

PBOT

PORTLAND BUREAU OF TRANSPORTATION

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Pedestrian Design Guide Administrative Rule

Public Hearing Summary and Recommendations

April 28, 2022

Project Background and Process

The Pedestrian Design Guide serves as the City's primary guidance on how sidewalks should be built to ensure they are context-appropriate and accessible to people of all ages and abilities. All pedestrian facilities designed and constructed in Portland by City-led capital projects and by private development must conform to these guidelines. Largely impacting private frontage improvements, the Pedestrian Design Guide provides a critically important mechanism for leveraging privately funded pedestrian improvements (and must therefore withstand legal scrutiny to exact private property).

The 2022 Pedestrian Design Guide will be adopted via PBOT administrative rule. Adopting the Pedestrian Design Guide by administrative rule makes for a more dynamic set of guidelines that can be reviewed and updated over time to account for changing contexts, legal guidance, and best practices). As required by PBOT Administrative Rule 16.01, PBOT is required to hold a public hearing as part of all administrative rule adoption processes when requested.

The public hearing was held April 4, 2022. Following the public hearing, PBOT staff reviewed and considered all written and oral testimony. 11 members of the public provided oral testimony at the hearing, and staff received 55 emails with written testimony prior to the hearing.

Key Concerns Raised and Recommended Response

The following shared themes and comments emerged from the various oral and written testimony provided during the 30-day public comment period and at the April 4 public hearing:

- 1. Overwhelming public desire for six-foot wide furnishing zones.**

The underlying common element to most of testimony received was a very strong desire for the City to require six-foot furnishing zones along Portland sidewalks in order to accommodate larger tree species in the right-of-way. The consensus of those providing testimony is that lengthening tree wells from 6 feet long to 9 feet long is not as helpful for facilitating large-form trees as widening furnishing zones from 4 feet to 6 feet wide.



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Staff Discussion	Recommended Response
<p>One of the team’s principal objectives throughout the entire project has been to maximize opportunities for larger trees in the right-of-way. Per project communications to stakeholders and posted on the project website, the Pedestrian Design Guide is not able to simply require wider sidewalk corridors to add an additional two feet to the furnishing zone. Requiring two feet of additional sidewalk width for furnishing zones would require an additional private property acquisition. Per the United States Supreme Court, private property exactions must meet nexus and proportionality requirements.</p> <p>The Pedestrian Design Guide cannot reduce the pedestrian through zone to less than 6 feet wide, either on a corridor-wide level, or at “pinch points” along a sidewalk corridor. The minimum width required to accommodate two people walking along or passing each other on a sidewalk is 6 feet. “Pinch point” encroachments into the walking zone of the sidewalk are particularly difficult to navigate for visually impaired pedestrians.</p>	<p>Require 6-foot furnishing zones on Local Streets. Update Table B-3 to require 6-foot furnishing zones on Local Streets (which comprise nearly 80% of Portland’s streets). As noted, this will require an additional two feet beyond the 11-foot sidewalk corridor currently required. The Guide should be updated to indicate that 6-foot furnishing zones on Local Streets may be met by:</p> <ul style="list-style-type: none"> • Extending the furnishing zone into the on-street parking zone per Section B.5.3. • Voluntarily donating an additional two feet of private property <p>In the event that neither of the two pathways above are viable (for example, if there are below grade utilities along the curb line that preclude a curb extension/tree, or if PBOT traffic engineers determine that a particular curb extension creates a vehicle circulation concern, including for emergency vehicles) 6-foot furnishing zones may not be obtainable despite the requirements of Table B-3. This will be made explicit in the PDG.</p> <p>Provide incentives for six-foot furnishing zones. Incentives are another option for facilitating an additional two feet of private property dedication. However, incentives are properly housed within City Code, rather than within the Pedestrian Design Guide.</p>

2. Concern that the various strategies for accommodating larger trees in the sidewalk corridor are “optional”.

Several of those testifying expressed concern that the new provisions in the Pedestrian Design Guide crafted to increase soil volumes are “suggestions” or “options” rather than requirements.

Staff Discussion	Recommended Response
<p>Some of the language in the updated Pedestrian Draft Guide was intentionally written in “should” terminology rather than “shall” terminology. This was done to provide City development review staff the flexibility needed to account for and accommodate contextual needs such as below and above ground utilities, driveway locations, and other unavoidable site constraints. However, it is clear from public testimony that this “should” language may be mistakenly interpreted by <i>applicants</i> as rendering the PDG requirements “optional”.</p> <p>Some commentors provided some very helpful and thoughtful suggestions regarding specific changes to language that could help clarify that tree-related requirements in the new Pedestrian Design Guide are indeed requirements for applicants, and not options. These suggested language changes can be made without compromising PBOT permit reviewers’ need to account for and accommodate unavoidable contextual constraints.</p> <p>The only tree-related tool in the PDG that may be considered “optional” is extending the furnishing zone into the curb zone via curb extensions. The PDG intentionally uses this language because this treatment cannot be universally required in all instances where wider furnishing zones are desired without reviewing for the presence of underground utility infrastructure at the curb line and confirming with PBOT engineers that vehicle (including emergency vehicle) movement and safety will not be negatively impacted. However, per submitted public comments, there is opportunity to clarify when and where the feasibility of applying this tool must be evaluated.</p>	<p>The project team proposes the following language changes within the document:</p> <ul style="list-style-type: none"> • B.1.3.4 Exceptions to Table B-3 Sidewalk Corridor Widths: When additional right-of-way is available behind the curb beyond the minimum dimensions required by Table B-3, it should <u>shall</u> be initially allocated to the Furnishing Zone <u>- unless otherwise determined by PBOT staff -</u> to help maximize soil volumes and street tree viability, especially for larger canopy trees. • Figure B-13 annotation: Tree wells should <u>shall</u> extend the full width of the Furnishing Zone as required per Table B-3. • B.2.2.1 (Design Requirements for Continuous Planting Strips): Where continuous planting strips are required per Table B-4, landscaping and street trees are required. Ground level landscaping and/or shrubs should <u>shall</u> be provided between street trees and is limited to no taller than three feet high at maturity. • B.2.2.1 Tree Wells and Continuous Planting Strips. <u>Unless otherwise determined by PBOT,</u> tree wells should <u>shall</u> be a minimum of 9 feet long and shall extend for the full width of the Furnishing Zone prescribed by Table B-3. • B.4.1 Sidewalk Level Protected Bicycle Facilities: When the Sidewalk Buffer Furnishing Zone is at least 4 <u>3</u> feet wide, street trees should <u>shall</u> be provided in this zone <u>unless otherwise determined by City staff.</u> • B.5.2 Curb-Tight Sidewalks: Capital projects providing curb-tight sidewalks should <u>shall</u> evaluate alternative options for planting trees in the right-of-way. Options may include providing trees at back of walk, or evaluating opportunities for extending the furnishing zone into the curb zone in accordance with B.5.3. • B.5.3 Extending the Furnishing Zone into the Curb Zone. Extending the Furnishing Zone into the curb zone is an optional strategy requested by an applicant or employed as part of capital projects that can increase available space for a

	<p><u>Furnishing Zone</u>. Where Furnishing Zone widths prescribed in Table B-3 cannot be met, frontage improvement applications and capital projects are required to evaluate the feasibility of extending the Furnishing Zone into the curb zone to provide the required width. This approach may be appropriate where there is not enough right-of-way width to accommodate trees or stormwater facilities within the Furnishing Zone, also be used optionally in areas that meet minimum Furnishing Zone width requirements but where larger soil volumes are desired, or where additional placemaking is desired.</p>
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3. Require an “imbalanced” cross section, with 6-foot Furnishing Zones on one side of the street.

In written and oral testimony received from street-tree advocates, we heard some call for the PDG to require an imbalanced cross section, with narrower 4-foot sidewalks on the side of the roadway without high voltage power lines in order to allow for a 6-foot-wide furnishing zones where large trees are not constrained by above grade utilities. Under this concept, the other side of the street would provide 6-foot-wide sidewalks with 4-foot-wide furnishing zones.

Staff Discussion	Recommended Response
<p>Imbalanced cross sections are extremely difficult to implement on a lot-by-lot basis (the manner in which most of Portland’s sidewalk/frontage improvements occur). Furthermore, per project communications to stakeholders and posted on the project website, 6-feet is the minimum width for the Pedestrian Through Zone in Portland. The minimum width required to accommodate two people walking along or passing each other on a sidewalk is 6 feet. “Pinch point” encroachments into the walking zone of the sidewalk are particularly difficult to navigate for visually impaired pedestrians.</p>	<p>No change.</p>

4. Concern about allowing tree well encroachments into the Pedestrian Through Zone.

Written testimony from pedestrian and disability advocates expressed concern about provisions in the PDG allowing tree wells (or porous pavement surrounding tree wells) to encroach into the Pedestrian Through Zone.

Staff Discussion	Recommended Response
<p>Section B.1.3.1. states that “Where the minimum furnishing zone width prescribed in Table B-3 cannot be met due to right-of-way constraints, tree wells may extend into the Pedestrian Through Zone provided that the area of encroachment provides an ADA-compliant walkable surface, such as bonded rubberized mulch or a tree grate (Figure B-8).” This section further notes that this treatment is not preferred, and that extending the curb zone into the street to accommodate trees is preferable.</p> <p>In written testimony, pedestrian and disability advocates note that tree well surfaces tend to create irregular sidewalk conditions and tripping hazards for people walking and rolling as trees and tree roots grow. Written testimony suggests using this treatment very rarely or not at all.</p>	<p>Eliminate this provision from the Guide in response to pedestrian and disability group concerns.</p>

5. Include lighting guidelines in the Pedestrian Design Guide.

Some members of the public providing oral testimony suggested that the Pedestrian Design Guide should supplement the Portland Street Lighting Level Guidelines by establishing maximum lighting levels and specifying lighting fixtures.

Staff Discussion	Recommended Response
<p>Lighting levels and fixtures are guided by the Portland Street Lighting Level Guidelines, not by the Pedestrian Design Guide. Future updates to that document may provide opportunities to refine those guidelines.</p>	<p>No change.</p>

6. Revise the adopting Administrative Rule language.

Provide additional background information about the Pedestrian Design Guide into the adopting Administrative Rule to help convey intent.

Staff Discussion	Recommended Response
<p>The “Background” section of the Administrative Rule adopting the Pedestrian Design Guide pulls</p>	<p>No change.</p>

language directly from the introductory section of the Guide, and reads (in part) as follows:

The purpose of the Pedestrian Design Guide is to integrate the wide range of design criteria and practices into a coherent set of standards and guidelines that, over time, will promote a walkable city while acknowledging the flexibility that will have to take place due to constraints. It establishes sidewalk design criteria, including requirements for minimum sidewalk widths, street tree space requirements, street corners, and crossings, among others. The Pedestrian Design Guide was developed in collaboration with City programs and agencies responsible for the form and function of the right-of-way, to address and understand the competing needs within the pedestrian realm and be realistic in how the space can be designed to address all its functions.

7. Reference adopted City plans.

Provide an explicit link within the PDG to the City’s Climate Action Plan and Urban Forest Management Plan.

Staff Discussion	Recommended Response
While the introductory section of the PDG points users to other documents and design requirements that live outside of the PDG (including Portland City Code, adopted streetscape plans, Federal ADA requirements, etc.), there is no explicit reference to the City’s Climate Action Plan or Urban Forest Management Plan.	Add references to these City plans in the introductory section of the PDG.