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191343

Emergency Ordinance

*Amend Location of Sidewalk Vault Openings Code to remove a 2-foot setback requirement and amend Sidewalk Elevators Code to increase the load-bearing requirements for doors over sidewalk openings (amend Code Sections 24.65.010 and 24.65.030)

Passed

The City of Portland ordains:

Section 1. The Council finds:

1. The Portland Bureau of Transportation (PBOT), along with partner bureaus, continually seeks to improve its processes to provide the best possible service to residents in the City of Portland.
2. The 2022 Portland Pedestrian Design Guide states “Pedestrian Through Zone Must Remain Clear. The Pedestrian Through Zone is the area intended for pedestrian travel. This zone should be entirely free of permanent and temporary objects at all times. Vertical and horizontal encroachments into the Pedestrian Through Zone are not permitted.”
3. PBOT policy (TRN 8.08 – Encroachments in the Public Right-of-Way) states that vault openings within the public right-of-way “must be within the furnishing zone of the sidewalk corridor.”
4. Portland Code (Title 24.65.010) currently requires a 2-foot setback from the curb for access lids in the sidewalk corridor and the most common furnishing zone size is 4 feet per the 2022 Pedestrian Design Guide, most vault openings will intrude into the Pedestrian Through Zone of the sidewalk.
5. Portland Code (Title 24.65.030) currently only requires that doors over vaults only support a load of 100 pounds per square foot—a standard pedestrian load—and vehicles are known to park temporarily in the

Introduced by

[Commissioner Mingus Mapps](#)

Bureau

[Transportation](#)

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Requested Agenda Type

Consent

Date and Time Information

Requested Council Date

June 28, 2023

Changes City Code

furnishing zone of sidewalks, particularly along narrow streets.


6. The Bureau of Development Services is the managing bureau for Title 24 and has no objections to updating Title 24.65.

NOW, THEREFORE, the Council directs:

A. Amend City Code Chapter 24.65 Sidewalk Vault Openings as shown in Exhibit A.

Section 2. The Council declares that an emergency exists because a delay would unnecessarily delay the Bureau's ability to improve its processes to provide the best possible service to residents in the City of Portland; therefore, this Ordinance shall be in full force and effect from and after its passage by the Council.

Documents and Exhibits

 [Exhibit A \(https://www.portland.gov/sites/default/files/council-documents/2023/exhibit-a-changes-to-24.65-sidewalk-vault-openings-final.pdf\)](https://www.portland.gov/sites/default/files/council-documents/2023/exhibit-a-changes-to-24.65-sidewalk-vault-openings-final.pdf) 633.32 KB

An ordinance when passed by the Council shall be signed by the Auditor. It shall be carefully filed and preserved in the custody of the Auditor (City Charter Chapter 2 Article 1 Section 2-122)

Passed by Council
June 28, 2023

Auditor of the City of Portland
Simone Rede

Impact Statement

Purpose of Proposed Legislation and Background Information

The purpose of this ordinance is to update requirements for vault openings in the sidewalk corridor to keep the Pedestrian Through Zone (the part of the corridor where people walk) clear of any obstructions or trip/slip hazards (24.65.010) and update load requirements for sidewalk elevator covers (24.65.030). Current PBOT policy (TRN 8.08 – Encroachments in the Public Right-of-Way) requires that vault openings be in the Furnishing Zone, which lies between the curb and Pedestrian Through Zone. But city code requires a two-foot setback from the curb for vault openings. This setback requirement all but guarantees that vault openings will intrude into the Pedestrian Through Zone given that most Furnishing Zones are four feet or less in width. The existing load requirements in code only accounted for a standard pedestrian load, but the updated requirements would acknowledge the fact that trucks can and do park in the sidewalk corridor—

particularly on narrow streets. In limited instances where a sidewalk elevator cover may be present and adjacent to the curb, the updated weight requirements would safely support a vehicle.

TRN 8.08 is currently undergoing a review and update. This ordinance will better align code with policy to match current practice, reflect the desire to keep the pedestrian through zone clear, and support the potential need for vault openings to bear a vehicle's weight.

Financial and Budgetary Impacts

There are no expected financial or budgetary impacts related to this minor code update.

Community Impacts and Community Involvement

Title 24.65 is managed by the Bureau of Development Services, but the setback was likely added in consultation PBOT at some point in the past, according to BDS staff. PBOT consulted with BDS initially about the possibility of updating the code and the proposed language. Staff from BDS, the City Attorney's office, and the Council Clerk all reviewed and approved the proposed changes. This update resolves conflict between code and policy, where policy is guiding current practice. This update codifies practice.

Vault covers are common, particularly in commercial areas. Traversing over them is often uncomfortable for pedestrians and they add to visual clutter along the sidewalk corridor.

Updating the code requirements to achieve desired outcomes will improve the pedestrian environment in Portland.

100% Renewable Goal

n/a

Budget Office Financial Impact Analysis

No fiscal impact.

Agenda Items

541 Consent Agenda in [June 28, 2023 Council Agenda](https://www.portland.gov/council/agenda/2023/6/28) (<https://www.portland.gov/council/agenda/2023/6/28>)

Passed

Commissioner Dan Ryan Yea

Commissioner Rene Gonzalez Yea

Commissioner Mingus Mapps Yea

Commissioner Carmen Rubio Yea

Mayor Ted Wheeler Yea