



## **NICOLLET MALL POLICY**

**November 21, 2017**

Nicollet Mall is the signature street in Downtown Minneapolis, and is a pedestrian mall pursuant to Minneapolis Code of Ordinances Chapter 439 (“Nicollet Mall”). Nicollet Mall is a green, pedestrian-friendly, public thoroughfare that balances travel with active space and amenities ranging from sidewalk cafes, seating, merchandise displays, exhibits, transit, newsstands, plantings, public art, and adornment. In an effort to protect the interests of the public in the safe and effective movement of persons, and to facilitate, preserve and enhance the function and appearance of the Nicollet Mall, the following policy has been adopted by the Minneapolis City Council.

As a means of balancing and furthering the foregoing objectives, the Nicollet Mall Policy assigns distinct regulations and permitting parameters to each of the various areas of the public right of way. The areas making up the public right of way include: the street, curb frontage, and five different zones. Each of these areas are identified and depicted on the attached Appendix, and the corresponding regulations are described in detail below.

# Nicollet Mall Regulation and Zones

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## Operations and Maintenance

Operation and maintenance responsibilities for Nicollet Mall are shared between the City and the Downtown Business Improvement Special Service District (“DID”) pursuant to the provisions of the contract between the City and DID and Minneapolis Code of Ordinances, Chapter 442. Ultimate control, authority, and decision making for operations, maintenance, and other right of way management issues are retained by the City, acting through its Department of Public Works.

## Street

The Nicollet Mall street is reserved for uses outlined in Minneapolis Code of Ordinances, Chapter 439 and is subject to all applicable traffic laws, regulations, and official signs. Closure of the street is governed by special permit pursuant to city ordinances.

- a. Description of street: the curb-to-curb surface area from Grant to Washington Avenue including crosswalks.
- b. Expressly allowed uses and activities:
  - i. Transit vehicles (buses, street car, Metro Mobility)
  - ii. Bicycles and Pedi-cabs
  - iii. Maintenance of Nicollet Mall
- c. Example of allowed uses requiring a special permit:
  - i. Street closures for special events only
  - ii. Permitted service vehicles
- d. Expressly prohibited uses and activities:
  - i. No passenger vehicles, taxis or transit network companies
  - ii. No right or left turns from Nicollet (except at Grant, Alice Rainville Place, or Washington)
  - iii. Other traffic regulations or uses prohibited by ordinance or state law
- e. Taxis and passenger vehicles:
  - i. Taxis and other passenger vehicles are allowed on Nicollet between Grant and Alice Rainville Place.

## Curb Frontage

Curb frontage on Nicollet Mall functions as a vehicular traffic barrier and may include permitted greening components.

- a. Description: the first two feet beginning at the curb, extending toward the building face.
- b. Expressly prohibited uses and activities:
  - i. Idling or obstructing pedestrian movement
  - ii. Blocking crosswalks
  - iii. Bicycling or skateboarding
  - iv. Erecting tents, structures, enclosures, staging, or any other permanent or temporary encroachment
  - v. Movable public seating
  - vi. Trash, recycling, street furnishings, or planters

- vii. Stationing or placing vendor or food carts
- viii. Camping
- ix. Any other use that impedes or compromises the safe, effective movement of pedestrians
- c. Example of allowed uses requiring a special permit:
  - i. Greening components (e.g. planters) that are part of city approved sidewalk café plans.

## Zone 1 | Clear Walk Zone (blue)

Zone 1 on Nicollet Mall is designated as a pedestrian thru-way. The connections and crosswalks between these areas (designated by Accessible Pedestrian signals pillars), must remain unobstructed at all times to allow the safe movement of pedestrians.

- a. Description: the area beginning at the edge of Zone 2, extending 10 feet toward the curb.
- b. Expressly allowed uses:
  - i. Pedestrian thoroughfare
- c. Example of allowed uses requiring a special permit:
  - i. Large-scale block closures with an approved plan for alternate pedestrian movement
  - ii. Maintenance, installation, or construction work with an approved plan for alternate pedestrian movement
- d. Expressly prohibited uses and activities:
  - i. Idling or obstructing
  - ii. Blocking entrances to buildings, businesses, sidewalk cafes, or programmed spaces
  - iii. Bicycling or skateboarding
  - iv. Erecting tents, structures, enclosures, staging, or any other permanent or temporary encroachment
  - v. Movable public seating
  - vi. Trash, recycling, street furnishings, or planters
  - vii. Stationing or placing vendor or food carts
  - viii. Camping
  - ix. Any other use that impedes or compromises the safe, effective movement of pedestrians.

## Zone 2 | Building frontages (orange)

Zone 2 on Nicollet Mall is designated as a pedestrian passage area and may include semi-permanent installations that do not materially obstruct the free movement of people.

- a. Description: the area immediately adjacent to building faces, extending approximately 2 feet toward the curb.
- b. Expressly allowed uses:
  - i. Pedestrian passage area
  - ii. Amenities installed and maintained by adjacent property-owner
- c. Example of allowed uses requiring a special permit:

- i. Signage, pursuant to applicable zoning code provisions
  - ii. Sidewalk café service areas and seating, pursuant to applicable ordinance
- d. Expressly prohibited uses and activities:
  - i. Blocking entrances
  - ii. Bicycling or skateboarding
  - iii. Erecting tents, structures, enclosures, or encroachments
  - iv. Stationing or placing seating that is not associated with a sidewalk café
  - v. Trash, recycling or unapproved street furnishings
  - vi. Stationing or placing vendor or food push carts.

### Zone 3 | Programmable spaces (pink)

Zone 3 on Nicollet Mall is designated as programmable space and may be reserved for planned gatherings or special events that are likely to draw more than 25 attendees. This area is not intended for the sale or distribution of food or merchandise, unless associated with a permitted special event (refer to Zone 5 for alternate location).

- a. Description: enhanced amenity spaces, including the Theater in the Round, the Reading Room and the certain curbside areas as shown on the Appendix
- b. Hours for activation of space (special permit required): 7 a.m. – 10 p.m.
- c. Expressly allowed uses and activities without a permit:
  - i. Pedestrian passage area
  - ii. Stationing or placing movable public seating
  - iii. Informal, drop-in, small group activities of fewer than 25 people that do not conflict with planned gatherings and special events with a permit
- d. Example of allowed uses requiring a special permit:
  - i. Special events where tickets will be issued for admission and/or where more than 25 people are expected to attend
  - ii. Sale or distribution of food, associated with a permitted special event
  - iii. Tents, structures, enclosures, staging, or any other permanent or temporary encroachment
- e. Exceptions:
  - i. Area between Nimbus sculpture and Theater in the Round seating is designated as a clear walk zone, except when occupied by an event with a special permit
- f. Expressly prohibited uses and activities:
  - i. Camping
  - ii. Bicycling and skateboarding

## Zone 4 | Transit stations (purple)

Zone 4 on Nicollet Mall is designated as an area to facilitate transit, including transit shelters.

- a. Description: transit shelters and their surrounding area defined by darker colored concrete
- b. Expressly allowed uses and activities:
  - i. Transit shelters
  - ii. Waiting for transit
- c. Uses requiring a special permit
  - i. Special events
  - ii. Street or sidewalk markets (food, craft, etc.)
  - iii. Informal events with reserved space
  - iv. Activities likely to draw more than 25 people
- d. Expressly prohibited uses and activities:
  - i. Blocking access to transit
  - ii. Any other use that impedes or compromises the safe, effective delivery of transit.

## Zone 5 | Flexible program areas (green)

Zone 5 on Nicollet Mall is designated as a flexible program area to facilitate active use of Nicollet Mall.

Examples of active use include permitted sales, and distribution of food or merchandise, and a wide range of unregulated public uses outside of movement or travel. Unlike Zone 3 areas which are designed for more formal gatherings, Zone 5 areas are the most flexible spaces on Nicollet Mall.

- a. Expressly allowed uses and activities without a permit:
  - i. Stationing or placing movable public seating
  - ii. Pedestrian passageway
- b. Example of allowed uses requiring a special permit:
  - i. Informal events with reserved space
  - ii. Activities likely to draw more than 25 people
  - iii. Sale or distribution of food
  - iv. Stationing, placing, or stopping with semi-permanent or movable tables, pushcarts, barriers, equipment, or other accessories likely to impede pedestrian passage
  - v. Markets
- c. Expressly prohibited uses and activities:
  - i. Bicycling or skateboarding
  - ii. Camping

## Special Building Access Permits

A special permit for access to private property abutting Nicollet Mall shall be given to the owners or occupants of such properties, authorizing the use of such part of Nicollet by vehicles making deliveries of merchandise or materials to such properties between the hours of 10:00 p.m. and 7:00 a.m. and between the hours of 9:30 a.m. and 11:00 a.m. on each day of the week.

Such permit shall include the right to park any such vehicles on such part of Nicollet within the block on which such property is situated for such period of time not exceeding the time that may be necessary and reasonable for delivery or receipt of merchandise and materials, but subject to police regulations respecting parking zones within the block and police directions in case of emergency or unusual traffic congestion. Application for such special access permit shall be made to the Director of Public Works or designee.

## Information on how to obtain a permit<sup>1</sup>

Unless expressly exempted by Minneapolis Code of Ordinances, Chapter 439, or this Policy, certain uses or activities on Nicollet Mall may require a special permit or license pursuant to other applicable laws. The examples of uses requiring a permit listed in this Policy are included for illustrative purposes only, and are not intended to serve as an all-inclusive list. For more information on obtaining a special permit for uses and activities on Nicollet Mall, visit:

<http://www.minneapolismn.gov/publicworks/permits/index.htm>

For information on obtaining other city permits, visit: <http://www.ci.minneapolis.mn.us/licensing/>

## Enforcement and Conflict Provisions

In addition to any other remedy available at law or equity, failure to comply with the provisions of permit conditions, Minneapolis Code of Ordinances, Chapter 439, or this Policy may result in permit cancellation, criminal prosecution, or administrative fines, restrictions or penalties as provided in Minneapolis Code of Ordinances, Chapter 2.

Unless expressly exempted by law, Nicollet Mall is subject to all applicable federal, state, and local laws and regulations. The prohibitions listed in this Policy are included for illustrative purposes only, and are not intended to serve as an all-inclusive list.

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<sup>1</sup> Permit applications and/or licenses may contain additional information about specific locations, conditions, and parameters based on non-content based characteristics of the proposed use or activity. All such parameters are intended to promote the objectives of public health and safety, the efficient movement of traffic and pedestrians, and balancing the range of uses and functions unique to Nicollet Mall.