SIDEWALK USAGE CONSTRAINTS SUMMARY

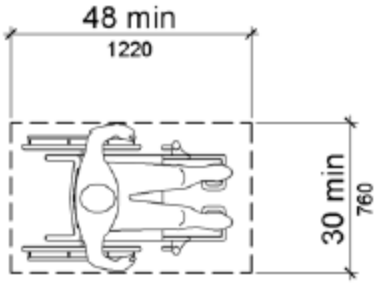
NORTH CAROLINA GENERAL STATUTES

- N.C.G.S. §160A-296 imposes upon cities the duty to keep public streets and sidewalks **open for travel** and **free from unnecessary obstructions**.
    - It also grants cities the power to regulate the use of public streets, sidewalks, alleys, and bridges.
- N.C.G.S. §136-27.4 allows NCDOT to enter into agreements with cities to allow **sidewalk dining** in their rights-of-way, subject to the following minimum requirements:
    - Furnishings must be a minimum of **6 feet from any travel lane**
    - Must have at least **5 feet of unobstructed paved space of the sidewalk** clear for the passage of pedestrians and provides adequate passing space that complies with the Americans with Disabilities Act

AMERICANS WITH DISABILITIES ACT REQUIREMENTS

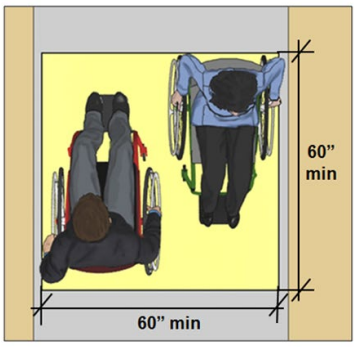
Clear Space

- Section 305.3: Clear floor or ground space shall be 30 inches minimum by 48 inches minimum.

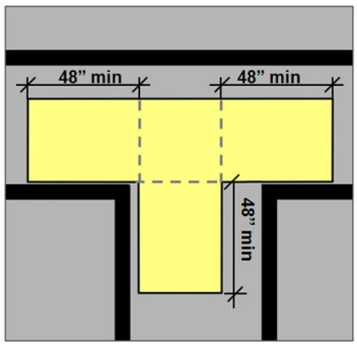


Clearance / Accessible Routes

- Section 403.5.1: The clear width of walking surfaces shall be a **minimum of 36 inches**
- Section 403.5.3: Passing space is required **every 200 feet** and must be provided as a **60-inch by 60-inch minimum space** or as T-shaped space where each stem is at least 48 inches long



60" Min. by 60" Min. Passing Space



T-Shaped Passing Space

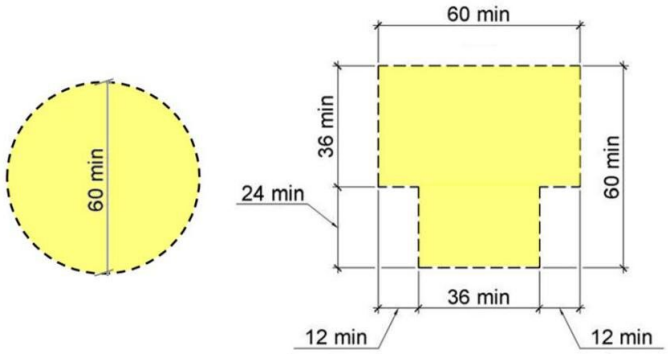
- Section 404.2.4: Depending on the type of door (push or pull; approach direction; etc.), minimum maneuvering clearances range from 42 inches to 60 inches

Surfaces

- Section 302.1: Floor and ground surfaces shall be stable, firm, and slip resistant
- Section 303.2: Vertical changes in level are only permitted if less than ¼ inch high.

Turning Spaces

- Section 304.3.1: A circular space for turning shall be a minimum of 60 inches in diameter
- Section 304.3.2: A T-shaped turning space within a minimum of 60-inch square with arms and base a minimum of 36 inches wide. Each arm of the T shall be clear of obstructions 12 inches minimum in each direction and the base shall be clear of obstructions 24 inches minimum.



NORTH CAROLINA BUILDING CODE

- Section 1104.1: The clear width of the exterior accessible path of travel shall be **48 inches minimum**.
- Where there are differences between the 2010 ADA Standards and the NC Building Code, whichever requirements is more restrictive takes precedence.
- The reason the NC has a 48" exterior path of travel requirement is to allow sufficient space for:
    - A person to walk with a guide animal
    - A person to walk next to another person while supporting or assisting him or her
    - To allow sufficient space for non-standards size mobility devices

NORTH CAROLINA LEAGUE OF MUNICIPALITIES GUIDANCE

NC League of Municipalities (NCLM), the City's insurance provider, advised Staff that in order to be adequately covered:

- **All items** placed in the public rights-of-way must have an encroachment / hold harmless agreement
- **All items** placed in the public rights-of-way must have insurance naming the City as an additional insured
- City must **proactively monitor** items and **take enforcement actions**, when necessary

"URBAN STREET DESIGN GUIDE", NATIONAL ASSOCIATION OF CITY TRANSPORTATION OFFICIALS (2013)

- Prevailing design guidelines recommend a **minimum sidewalk cross-section of 5 feet**, exclusive of other amenities and **large enough for two people walking side by side**.
- The through-zone ensures that pedestrians have a safe and adequate place to walk and should be **5–7 feet wide in residential settings** and **8–12 feet wide in downtown or commercial areas**.
- Where a sidewalk is directly adjacent to moving traffic, the desired minimum is 8 feet, providing **a minimum 2-foot buffer** for street furniture and utilities.
- Narrow neighborhood sidewalks should be redesigned to provide a wider pedestrian through-zone and street furniture zone whenever practical.



"8 MAJOR ROADBLOCKS TO INCLUSIVE STREETS," AMERICAN PLANNING ASSOCIATION (2022)

- Wide sidewalks are a basic part of universal design.
- The Federal Highway Administration suggests a minimum sidewalk width of **8 feet for high pedestrian traffic areas** and notes the **bare minimum of 4 feet can still force people into the roadways** if a barrier is introduced
- In practical terms, a sidewalk must be at least 6 feet wide to allow two wheelchair users to safely pass each other

NCDOT ROADWAY DESIGN MANUAL (MAY 2024)

- Sidewalks provide a path for pedestrians parallel to the roadway, providing safter access to destinations and public transportation.
- Heavy pedestrian traffic may warrant wider widths:

Table 4-8 Desirable and Minimum Sidewalk and Berm Widths

	Commercial and School Routes		Residential Areas	
	Desirable	Minimum	Desirable	Minimum
Sidewalk Width	10′	5′	5′	4′
Berm Width	17′	6′	10′	5′