - Approximately **192 miles**, or **58 percent** with **bituminous trail**.



*Example of a good or compliant pedestrian ramp*



*Example of a poor or non-compliant pedestrian ramp*

### **Pedestrian Ramps**

- In 2016, the inventory included **3,165 pedestrian ramp locations** within County highway right of way within municipalities.
- In 2024, the inventory included **3,701 pedestrian ramp locations** with County highway right of way within urban and suburban areas.

### **Pedestrian Ramp Compliance**

- In 2016, **2,376 pedestrian ramps**, or **78 percent**, appeared substantially ADA compliant.
- In 2024, **3,572 pedestrian ramps**, or **97 percent**, appeared substantially ADA compliant.



*Example of a good or compliant traffic signal*



*Example of a poor or non-compliant traffic signal*

### **Traffic Signals with Accessible Pedestrian Signals**

- In 2016, the inventory included **146 total traffic signals** in the inventory area. Of these, **25 traffic signals**, or **17 percent**, were ADA compliant with Accessible Pedestrian Signals.
- In 2024, the inventory includes **142 traffic signals** in the inventory area which are under County jurisdiction or maintenance agreements. Of these, **83 traffic signals**, or **58 percent**, are ADA compliant with Accessible Pedestrian Signals.

A detailed evaluation of these facilities is found in the appendices.

## Practices and Strategies

### Compliance Efforts

Since the adoption of the ADA, Dakota County has striven to provide accessible pedestrian features as part of the County's capital improvement projects. As additional information becomes available as to the methods of providing accessible pedestrian features, the County updates its procedures to accommodate these methods.

#### Incorporation of ADA Guidance for Capital Improvement Projects

With the design of each capital improvement project as identified in Dakota County's Capital Improvement Program, the County uses current ADA-related guidance and best practices. The County also considers regional and local planning documents and input received during the public engagement process to ensure that facilities are planned well and fits within the needs of the local community. The County constructs its pedestrian facilities to assure consistency and compliancy with the ADA guidance and best practices.

#### Incorporation of ADA Guidance for Maintenance Projects

The County incorporates the most current ADA guidance to the maximum extent feasible, in accordance with applicable rules and regulations for maintenance projects. Similar to capital projects, the County also considers regional and local planning documents and input received during the public engagement process to ensure that facilities are planned well and fits within the needs of the local community. Due to the nature of maintenance projects, the ADA guidance and best practices correlate to the scope or context of the maintenance project.

#### Internal Coordination

County staff routinely evaluates existing policies and practices to ensure they do not limit full participation or present any barriers to accessibility for those with a disability.

### Strategy

Dakota County includes accessibility compliance in its reconstruction and new infrastructure projects to ensure safe, accessible and convenient options for pedestrians that travel along or across the County highways. Typical improvements include projects to bring curb ramps into compliance with ADA standards; installation of accessible pedestrian signals; and pedestrian improvements such as crosswalks, trails, sidewalks and signals. Dakota County frequently coordinates these improvements with other highway construction and pavement rehabilitation projects.

Dakota County's strategy is to continue to provide accessible pedestrian design features as part of the County's capital improvement projects. The County uses ADA design standards and

procedures as listed in Appendix D. These standards and procedures will be kept up to date with nationwide and local best management practices.

The County will consider and respond to all accessibility improvement requests. The County will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the County's jurisdiction are ADA compliant to the maximum extent feasible.

All County transportation studies will incorporate the strategies identified within this document. Future updates of the County's Transportation Plan will also include the strategies identified within this document.

## **Implementation Schedule**

### **Methodology**

Dakota County will utilize two methods for upgrading pedestrian facilities to the current ADA standards. The first and most comprehensive of the two methods are upgrading pedestrian facility in conjunction with scheduled Transportation CIP projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. The second method is the stand alone sidewalk and ADA accessibility improvement projects. These projects will be incorporated into the adopted Transportation Capital Improvement Program (CIP) on a case by case basis as adopted by the County Board. The County Transportation CIP, which includes a detailed schedule and budget for specific improvements, is located online at <https://www.co.dakota.mn.us/Government/BudgetFinance/2024/Documents/2024-2028CIP.pdf>

Prioritizing pedestrian facilities serving state and local government offices and facilities, transportation, places of public accommodation and employers will be a factor considered in the implementation of projects.

## **ADA Transition Plan Implementation**

### **External Agency Coordination**

Many other agencies are responsible for pedestrian facilities within the jurisdiction of Dakota County. The County will coordinate with those agencies, including local cities and the Minnesota Department of Transportation, to track and assist in the facilitation of the elimination of accessibility barriers along their routes.

## Targets

Dakota County has set the following targets for improving the accessibility of its pedestrian facilities within the County's jurisdiction.

### Sidewalks and Trails

In 2016, the County had 52 miles of sidewalk and 139 miles of trails located within the County rights of way. Of these, 49.4 miles, or 95 percent, of sidewalks and 132 miles, or 95 percent, of trails appear to be substantially compliant with ADA and are in good or fair condition.

As of 2024, the County had 52 miles of sidewalk and 192 miles of trails located within the County rights of way. Of these, 51.1 miles, or 98 percent, of sidewalks and 186 miles, or 97 percent, of trails appear to be substantially compliant with ADA and are in good or fair condition.

The targets for improving sidewalks and trails are:

- One hundred percent of sidewalks and trails within County highway rights of way are anticipated to be ADA compliant and in good condition by 2027.

### Traffic Signals

In 2016, 146 total traffic signals existed within the inventory area. Of these, 25 traffic signals, or 17 percent, had Accessible Pedestrian Signals.

As of 2024, the inventory includes 142 traffic signals in the inventory area which are under County jurisdiction or maintenance agreements. Of these, 83 traffic signals, or 58 percent, had Accessible Pedestrian Signals.

The targets for improving traffic signals to include APS within the next ten and twenty years are:

- Ninety percent of County-owned traffic signals are to be equipped with APS by 2027.
- One hundred percent of County-owned traffic signals are to be equipped with APS by 2037.

County staff will continue to identify opportunities to increase these percentages through the priorities set forth in this plan and through future construction and maintenance activities.

### Pedestrian Curb Ramps

In 2016, the County had 3,165 pedestrian curb ramp locations within the County rights of way. Of these, 2,376, or 78 percent, appeared to be substantially compliant with ADA.

As of 2024, the County has 3,701 pedestrian curb ramp locations within the County rights of way. Of these, 3,572, or 97 percent, appear to be substantially compliant with ADA.

The County currently replaces or installs curb ramps to meet ADA requirements at the time of roadway improvements.

The targets for improving curb ramps within the next ten and twenty years are:

- Ninety percent of curb ramp locations are anticipated to be ADA compliant by 2027.
- One hundred percent of curb ramp locations are anticipated to be ADA compliant by 2037.

## **ADA Coordinator**

In accordance with 28 CFR 35.107(a), Dakota County has identified an ADA Title II Coordinator to oversee Dakota County's policies and procedures. Contact information is located in Appendix A.

## **Public Outreach**

Dakota County recognizes that public participation is an important component in the development of this document. Input from the community has been gathered and used to help define priority areas for improvements within the jurisdiction of Dakota County.

Public outreach for the creation of this document included three ADA Transition Plan open houses to engage the public on accessibility and ADA compliance. Open houses were held in November 2016 in Apple Valley, Egan and West Saint Paul. An estimated 20 people attended the three open houses. Stakeholders attending the open houses represented disability advocacy organizations, individuals with disabilities, local governments and interested residents. A summary of comments received and information regarding the public outreach activities are in Appendix E. In 2024, the County did not provide for public outreach as activities pertained to inventory updates only.

## **Grievance Procedure**

In accordance with 28 CFR 35.107(b), citizens may file a grievance alleging discrimination on the basis of disability with the ADA Coordinator. The grievance will be processed in accordance with the County's grievance procedure for a prompt and equitable resolution. In addition to the formal process, citizens may contact staff informally to discuss ADA issues without limiting a

person's ability or right to file a formal grievance. Key Transportation Department Staff contact information is in Appendix A.

## **Monitor the Progress**

This document will continue to be updated as conditions within the County evolve.

The appendices in this document will be updated periodically, while the main body of the document will be integrated into the next County Transportation Plan update that is anticipated to be completed in 2019. The County Transportation Plan is updated approximately every five years. With each main body update, a public comment period will be established to continue the public outreach.

## **Appendices**

**A. Contact Information**

**B. Self-Evaluation Results**

**C. Glossary of Terms and Acronyms**

**D. ADA Design Standards and Procedures**

**E. Sidewalk, Trail and Curb Ramp Inventories**



## Appendix A – Contact Information

### ADA Coordinator

(To be determined)

ADA Coordinator

1590 Highway 55

Hastings, MN 55033-2372

[adacoordinator@co.dakota.mn.us](mailto:adacoordinator@co.dakota.mn.us)

651-438-4435

Website: <https://co.dakota.mn.us/Pages/accessibility.aspx>

### Trails, Sidewalks and Curb Ramps

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## Appendix B – Self-Evaluation Results

- In 2016, approximately 200 center line miles of County highways that exist within County municipalities were surveyed. County highways located within rural townships were not surveyed because no pedestrian facilities existed on the County highways within the townships. Considering a pedestrian facility does or can exist on both sides of a highway, approximately 400 miles of County highway right of way existed within the inventory area.
- In 2024, approximately 202 center line miles were surveyed. These were limited to highways within the urban and suburban areas of the county. Considering a pedestrian facility does or can exist on both sides of a highway, approximately 404 miles of County highway right of way exists within the inventory area. Of these, 334 miles of County highway right of way within urban or suburban areas of municipalities are considered as available space for sidewalks or trails. Seventy miles of County highway right of way within municipalities exist that are considered rural or outside of the Metropolitan Council’s Metropolitan Urban Service Area. These seventy miles were included in the 2016 inventory evaluation and excluded in the 2024 inventory evaluation.

The self-evaluation of pedestrian facilities yielded the following results:

- In 2016, 48 percent of County highway mileage within county municipalities had concrete sidewalks or bituminous trails. In, 2024, 73 percent of County highway mileage within urban or suburban areas of the county have concrete sidewalks or bituminous trails.
- In 2016, 78 percent of areas that required curb ramps were in place and appeared to meet accessibility criteria. In 2024, 97 percent of areas that required curb ramps are in place and appeared to meet accessibility criteria.
- In 2016, 17 percent of traffic control signals had Accessible Pedestrian Signal systems. In 2024, 58 percent of traffic control signals have Accessible Pedestrian Signal systems.

### Pedestrian Infrastructure Inventory

In 2016, Dakota County inventoried pedestrian ramps, sidewalks, and trails within the county highway rights of way along county roadways. The County also identified locations of traffic signals on the county highway system that were constructed with Accessible Pedestrian Signals. In 2024, the County conducted an update of the original inventory.

#### Pedestrian Ramps

All pedestrian ramps within county highway rights of way were identified as one of four categories or cases as follows:

Case 1

The pedestrian ramp has a truncated dome and has been checked for compliance.

Case 2

The pedestrian ramp has a truncated dome and has not been checked for compliance. However, the ramp appears substantially compliant from observation.

Case 3

The pedestrian ramp does not have a truncated dome. However, the pedestrian ramp does not appear to present a significant physical barrier for pedestrians.

Case 4

The pedestrian ramp is in need of construction, installation or modification based on the condition of the pedestrian ramp, or lack thereof, and its location relative to existing pedestrian facilities.

The inventory also identified locations where no pedestrian facilities existed.

Results

The results of the pedestrian ramp inventory completed within county highway rights of way were:

Case 1:

In 2016, and 2024, no ramps were physically reviewed for compliance check.

Case 2:

In 2016, 2,376 pedestrian ramps (75 percent) appeared substantially ADA compliant. In 2024, 3,572 pedestrian ramps

(97 percent) appeared substantially ADA compliant.

Cases 3 & 4:

Cases 3 & 4 were combined as construction costs to obtain compliance are the same for each category. In 2016, 679 pedestrian ramp locations (22 percent) did not appear to be substantially ADA compliant or did not exist. In 2024, 129 pedestrian ramp locations (3 percent) did not appear to be substantially ADA compliant or did not exist.

Pedestrian ramps that have been categorized as Case 3 or 4 scenarios will be identified as candidates for future projects. The timeline for construction, installation or modification of each of these pedestrian ramps will depend on its correlation to planned projects, and available funding.

A pedestrian ramp inventory was conducted for each County highway within a municipality. This inventory includes:

- The intersecting street or driveway location of the pedestrian ramp
- The case number and compliance results
- If the intersection is signalized
- Specific site notes
- Municipality

This inventory is in Appendix F.

**Sidewalks and Trails**

All sidewalks and trails within county highway rights of way were inventoried and evaluated to determine existing lengths, adjacent land uses and to identify general condition.

The following categories were used to rate the condition of concrete sidewalks and bituminous trails:

### Good

A facility that has recently been constructed, reconstructed or resurfaced and has no or few defects.

### Fair

A facility that has a few defects, may require future maintenance, but remains fairly functional to pedestrians.

### Poor

A facility that has numerous defects and/or requires maintenance to be safely functional for pedestrians. If a facility does not exist it was categorized as poor in the inventory.

Facility defects and obstructions were considered in rating the facility. These included defects or damage that could cause pedestrians to fall, that could impede wheelchair users or disabled pedestrians and common defects such as breaks, unevenness and projecting or settling sections. The defects and obstructions considered included the following:

- Pavement “heave” between sections or at the curb or street connection
- Uneven sloping
- Horizontal or vertical cracking
- Drainage issues consisting of low points that hold water or runoff
- Vegetation issues consisting of substantial vegetation growing within the pavement or adjacent to the pavement
- Significant wear or lack of maintenance

- Slope issues near streets, driveways or hills
- Obstructions such as fire hydrants, lighting poles, signal poles, utility poles, and utility hand holes.

### Results

Results of the inventory are:

- Good and fair sidewalks: 52 miles in 2016, 52 miles in 2024
- Good and fair trails: 139 miles in 2016, 192 miles in 2024
- Poor sidewalks: 3 miles in 2016, 0.5 miles in 2024
- Poor trails: 8 miles in 2016, 6 miles in 2024
- Missing sidewalk or trail segment locations: 186 miles in 2016, 70 miles in 2024

Sidewalks and trails rated as poor will be identified as candidates for future projects. The timeline for construction, installation or modification of each of these sidewalks and trails will depend on its correlation to planned projects, and available funding.

The sidewalk and trail inventory conducted for each County highway within a municipality includes:

- The facility segment by intersection
- The type of facility
- Adjacent land use
- Segment length
- Segment rating
- Specific segment notes
- Municipality

This inventory is located in Appendix G.

### **Accessible Pedestrian Signals (APS)**

All traffic signals within county highway rights of way were inventoried within the

municipalities. In 2016, there were 146 traffic signals on county highways within the municipalities in the inventory area. In 2024, there are 142 traffic signals on county highways which are under County jurisdiction or maintenance agreement.

The *Dakota County 2040 Transportation Plan* provides guidance for the placement and operation of traffic control devices within the county. This includes strategies and policies for system reviews; intersection traffic control studies; traffic signal coordination; city or state maintenance assistance; transit priority; and intersection traffic control changes.

The County designs and installs new signals or signal replacements to be compliant with ADA. Accessible Pedestrian Signals (APS) are considered part of the design practice for new signals. The Minnesota Manual on Uniform Traffic Control Devices (MMUTCD) identifies an APS as a device that communicates information about pedestrian timing in nonvisual format such as audible tones, speech messages, and/or vibrating surfaces. Anywhere pedestrians would be permitted to cross APS is provided with new or replacement signals.

The APS or pedestrian push buttons installed or maintained are based upon the design standard at the time of installation. All new locations are designed to meet current standards. The County has installed a few APS systems based on assessment and requests. However, when retrofitting these devices, the devices are installed on existing poles and would not necessarily be designed the same as a newly designed system. The County designs all new signals with the ADA standards including APS and pedestrian ramps to meet requirements to

the degree possible. Dakota County uses MnDOT standard design information that includes information from the Public Right of Way Accessibility Guidelines (PROWAG).

## Appendix C – Glossary of Terms and Acronyms

The following are terms and acronyms contained within this document or that are associated with accessibility in the public rights of way.

**ABA:** See Architectural Barriers Act.

**ADA:** See Americans with Disabilities Act.

**ADA Transition Plan:** The transportation system plan that identifies accessibility needs and the process to fully integrate accessibility improvements to ensure all transportation facilities, services, programs, and activities are accessible to all individuals.

**ADAAG:** See Americans with Disabilities Act Accessibility Guidelines.

**Accessible:** A facility that provides access to people with disabilities using the design requirements of the ADA.

**Accessible Pedestrian Signal (APS):** A device that communicates information about pedestrian timing in nonvisual format such as audible tones, speech messages, and/or vibrating surfaces. (Minnesota Manual on Uniform Traffic Control Devices, December 2011, Section 1A, page 14).

**Alteration:** A change to a facility in the public right-of-way that affects or could affect access, circulation, or use. An alteration must not decrease or have the effect of decreasing the accessibility of a

facility or an accessible connection to an adjacent building or site.

**Americans with Disabilities Act (ADA):** The Americans with Disabilities Act; Civil rights legislation passed in 1990 and effective July 1992. The ADA sets design guidelines for accessibility to public facilities, including sidewalks and trails, by individuals with disabilities.

**Americans with Disabilities Act Accessibility Guidelines (ADAAG):** contains scoping and technical requirements for accessibility to buildings and public facilities by individuals with disabilities under the Americans with Disabilities Act (ADA) of 1990.

**APS:** See Accessible Pedestrian Signal.

**Architectural Barriers Act (ABA):** Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

**Capital Improvement Program (CIP):** The CIP for Dakota County includes an annual capital budget and a five-year plan for funding the new construction and reconstruction projects on the County's transportation system.

**Code of Federal Regulations (CFR):** The codification of the general and permanent rules and regulations (also known as administrative law) published in the Federal Register by the executive departments and agencies of the federal government of the

United States. A copy of the federal regulations pertaining to CFR PART 35 – NONDISCRIMINATION ON THE BASIS OF DISABILITY IN STATE AND LOCAL GOVERNMENT SERVICES can be found on page 29 of the following link: [http://www.ada regs2010/titlell\\_2010\\_regulations.pdf](http://www.ada regs2010/titlell_2010_regulations.pdf).

**County Highway Rights of Way:** The property under jurisdiction and control of Dakota County for the purposes of operating, managing and maintaining the Dakota County transportation system.

**Dakota County Highway System (county highway system):** The highway, and any adjacent sidewalks, trails and other elements within the county highway rights of way, that is under the jurisdiction of Dakota County.

**Detectable Warning:** A surface feature of truncated domes built in or applied to the walking surface to indicate an upcoming change from pedestrian to vehicular way.

**DOJ:** See United States Department of Justice

**Federal Highway Administration (FHWA):** A branch of the US Department of Transportation that administers the federal-aid Highway Program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

**FHWA:** See Federal Highway Administration

**MnDOT:** Minnesota Department of Transportation

**Pedestrian Access Route (PAR):** A continuous and unobstructed walkway within a pedestrian circulation path that provides accessibility.

**Pedestrian Circulation Route (PCR):** A prepared exterior or interior way of passage provided for pedestrian travel.

**PROWAG:** An acronym for the *Guidelines for Accessible Public Rights-of-Way* issued in 2005 by the U. S. Access Board. This guidance addresses roadway design practices, slope, and terrain related to pedestrian access to walkways and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way.

**Public Right of Way (PROW):** The network of streets, sidewalks, and trails creating public pedestrian access within a public entity's jurisdictional limits.

**Section 504:** The section of the Rehabilitation Act that prohibits discrimination by any program or activity conducted by the federal government.

**TPAR:** Temporary Pedestrian Access Route

**Uniform Accessibility Standards (UFAS):** Accessibility standards that all federal agencies are required to meet; includes scoping and technical specifications.

**United States Access Board:** An independent federal agency that develops and maintains design criteria for buildings

and other improvements, transit vehicles, telecommunications equipment, and electronic and information technology. It also enforces accessibility standards that cover federally funded facilities.

**United States Department of Justice (DOJ):**

The United States Department of Justice (often referred to as the Justice Department or DOJ), is the United States federal executive department responsible for the enforcement of the law and administration of justice.



## **Appendix D – Agency ADA Design Standards and Procedures**

### **Design Procedures**

#### **Intersection Corners**

The County will attempt to construct or upgrade curb ramps and blended transitions within capital improvement projects to achieve compliance. Limitations may exist that make it technically infeasible for an intersection corner to achieve full accessibility within the scope of any project. Those limitations will be noted. As future projects or opportunities arise, those intersection corners shall continue to be incorporated into future work. If full compliance cannot be achieved, each intersection corner shall be made as compliant as possible in accordance with the judgment of County staff.

#### **Sidewalks / Trails**

The County will attempt to construct or upgrade sidewalks and trails within capital improvement projects to achieve compliance. Limitations may exist that make it technically infeasible for segments of sidewalks or trails to achieve full accessibility within the scope of any project. Those limitations will be noted. As future projects or opportunities arise, those segments shall continue to be incorporated into future work. If full compliance cannot be achieved, each sidewalk or trail shall be made as compliant as possible in

accordance with the judgment of County staff.

#### **Traffic Control Signals**

The County will attempt to construct or upgrade traffic control signals within capital improvement projects to achieve compliance. Limitations may exist that make it technically infeasible for individual traffic control signal locations to achieve full accessibility within the scope of any project. Those limitations will be noted. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. If full compliance cannot be achieved, each traffic signal control location shall be made as compliant as possible in accordance with the judgment of County staff.

#### **Bus Stops**

The County will attempt to construct or upgrade bus stops within capital improvement projects to achieve compliance. Limitations may exist that make it technically infeasible for individual bus stop locations to achieve full accessibility within the scope of any project. Those limitations will be noted. As future projects or opportunities arise, those locations shall continue to be incorporated into future work. If full compliance cannot be achieved, each bus stop location shall be made as compliant as possible in accordance with the judgment of County staff.

### **Other Transit Facilities**

Dakota County will work with Metro Transit and the Minnesota Valley Transit Authority to ensure that facilities within County highway rights-of-way meet all appropriate accessibility standards.

### **Other policies, practices and programs**

Policies, practices and programs not identified in this document will follow the applicable ADA standards.

### **Design Standards**

Dakota County uses the following design standards, latest applicable rules, design guidance and best practices related to ADA and accessibility.

### **Public Rights-of-Way Accessibility Guidelines (PROWAG)**

Public Rights-of-Way Accessibility Guidelines (PROWAG) are draft guidelines that address accessibility in the public rights-of-way. Sidewalks, street crossings, and other elements of the public rights-of-way present unique challenges to accessibility for which specific guidance is considered essential. PROWAG guidelines can be found at <http://www.access-board.gov/prowac/draft.pdf>. In 2010, as a part of the development of MnDOT's Transition Plan, MnDOT issued *Technical Memorandum 10-02-TR-01 Adoption of Public Rights of Way Accessibility Guidance* to MnDOT staff, cities and counties. This memorandum makes the Public Rights-of-Way Accessibility Guidelines (PROWAG) the primary guidance for accessible facility design on MnDOT projects. This

memorandum can be found on MnDOT's website under Technical Memoranda from 2010 at <http://techmemos.dot.state.mn.us>.

### **Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Rights-of-Way**

The Access Board (responsible for developing the Public Rights-of-Way Accessibility Guidelines (PROWAG)) proposes accessibility guidelines for the design, construction and alteration of pedestrian facilities in the public right-of-way. The guidelines ensure that sidewalks, pedestrian street crossings, pedestrian signals, and other facilities for pedestrian circulation and use constructed or altered in the public right-of-way by state and local governments are readily accessible for pedestrians with disabilities. These guidelines are to be adopted as accessibility standards in regulations issued by other federal agencies implementing the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and the Architectural Barriers Act. These accessibility guidelines can be found at <http://www.access-board.gov> under Public Rights-of-Way or at <http://www.access-board.gov/prowac/nprm.htm>.

### **Minnesota Department of Transportation Information**

MnDOT has developed additional planning, design and construction guidance building on the adoption of PROWAG as planning and design guidance for accessible pedestrian facilities. The following is

additional information provided through MnDOT:

MnDOT Accessibility Webpage:

<http://www.dot.state.mn.us/ada/index.html>.

Curb Ramp Guidelines:

<http://www.dot.state.mn.us/ada/pdf/curbramp.pdf>.

ADA Project Design Guide Memo:

<http://www.dot.state.mn.us/ada/pdf/adaprojectdesignguidememo.pdf>.

ADA Project Design Guide:

<http://www.dot.state.mn.us/ada/pdf/adaprojectdesignguide.pdf>.

Pedestrian Curb Ramp Details Standard Plans:

<http://standardplans.dot.state.mn.us/>

MnDOT's Standard Plates for curbs, gutters and sidewalks:

<http://standardplates.dot.state.mn.us/stdplate.aspx>.

MnDOT's Road Design Manual:

<http://roaddesign.dot.state.mn.us/roaddesign.aspx>.

MnDOT's Temporary Pedestrian Access Route (TPAR):

<http://www.dot.state.mn.us/trafficeng/workzone/tpar.html>.

## **Appendix E – Sidewalk, Trail and Curb Ramp Inventories**

NOTE: Due to the size of inventory files, Appendix E is located online at:

<https://www.co.dakota.mn.us/Transportation/TransportationStudies/Past/Pages/ada-transition-plan.aspx>