

Outdoor Dining Program

DESIGN GUIDELINES

MARCH 22, 2023
DRAFT

PBOT Outdoor Dining Program

Introduction

PBOT is currently developing permanent design guidelines for the Healthy Business Permitting Program to allow restaurants and bars to use the public Right-of-Way and expand their dining space through sidewalk cafés and parking patios.

Thanks to action by City Council in May 2022, the program is transitioning from short-term pandemic response to a long-term program.

The following pages include DRAFT design standards. These guidelines will ensure access for people with disabilities, emergency response, public transit operations, and loading zones and address street safety hazards.

PBOT is asking the local business community and other stakeholders to give feedback via a community survey.

Timeline

PBOT is working diligently to engage with stakeholders in the design of the permanent guidelines. After this public engagement period, the completed guidelines will go to City Council in May 2023.

Business owners will have from May 2023 to Fall 2023, the start of the new permit application window, to bring their sidewalk or street seating spaces into compliance with the new guidelines.

PBOT will communicate with current and potential permit holders during this time, and will be available to answer any questions on the guidelines.

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Zone A: Sidewalk Guidelines

General Clearances	15
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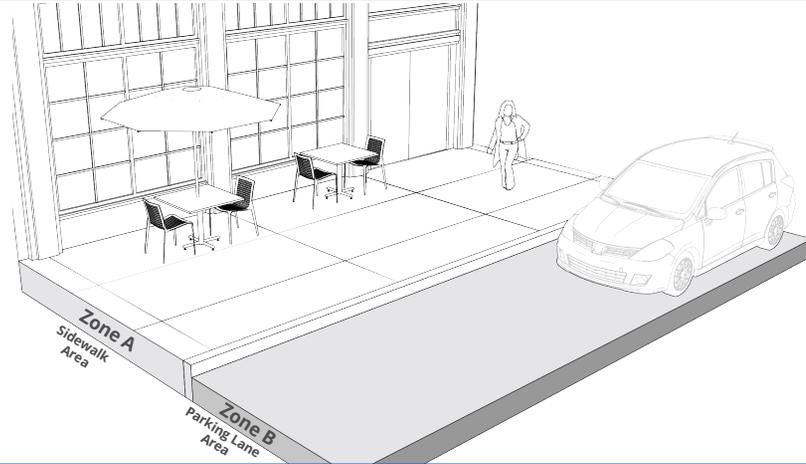
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Permit Types

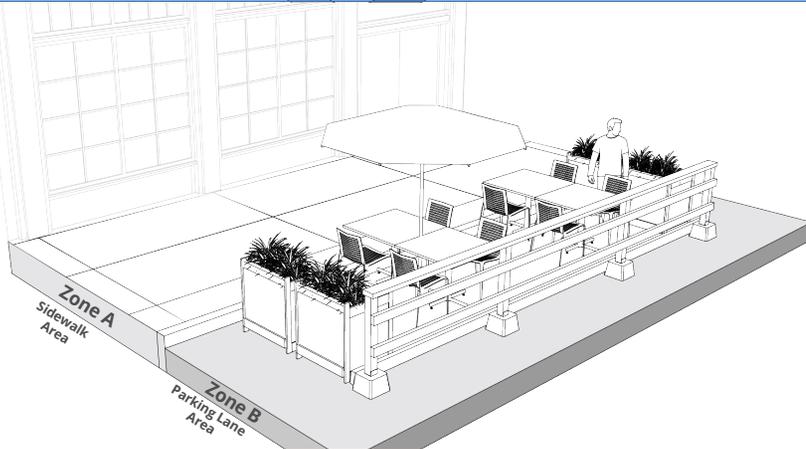


Universal Guidelines apply to both Zone A and B.
See Design Guidelines on page 9.

Zone A permits are for the sidewalk area only

See Design Guidelines on page 14 to ensure your proposed space is feasible.

The Zone A permit allows permit holder to place furnishings within the sidewalk area adjacent to a business or organization. Sidewalks must be 8 feet wide or more to qualify for a Zone A permit.

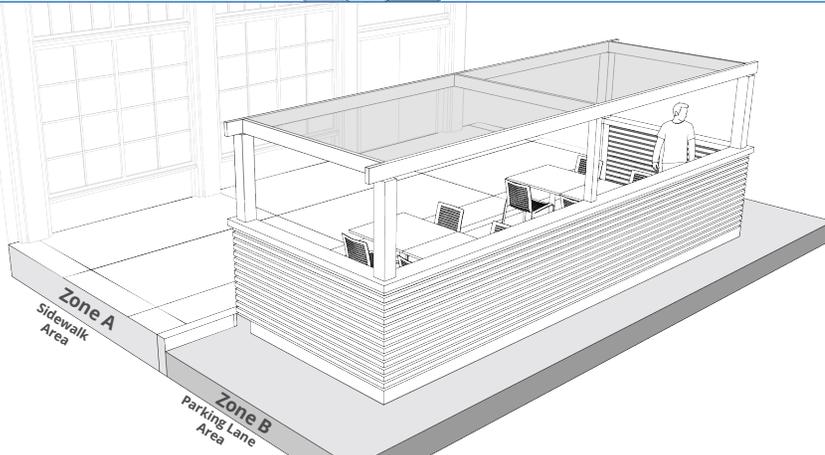


Zone B seasonal permits are for the parking lane area only

See Design Guidelines on page 16 to ensure your proposed space is feasible.

The Zone B seasonal permit allows the permit holder to place furnishings in parking spaces. These permits do not require a platform and must be fully removed when not in season.

See the next page for requirements based on the site location and other conditions.
More details on Zone B seasonal permit requirements can be found on page 16.



Zone B year-round permits are for the parking lane area only

See Design Guidelines on page 16 to ensure your proposed space is feasible.

The Zone B year-round permit allows the permit holder to place furnishings and, in some cases, temporary structures in parking spaces.

See the next page for requirements based on the site location and other conditions.
More details on Zone B year-round requirements can be found on page 16.

Permit Eligibility

Am I eligible for a Zone A Permit?

My sidewalk is less than 8 feet wide	No, you are not eligible. Consider a Zone B permit.
My sidewalk is at least 8 feet wide	Yes, you are eligible.

Am I eligible for a Zone B Permit?

My site is in a <u>travel lane</u>		No, you are not eligible.
My site is in a bike lane		
My site is in a transit stop		
My site is in a parking lane and		
	is reserved for disabled/wheelchair permits	
	is a truck loading zone	
	is a passenger or hotel loading zone	
My site is in a parking lane and	is a Fast Stop or 15-minute parking zone	Contact PBOT staff for more information specific to your location.
	is an emergency zone	
	the curb is painted yellow	
My site is within 50 feet of an intersection	Check intersection setback requirements on page 17 to confirm eligibility.	
My site is in a parking lane and does not have any of the special conditions listed on this page	Yes, you are eligible.	

Application Checklist

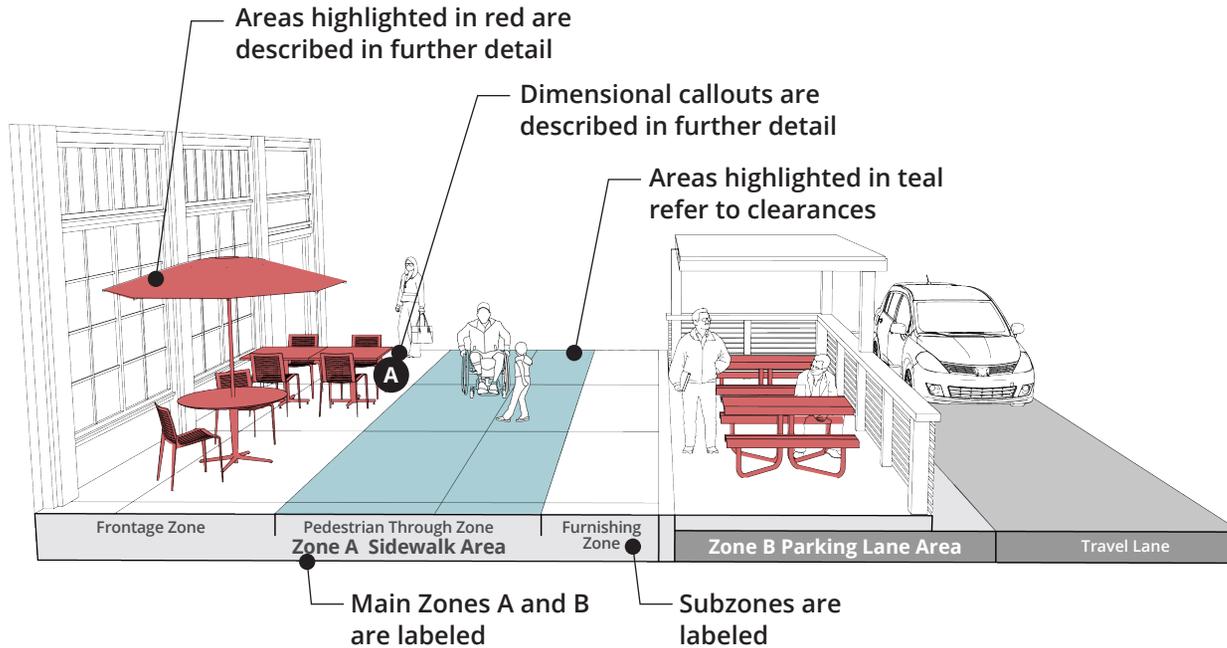
COMING SOON

Frequently Asked Questions

COMING SOON

Using the Design Guidelines

Throughout the Design Guidelines, diagrams will help illustrate requirements and recommendations to obtain a Zone A or Zone B permit.



✓ Required

Conditions required for a permit are listed under the “Required” headline.

Optional Features and Recommendations

Conditions recommended for a permit or optional features are listed under this headline.

Glossary terms are underlined in dots and definitions can be found in Appendix A.

Reference items are set in italics and direct to a different page within the Design Guidelines document or reference another source for more information. Such as *See Appendix D for samples.*

PBOT Outdoor Dining Program Design Principles

Accessible for all

Design for maintenance

Keep it simple

Easily removed

The Design Guidelines include:

- Universal Guidelines for both Zone A and Zone B requirements
- Zone A requirements—Sidewalk Guidelines
- Zone B requirements—Street Guidelines
- Appendix with glossary, resources, and samples of applications and compliant designs (to be included in Final Design Guidelines package)

Use and Operations



Outdoor dining areas are required to be removable

In an emergency, installations must be able to be removed within 48 hours.



Smoking may be prohibited

Oregon's Indoor Clean Air Act (ICAA) prohibits smoking within 10 ft of all windows and doors to workplaces. This includes enclosed areas that are open to the public.



Amplified music may be prohibited

Noise variance permit by Civic Life required for amplified music past 10pm.



Propane heating may be prohibited

Propane heating use is controlled via permit by the Fire Bureau. Clearance and storage issues may preclude use in permitted areas.



No garbage storage



No locked spaces



No advertising or logos



No loose particles, such as sand or loose stone



No tents

Free standing tents are not allowed on the sidewalk or for in-street use.



No motor vehicles within permitted Zone B areas



No bolting or anchoring to the street or sidewalk

In an emergency, installations must be able to be moved within 48 hours. It is therefore recommended that installations not be erected that are difficult to move or expensive to replace.

Signs and city infrastructure are to be left as currently installed and cannot be obstructed, modified, adhered to, or moved

Do not obstruct, move, or alter PBOT signs, parking meters, or other City of Portland infrastructure without prior approval by PBOT. All signs must be visible from the street.

Relocation of some city infrastructure (such as bike racks, Biketown stations, non-regulatory signs, etc.) may be requested on a case-by-case basis at the expense of the permit holder.

Responsibilities and Maintenance



Post your permit

A copy of the permit must be posted in a window on the ground floor and facing the street.



Graffiti

You must clean or replace damaged or graffitied signs and devices.



Siting

Siting in front of neighbor frontage: neighbor approval required for installations extending 5 feet in front of an adjacent business.



Debris and leaves

In the Zone B parking space area, you must rinse out and clean debris, leaves, and litter from the area around and under the platform at least once a week. If needed, you are responsible for all vector/pest control. The area surrounding your space is defined as 10 feet on either end of a Zone B area and the entire width of the sidewalk for Zone A.



Insurance

Zone A and B permits require insurance that shall be kept in full force and in effect and on file with the city at all times the permit is valid. Please visit our [insurance page](#) to find out the most current insurance requirements and standards.



Storm drains

In the Zone B parking space area, it is your responsibility to keep nearby storm drains and gutter line cleared of leaves and debris to prevent pools of water at permitted areas. As street sweeping and leaf pick-up is difficult around the platforms, you are responsible for storm drain clearance and retaining access to adjacent Green Street facilities.

Permit Conditions

Renewal

All permits are for temporary use of public space and must be renewed or removed by permit expiration date.

Removal

You may be required to temporarily or permanently remove or relocate installations for maintenance and construction activities, including emergency and utility work. In an after-hours emergency, installations may need to be moved by the City of Portland. While reasonable efforts will be made to contact you and avoid damage to the installation, the City of Portland is not responsible for any damages incurred due to the moving.

You are required to keep your space well maintained and in good repair. Permits may be revoked for failure to maintain the space.

You are responsible for removing all items, including **structures**, when any of the following occur:

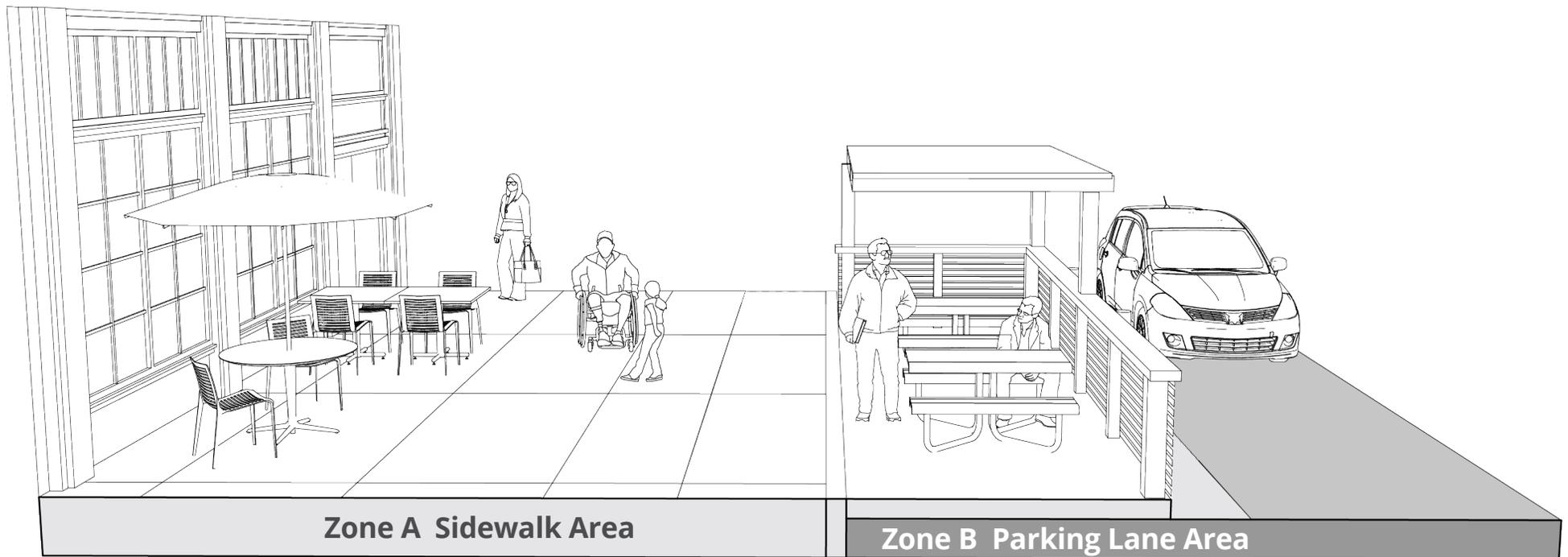
- The permit expires
- You wish to end participation in the program
- The permit is revoked.

You are required to notify PBOT if you are vacating the permitted area before your permit expires.

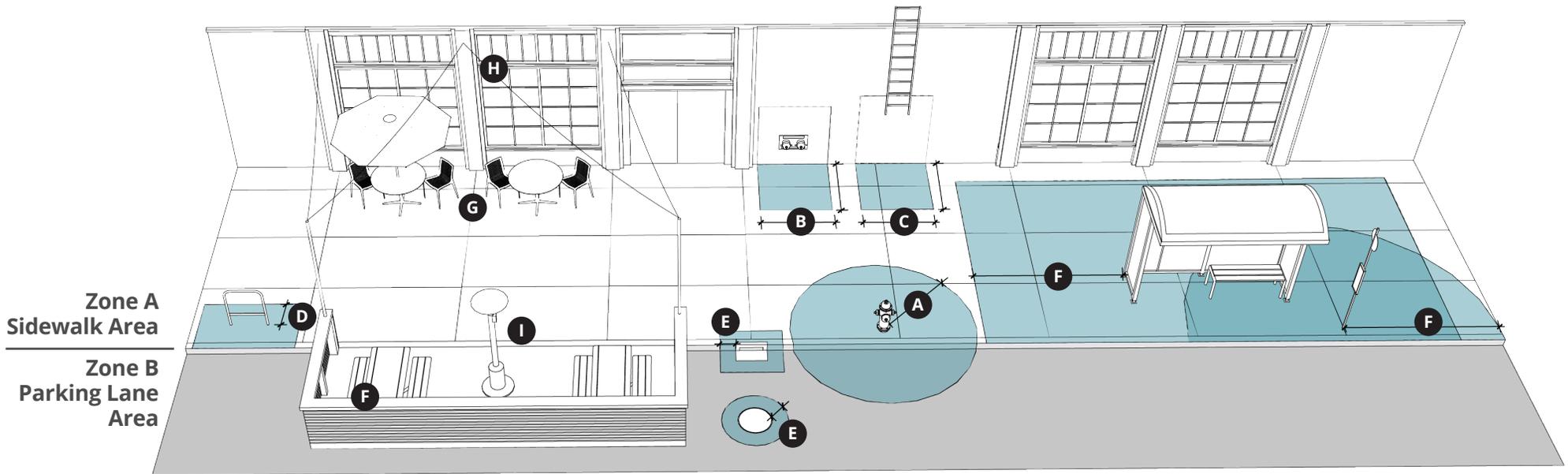
Permits are not transferable. If your business changes ownership, you will either need to remove your installation and notify PBOT or the new owner must submit a new permit application within 10 business days.

Universal Guidelines

Universal Guidelines apply to both Zone A and B.



Universal Guidelines



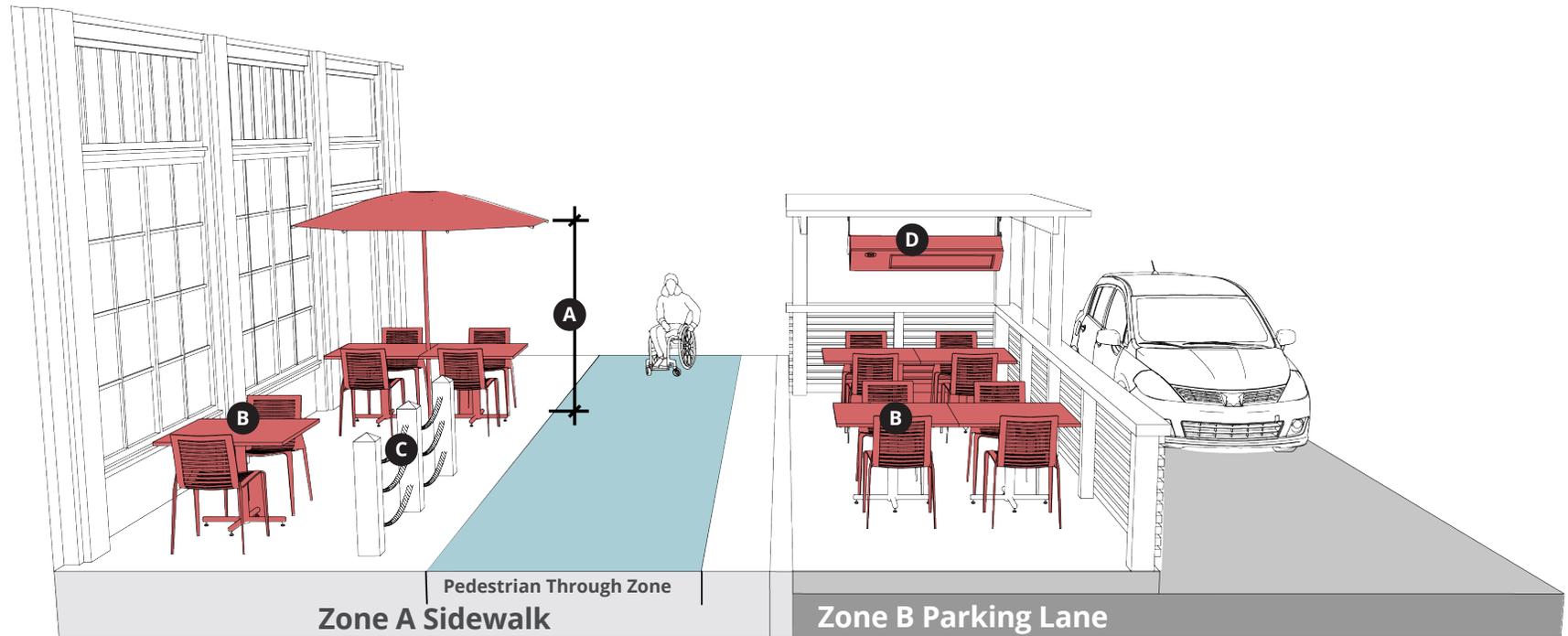
☑ Required

- A Hydrants** 6 foot clearance
- B Fire department connections** 5 foot clearance
- C Fire escapes** 5 foot x 5 foot clearance
- D Bike racks** 2 foot clearance around any part of bike rack
- E Utility access points**
1 foot clearance to any underground or surface utility or stormwater facility access point, including utility poles, gas valves, manhole covers, waste-water systems, cisterns, vaults, and catch basins.
- F Transit**
10 foot buffer from all bus, MAX, or streetcar stop furnishings, including shelters, signs, benches, and art.

Optional Features and Recommendations

- G Furnishings**
If providing furnishings, such as umbrellas, benches, tables, and chairs see requirements on *page 11*.
- H Lighting and electrical**
If providing, see requirements on *page 12*.
- I Heating**
If providing, see requirements on *page 11*.
- Roofs**
Only permitted in Zone B installations, *see page 22*.

Universal Guidelines Furnishings and Heating



Furnishings

A Umbrellas

Umbrellas must be weighted and not be adhered, attached, or anchored to the street or sidewalk. If umbrellas extend into the Pedestrian Through Zone they must be 7 feet minimum above the sidewalk surface.

B Seating

If providing tables, Federal law requires that at least one table or 5% of seating must accommodate people using mobility devices. Picnic tables with fixed benches are typically not accessible.

C Rope barriers

Are allowed within permitted area, but do not substitute for walls where required.

Heating

All heaters shall comply with all manufacturer use and clearance requirements.

D Electric heaters

Must have an automatic shut-off that engages if the heater tips over.

Propane heaters

Propane heating requires separate approval via the Portland Fire and Rescue. Use of propane heaters may be prohibited in some spaces. Propane heaters are prohibited in installations with roofs.

Propane storage

Propane storage is absolutely prohibited in any area of the public sidewalk or street, regardless of permit. Per the Portland Fire and Rescue, on-site storage of propane (Liquified Petroleum Gas) is also prohibited indoors.

Universal Guidelines Lighting and Electrical

A Hanging string lights

Must hang minimum 10 feet above the sidewalk.

B Electrical cord attachments

All electrical cords must be easily detachable at the face of the building. Cords shall not be attached to any utility pole, light pole, street sign, or other infrastructure.

C Ground cord ramps

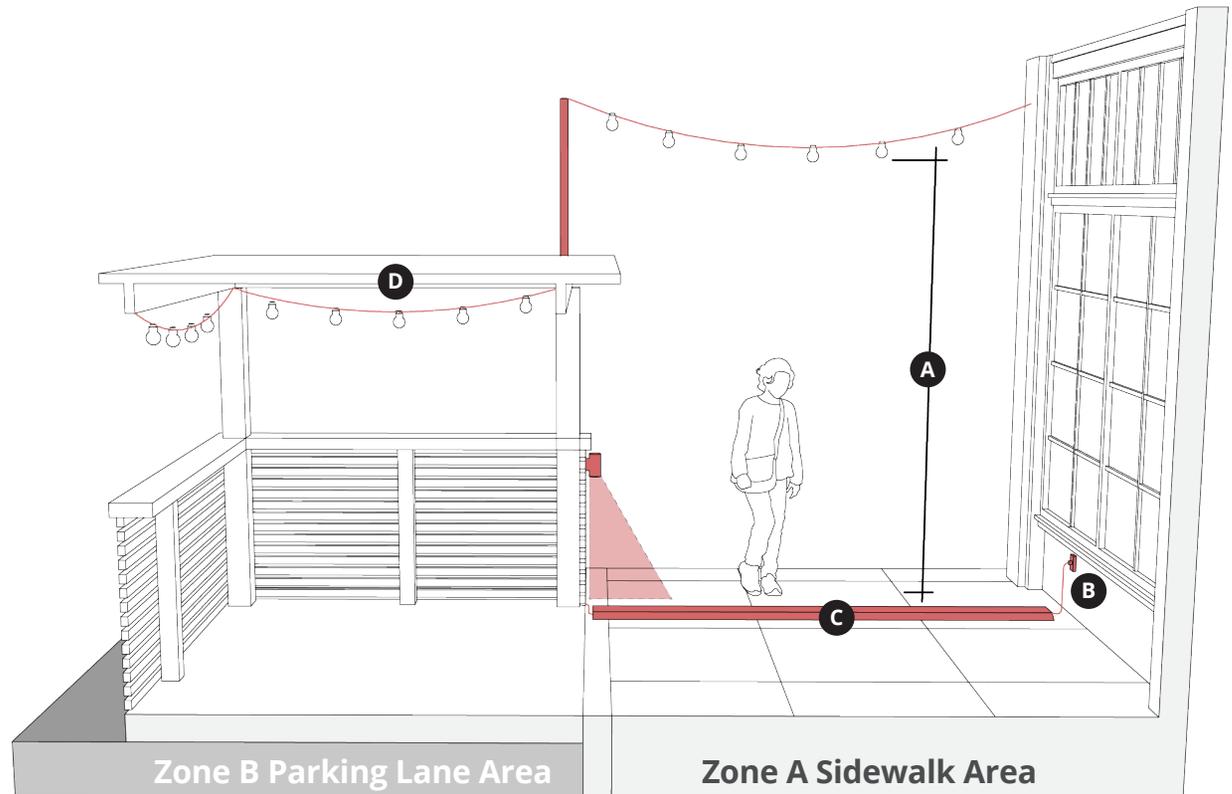
Accessibility-compliant cord protector ramps required for cords running across the sidewalk. *See page 13.*

D Additional safety lighting

If canopies/roofs are observed to reduce visibility for pedestrians, additional lighting may be required.

Lighting choices

Lighting is allowed but must not be distracting to people driving. Blinking lights and lights similar to traffic signals are prohibited.



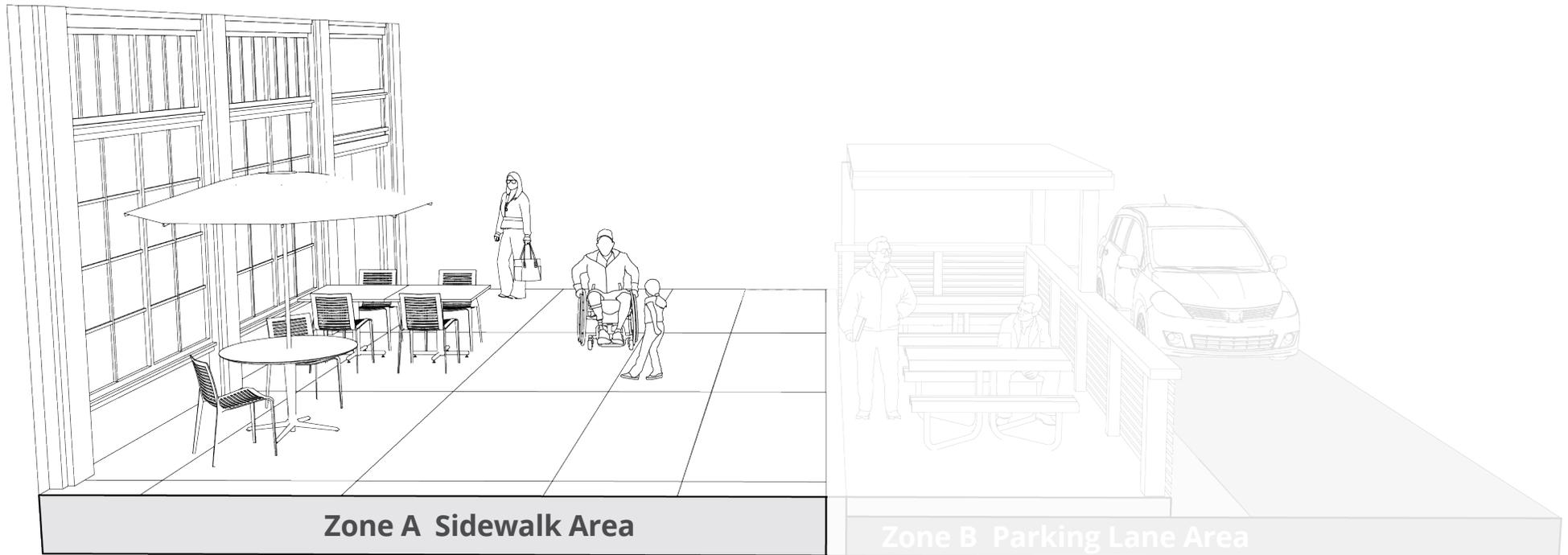
Universal Guidelines Accessible Seating

COMING SOON

Zone A Guidelines

Zone A permits are for the sidewalk area only.

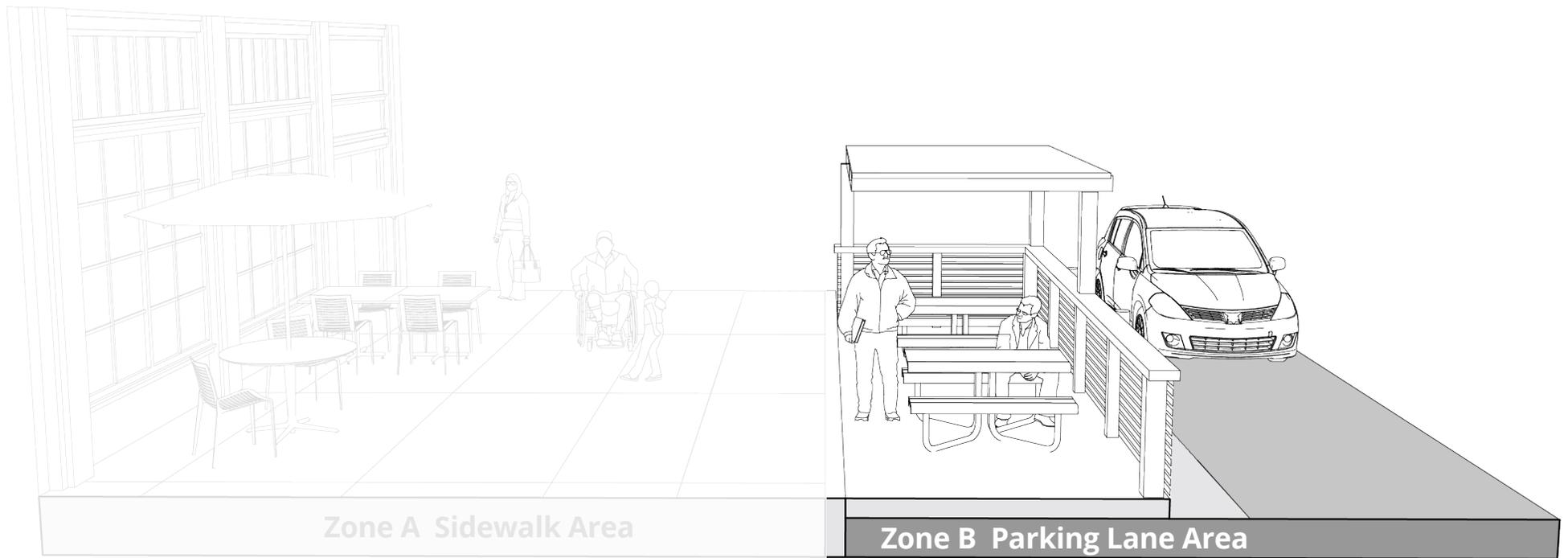
Zone A permittees must meet the Universal Guidelines, see page 9, and the guidelines in this chapter.



Zone B Guidelines

Zone B permits are for the parking lane area only.

Zone B permittees must meet the Universal Guidelines, see page 9, and the guidelines in this chapter.



Zone B Intersection Setbacks

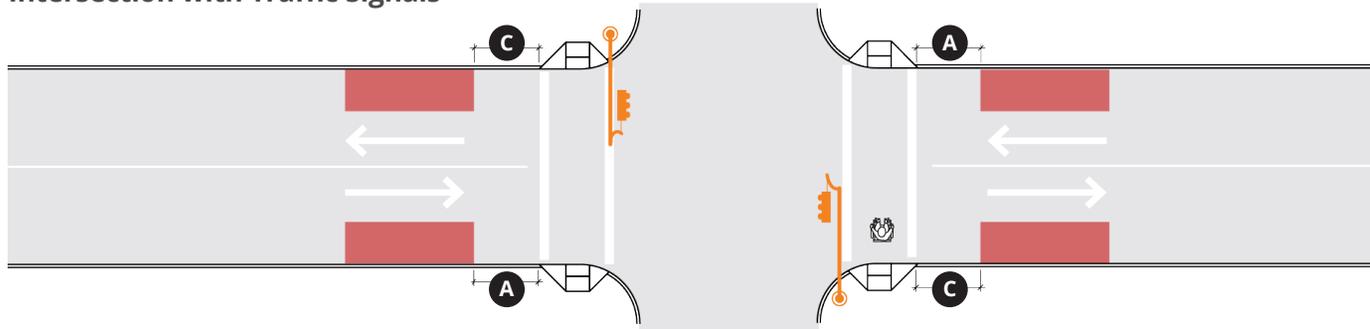
Setback from crosswalk approaching an intersection

	Traffic Signals	Stop Sign	Uncontrolled Intersection
With Roof	A 10 feet	B 50 feet	B 50 feet
Without Roof	A 10 feet	A 10 feet	A 10 feet

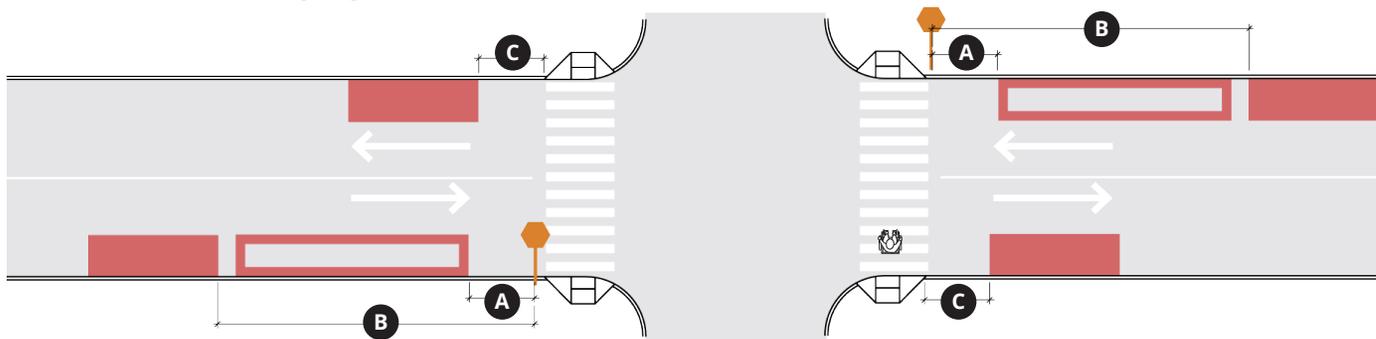
Setback from crosswalk leaving an intersection

C 10 feet minimum setback for all installation types.

Intersection with Traffic Signals



Intersection with Stop Signs and Uncontrolled Intersections



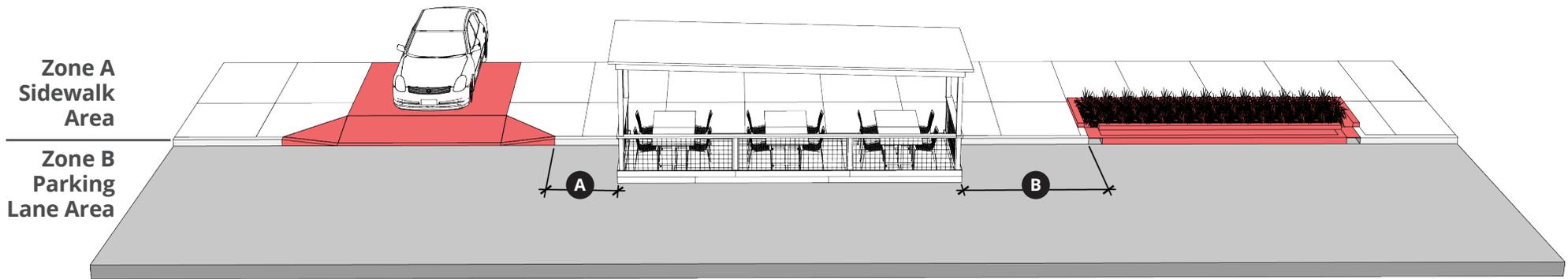
Zone B Installation Types

- With or without roof
- Without roof only

Notes:

1. Setbacks represent where parking installations may not be allowed.
2. A "crosswalk" is anywhere the sidewalk meets the street, whether or not it is marked.
3. Visibility and height restrictions for approaches to non-signalized intersections are mandated by State (ORS 811.550) and City (16.20.130) code. These rules requiring that no objects or vehicles taller than 6 feet are placed within 50 feet of the intersection.

Zone B Driveway and Green Street Setbacks



Setback from driveways

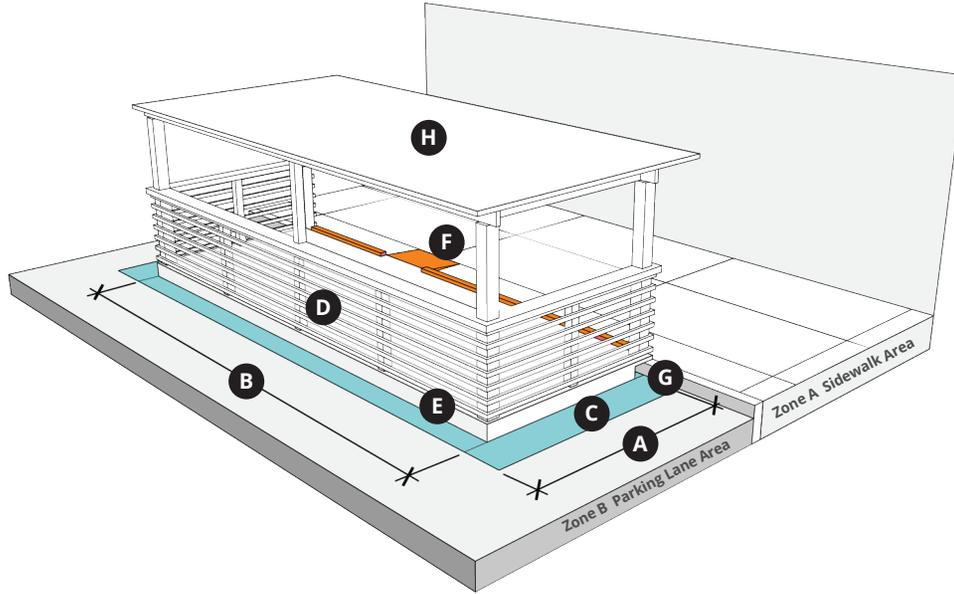
A 5 feet minimum setback from driveways and curb cuts on either side.

Setback from Green Street facilities

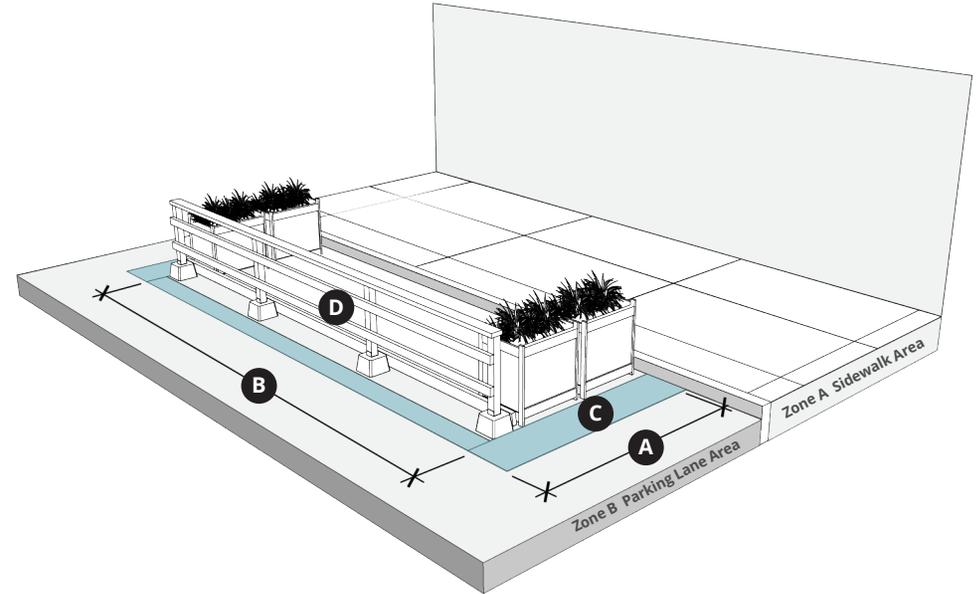
B 10 feet minimum setback from any stormwater planter inlet.

Zone B Street Guidelines

Year Round Installation



Seasonal Installation



Required

- A Width**
7 feet from curb face. Additional 1 foot granted for traffic control devices only (cones, candle stick delineators, wave delineators).
- B Length** 40 feet maximum.
- C Clearance dimensions**
2 feet clearance in front of and behind installation.
- D Walls and fences**
Required for all Zone B permits to separate people using a permitted area from vehicular traffic. *See requirements on page 21.*

E Platforms
Required for year-round installations. **Platforms are not required for seasonal installations.** *If providing, see requirements on page 20.*

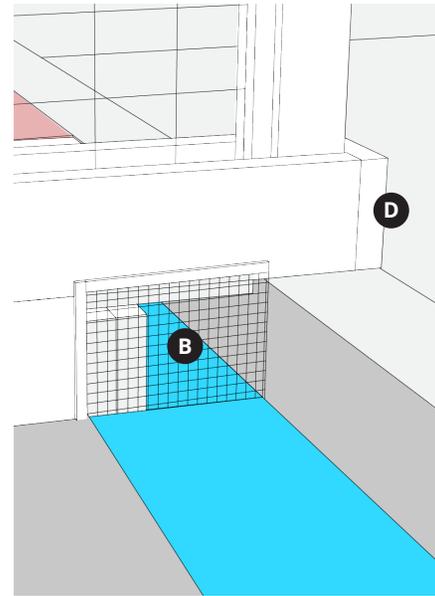
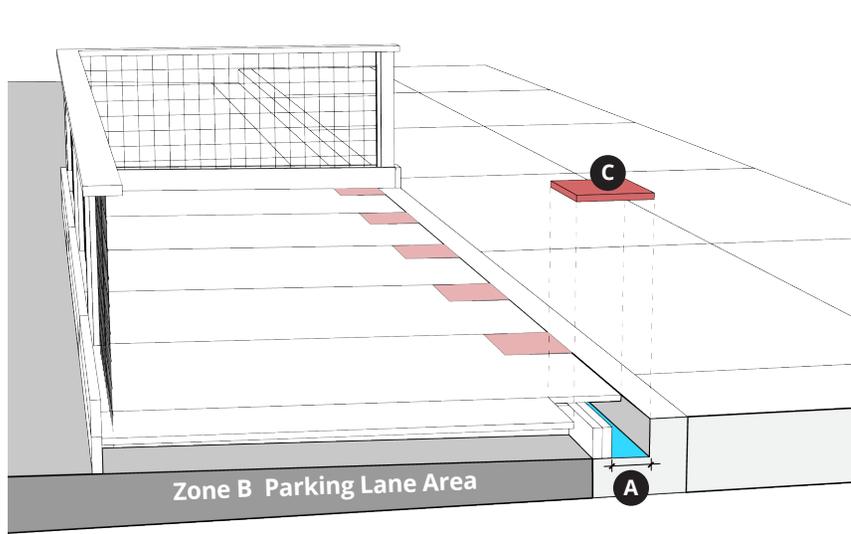
F Ramps
May be required for some platform installations. *See requirements and specifications on page 23.* For seasonal installation permits, a ramp is not required if other accessible seating is available.

G Stormwater
A clear area 6 inches wide by curb height must be maintained along the curb gutter line for water to flow. No part of the installation may obstruct the flow of water along the gutter.

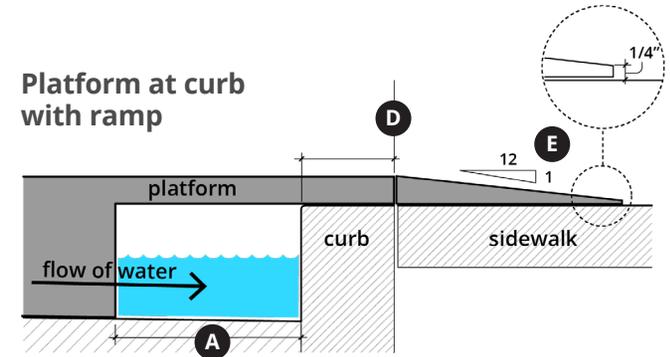
Optional Features and Recommendations

Roofs
H If providing roofs, *see requirements on page 22.*

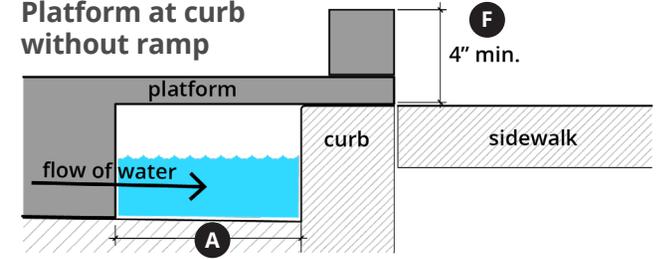
Zone B Platforms



Platform at curb with ramp



Platform at curb without ramp



Surfacing

Platform surfacing must be stable, firm, and slip resistant.

Stormwater drainage

A Owners are responsible for maintaining a clear area 6 inches wide by curb height to allow the flow of water along the gutter for the length of their installation.

B A wire mesh with $\frac{1}{2}$ to 1 inch openings must be installed at both ends of the platform to prevent leaves and large debris from washing under the platform, but allowing the flow of water.

C Platform surface must be able to be removed for periodic cleanout of the gutter under the platform.

Platform at curb

Platforms should be as accessible from the sidewalk as possible.

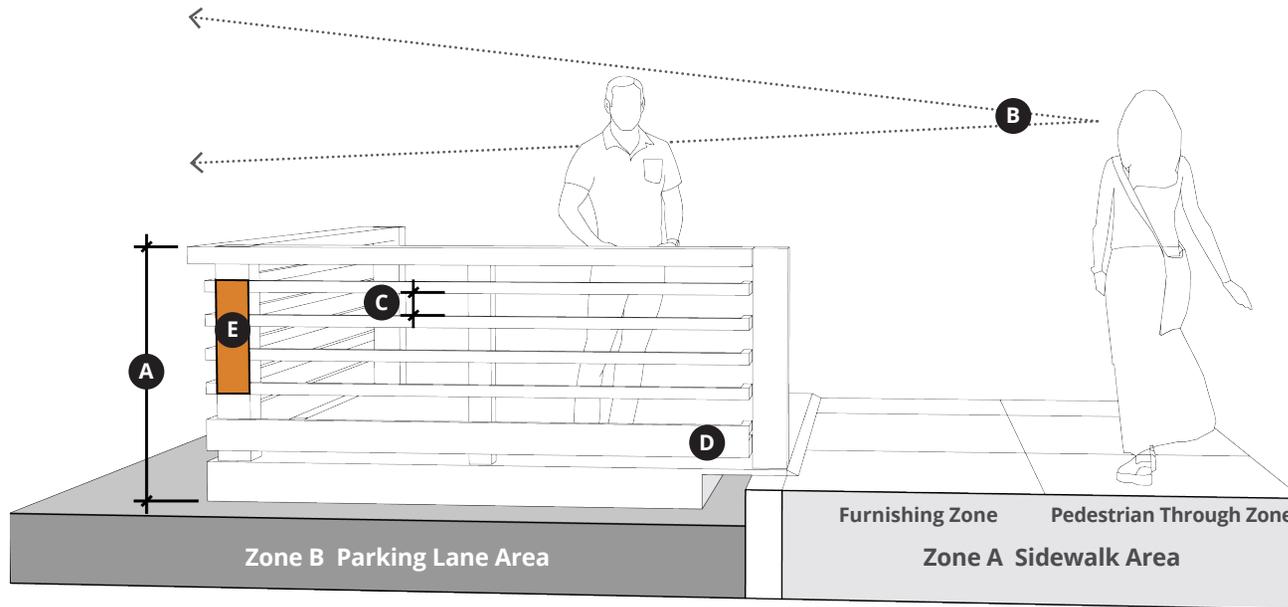
D Platforms surfaces may overlap the curb but not extend past the back edge.

If your platform does not meet the curb

E Where vertical separation exceeds $\frac{1}{4}$ inch, provide at least one ramp for access. *See ramp requirements on page 23.*

F Other areas without ramp may be separated by a minimum 4 inches height barrier.

Zone B Walls and Fences



A Wall height

The top of the wall or fence must be at least 30 inches high measured from the platform surface and between 36 and 42 inches high measured from the road surface.

B Sightlines

Permit holders must maintain clear sightlines into and through the space. When standing on the sidewalk, an adult of average height should be able to see through the installation out into the street.

C Openings

Any openings between slats, meshes, or other fence materials must be less than 4 inches or greater than 9 inches.

D Toe-rails

Include a toe-rail with a maximum of gap of 2 inches from the floor, and the rail's top edge 6 inches minimum from the floor.

Overlapping furnishing zone

Installation may overlap into the furnishing zone in order to facilitate stormwater drainage or to allow ramping. May not project into the Pedestrian Through Zone.

E Reflective tape

The corners of the installation must be marked with yellow high intensity retro-reflective tape or reflectors. Reflectivity shall be a minimum of 12 inches in vertical length and cannot be in the shape of any symbol. Any diagonal stripes on traffic control devices or reflective tape shall slope downward at an angle of 45 degrees in the direction people driving or biking are to pass.

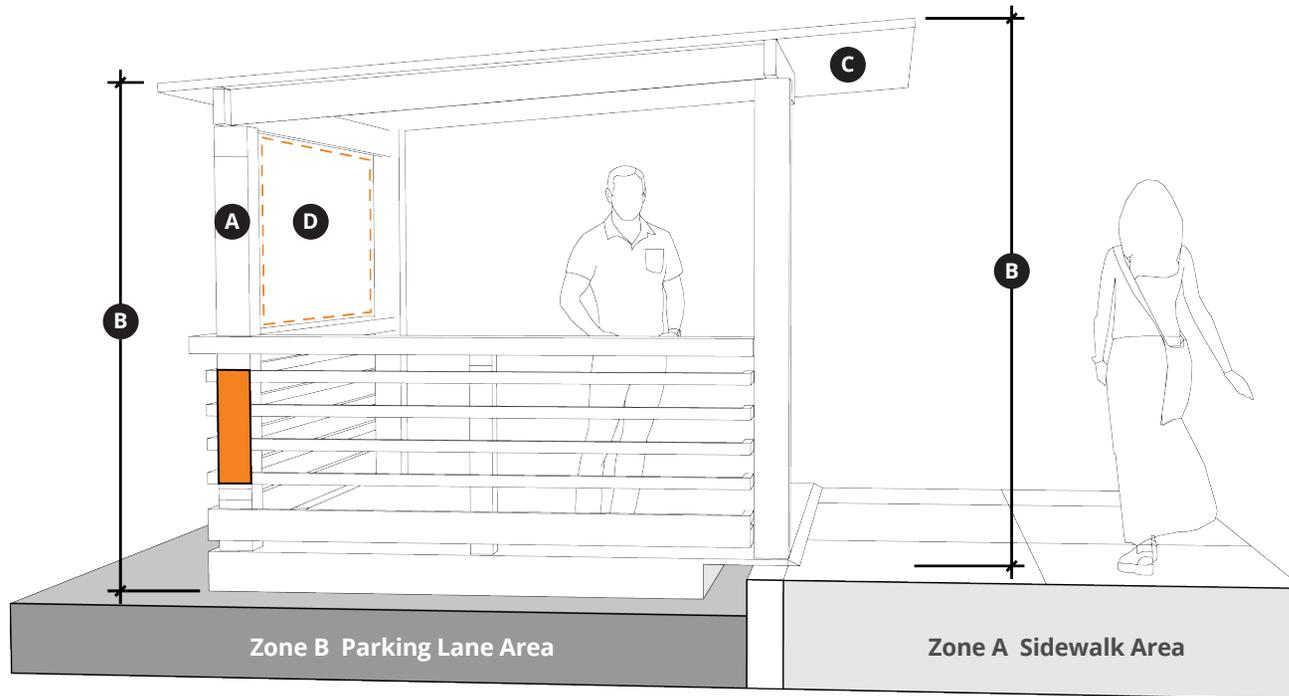


Used when vehicular traffic passes on the left



Used when vehicular traffic passes on the right

Zone B Roofs



A Visual obstructions

No fixed objects may obscure the view between the street and the adjacent sidewalk above 42 inches from the surface of the street, except supports for roofs.

B Roof heights

The top of roofs must be 8 feet minimum above road grade to a 10 feet maximum above sidewalk grade, except posts or attachment points needed to support lights or cords crossing the sidewalk. Locations with overhead power lines will need to be reviewed for roof placement.

C Overlapping furnishing zone

Installation may project 2 feet into furnishing zone and must not interfere with trees, signs, poles and other utilities.

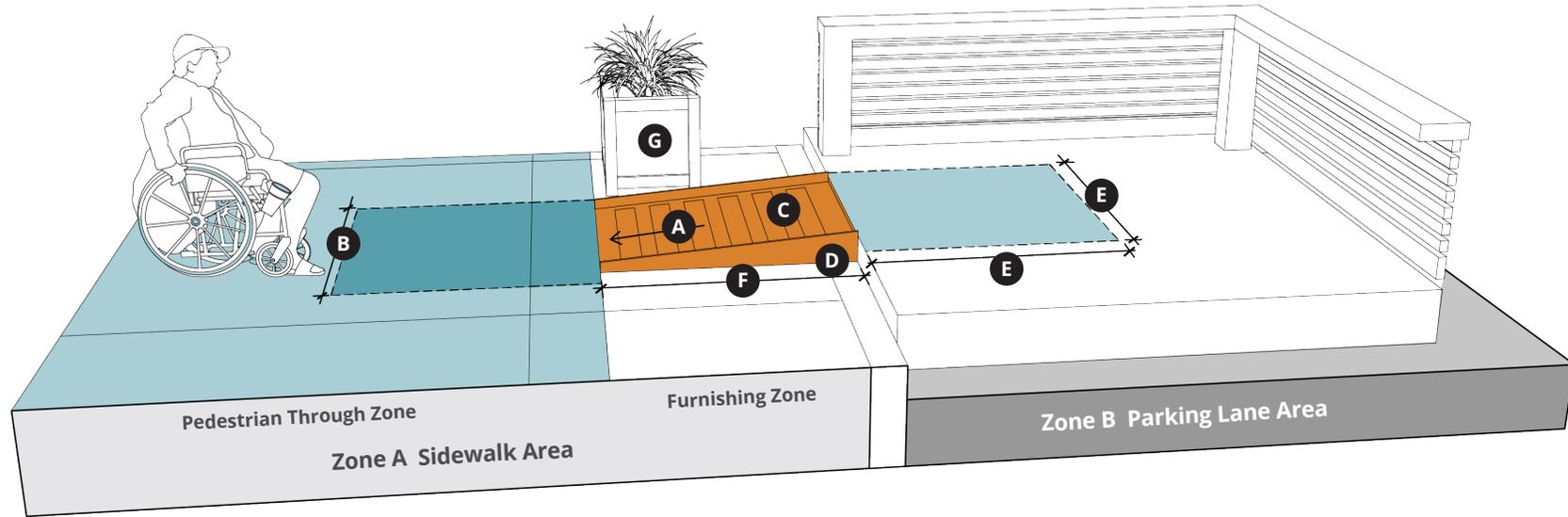
D Side coverings

No side coverings between the wall and roof are allowed unless made of fully transparent sheathing.

No tents

Tents are prohibited in Zone A and Zone B.

Zone B Ramps



A Slope 1:12 maximum

B Width 36 inch minimum

C Surfacing Non-slip surfacing required

D Height 6 inch maximum rise for ramps

E Landing dimensions

48 inch x 48 inch clear area at top and bottom of ramp. Landing may overlap with Pedestrian Through Zone.

F Overlapping furnishing zone

Ramps may extend up to 4 feet onto sidewalk, but not into the Pedestrian Through Zone, *see Appendix A*. Where the furnishing zone is not paved, the ramp may extend to the edge of the paved sidewalk. If it does not, a hard, stable surfacing must be installed between the bottom of the ramp and the paved sidewalk.

G Safety Elements

Ramps on the sidewalk must include a 32-42 inch tall vertical element, such as a planter, on both sides at the edge of the ramp to avoid tripping hazards.

✓ Requirements

Ramps are required when platforms have a vertical separation larger than 1/4" inch between the platform and the sidewalk.

Appendix Glossary

COMING SOON

Appendix Relevant Permit Links

COMING SOON

Appendix Application Samples

COMING SOON

Appendix Compliant Design Sample

COMING SOON