



Americans with Disabilities Act

Transition Plan

for County Highway Rights of Way

June 2018



Dakota County Draft Americans with Disabilities Act Transition Plan for County Highway Rights of Way

Table of Contents

- Introduction 3
 - Transition Plan Background, Need and Purpose 4
 - ADA and its Relationship to Other Laws 4
 - Title II of ADA - Agency Requirements..... 5
- Self-Evaluation 7
 - Overview 7
 - Summary 7
- Practices and Strategies..... 10
 - Compliance Efforts..... 10
 - Strategy 10
- Implementation Schedule..... 11
 - Methodology..... 11
- ADA Transition Plan Implementation 11
 - External Agency Coordination 11
 - Targets 12
- ADA Coordinator 12
- Public Outreach..... 13
- Grievance Procedure 13
- Monitor the Progress 13
- Appendices..... 14
 - A. Contact Information..... 14
 - B. Self-Evaluation Results..... 14
 - C. Glossary of Terms and Acronyms 14
 - D. ADA Design Standards and Procedures 14

E. Public Outreach.....	14
F. Sidewalk, Trail and Curb Ramp Inventories.....	14
Appendix A – Contact Information	15
County Administration.....	15
Appendix B – Self-Evaluation Results	16
Appendix C – Glossary of Terms and Acronyms	20
Appendix D – Agency ADA Design Standards and Procedures.....	23
Design Procedures	23
Intersection Corners	23
Sidewalks / Trails.....	23
Traffic Control Signals	23
Bus Stops.....	23
Other Transit Facilities	24
Other policies, practices and programs	24
Design Standards	24
Public Rights-of-Way Accessibility Guidelines (PROWAG)	24
Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Rights-of-Way.....	24
Minnesota Department of Transportation Information.....	24
Appendix E – Public Outreach.....	26
Appendix F – Sidewalk, Trail and Curb Ramp Inventories	33

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\(a\)\]](#).

The County has designated the Risk Management/Homeland Security Manager as the ADA Coordinator for the County.

- 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.

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:

- Approximately **195 miles** of County highways that exists 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.

- Considering a pedestrian facility does or can exist on both sides of a highway, approximately **390 miles** of County highway right of way within municipalities is considered as available space for sidewalks or trails.
- The inventory includes **146 traffic** signals under County jurisdiction

Existing Sidewalks and Trails

- Approximately **191 miles**, or **49 percent** of County highway mileage within municipalities, **have concrete sidewalks or bituminous trails**. This is comprised of:
 - Approximately **52 miles**, or **13 percent** of County highway mileage within municipalities, with **concrete sidewalks**; and
 - Approximately **139 miles**, or **36 percent** of County highway mileage within municipalities, with **bituminous trail**.



Example of a good or compliant pedestrian ramp



Example of a poor or non-compliant pedestrian ramp

Pedestrian Ramps

- The inventory includes **3,165 pedestrian ramp locations** within the County highway right of way within municipalities.
- **2,376 pedestrian ramps**, or **75 percent**, appear substantially ADA compliant.
- **789 pedestrian ramps**, or **25 percent**, do not appear ADA compliant, require further evaluation or require installation.



Example of a good or compliant traffic signal



Example of a poor or non-compliant traffic signal

Traffic Signals

- The inventory includes **146 traffic signals** that the County is responsible for at county highway intersections.
- **25 traffic signals**, or **17 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 www.co.dakota.mn.us/Government/BudgetFinance/2016Budget/Documents/2016-2020CIPFinal.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

As of 2017, the County has 54.6 miles of sidewalk and 147.3 miles of trails located within the County rights of way. Of these, 51.7 miles, or 95 percent, of sidewalks and 139.2 miles, or 95 percent, of trails appear to be substantially compliant with ADA and in good 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

As of 2017, the County has 146 County-owned traffic signals. Of these, 25 traffic signals, or 17 percent, currently have Accessible Pedestrian Signals (APS). 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 2030.
- One hundred percent of County-owned traffic signals are to be equipped with APS by 2040.

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.

Curb Ramps

As of 2017, the County has 3,165 curb ramp locations within the County rights-of-way. Of these, 2,376, or 75 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 2030.
- One-hundred percent of curb ramp locations are anticipated to be ADA compliant by 2040.

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, Eagan 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 located in Appendix F.

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. Public Outreach

F. Sidewalk, Trail and Curb Ramp Inventories

Appendix A – Contact Information

ADA Coordinator

B.J. Battig
ADA Coordinator
1590 Highway 55
Hastings, MN 55033-2372
B.J.Battig@co.dakota.mn.us
651-438-4532

County Administration

Matt Smith
County Manager
1590 Highway 55
Hastings, MN 55033-2372
countyadmin@co.dakota.mn.us
651-438-4418

Transportation Department

Mark Krebsbach, PE
Transportation Director / County Engineer
14955 Galaxie Avenue
Apple Valley, MN 55124-8579
hwy@co.dakota.mn.us
952-891-7100

Community Services Administration

Kelly Harder
Community Services Director
1 Mendota Road West, Ste 500
West Saint Paul, MN 55118-4773
651-554-5742

Traffic Signals, Permits and Utility Issues

Kristi Sebastian, PE
Traffic Engineer
14955 Galaxie Avenue
Apple Valley, MN 55124-8579
Kristi.sebastian@co.dakota.mn.us
952-891-7178

Design Issues

Tom Anton, PE
Design Engineer
14955 Galaxie Avenue
Apple Valley, MN 55124-8579
Tom.anton@co.dakota.mn.us
952-891-7120

Trails, Sidewalks and Curb Ramps

Scott Peters
Senior Transportation Planner
14955 Galaxie Avenue
Apple Valley, MN 55124-8579
Scott.peters@co.dakota.mn.us
[952-891-7027](tel:952-891-7027)

Construction Issues (Temporary Pedestrian Access Route)

Scott Peters
Senior Transportation Planner
14955 Galaxie Avenue
Apple Valley, MN 55124-8579
Scott.peters@co.dakota.mn.us
[952-891-7027](tel:952-891-7027)

Traffic System Operations

Kristi Sebastian, PE
Traffic Engineer
14955 Galaxie Avenue
Apple Valley, MN 55124-8579
Kristi.sebastian@co.dakota.mn.us
952-891-7178

Maintenance Issues

Todd Howard, PE
Asst County Engineer
14955 Galaxie Avenue
Apple Valley, MN 55124-8579
Todd.howard@co.dakota.mn.us
952-891-7906

Appendix B – Self-Evaluation Results

Approximately 195 miles of County highways were surveyed. The surveyed mileage exists within County municipalities. County highways located within rural townships were not surveyed. Considering a pedestrian facility does or can exist on both sides of a highway, approximately 390 miles of County highway right of way is considered as available space for sidewalks or trails.

This initial self-evaluation of pedestrian facilities yielded the following results:

- 68% of areas that required concrete sidewalk were in place and appeared to meet accessibility criteria.
- 75% of areas that required curb ramps were in place and appeared to meet accessibility criteria.
- 15% of intersections did not have any compliant curb ramps (with truncated domes).
- 45% of areas that require bituminous trails were in place and appeared to meet accessibility criteria.
- 17% of traffic control signals had 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 which traffic signals on the county highway system have been constructed with Accessible Pedestrian Signals.

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 = 0 ramps (no ramps were physically reviewed for compliance check)
- Case 2 = 2,376 ramps
- Cases 3 & 4 = 789 ramps (Cases 3 & 4 were combined as construction costs to obtain compliance are the same for each category)

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 located in Appendix G.

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:

- 51.7 miles of good and fair sidewalks
- 139.2 miles of good and fair trails
- 2.9 miles of poor sidewalks
- 8.1 miles of poor trails
- 21.6 miles of missing sidewalk segment locations
- 165.0 miles of missing trail segment locations

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. There are 146 traffic signals on the county highways within the municipalities.

The *Dakota County 2030 Transportation Plan* provides guidance for the placement and operation of traffic control devices within the county (pages 7-23 through 7-27). This includes strategies and policies for intersection traffic control studies; city or state maintenance assistance for traffic control signals; transit priority for traffic control signals; traffic control signal operations, maintenance, and energy costs; traffic signal coordination; 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.

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 – Public
Outreach**



Matt Smith
County Manager
www.dakotacounty.us

Mary Beth Schubert
Director of Communications
651-438-8179

Tyler Richardson
Communications Specialist
651-438-8396

News Release

FOR IMMEDIATE RELEASE

Contact: Mary Beth Schubert, marybeth.schubert@co.dakota.mn.us

October 25, 2016

Public input sought on highway system plan

Plan aims to make highway system more accessible to disabled residents

Dakota County is seeking public input to identify ways to make the county highway system more accessible to residents with disabilities.

Dakota County is currently developing a transition plan to ensure the highway system, including roads, sidewalks and adjacent trails, meets the requirements of the Americans with Disabilities Act. The plan will guide the county as it continues to provide accessibility to its transportation infrastructure.

In order to involve the public in the plan and receive feedback, several open houses will be held Nov. 3-14 at different locations throughout the county. The open houses will provide the public with information about the project and the work the county has already done. Comments gathered at the open houses will help identify priority areas of improvement to the highway system.

Open houses will be held on the following dates:

- Thursday, Nov. 3, 4:30 to 6:30 p.m. at the Dakota County Western Service Center Atrium, 14955 Galaxie Ave., Apple Valley
- Wednesday, Nov. 9, 3:30 to 5:30 p.m. at the Wentworth Library, 199 E Wentworth Ave., West St. Paul
- Monday, Nov. 14, 4:30 to 6:30 p.m. at the Dakota County Community Development Agency, 1228 Town Centre Dr., Eagan.

For more information about services offered to residents with disabilities, please visit www.co.dakota.mn.us and search *Aging & Disability Services*. Accommodations at the open houses can be made for residents with disabilities. For more information or questions, please contact Scott Peters, senior planner, at 952-891-7027 or scott.peters@co.dakota.mn.us

###

Dakota County aims to make its highways accessible for people with disabilities

Public input will be taken at Nov. open houses.

By Emma Nelson (<http://www.startribune.com/emma-nelson/261800211/>) Star Tribune

OCTOBER 26, 2016 — 10:21PM

Dakota County is taking steps to make its highway system accessible for people with disabilities, bringing miles of roadways, sidewalks and trails into compliance with the Americans with Disabilities Act.

County officials have completed a six-month-long assessment of the county highway system, and will gather public input before putting together a draft plan to resolve deficiencies.

This is the first time that Dakota County has done an accessibility assessment of its county highway rights of way, said senior planner Scott Peters. Members of the public will have opportunities to comment on the county's accessibility plan at three open houses scheduled for November.

The ADA, which became law in 1990, requires public facilities and programs to meet accessibility requirements. Cities, counties and states must self-assess and develop individual plans to make public places accessible for people with special mobility issues.

Current federal guidelines for public rights of way — which, for the first time, include information on trails — were issued in 2011.

The Minnesota Department of Transportation assesses its system annually, tying updates to other pavement work, said Kristie Billiar, ADA implementation coordinator at MnDOT.

"We go back and take a look at what we did in our previous construction season," Billiar said. "It's always off by a year, but we're constantly updating it so you know what has been done."

Dakota County will upgrade its system in a similar way. The county is already updating noncompliant facilities in tandem with other projects, Peters said.

"If we go out and put new pavement on a roadway, at that time we'll also install new curb ramps at the intersections to replace old ones that are not compliant," he said.



BLOG

The Drive

(http://www.startribune.com/local/blogs/The_Drive/)

Open houses for Dakota County highway improvement plan set

By Tim Harlow NOVEMBER 8, 2016 — 6:21AM

Dakota County residents have two more opportunities to weigh in the plans to make county roads, sidewalks and trails more accessible to residents with disabilities.

The county is developing plans to ensure its transportation infrastructure meets the requirements set forth by the Americans with Disabilities Act.

At two open house, one this week and one next, residents can learn about the plan and give feedback. Comments will be used to shape plans and identify priorities, the county said.

Meetings will be held from 3:30 to 5:30 p.m. Wednesday at the Wentworth Library, 199 E Wentworth Ave., West St. Paul, and from 4:30 to 6:30 p.m. Nov. 14 at the Dakota County Community Development Agency, 1228 Town Centre Dr., Eagan

OLDER POST

([HTTP://WWW.STARTRIBUNE.COM/CARSHARING-RIDE-HAILING-SERVICES-OFFER-DEALS-DISCOUNTS-TO-GET-VOTERS-TO-THE-POLLS/400277251/](http://www.startribune.com/carsharing-ride-hailing-services-offer-deals-discounts-to-get-voters-to-the-polls/400277251/))

Carsharing, ride hailing services offer deals, discounts to get voters to the polls

(<http://www.startribune.com/carsharing-ride-hailing-services-offer-deals-discounts-to-get-voters-to-the-polls/400277251/>)



(http://www.startribune.com/local/blogs/The_Drive/)

The Drive will keep you up to speed with the latest on Twin Cities commuting.

Public Open House Notification List

The following agencies, organizations and individuals received direct notification of open houses and draft plan availability.

City of Apple Valley	ProAct
City of Burnsville	Dakota County Technical College
City of Coates	Living Well
City of Eagan	Vocational Support Services
City of Farmington	Advocating Change Together
City of Hampton	Arc Minnesota
City of Hastings	Association of Residential Resources in Minnesota
City of Inver Grove Heights	ADA Minnesota
City of Lakeville	ICI, University of Minnesota
City of Mendota Heights	Minnesota Consortium on Citizens with Disabilities
City of Miesville	Minnesota Brain Injury Alliance
City of New Trier	Minnesota State Council on Disability
City of Northfield	Dakota County Community Services
City of Randolph	Dakota County Community Development Agency
City of Rosemount	Dakota County Veterans Services
City of South St. Paul	Dakota County Community Living Services
City of Sunfish Lake	StarTribune
City of Vermillion	SunThisweek
City of West St. Paul	Pioneer Press
Metropolitan Council	Access Press
Minnesota Department of Transportation	Farmington Independent
Minnesota Department of Transportation-ADA Coordinator	Hastings Star Gazette
Minnesota Department of Transportation-Office of Transit	Rosemount Town Pages
Minnesota Valley Transit Authority	South-West Review
DARTS	Northfield News
Metro Transit	Dakota County Chamber of Commerce
Metro Mobility	Todd Kemery
Transit Link	Annie Young

Comments and Responses

The following include public open house and review comments with responses.

- There are many disabled people living in Emerald Hills Village Mobile Home Park. We are very grateful there is now a regular scheduled bus stop at the entrance. Unfortunately where the stop is there is a sharp drop off and no shoulder. Many of us walk the extra ¼ mile to wait at the YMCA stop on Opperman. I have pushed my client along Argenta to Opperman in his wheelchair. It isn't easy or safe. More people would use the bus if it was safer to wait for.

The issue described involves roads under the jurisdiction of the City of Inver Grove Heights. This concern has been forwarded to the appropriate staff at the City for consideration.

- I think the effort that is going into the assessment is great. I like the approach of prioritizing certain corridors. It may be useful to study where high pedestrian traffic areas are. Where are the gaps in access for pedestrians? Not sure that this element is factored in. A major concern for me is adequate maintenance and in particular snow removal. I want to note that good design is universal design that benefits everyone.

The County's self-evaluation efforts included examination of trail and sidewalk gaps by pedestrian demand. Demand was identified as higher, medium and lower. The demand was determined by population density, employment density, services and shopping proximity, density of persons in poverty, roadway traffic volumes, roadway posted speeds, roadway number of lanes, and transit routes. This examination of trail and sidewalk gaps was one of several tools used in determining corridor priorities for the County's ADA Transition Plan.

Dakota County has maintenance agreements with each city to maintain the sidewalks and trails within the County's rights-of-way. Each city is responsible for the upkeep, maintenance and snow removal under these agreements. The County will encourage the cities to continue to honor the terms of these agreements.

- The Target in Eagan at Cliff Lake Road is a problem. The entrance area at the traffic signal has no sidewalks once crossing Cliff Lake Road. People in wheelchairs and walking need to be in the travel lane to access this site.

This issue described involves roads under the jurisdiction of the City of Eagan. This concern has been forwarded to the appropriate staff at the City for consideration.

- I'm a Dakota County resident and I'd like to comment on the ADA plan. I think a sidewalk or trail really needs to be added along 80th Street in Inver Grove Heights, which I think is also County Road 28. The sidewalks along Amana basically end at Target and pick up around the Inver Grove Veterans Memorial Community Center. Pedestrian travel of any sort along 80th is dangerous as speeds are fast, there is no sidewalk/trail and there is poor lighting. For residents who live over by Amana Trail, many of whom have small children in strollers and some of whom also have disabilities, travel is hard if not impossible to the community center. The nearest park is also at the community center, making it inaccessible for people with disabilities and most other pedestrians. Nearly everyone has to drive, disabled or not. I think our community assets should be more accessible to everyone and in particular, to people with needs under ADA.

The area of 80th Street (County Highway 28) has no pedestrian facilities between South Robert Trail (State Highway 3) and Babcock Trail (County Highway 73). We understand that recent commercial and residential development west of South Robert Trail has resulted in a greater pedestrian demand to and from destinations to the east.

In 2008, the County and the City adopted plans for a new alignment of 80th Street that would re-align access to South Robert Trail to the current roundabout location on South Robert Trail. This new alignment will be constructed as new development occurs east of South Robert Trail. No specific time frame for this to occur has been identified.

Unfortunately, the current gap in facilities is a result of the timing of land development. The County will continue to work with the City of Inver Grove Heights regarding the timing of future land development in the area and potential for addition of pedestrian facilities.

**Appendix F – Sidewalk, Trail
and Curb Ramp Inventories**