Public Health Law Center

AT WILLIAM MITCHELL COLLEGE OF LAW

Normalizing Walking in Kansas Communities

January 23, 2015

Kansas Health Foundation

The information and assistance provided in this presentation does not constitute legal advice or legal representation.

The Public Health Law Center

© Public Health Law Center

The Public Health Law Center

We do:

- Legal research
- Policy development
- Publications
- Trainings

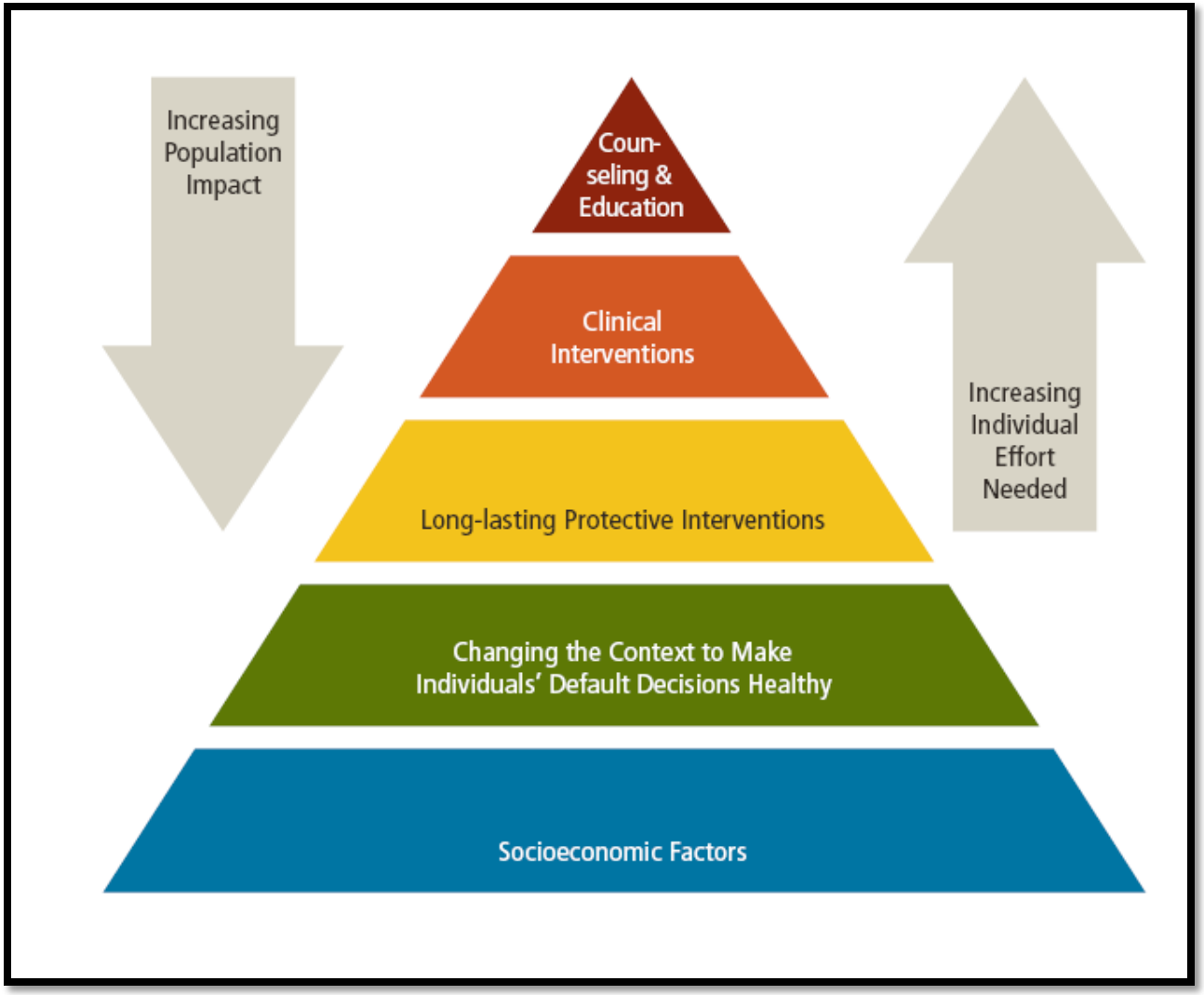
We don't:

- Direct representation
- Lobby

Why PSE change?

- Major health problems will not be solved solely by individual actions
- Health problems are influenced by societal policies and environments that promote unhealthy behaviors or fail to foster healthier choices
- Chronic disease prevention requires an "upstream" approach that improves the environments where we live, work, learn, play, and receive health care

Health Impact Pyramid



The Health Impact Pyramid. *Interventions that affect socioeconomic factors (such as poverty, education, housing, racism, and other inequities) are likely to have the greatest public health impact.*

Source: Thomas R. Frieden, *A Framework For Public Health Action: The Health Impact Pyramid*, 100 Am. J. Pub. Health 590, 591 (2010).

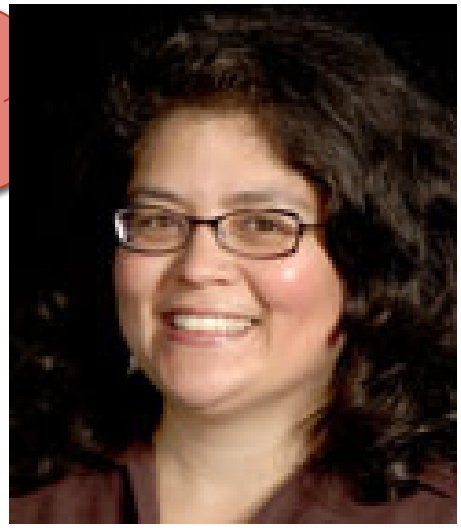
Impact of Policy

- Vision
- Consistency
- Continuity

How to you get people to walk to places where they live, educate, work and play?

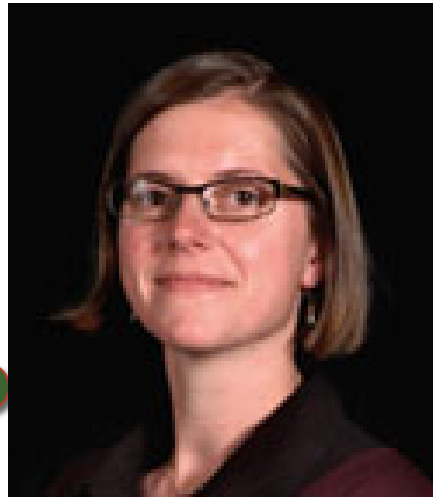
No written policy

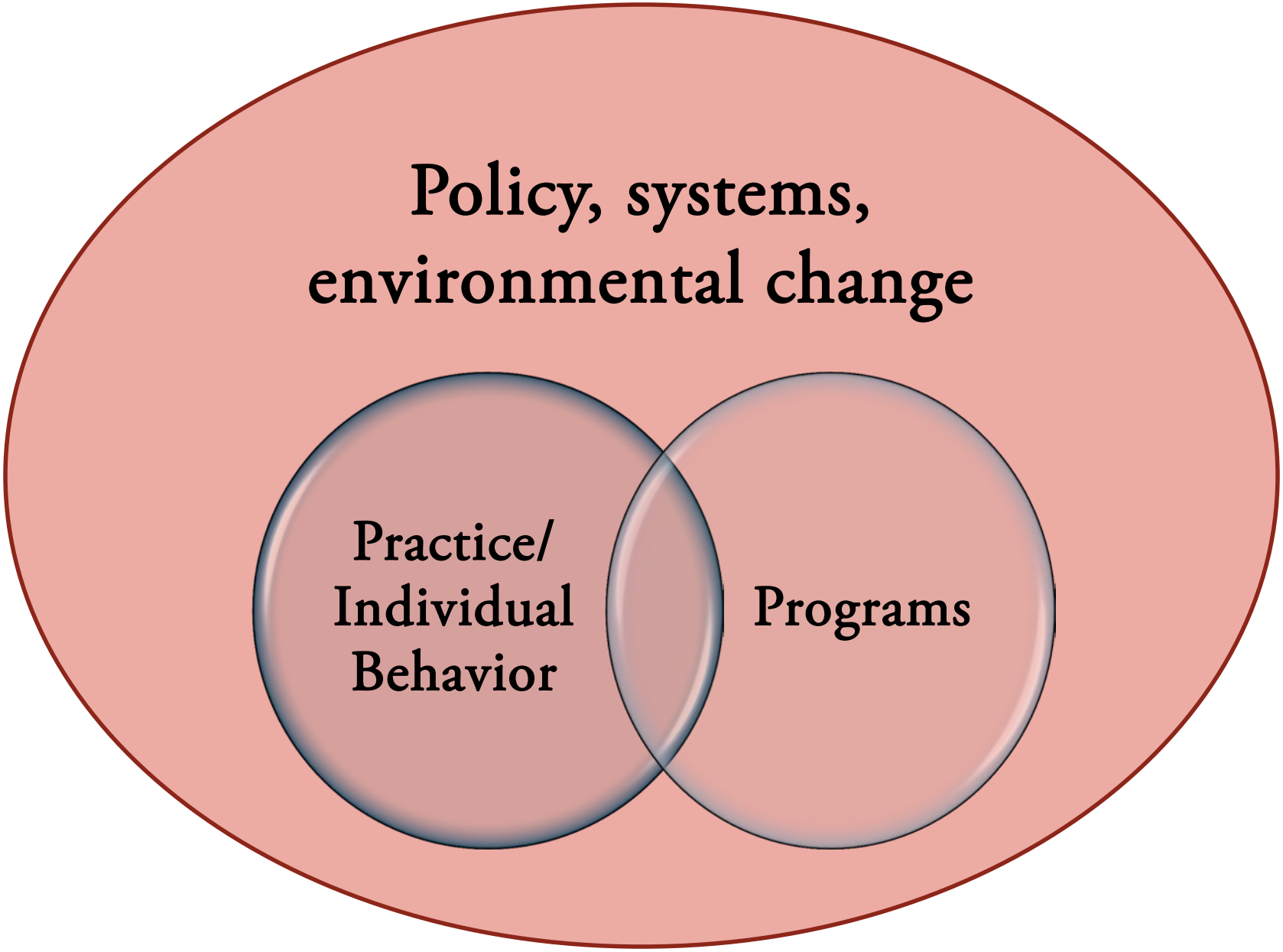
Have elevated pedestrian bridges over busy intersections.



Require sidewalks on both sides of the street in rural communities.

Hold open street events



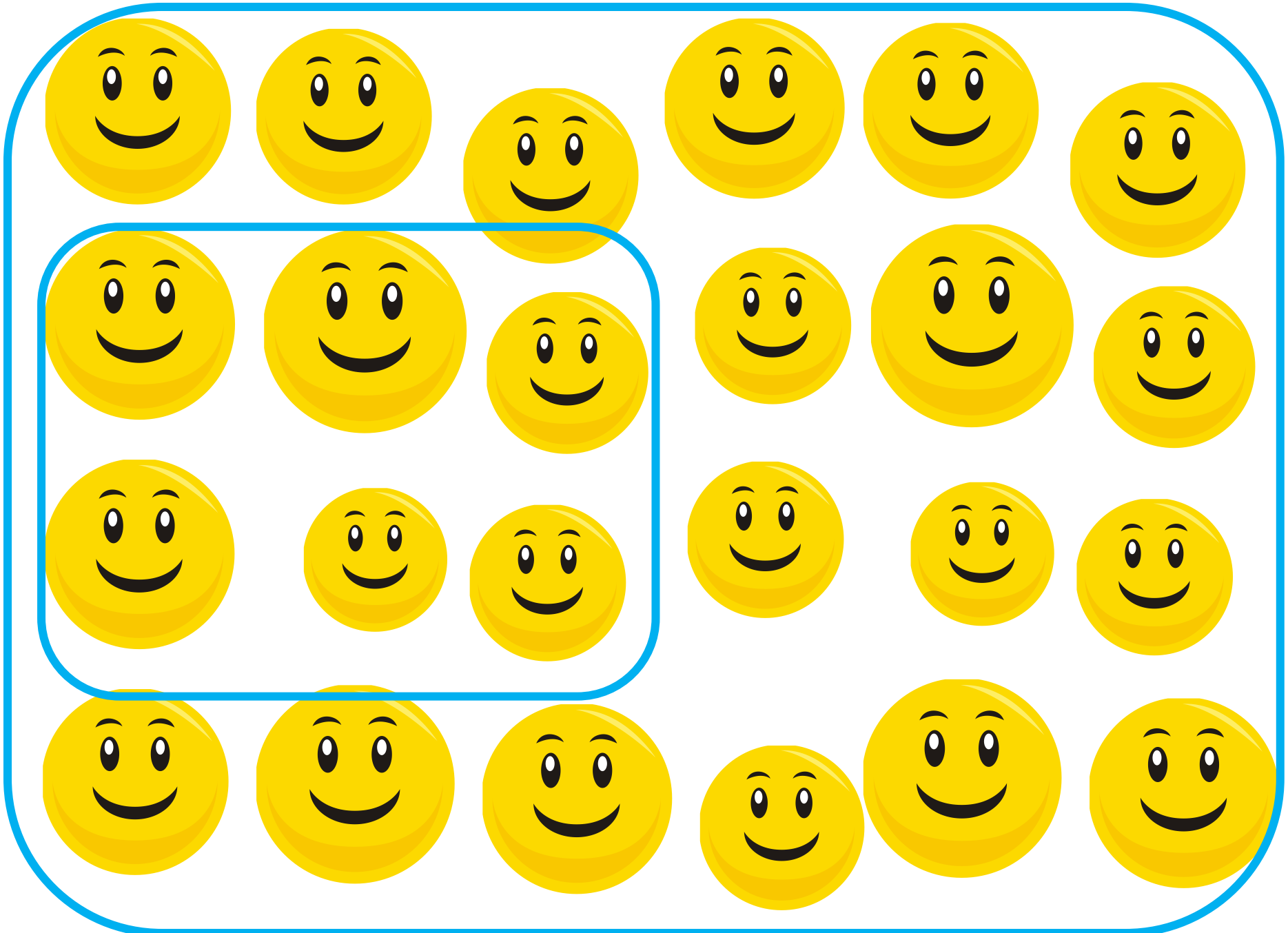

Policy, systems, environmental change
Practice/ Individual Behavior
Programs

Program or Policy?

Open Streets Event

City Sidewalk Ordinance

City created map of with
mileage for walking or running



Why do people drive rather than walk?

NO
MOTOR
VEHICLES
BIKE ROUTE

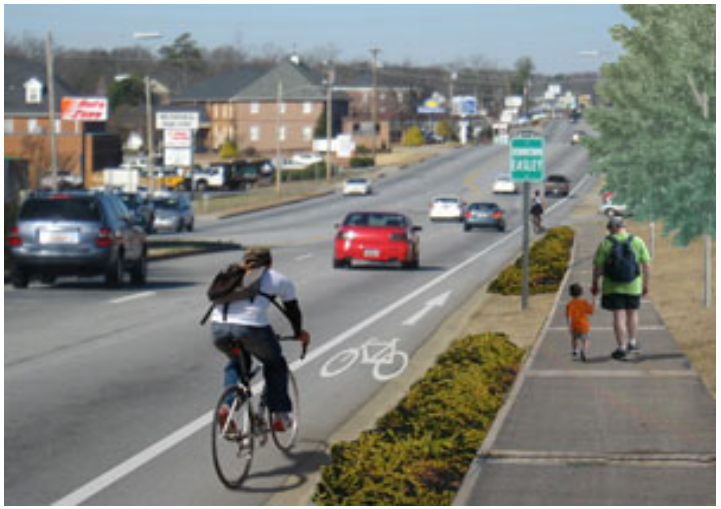
RISK

NO
MOTOR
VEHICLES
BIKE ROUTE

RECYCLING
WASTE

NORTHEAST HUTCHINSON TRAIL
N
City of Hutchinson
YOU ARE HERE

Rural and Urban

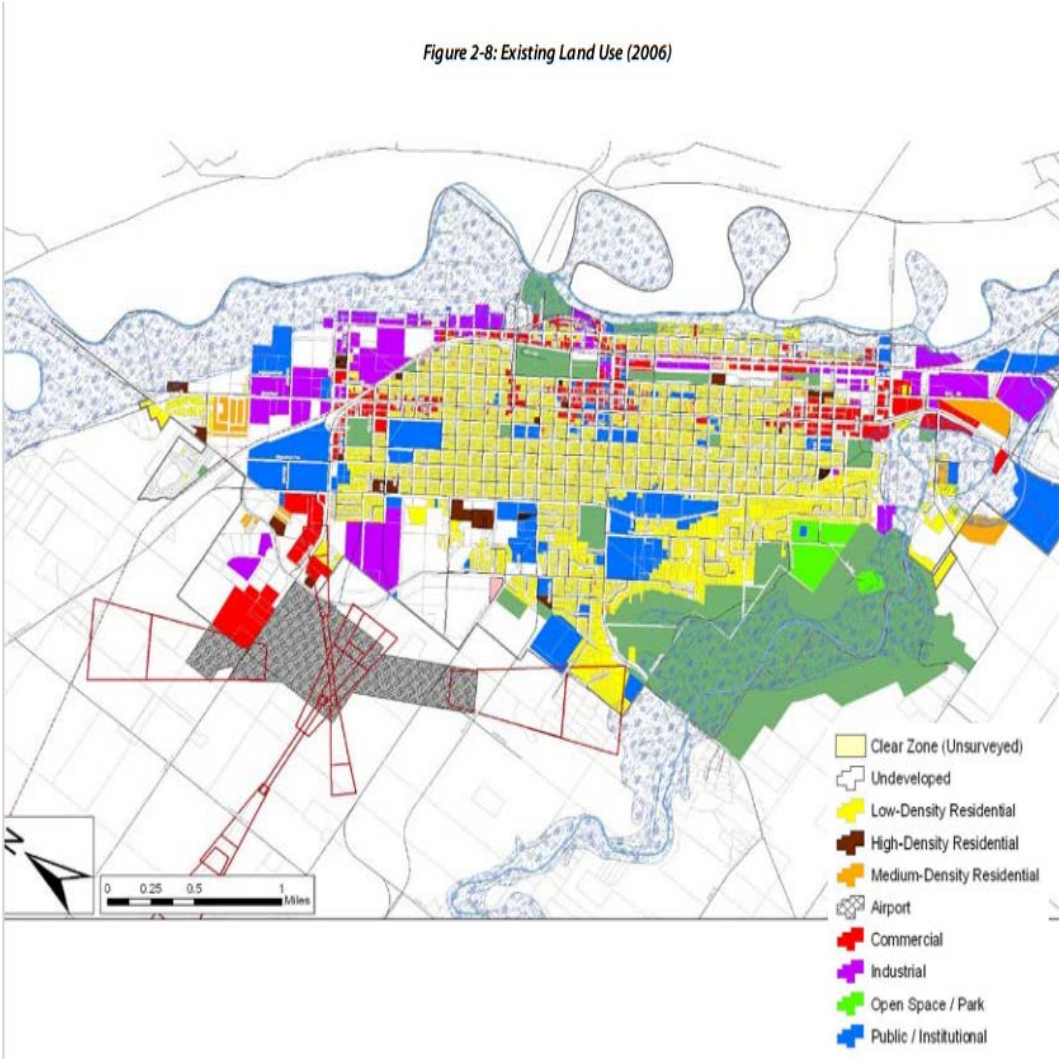


Policy

Any **written** plan or course of action designed to **influence** and determine decisions

Local Planning

Comprehensive Planning



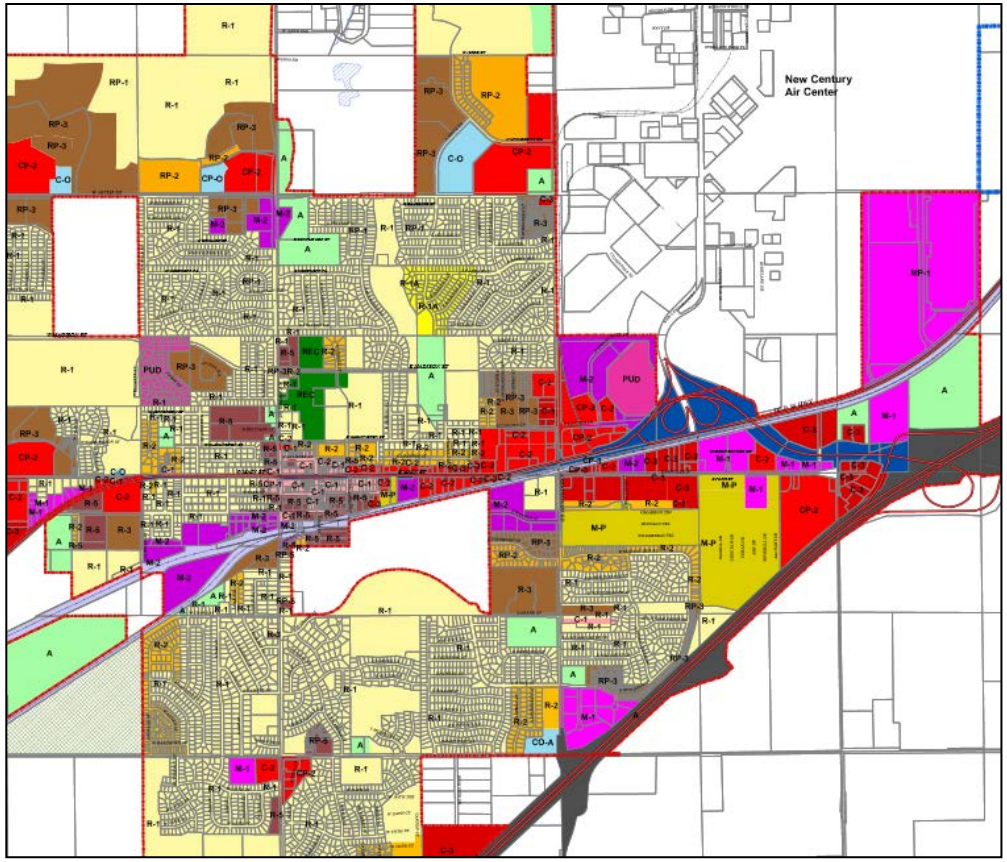
A comprehensive plan is an expression of a community's vision for future growth and development

Local Resolutions of Support

A resolution is a short, 1-3 page motion that declares an action, policy, or goal set by a government body, such as the city council.

Kshs.org

Zoning



Zoning Districts

- (A) Agricultural District
- (C-1) Central Business District
- (C-2) General Business District
- (C-3) Commercial District
- (C-O) Office Building District
- (CO-A) Neighborhood Business District
- (CP-1) Planned Central Business District
- (CP-2) Planned General Business District
- (CP-3) Planned Commercial District
- (CP-O) Planned Office Building District
- (M-1) Restricted Industrial District
- (M-2) General Industrial District
- (M-P) Mobile Home Park District
- (MP-1) Planned Restricted Industrial District
- (PUD) Planned Unit Development District
- (R-1) Single Family Residential District
- (R-1A) Small-Lot Single Family Residential District
- (R-2) Two Family Residential District
- (R-3) Garden Apartment District
- (R-5) Apartment House District
- (R-E) Residential Estates District
- (REC) Recreational District
- (RP-1) Planned Single Family Residential District
- (RP-2) Planned Two Family Residential District
- (RP-3) Planned Garden Apartment District
- (RP-5) Planned Apartment House District

Zoning is the division of land by regulation into districts for different uses

Internal Policies

Local agencies can establish internal policies that can be used to ensure consistent future decision making and promote a specific agenda highlighting long-term goals and values.

Financial Incentives

- Community development financial institutions
- Local tax incentives
- City or county land donation

What is an effective policy?

- Easy to understand and follow
- Easy to enforce
- Accomplishes goals
- Includes periodic evaluation

Public Health Law Center
AT WILLIAM MITCHELL COLLEGE OF LAW

Drafting Effective Policies

Policy change is one way to support community efforts to increase access to healthy food and support active living efforts. But not all policies have the same force and effect. Written policies are more likely to weather leadership or management changes, and promote consistent implementation and enforcement. Written policies can help everyone understand both what is expected of them and how the policy will be applied across a community, organization or department, which in turn can help promote a sense of fairness. Policies that are clearly understood and supported by community members are more likely to be self-enforcing, requiring less resources to monitor. This fact sheet provides checklists and tools to help readers understand the policy drafting process, and how to draft well-written policies that will help them achieve their public health goals.

This document includes three checklists that outline and illuminate the different steps, considerations, and elements that are required to draft an effective policy. These checklists are:

1. The Planning and Drafting Process
2. Elements of an Effective Policy
3. Policy Review: Cross the "T's" and Dot the "I's"

Types of Policies

- **Laws and regulations:** these are policies passed by elected officials or government agencies that influence behavior. They include constitutions, charters, statutes, codes, ordinances, resolutions, orders, agency regulations, and proclamations.
- **Guidance documents:** these are policies created by governmental bodies that interpret laws and regulations.
- **Organizational policies:** these are formal policies adopted by businesses, organizations, and government entities that address how they operate, and which may impact their employees, members, volunteers, or visitors on their property.

WHAT IS POLICY?

Any **written** plan or course of action designed to **influence** and determine decisions.

This fact sheet is funded by the Kansas Health

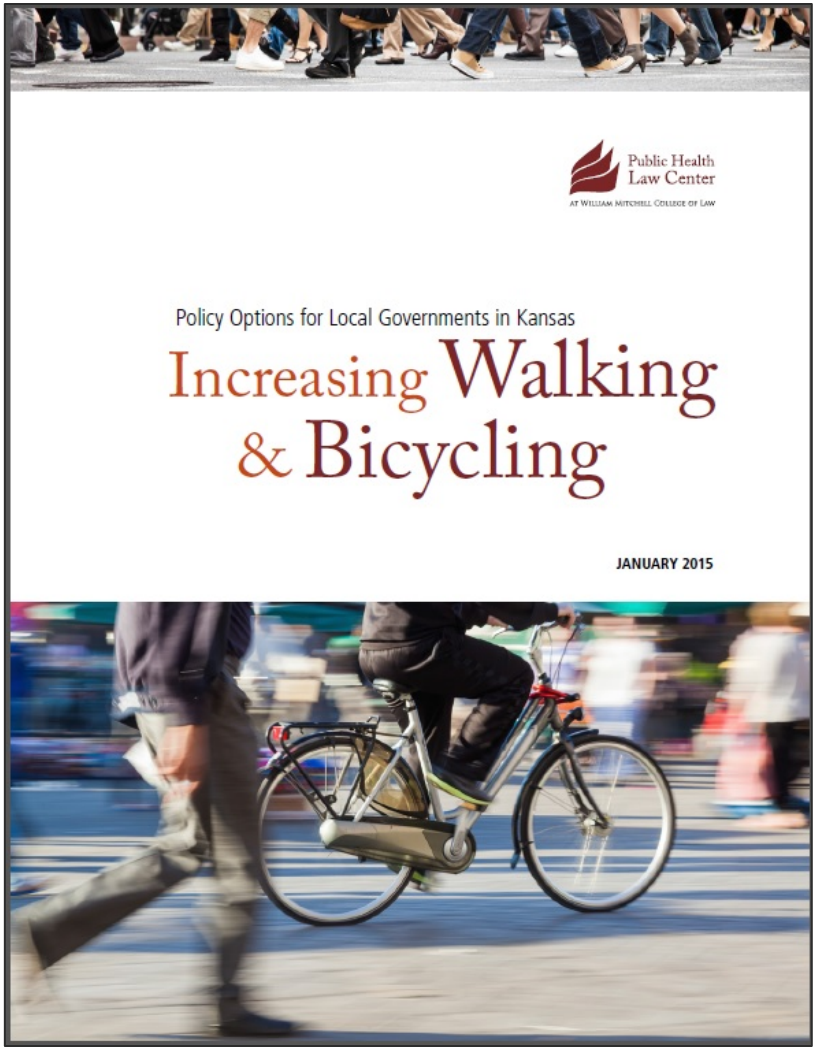
For more information, watch this webinar:
http://kansashealth.org/media/video/Webinars/2945

Or see this webpage:
http://www.publichealthlawcenter.org/resources/food-policy-council-resources

Policy Drafting Elements

- Findings
- Purpose
- Definitions
- Main Policy Provisions
- Exceptions/Exemptions
- Enforcement
- Implementation
- Evaluation

Using Local Government Policies to Support Walking and Biking



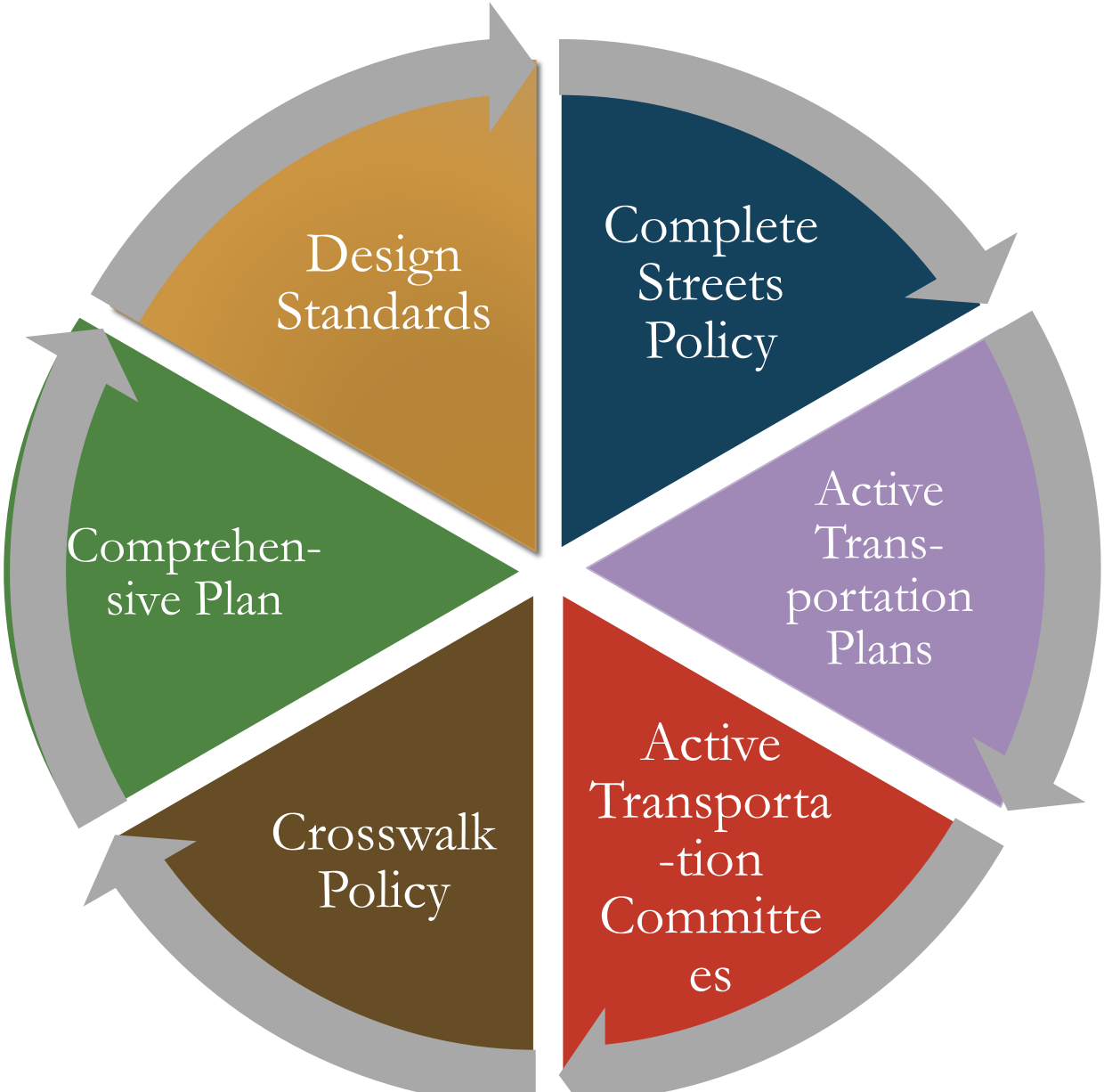
- Resolutions
- Local Government Agreements
- Land Use Planning
- Zoning
- Transportation Facility Design and Traffic Control
- Taxing Policies
- Unified School District Policies
- Other Policy Options

Understanding Your Local Environment

Understanding your local environment is essential to developing and implementing meaningful policy change that increases bicycling and walking. Here are some key considerations:

- What component of the transportation system can you impact?
- What exists in your community that could be modified or strengthened?
- What policies and/or strategies do you want to pursue?
- What are possible obstacles?
- What are the tools available to help?
- What barriers currently keep your community members from bicycling and walking?

What's in a name?



General Policy Drafting Elements

- Findings
- Purpose
- Definitions
- Main Policy Provisions
- Exceptions/Exemptions
- Enforcement
- Implementation
- Evaluation

Public Health Law Center
AT WILLIAM MITCHELL COLLEGE OF LAW

10 Key Elements of Policy

- Vision and Intent
- All users and modes
- All projects and phases
- Network
- Jurisdiction
- Design
- Context sensitivity
- Clear, accountable exceptions
- Performance measures
- Implementation next steps

Smart Growth America
Making Neighborhoods Great Together

National Complete Streets Coalition

Purpose/Vision

Vision

Streets and roadways in the City of Portsmouth will be **convenient, safe and accessible for all transportation users**, including pedestrians, bicyclists, transit vehicles and riders, children, the elderly, and people with disabilities.

(Portsmouth, NH - Complete Streets Policy)

Purpose

WHEREAS, the City of Peru would like to **improve our streets and sidewalks to make walking and bicycling more convenient**; provide increased access to jobs, retail and schools; and improve choice through healthier and less expensive transportation options.

(Peru, Indiana - Complete Streets Ordinance)

Definitions

"Complete Streets" means streets that are designed and operated to enable safe access for all users, so **that pedestrians,** bicyclists, motorists, and public transportation users of all ages and abilities are able to safely move along and across a street.

(Portsmouth, NH - Complete Streets Policy)

"Streets" means **any rights of ways**, public or private, including arterials, collectors, local streets, and roadways by any other designation, as well as bridges, tunnels, and any other portions of the transportation network.

(Lawrence, KS – Complete Streets Policy)

All users and modes

The City of Waterloo will ensure that the safety, access, and convenience of **all users** of the transportation system are accommodated in **all future roadway projects**, as defined in the Exceptions element of this Policy, including: pedestrians (including persons with mobility aids), bicyclists, transit users, persons with disabilities, youth, seniors, scooter riders, motorcyclists, private motorists, commercial vehicle drivers, freight providers, emergency responders, and adjacent land uses.

(Waterloo, Iowa - Complete Streets Policy)

Design Criteria

The Cities, through their Public Works and Planning Departments, shall develop and **adopt design criteria**, standards, and guidelines based upon recognized best practices in street design, construction, and operation. To the greatest extent possible, the Cities shall adopt the same standards with particular **emphasis on pedestrian and bicycle markings and wayfinding signage**. Resources to be referenced in developing these standards shall include, but not necessarily be limited to, the latest editions of AASTHO Policy on geometric Design of Highways and Streets, Guide for Planning, designing, and Operating Pedestrian Facilities, and Guide for the Development of Bicycle Facilities; ITE Designing Walkable Urban Thoroughfares: A Context Sensitive Approach; NACTO Urban Bikeway Design Guide; U.S. Access Board Public Right-of-way Accessibility Guidelines; ……..

(Auburn, Maine – Complete Streets Policy)

Implementation

This policy will be primarily implemented through developing **bike and pedestrian network plans** on a regional basis through ATRC and within the Cities through the Joint Bicycle Pedestrian Committee. These plans shall specify the type and location of improvements and shall be implemented as funding becomes available or routine work is completed. Special emphasis shall be placed on those elements of these plans that can be accomplished with little or no additional expense, such as providing bike lanes where existing pavement is adequate or where road shoulders are sufficient to allow for safe bicycle use.

……..

(Auburn, Maine – Complete Streets Policy)

Evaluation

The City of Lawrence will periodically collect, review and report performance data and benchmark measurements to demonstrate the effectiveness of the Complete Streets Policy. This information could include: number of projects completed, number of projects incorporating complete streets infrastructure, actual infrastructure added, number of transit and non-motorized users, **community attitudes and perceptions, and safety and health indicators**.

(Lawrence, KS – Complete Streets Policy)

COMPLETE STREETS refers to roadways that are designed for safe travel along and across the road for all users of all abilities and modes, including motorized vehicles, bicyclists, and pedestrians.[4]

COMPLETE STREETS RESOLUTION IN *Leawood, Kansas*

The Governing Body of the City of Leawood, Kansas, passed a resolution supporting complete streets. This resolution directed staff from several city planning boards and committees to include performance measures and implementation strategies to allow the Leawood transportation system to become more accessible for all users. This policy promotes public health, enhanced connectivity, and more livable communities by ensuring a variety of travel options that allow safe, convenient, and balanced transportation choices.[5]

COMPLETE STREETS RESOLUTION IN *Topeka, Kansas*

The City Council of Topeka, Kansas, passed a complete streets resolution providing direction to integrate design principles promoting a "safe network of access for pedestrians, bicyclists, motorists and transit riders of all ages and abilities in future construction or reconstruction of city rights-of-way to the extent financially feasible." This policy promotes walking, bicycling, and transit use to increase the general safety and welfare of Topeka's citizens.[6]

LiveWell Finney County

Healthy Community Design Summit

Featuring Mark Fenton

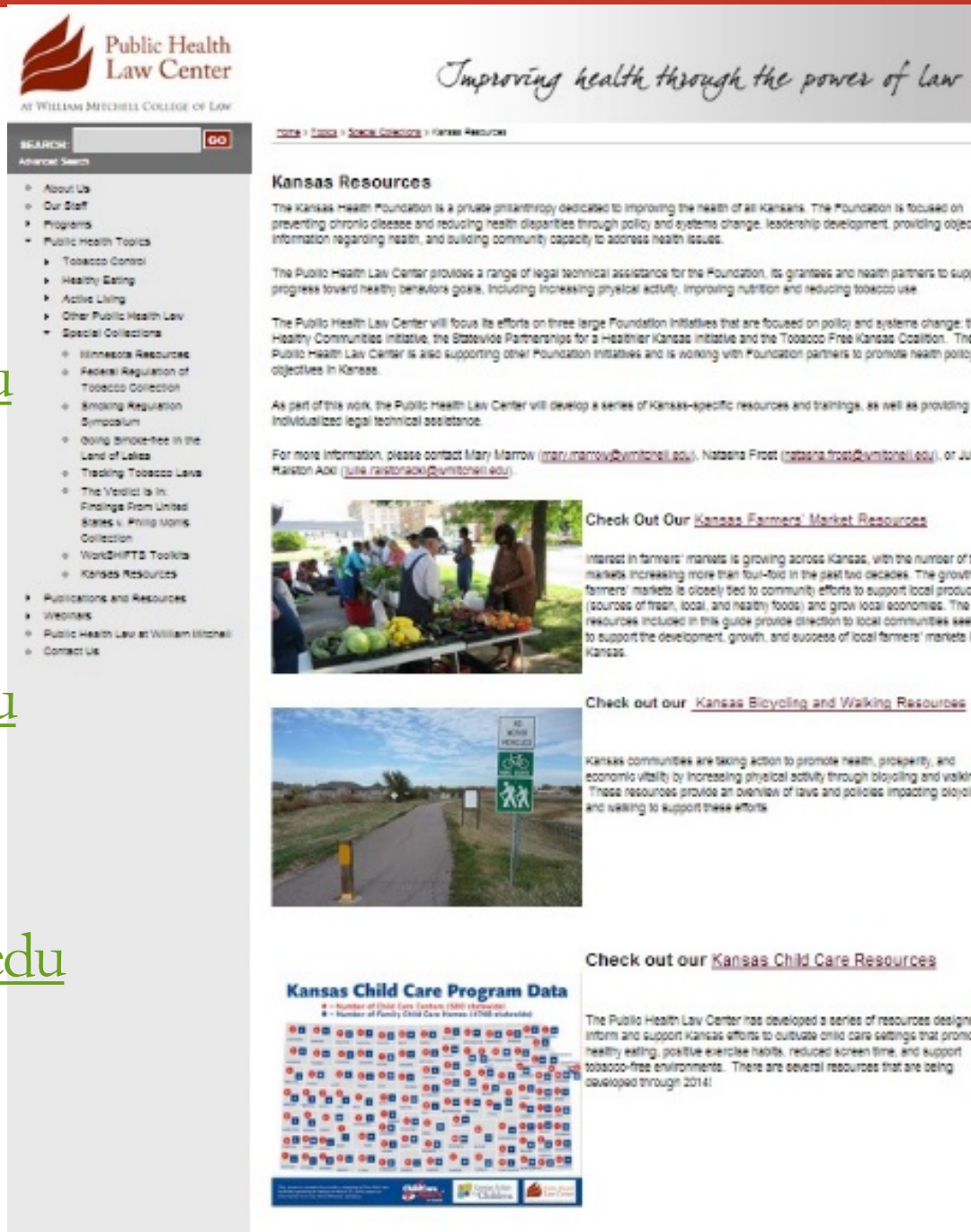
Tuesday, February 3, 2015

Clarion Inn, 1911 East Kansas Ave
Garden City, Kansas

LET'S GET MOVING!

Questions?

Natasha Frost,
Natasha.frost@wmitchell.edu
651-290-6454
Cell: 213-675-1533

Mary Marrow,
Mary.marrow@wmitchell.edu
651-695-7605

Julie Ralston Aoki
Julie.ralstonaoki@wmitchell.edu
651-290-7532