



<p>SDOT OPCD</p>	<p>SDOT Director's Rule 2-2021 OPCD Directors Rule 1-2021</p>		
<p>Applicant:</p> <p>CITY OF SEATTLE JOINT DIRECTORS RULE Seattle Department of Transportation (SDOT) Office of Planning and Community Development (OPCD)</p>	<p>Page</p> <p>1 of 9</p>	<p>Supersedes:</p> <p>SDOT Rule 06-2</p>	
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<p>Subject:</p> <p>Skybridge permits; departmental review process before City Council review</p>	<p>Code and Section Reference:</p> <p>SMC Chapter 15.64</p>		
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<p>Index:</p> <p>Street and Sidewalk Use, Skybridges</p>			

1. References

1.1 Seattle Municipal Code (SMC) Title 15 SMC (Street and Sidewalk Use), Chapters 15.64 and 3.58 SMC (Seattle Design Commission).

2. Purpose

2.1 The purpose of this rule is to interpret provisions of Chapters 15.64 and 3.58 SMC to clarify roles between the Seattle Department of Transportation, the Seattle Design Commission, and other City departments to provide direction to applicants seeking to obtain a new skybridge term permit or renew an existing permit.

2.1.1 Chapter 15.64 SMC establishes the procedures and criteria for applying, permitting, building, operating, and maintaining a skybridge in Seattle. According to Chapter 15.64 SMC, it is the City's policy to "limit the proliferation and adverse effects of skybridges" and that skybridge applications "shall be reviewed with regard to how well they serve the public interest and their relationship to the cityscape."

2.1.2 Chapter 3.58 SMC establishes the authority of the SDC to evaluate new or existing skybridges

2.2 No applicant has the right to a skybridge permit and the City reserves the right to order an existing skybridge to be removed at any time and at no expense to the City consistent with SMC 15.64. 090.B.

2.3 The City's process for reviewing the application does not imply support or mean that a permit will be granted. The review process determines how the evaluation of the skybridge criteria will be used to deny or approve a permit, to establish design conditions, and to specify the public benefit.

2.4 The City's may review the skybridge as a connection with the adjacent development project, and any transportation analyses or a State Environmental Policy Act analysis, engagement with the surrounding community, and an evaluation of the project's consistency with the City's equity goals.

3. Definition

3.1 A skybridge is an above-grade pedestrian connection across a public right-of-way, usually an alley or a street. A skybridge is designed to provide pedestrian movement and may only include uses authorized by the City Council. The fee schedule adopted by the City Council acknowledges different levels of public and private use by assessing a higher annual fee for strictly private use and lower fees for semi- and fully-public accessibility.

3.1.1 A fully-public skybridge connects to the transportation network, and is fully available to the public at all times.

3.1.2 A semi-public skybridge connects to uses such as hospitals, stores, hotels, etc. and is available to the public by entering private property.

3.1.3 A private skybridge connects private property and is not available to the public.

3.2 The Skybridge Review Committee (SRC) is an interdepartmental team of subject matter experts that reviews skybridge applications, including input from other appropriate City staff and subject matter experts, and makes a recommendation to the SDOT Director as described in SMC 15.64.050.A.

3.3 The Seattle Design Commission (SDC) is comprised of architecture, engineering, and design professionals who review the urban design implications and public benefit proposals for every skybridge application and make a recommendation to the SDOT Director and City Council as described in SMC 15.64.050.B.

4. Roles

4.1 The Seattle Department of Transportation (SDOT) is authorized to manage Title 15 SMC, and specifically the skybridge review process as detailed in Chapter 15.64 SMC. SDOT leads the review and permitting process for the City Council. If the City Council approves the skybridge, SDOT issues and administers a long-term permit to use the right-of-way.

4.1.1 SDOT convenes the SRC to evaluate the proposed skybridge on meeting the intent and criteria of Chapter 15.64 SMC, and how the proposed skybridge serves the public interest and fits within a broader neighborhood context. The SRC also evaluates the proposed public benefit package to determine if it is commensurate with the skybridge's impact on the public realm.

4.2 The SDC and its authority are established in Chapter 3.58 SMC. The Office of Planning and Community Development (OPCD) supports the activities of the SDC, who evaluates the urban design implications of skybridge applications and the proposed public benefit mitigation package that will enhance the public realm due to the skybridge's impact.

4.3 The City Council approves or denies skybridge applications. The City Council sets the terms and conditions including fees paid to the City and the term or duration of the permission.

5. Skybridge application review process

5.1 Once a complete application is submitted including any supporting technical studies, it is reviewed by the SRC and the SDC. Additional information may be requested as part of the review. The SRC will first review the complete application materials and information from other appropriate City departments and staff. The SDC will review the proposal using application materials and information from other City departments including any information provided by the SRC. The SRC and the SDC each make a recommendation to the SDOT Director. SDOT staff compiles all information provided by the applicant, technical and policy review from appropriate City departments, recommendations from the SRC and SDC, and then prepares a recommendation to the SDOT Director. A complete record of the application, including recommendations from the SRC and SDC, are provided to City Council.

5.2 Chapter 15.64 SMC identifies several conditions to be taken into consideration in reviewing a proposed skybridge application. This discretionary review process allows for substantial flexibility in considering skybridge requests.

5.3 SDOT has developed a [Skybridge Permit Checklist on our website](#) to be used when preparing a proposed skybridge application. The checklist includes the items that comprise a complete application. The checklist will also be used by the City to review applications, determine if they are complete, and if they meet the intent of Chapter 15.64 SMC.

5.3.1 SMC 15.65.050.C lists the elements used to review proposed skybridges.

5.3.2 Applications should address how the proposed skybridge contributes to or distracts from the at-grade pedestrian experience. Traffic counts for skybridge users and pedestrians on the street should be included in this analysis.

5.3.3 SDOT may require additional information or documentation to respond to questions or concerns identified during the proposed skybridge review, including any permit documents related to the private development served by the skybridge.

5.3.4 If an applicant for a proposed skybridge does not provide updates or additional materials at the request of SDOT in a timeframe requested by SDOT, SDOT may close the application. A new application would be required to restart the review process.

5.4 A public benefit mitigation package is intended to provide amenities to the general public that offset the visual and urban design implications of a skybridge on the adjacent public realm. SDOT and other review bodies, including the SDC, will evaluate whether the scope and breadth of a proposed public benefit mitigation package provides clear benefits that are commensurate with the proposed skybridge's impacts on the adjacent public realm. For example, a public benefit mitigation package for an enclosed skybridge that is crossing an arterial would be more extensive in its scope and breadth than a public benefit mitigation package for an open-air skybridge that crosses an alley.

5.4.1 Public realm enhancements that provide long-term benefit to the community are preferred over temporary commitments that are more closely associated with the identity or function of the development served by the skybridge. The following are examples of public realm enhancements that are found in a successful public benefit mitigation package:

- a. Widened sidewalks that exceed code requirements;
- b. Tree plantings that are designed to address deficits in the number, species or frequency of nearby street tree plantings;
- c. Tree planting used to create or reinforce a public place
- d. Green Stormwater Infrastructure designed to provide demonstrated improvements to water quality;
- e. Street furniture designed to serve nearby populations;
- f. New lighting to enhance the pedestrian environment;
- g. Public art integrated into a skybridge or into the nearby public realm;
- h. Updates to the public realm designed to address deficiencies in access for all ages and abilities;
- i. New public spaces within the public realm or on private property that are designed to attract people through programming, physical amenities, or other similar enhancements; and
- j. Publicly available and programmable interior spaces that address community-based needs expressed in community engagement or existing neighborhood plans.

5.4.2 If public art is included as a component of the public benefit mitigation proposal, additional review by the Public Art Advisory Committee will be required, and include an artist early on the project development team.

5.4.3 SDOT and other review bodies, including the SDC, will evaluate the proposed public benefit mitigation package and assess whether the proposed public benefit package sufficiently address the skybridge's impact on the public realm through including:

- a. Correcting deficiencies in the adjacent public realm;
- b. Providing new investments that serve to enhance the public realm;
- c. Using investments to create new public spaces or places; and
- d. Providing equitable outcomes that serve the broadest possible communities.

5.4.4 The City may request, and applicants are encouraged to, work with community groups and organizations on the development of the public benefit mitigation package to respond to community priorities in the vicinity of the proposed skybridge.

5.5 SDOT will meet with the applicant for a feasibility assessment and may invite members of the SRC, the SDC, or other appropriate City staff.

5.6 After the feasibility assessment, the SRC will typically schedule two meetings with the applicant. The first will be a project review meeting and the second the recommendation meeting.

5.7 After the applicant receives a recommendation from the SRC, the SDC will typically schedule two meetings with the applicant. The first meeting will review the urban design implications and the second will review the public benefit mitigation package. A recommendation will typically be provided by the SDC at the end of each meeting.

6. Skybridge Review Committee's review for new skybridges

6.1 SDOT convenes the SRC to review all new skybridge applications and re-permitting existing skybridges. The SRC makes its recommendation to the SDOT Director on two questions:

1. Is there a compelling need for the skybridge that cannot be accommodated on private property?
2. Does the proposed public benefit package and other design criteria and conditions provide appropriate mitigation to enhance the public realm due to the urban design implications of the skybridge?

6.2 It is the SRC's role to:

6.2.1 Balance the criteria in Chapter 15.64 SMC with the public interest.

6.2.2 Confirm that the skybridge will be consistent with the goals and policies for the location where it is proposed.

6.2.3 Provide potentially affected agencies and utilities the opportunity to review and comment on proposals.

6.2.4 Determine if proposed skybridges are technically feasible.

6.2.5 Refer the skybridge to the SDC on the urban design implications of the proposal on the adjacent public realm, and a public benefit mitigation package that is designed to offset any impacts.

6.2.6 Advise the Executive and Legislative branches of City government on the appropriateness of a skybridge proposal.

7. Seattle Design Commission's review for new skybridges

7.1 Under SMC 15.64.050 and Chapter 3.58 SMC, the SDC reviews requests for a new skybridge. The SDC will only evaluate proposed skybridges after the SRC has reviewed the proposal and made a recommendation to the SDOT Director. The SDC focuses its review on the proposed skybridge's urban design impacts on the public realm, and assesses the value of the proposed public benefit mitigation package to offset impacts. The SDC makes its recommendations to the SDOT Director on two questions:

1. Have the proposed skybridge's urban design impacts on the public realm have been adequately addressed; and
2. Does the proposed public benefit mitigation package provide appropriate mitigation to enhance the public realm due to the proposed skybridge's urban design impacts?

7.2 The SDC review of the proposed skybridge's urban design impacts will include an assessment of:

7.2.1 Availability of reasonable alternatives to the skybridge;

7.2.2 Visual impacts of the skybridge from locations within the right-of-way, including any view corridors;

7.2.3 The extent to which the skybridge reduces light and air on the public realm;

7.2.4 Changes and effect on pedestrian patterns both at the street level and within any buildings connected as a result of the skybridge;

7.2.5 Implications on existing and proposed landscape;

7.2.6 Use of materials in context with surrounding development; and

7.2.7 Context of the surrounding built environment.

7.3 Public benefit mitigation package. A public benefit mitigation package is intended to provide amenities to the general public that offset the proposed skybridge's visual and urban design impacts on the adjacent public realm. The SDC will evaluate if the scope and breadth of a proposed public

benefit mitigation package provides clear benefits that are commensurate with the proposed skybridge's impacts on the adjacent public realm as described in 5.4 above.

8. Re-permitting an existing skybridge

8.1 At the end of 30 years or a term specified in the term permit ordinance, a petitioner may apply to re-permit an existing skybridge. Re-permitting an existing skybridge is discretionary. Like the process for applying for a new skybridge, the application to re-permit a skybridge must be submitted to SDOT and address the criteria in SMC 15.64.082.

The SRC reviews the petition to re-permit an existing skybridge, and considers any changes in the neighborhood where the skybridge is located. The SRC makes its recommendation to the SDOT Director on three questions:

1. Is there still a compelling need for the skybridge that cannot be accommodated on private property;
2. Has the existing skybridge contributed to adverse impacts on the public realm at or near its location since its approval; and
3. Does the new proposed public benefit package adequately address the skybridge's impacts, consider changes to the neighborhood context, and relate to previously provided public benefit features?

8.2 It is the SRC's role to:

8.2.1 Balance the criteria in the Chapter 15.64 SMC with the public interest.

8.2.2 Confirm that the skybridge continues to be consistent with the goals and policies for the location where it is located.

8.2.3 Provide potentially affected agencies and utilities the opportunity to review and comment on the proposal.

8.2.4 Refer the skybridge to the SDC on the skybridge's urban design on the adjacent public realm, and a public benefit package that is designed to offset any impacts.

8.2.4.1 A new public benefit package is required at the end of the final term of the skybridge permit. The public benefit package should be appropriate to the changed conditions of the surrounding neighborhood or community needs.

8.2.5 Advise the Executive and Legislative branches of City government on the appropriateness of a skybridge proposal.

8.3 SDC's review for existing skybridges

8.3.1 Under SMC 15.64.086, the SDC makes a recommendation to the SDOT Director on a request to re-permit an existing skybridge. The SDC focuses its review on the existing skybridge's urban design impacts with respect to the current conditions in the surrounding neighborhood. The SDC will also evaluate an appropriate public benefit mitigation package as it relates to a changed neighborhood context and impacts on the physical environment. The SDC makes its recommendations to the SDOT Director addressing two issues:

1. Has the existing skybridge contributed to adverse impacts on the public realm at or near its location since its approval; and
2. Has the proposed public benefit package adequately addressed those impacts, including its relationship to previously provided public benefits features?

8.3.2 The SDC evaluation will assess whether the existing skybridge has contributed to adverse impacts on the public realm evaluating by evaluating:

8.3.2.1 Visual impacts of the structure due to change in the quality of materials or their maintenance and upkeep.

8.3.2.2 Changes in the urban context resulting in changes to pedestrian movement or volumes at or near the skybridge.

8.3.2.3 Impacts on the extent and health of landscape at or near the skybridge.

8.3.2.4 How current standards for accessibility, life safety, and structural integrity affect the use of the skybridge.

8.3.2.5 Use of materials in context with surrounding development.

8.3.2.6 Modifications to the skybridge since its installation that create additional visual impacts.

8.4 A public benefit mitigation package is intended to provide amenities to the general public that offset the skybridge' visual and urban design impacts on the adjacent public realm. The SDC will evaluate whether the scope and breadth of a proposed public benefit mitigation package provides clear benefits that are commensurate with the skybridge's impacts on the adjacent public realm as described in 5.4 above.

9. SDOT Director's recommendation

9.1 After the Director receives a report from City staff, the SRC, and the SDC, the Director reviews the report and supporting materials and makes a recommendation for or against the skybridge to the City Council.

9.1.1 If there is a recommendation for denial, the applicant may choose to close the skybridge application or to proceed to the City Council for its review and decision.

9.1.2 If the City Council approves the skybridge application, SDOT administers the skybridge term permit.

10. City Council's review and approval process

10.1 The City Council makes the final decision to approve or deny, and set the terms, design conditions, and specified public benefit package, for a new or re-permitted skybridge.

10.1.1 The City Council sets the term or duration for the permit.

10.1.2 At the end of the term or duration and authorized renewals, a skybridge permit may be renewed by City Council action.

10.2 The City Council's action is the final step in reviewing the skybridge application.