

## **((INTRODUCTION))**

### **Downtown Amenity ((Features and)) Standards April 2011**

((The standards in this document supplement provisions in the Downtown chapter of the Land Use Code related to the amenity features that can help a project qualify for a floor area bonus or that are exempt from the definition of chargeable floor area. These features are listed below under general categories related to the function and public purpose each is intended to serve.))

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### **(~~(Contents)~~) Introduction**

In some Downtown zones, increases in (~~(chargeable)~~) floor area above the base Floor Area Ratio (FAR) limit or base height limit of the zone may be allowed (~~((as bonus development or by the use of transferable development rights (TDR), or both,))~~) subject to specified conditions. SMC Chapters 23.49 and 23.58A establish the amenity features eligible for a bonus in each zone, together with the other conditions and limits that govern the amount of floor area that may be obtained for each amenity feature. SMC 23.49.011 addresses the amenity features that may be exempted from the calculation of chargeable floor area. (((See Seattle Municipal Code (SMC) 23.49.011-.014))).

~~((These standards address all the amenity features that may be provided for floor area increases allowed above the Base FAR. Seattle Municipal Code Chapter 23.49 establishes the features eligible for a bonus in each zone, with the bonus ratio and other conditions and limits governing the floor area that may be obtained for each feature. These standards also address the amenity features that may be exempted from chargeable floor area as provided in SMC 23.49.011)).~~

These (~~(standards)~~) Downtown Amenity Standards (“Standards”) supplement the provisions of the Land Use Code with additional, detailed eligibility criteria that the Department of Planning and Development (DPD) (~~((shall use))~~) uses (~~((in the review of proposed amenity features))~~) to determine whether a floor area bonus or exemption will be allowed for (~~((such features))~~) an amenity feature. (~~((These standards))~~) The Standards include requirements for the ongoing operation of amenity features, which apply to the successor owners and operators of the buildings ((using the bonuses)) and lots where the amenity features are located.

The Downtown Amenity Standards are presented in the following three (~~(parts)~~) sections:

### **(~~(Part)~~)Section I General Eligibility Conditions for Amenity Features.**

(~~(This part)~~) Section I ((focuses)) sets forth general eligibility conditions that focus on the procedures, operation(~~(s)~~), mandatory (~~((features))~~) elements, maintenance, identification, and (~~((leasing))~~) other requirements generally associated with (~~((bonusable amenity features and))~~) amenity features that are eligible for a floor area or height bonus or floor area exemption. Some conditions apply to all amenity features(~~((, such as hours that they must~~

~~remain open to the public,))~~ while others apply only to specific amenity features(~~(, such as requirements for active street level uses))~~). These general eligibility conditions must be satisfied for the amenity feature to qualify for a bonus or exemption(~~(, unless an exception is expressly granted by the Director))~~. Pursuant to SMC Sections 23.49.013 and 23.58A.016, the Director has the authority to grant departures from the general eligibility conditions as a Type I decision. In some instances, there are specified criteria for particular types of departures.

### **~~((Part))~~Section II Specific Eligibility Conditions and Guidelines for ~~((Bonusable))~~ Amenity Features.**

This section of the ~~((document part))~~ Standards provides the basis for reviewing each ~~((bonusable))~~ proposed amenity feature to determine eligibility for a bonus. It states ~~((stating))~~ the intended function and public benefit of each amenity feature, and ~~((setting))~~ sets forth specific eligibility conditions and guidelines.

- **~~((Specific))~~ Eligibility Conditions.** ~~((Eligibility))~~ Specific eligibility conditions ~~((represent))~~ are basic requirements in addition to any set forth in the Land Use Code ~~((—))~~. These conditions relate primarily ~~((related))~~ to the ~~((location and))~~ size of the amenity feature and its location on the lot ~~((that must be met for a floor area bonus to be granted))~~. Pursuant to SMC Sections 23.49.013 and 23.58A.016, the Director has the authority to grant departures from the specific eligibility conditions in these Standards. In some instances, there are specified criteria for particular types of departures.
- **Guidelines.** The guidelines are more flexible statements about the characteristics desired for each amenity feature. They provide direction for the siting and design of ~~((a))~~ an amenity feature, while allowing the flexibility to respond to the special circumstances of individual projects and development sites.

### **~~((Part))~~Section III Specific Eligibility Conditions and Guidelines for Amenity Features Eligible for Floor Area Exemption Only.**

~~((This section of the document ))~~ Section III of the Standards contains specific eligibility conditions and guidelines for exemption of certain amenity features from the ~~((definition))~~ calculation of chargeable floor area.

## **~~((Relationship of Downtown Amenity Standards to Other Downtown Codes/Policies~~**

### **Relationship to Design Review Guidelines:**

Most if not all projects using TDR or floor area bonuses for public amenities are required to go through the City's Design Review Program as established by SMC Chapter 23.41. Further information about design review is in Client Assistance Memo 238 and the Design review web page at [www.seattle.gov/designreview](http://www.seattle.gov/designreview). Except for the Design Review Guidelines, such information is unofficial.

The Design Review Program involves public meetings early on in the process with the Design Review Board (DRB). DPD uses the DRB to recommend priority guidelines for each project from the 21 adopted *Guidelines for Downtown Development, April 1999*. These Guidelines cover Site Planning, Architectural Expression, The Street Façade, Public Amenities and Vehicular Access and Parking. The Board also makes recommendations to DPD regarding departures from the Land Use development standards and may be requested by DPD to make recommendations on any requested modifications to "eligibility conditions" for the public amenity standards in order to assist the DPD staff in reaching a decision on such modifications.

As part of the review of the proposed amenities, the Director of DPD may consider comments from the Design Review Board to inform recommendations to DPD regarding the quality of the proposed amenities.

~~The analysis of how the public amenities and FAR incentives proposed meet the criteria of the Code and the Downtown Amenity Standards will be included in the Master Use Permit (MUP) decision by DPD. If there are requests for departures from eligibility conditions, the MUP decision will describe the proposed departures, analyze the rationale for them, summarize input received from other City departments and/or the Design Review Board, and state the Director's determination, including any conditions to allowance of departures.~~

**Modification of provisions for public amenity features.** Pursuant to SMC Section 23.49.013, the Director has the authority to grant departures from Eligibility Conditions. In some instances there are specified criteria in these Standards for particular types of departures. DPD staff may present the analysis of requested departures to the DRB as part of the recommendation phase of the DR/MUP process for the DRB's input on the decision by the DPD director.))

### **Legislative History**

- The Downtown Amenity Standards were originally adopted by Ordinance 122054 on April 3, 2006. The Standards replaced DPD Director's Rule 20-93.
- The Standards were amended by Ordinance 122235 on September 18, 2006, to change the introduction to the subsection about Landmark Performing Arts Theatres.
- This version of the Standards was adopted by the Ordinance introduced as Council Bill XXXXX on X, 2011.

## SECTION I: GENERAL ELIGIBILITY CONDITIONS FOR AMENITY FEATURES

The following eligibility conditions apply to all amenity features for which a floor area bonus is sought under SMC Sections 23.49.013 and 23.58A.016 and to specific amenity features for which a floor area exemption is allowed as described in these Standards. ((Categories)) The categories of general eligibility conditions ((include)) are:

- A. Installation Timeframes
- B. Public Access and Hours of Operation
- C. Maintenance
- D. Combination of Amenity Features
- E. Art in Bonused Public Spaces
- F. Use of Bonused Public Spaces
- G. Landscaping and Furnishings
- H. Safety
- I. Identification
- J. Required Street Level Uses
- K. Information in Permit Application((:)) and Recording Conditions

### A. Installation Timeframes

((Amenity)) The required elements of amenity features shall be installed within the timeframe shown on ((Chart)) Table A. If an element is not installed when required, further occupancy of the building will not be allowed until the element of the amenity feature is provided. The Director may extend the time allowed when installation is not feasible due to construction scheduling or other good cause, but in no case shall the Final Certificate of Occupancy be issued until all the elements of all amenity features in the project have been provided.

((Chart)) Table A: Timing of Installation for Required ((Components)) Elements of Amenity Features

	Prior to Issuance of any C of O* for chargeable <u>((space)) floor area</u>	6 months from issuance of first C of O* for chargeable <u>((space)) floor area</u>	2 years from issuance of first C of O* for chargeable <u>((space)) floor area</u>
Art Installation**	X		
Seating and Furnishings	X		
Identification Signs		X	
Performing Arts Theatre Signs			X
Required <u>((Active)) Street Level Uses Are In Operation***</u>			X
Green Street <u>((s)) Improvements</u>			X
Mechanical Conveyance for Hillclimb Assist	X		
Lease or Plan for a Museum Eligible for a Floor Area Exemption			X

**Footnotes for Table A:**

~~((Note: Timing of Human Services, Child Care, and Housing are included in Director's Rule X and Y.))~~

\* C of O stands for Certificate of Occupancy

\*\*A Preliminary Plan for the art installation is required at the time of MUP ~~((Application))~~ application; the Final Plan is required prior to MUP issuance.

\*\*\*Applies for the following amenity features with frontage where street level uses are required by SMC 23.49.009: Shopping ~~((Corridor))~~ corridor, Hillside ~~((Terrace))~~ terrace, Urban ~~((Plaza))~~ plaza, Commercial ~~((Parcel Park))~~ parcel park, and Residential and Green ~~((Street Parcel Parks))~~ street parcel parks ~~((with frontage on a street that requires street level uses))~~.

## **B. Public Access and Hours of Operation**

**1. Hours of Operation.** ~~((Bonused public spaces are provided for public use and enjoyment.))~~ The amenity features listed in this subsection B.1 provide open spaces for public use and enjoyment. These open spaces shall ~~((They should))~~ be easily recognized as available for use by the general public, and ~~((they))~~ shall generally ~~((should))~~ be as accessible to the public as publicly provided open space. Standards for hours of operation are as follows:

~~((1))~~**a. Interior ~~((Amenities))~~Amenity Features:** Amenity features integrated with interior spaces ~~((of private development))~~ are required to be open and accessible to the general public without charge during normal operating hours of the building. These amenity features ~~((include))~~ are:

- Hillclimb ~~((A))~~assist
- Museum
- Public ~~((A))~~atrium
- Public ~~((R))~~restrooms

~~((2))~~**b. Open Space ~~((Amenities))~~Amenity Features:** Amenity features ~~((functioning primarily as public parks))~~ listed in this subsection B.1.b must be open and accessible to the general public, without charge, for reasonable and predictable hours ~~((, such as those for other City parks))~~, for a minimum of 10 hours each day of the year, except that mid-block corridors must be open for a minimum of 16 hours each day of the year. The hours of public access for these amenity features shall be during daylight, except that when there are insufficient daylight hours, the open space must also be open for all daylight hours and also during nighttime hours for the balance of the hours that the open space is to remain open. These amenity features ~~((include))~~ are:

- Commercial ~~((P))~~parcel ~~((P))~~park
- Green Street ~~((P))~~parcel ~~((P))~~park
- Residential ~~((P))~~parcel ~~((P))~~park
- Neighborhood open space
- Residential hillside terrace
- Green street setback
- Mid-block corridor

~~((Within these spaces, property owners, tenants and their agents shall allow individuals to engage in activities allowed in the public sidewalk environment, except that those activities that would require a street use permit if conducted on the sidewalk may be excluded or restricted. Free speech activities such as hand billing, signature gathering, and holding signs, all without obstructing access to the space, the building, or other adjacent amenity features, and without unreasonably interfering with the enjoyment of the space by~~

~~others, shall be allowed. While engaged in allowed activities, members of the public may not be asked to leave for any reason other than conduct that unreasonably interferes with the enjoyment of the space by others.))~~

**((3))c. Retail-related ((Amenities))Amenity Features:** Amenity features listed in this subsection B.1.c that support ~~((supporting))~~ retail activity Downtown shall be open and accessible to the general public during normal shopping hours, which at a minimum shall be **five days a week for at least eight hours a day**. These amenity features ~~((include))~~are:

- Major ~~((R))~~retail ~~((S))~~store
- Shopping ~~((A))~~atrium
- Shopping ~~((G))~~corridor

**((4))d. Streetscape and Circulation-related ((Amenities)) Amenity Features:** The following amenity features, which are integrated with the public street environment and intended to function as part of the outdoor pedestrian circulation network, are required to be open and accessible to the general public without charge **24 hours a day, every day throughout the year**. These amenity features ~~((include))~~are:

- Green ~~((S))~~Street ~~((I))~~improvement
- ~~((Green Street Setback))~~
- Hillside ~~((T))~~terrace
- Urban ~~((P))~~plaza

~~((Within these spaces, property owners, tenants and their agents shall allow individuals to engage in activities allowed in the public sidewalk environment, except that those activities that would require a street use permit if conducted on the sidewalk may be excluded or restricted. Free speech activities such as hand billing, signature gathering, and holding signs, all without obstructing access to the space, the building, or other adjacent features, and without unreasonably interfering with the enjoyment of the space by others, shall be allowed. While engaged in allowed activities members of the public may not be asked to leave for any reason other than conduct that unreasonably interferes with the enjoyment of the space by others.))~~

**((5))e. Transit-related ((Amenities))Amenity Features:** Amenity features integrated with public transportation facilities shall provide free public access at **all times the transportation facility is in operation**. These amenity features ~~((include))~~are:

- Transit ~~((S))~~station ~~((A))~~access ~~((E))~~easement
- Transit ~~((S))~~station ~~((A))~~access: ~~((G))~~grade ~~((L))~~level
- Transit ~~((S))~~station ~~((A))~~access: ~~((M))~~mechanical assist

## **2. Public Access.**

a. Within the open space amenity features in subsection B.1.b and the streetscape and circulation-related amenity features in subsection B.1.d, during the hours of operation set in subsection B.1, except for seating reserved for customers of restaurants or other uses permitted pursuant to subsection G.2.a, property owners, tenants, and their agents shall allow individuals to engage in activities allowed in the public sidewalk environment, except that those activities that would require a street use permit if conducted on the sidewalk may be excluded or restricted. Free speech activities such as hand billing, signature gathering, and holding signs, all without obstructing access to the

space, the building, or other adjacent amenity features, and without unreasonably interfering with the enjoyment of the space by others, shall be allowed. While engaged in allowed activities, members of the public may not be asked to leave for any reason other than conduct that unreasonably interferes with the enjoyment of the space by others.

b. Public access may be limited temporarily for necessary maintenance or for reasons of public safety during hours when an amenity feature is otherwise required to be open to the public.

**((Chart B: Summary of Public Access and Hours of Operation Conditions**

		24 hrs per day/365 days per year	Min. 10 hrs per day/365 days a year	Min 8hrs per day/5 days a week	Normal bldg operating hrs	Same hours as transit facility
<b>Interior Amenities</b>	Hillclimb Assist				X	
	Museum				X	
	Public Atrium				X	
	Public Restrooms				X	
<b>Open Space- related Amenities</b>	Commercial parcel park		X			
	Residential parcel park		X			
	Green street parcel park		X			
<b>Retail-related Amenities</b>	Major retail store			X		
	Shopping atrium			X		
	Shopping corridor			X		
<b>Streetscape and Circulation- related Amenities</b>	Green Street Improvement	X				
	Green Street Setback	X				
	Hillside Terrace	X				
	Urban Plaza	X				
<b>Transit-related Amenities</b>	Transit Station Access Easement					X
	Transit Station Access: Grade Level					X
	Transit Station Access: Mechanical					X))

## C. Maintenance

Unless otherwise stated in the specific conditions for an ((public)) amenity feature, the property owner shall maintain all elements of ((bonused)) the amenity feature(s), including but not limited to landscaping, seating, and lighting, in a safe, clean, and well-maintained condition.

## D. Combination of Amenity Features

((Projects using the)) Some projects earning a floor area bonus ((system)) may incorporate several ((public)) amenity features, including features that are exempt from FAR limits ((, within the limits established by the



~~Land-Use Code~~). ~~((The))~~ In these cases, the intent is to encourage the integration of the various amenity features within ~~((a))~~ the project design. Should conflicts among requirements arise when combining ~~((public))~~ amenity features in one project, the Director may resolve the conflict by granting departures from eligibility conditions, provided the intent of each amenity feature is fulfilled.

## **E. Art In Bonused ~~((Public Spaces))~~ Amenity Features**

1. **Definition:** For the purposes of ~~((this ordinance))~~ these Standards, art ~~((shall be))~~ is broadly defined to encourage high-quality, imaginative interpretations of the various media, and ~~((shall include))~~ includes works that are ~~((merely))~~ only decorative, or are both decorative and functional. Over time, new materials and art forms may be developed. Therefore, such innovations in form and media are included in this definition of art.

2. ~~((Amenities))~~ **Amenity Features Requiring Art:** To make a positive contribution to the identity of the public space, ~~((artwork))~~ art is required in the following amenity features:

- Commercial, Residential, and Green ~~((S))~~street ~~((P))~~parcel ~~((P))~~parks
- Green ~~((S))~~street Improvement
- Neighborhood open space
- Residential hillside terrace
- Mid-block corridor
- Hillclimb ~~((A))~~assist
- Hillside ~~((T))~~terrace
- Public ~~((A))~~atrium
- Green street improvement
- Hillside terrace
- Urban plaza
- Shopping ~~((G))~~corridor
- Transit ~~((S))~~station ~~((A))~~access—all types
- Urban ~~((P))~~plaza

### **3. General Requirements**

- a. When more than one ~~((of the listed bonused public spaces))~~ amenity feature is incorporated in a project, the requirement for artwork may be filled in a variety of ways, such as providing one major work as a focal point, or several smaller works, as appropriate to the design of the public spaces, and commensurate with the amount of bonused public space.
- b. Artwork may include but need not be limited to two or three dimensional works in all media, such as oil or acrylic on canvas, textiles, photography, ceramics, wood, paper, metal, stone, etc. Artwork may also include fountains, mobiles, special wall or paving surfaces, bas-reliefs, mosaics, murals, landscaping elements, and other decorative ~~((features))~~ elements. Interdisciplinary projects and collaborations are encouraged, as are works that are not only visual, but engage other senses, such as sound and touch.
- c. The artwork shall be clearly visible to people using the public space, and, wherever possible, should be visible from the street. If it is not visible from the street, it shall be visible from primary circulation paths adjacent to or through the public space. However, it shall not impede circulation in the open space.

- d. The setting for the artwork shall be designed to provide comfort ~~((and amenity))~~ and accommodate people viewing the art by incorporating such ~~((features))~~ elements as steps, ledges, benches, and other seating or by providing rails or other architectural features to lean against.
- e. The property owner is responsible for the maintenance of all ~~((art features))~~ artwork for the life of the building.
- f. The selection of artists to work as members of design teams along with building architects, landscape architects and/or engineers is encouraged. The intent is to promote art that is an integral part of the design of the public space and compatible in bulk, scale, design, texture, color, and shape with the space in which it is located.

#### 4. **Artwork Plan Process**

- a. To encourage integration of the artwork into the overall design of the project, the Master Use Permit application shall include a Preliminary Artwork Plan, which shall be submitted to the Seattle Arts Commission who will review it, advise the applicant and the DPD Director, and make recommendations on the proposal. The Preliminary Artwork Plan shall include the following elements:
  - Concept Statement - Outline of the art proposal in terms of proposed location(s) and type(s) of art, e.g., sculpture, two-dimensional work, interdisciplinary process, etc.
  - Proposed budget
  - Proposed process for selection of artist(s)
  - Schedule for implementation
- b. Before a building permit for the project is issued, a ~~((final))~~ Final Artwork Plan shall be submitted by the applicant to the Seattle Arts Commission, who will review it and make recommendations to the ~~((DPD))~~ Director. The Final Artwork Plan shall be a refinement of the Preliminary Artwork Plan, and include the following elements:
  - Selected ~~((Artist(s)))~~ artist(s)
  - Drawings indicating location, size, placement of artwork
  - Technical documents outlining in detail the materials and method of attachment of the proposed art
  - Maintenance, safety and security considerations
  - Final budget
  - Final schedule for installations

- c. The final Certificate of Occupancy shall not be issued until the artwork is complete and installed.

#### 5. **Removal or Modification of Art in Bonused Spaces**

- a. Proposed alterations to or removal of artwork in ~~((bonused public spaces))~~ amenity features that have earned a bonus may be subject to the Visual Artists Rights Act. Therefore, such alteration or removal ~~((shall))~~ requires review by the Seattle Arts Commission. The Commission will advise the ~~((DPD))~~ Director if, in its opinion, the proposed alterations would constitute destruction of the artwork, and would thus require replacement artwork to satisfy the bonus requirements. The Director may require replacement artwork.
- b. Proposals for replacement artwork in bonused public spaces shall be reviewed by the Seattle Arts Commission, who will make a recommendation to the ~~((DPD))~~ Director. The recommendation~~((s))~~ will be based on the

~~((applicability))~~ suitability of the new artwork, taking into account the ~~((original))~~ Final Artwork Plan and any changed conditions since the original installation of the artwork. The Director may approve, condition, or deny the placement of the replacement artwork.

## **F. Use of Bonused Public Spaces**

No amenity feature may be used for storage, or for a driveway, parking area, or loading berth, except as provided in these Standards.

## **~~((F))~~ G. Landscaping and Furnishing**

1. ~~((Amenities))~~ **Amenity Features Requiring Landscaping:** ~~((To be eligible for a bonus or floor area exemption, landscaping))~~ Landscaping is required for the following amenity features~~((;))~~ to be eligible for a bonus or floor area exemption. The landscaping must be consistent with the applicable guidelines specified for each amenity feature in ~~((Part))~~ Section II:

- ~~((Green Street Improvement~~
- ~~Green Street Setback))~~
- Hillclimb ~~((Assist))~~ assist
- ~~((Hillside Terrace))~~
- ~~((Parcel Park, including Commercial, Residential and Green Street Parcel Parks))~~
- Public ~~((Atrium))~~ atrium
- ~~((Shopping Atrium))~~
- Commercial, residential, and green street parcel parks
- Neighborhood open space
- Residential hillside terrace
- Green street setback
- Mid-block corridor—in additional abutting open space only
- Shopping ~~((Corridors))~~ corridors with bonus for natural light
- Green street improvement
- Hillside terrace
- Urban ~~((Plaza))~~ plaza
- Shopping atrium

2. **Types of Landscaping and Furnishings:** Required landscaping is subject to the review and approval of the Director, and shall be provided consistent with the Landscape Standards Director's Rule (DR ~~((13-92))~~ 6-2009 or successor rule). It may include a wide variety of living trees, shrubs, and ground covers, as well as fountains and planters, and should include seasonal plantings. ~~((Art required in Section E))~~ Required public art may be located in a landscaped area. All required landscaping shall be located in permanently installed beds or planters, or in large containers that, while movable, cannot be readily removed.

**a. Seating and tables.** All ~~((bonused public spaces))~~ amenity features that require landscaping shall also provide seating for use by the general public at all times the space is open. Tables may also be provided for use by the general public. The type and amount of seating should reflect the intended function of the space and anticipated volume of users, with a desired minimum amount indicated in the guidelines for each amenity feature. The seating may be either permanent or movable. Additional seating, and/or tables, may

be reserved for customers of restaurants or other uses. To avoid dominating the space and conflicting with its intended public use, the area reserved for such seating ~~((should))~~ shall not exceed 15 percent of the bonused area, or 500 square feet, whichever is less. The location, size and delineation of the area used for reserved seating ~~((is))~~ are subject to the review and approval of the Director.

**b. Perimeter walls.** Non-transparent perimeter walls ~~((, excluding windows,))~~ ~~((should))~~ shall be decoratively finished or lined with continuous planting to a minimum height of ~~((about))~~ approximately one story, or to the top of the wall(s), whichever is less. Exterior perimeter walls ~~((should))~~ shall be light in color to reflect light into outdoor open spaces.

**c. Temporary ~~((features))~~ elements.** Temporary kiosks, displays, art exhibits, and retail stalls may be permitted, provided they are portable and do not restrict public access and use of the ~~((park))~~ amenity feature or restrict pedestrian circulation.

## ~~((G))~~ **H. Safety**

~~((4--))~~ To increase public safety and security, ~~((public open spaces))~~ the amenity features listed in subsection G.1 shall be designed to avoid creation of isolated areas, and to maintain lines of sight into the space from streets and major pedestrian walkways ~~((whenever))~~ if possible.

**a. Landscaping:** Trees and shrubs shall be planted and maintained so as to avoid public safety problems that could arise when vegetation interferes with normal lines of sight or negates the effects of nighttime security lighting.

**b. Lighting:** Lighting shall be provided in ~~((bonused public open spaces))~~ amenity features with public open spaces that are required to be accessible at night, and adequate lighting shall be provided along street edges of ~~((bonused))~~ such amenity features.

## ~~((H))~~ **I. Identification**

Each ~~((bonused))~~ amenity feature ~~((public space))~~ listed in subsection G.1 shall be identified clearly with the City's public open space logo on a plaque placed at a visible location at each street entrance providing access to the amenity feature. The plaque shall indicate, in letters legible to passersby, the nature of the ~~((bonus))~~ amenity feature, its availability for general public access, and additional directional information as ~~((needed))~~ required by the Director.

## ~~((I))~~ **J. Required ~~((Active))~~ Street Level Uses**

1. ~~((Amenities))~~ Amenity Features Requiring ~~((Active))~~ Street Level Uses: To enliven the space and promote public use, ~~((active))~~ street level uses identified in Section 23.49.009 of the Land Use Code are required along frontages of public areas for the following amenity features:

- ~~((a-))~~ Commercial ~~((P))~~ parcel ~~((P))~~ park
- ~~((b-))~~ Green ~~((S))~~ street ~~((S))~~ setbacks on street frontages where such uses are required, as indicated on Map 1G in the Downtown ~~((Section))~~ Chapter of the Land Use Code.
- ~~((c-))~~ Hillside ~~((T))~~ terrace
- ~~((d-))~~ Residential ~~((P))~~ parcel ~~((P))~~ park and Green ~~((S))~~ street ~~((P))~~ parcel ~~((P))~~ park with frontage on a street requiring street level uses, as identified on Map 1G in the Downtown Chapter of the Land Use Code

- ~~((e-))~~ Shopping ~~((A))~~ atrium
- ~~((f-))~~ Shopping ~~((G))~~ corridor
- ~~((g-))~~ Urban ~~((P))~~ plaza

~~((2-))~~ **Qualifying Uses:** Uses that qualify as active street level uses and related standards are identified in 23.49.009 of the Land Use Code.)

2. **Frontage:** The amount of frontage to be occupied by ~~((these))~~ qualified street level uses is specified in Section II under the guidelines for each amenity feature.

## ~~((J))~~ **K. Information in Permit Application~~((;))~~ and Recording of Conditions**

1. **MUP Application Requirements:** The application for a Master Use Permit for the project shall include schematic drawings and ~~((Floor Area Ratio-))~~ FAR~~((;))~~ calculations showing how the ~~((public))~~ amenity feature will be incorporated into the building design or, if it is off-site, showing how it meets the criteria of the Land Use Code~~((;))~~ and ~~((the))~~ these ~~((Downtown Amenity))~~ Standards~~((, and applicable Directors Rules))~~. The application to establish chargeable floor area based on a bonus for amenity features shall include diagrams that identify the location and dimensions of all amenity features being provided for a floor area bonus, and identify the use of any space for which a floor area exemption is claimed, and shall include a floor area calculation identifying the additional bonus floor area anticipated to be generated by each amenity feature, along with other bonuses, transfers of development potential TDPs, and transfers of development rights (TDRs), if applicable, to be used for floor area increases.
2. **Summary of Applicable Conditions:** A document summarizing applicable conditions related to each amenity feature, including but not limited to time commitment, maintenance, public access, and hours of operation, shall be signed by the applicant and recorded ~~((at))~~ with the King County Recorder ~~((Department of Records and Elections))~~ by DPD.
3. **Notification Requirement:** If an amenity feature is operated by a lessee, the property owner shall notify the Director in writing if the lessee no longer occupies the leased space.

~~((Chart C: Summary of General Eligibility Conditions for Amenity Features~~

		???	Required for All Amenity Features						Required for Selected Amenity Features		
	Amenity Feature	Installation and time commitment	Public access and hours of operation	Maintenance	Combination of features	Safety	Information in permit app; recording of	Identification	Art in bonused public spaces	Landscaping and furnishing	Required active street level uses
Interior Amenities	Hillclimb Assist		X	X	X	X	X	X			
	Museum		X	X	X	X	X	X			
	Public Atrium		X	X	X	X	X	X	X	X	
	Public Restrooms		X	X	X	X	X	X			

<b>Public Park-related Amenities</b>	Commercial Parcel Park		X	X	X	X	X	X	X	X	X
	Green Street Parcel Park		X	X	X	X	X	X	X	X	X
	Residential Parcel Park		X	X	X	X	X	X	X	X	X
<b>Retail-related Amenities</b>	Major retail store		X	X	X	X	X	X			
	Shopping atrium		X	X	X	X	X	X		X	X
	Shopping corridor		X	X	X	X	X	X	X	X	X
<b>Streetscape and Circulation-related Amenities</b>	Green Street Improvement		X	X	X	X	X	X		X	
	Green Street Setback		X	X	X	X	X	X		X	X
	Hillside Terrace		X	X	X	X	X	X	X	X	X
	Urban Plaza		X	X	X	X	X	X	X	X	X
<b>Transportation-related Amenities</b>	Transit Station Access Easement		X	X	X	X	X	X	X		
	Transit Station Access: Grade Level		X	X	X	X	X	X	X		
	Transit Station Access: Mechanical		X	X	X	X	X	X	X		))

## **SECTION II: SPECIFIC ELIGIBILITY CONDITIONS AND GUIDELINES FOR AMENITY FEATURES ELIGIBLE FOR A FLOOR AREA BONUS**

~~((Amenity features eligible for a floor area bonus:~~

~~((**Interior Amenities**~~

- ~~A. Hillclimb Assist (Map 1J)~~
- ~~B. Public Atrium~~
- ~~C. Public Restrooms~~

**Open Space-Related Amenities**

- ~~D. Commercial Parcel Park, Green Street Parcel Park, Residential Parcel Park~~

**Retail-Related Amenities**

- ~~E. Shopping Corridor (Map 1J)~~

**Streetscape and Circulation-Related Amenities**

- ~~F. Green Street Improvement~~
- ~~G. Green Street Setback (frontage on Green Street designated on Map 1F)~~
- ~~H. Hillside Terrace (Map 1J)~~
- ~~I. Urban Plaza~~

**Transit-Related Amenities**

- ~~J. Transit Station Access Easement~~
- ~~K. Transit Station Access: Grade Level~~
- ~~L. Transit Station Access: Mechanical~~

**Other Amenities**

- ~~M. Human Services~~
- ~~N. Preservation of Landmark Performing Arts Theatre~~

## **A. Hillclimb Assist**

Hillclimb assists facilitate pedestrian movement in steeply sloping areas in Downtown with high concentrations of employment and heavy pedestrian traffic.

### **Eligibility Conditions**

**1. Continuous and direct route:** The hillclimb assist must provide a continuous direct route across the block connecting parallel Avenues.

**2. Accessibility:** The assist corridor must be accessible from the street or from a public open space that opens directly onto the sidewalk. Access to the corridor shall be at the same grade level as the sidewalk or a public open space that provides access to the sidewalk level without requiring the use of stairs. Any change in elevation shall be accommodated by ramps or gradual level changes in the floor of the open space.

**3. Mechanical ~~((feature))~~ conveyance:** The hillclimb assist shall incorporate a mechanical ~~((feature))~~ conveyance, such as an escalator, for conveying pedestrians up at least eighty percent of the vertical distance between the elevations of the two avenues it connects. The mechanical ~~((feature))~~ conveyance shall be in operation during the normal operating hours of the building.

**4. Independent system:** The mechanical conveyance of the assist shall be independent of the main internal circulation system of the project. Elevators do not qualify as the required conveyance, although a supplementary assist providing access for the physically disabled may be part of the internal circulation system of the building.

## Guidelines

1. **Area and dimensions:** The hillclimb assist corridor should comfortably accommodate heavy volumes of pedestrians and be aligned and designed to visually communicate that a direct passageway is provided across the site for use by the general public.
  - a. Excluding mechanical conveyances, the minimum clear dimensions of the corridor connecting the Avenues should be approximately ~~((twelve))~~ 12 feet wide and ~~((approximately ten feet high for))~~ any covered portion of the corridor should have at least 10 feet of vertical clearance.
  - b. Most of the travel path between Avenues should be covered to provide protection from inclement weather. Covering of the corridor outside the principal structure should be transparent.
2. **Street orientation:** Through the location of access points and orientation on the block, integrate the hillclimb assist with pedestrian circulation patterns in the surrounding area. Promote maximum pedestrian use by providing a direct, visible path across the lot logically aligned to link with the local pedestrian network.
  - a. Align the assist with other through-block assists or existing pedestrian crosswalks, and, whenever possible, link with transit stations to develop an integrated network of pedestrian routes and assists.
  - b. Consider major pedestrian destinations in the surrounding area to orient hillclimb corridors with likely paths of pedestrian movement.
3. **Access:** Entrances to the assist should be clearly visible, inviting and directly accessible from the street.
  - a. Access points may be completely open or may be enclosed with clear, transparent doors and glazing. Identification of public access to the assist should be prominently displayed.
  - b. The minimum height of ~~((access points within a structure))~~ entrances to the hillclimb assist should be approximately twelve feet, and the minimum width approximately 15 feet.
4. **Landscaping and furnishings:** Required landscaping within the assist corridor, including artwork, should enhance the space without conflicting with pedestrian movement. The major ~~((feature))~~ element of the hillclimb assist is the mechanical conveyance, which should be visually prominent. Wherever possible, opportunities for views from the assist should be considered in the design and siting of the assist route.



1. Excluding the area occupied by the mechanical conveyance, ((At)) a minimum((;)) of approximately fifteen percent of the area of the hillclimb assist corridor should be landscaped ((, excluding the area occupied by the mechanical conveyance)).
  2. Provide seating along the hillclimb assist corridor, with approximately one lineal foot of seating for every 30 square feet of ~~((bonusable))~~ area eligible for a bonus.
5. **Natural lighting:** To enhance the quality of the space and avoid a tunnel effect, the corridor should have as much access to natural light as possible. At a minimum, approximately one quarter of the length of the corridor should have access to natural light, either through transparent covering, windows, and/or skylights.

## B. Public Atrium

Public atriums provide weather protected spaces within concentrated employment areas for passive recreation, as well as events and public gatherings that are best accommodated indoors. Atriums are appropriate for Seattle's climate because they provide an alternative to outdoor public spaces during inclement weather, and, when integrated with transit stations, provide protected public space for the comfort and convenience of transit riders.

### Eligibility Conditions

1. **Location:** To ensure strategic locations in relation to the street environment and other public amenities, lots eligible for a public atrium bonus must be approved by the Director according to the following criteria:
  - a. Public atriums are limited to locations where they will reinforce the use of nearby open spaces and not detract from activity in streets and other outdoor public areas, or where they will enhance conditions for transit riders around high volume transit stations or stops.
  - b. Only one atrium per block is eligible for a bonus, unless the Director determines that, because the atrium serves a transit station or major transfer point or is integrated with another amenity feature that generates a high volume of pedestrian activity, such as a hillclimb assist, there will be sufficient activity to support the additional indoor space.
2. **Minimum size:** To provide sufficient space to accommodate intended functions, the minimum area of an atrium shall be 2,000 square feet.
3. **Accessibility and visibility:** The indoor space of the atrium shall be directly accessible and visible from the street or from ~~((a public bonus))~~ another amenity feature providing direct access to the street. The Director may waive these requirements for atriums integrated with transit stations, provided that, if the space is at a grade substantially above or below street level, it is connected to the street by a mechanical assist, the path to the atrium is direct and clearly marked, and the atrium is open to the public during hours of transit system operation.
4. **Natural lighting:** To improve the quality of the space, support interior landscaping, and increase the overall sense of spaciousness, access to natural light is required as a major ~~((feature))~~ element of the atrium. ~~((The Director shall use the following guidelines for requiring skylights or clerestory windows, alone or in combination, to ensure sufficient access to natural light))~~
  - a. In order to provide sufficient access to natural light, one of the following three options is required:

- i. At least half of the roof of the space is open to the sky except for a covering of transparent or translucent material. Systems allowing the space to be open to the sky in good weather are desirable; or
    - ii. A minimum of half the perimeter of the atrium has clerestory windows at least eight feet in height; or
    - iii. A combination of skylights and clerestory windows, or similar ~~((features))~~ elements, admits ~~((ample))~~ at least as much natural light as the options in subsections 4.a.i and 4.a.ii above.
  - b. Where glass walls or skylights are exposed to direct sunlight, heat loss~~((/))~~ and gain ~~((may))~~ shall be controlled by overhangs, mechanical venting, or mechanically operating shading devices, such as blinds. Such mechanical systems shall be specified in the application and a program for their operation included.
  - c. For atriums integrated with transit stations, since the space may be below grade, the Director may ~~((waive))~~ allow departures from the provisions for transparent perimeter walls.
- a. **Public restrooms:** Public restroom facilities are required at a location easily accessible to the atrium, with directional signs placed in the atrium.

## Guidelines

1. **Area and dimensions:** The atrium should be arranged as one large, contiguous space with horizontal and vertical dimensions sufficient to create a sense of openness while providing flexible space adaptable to a variety of activities.
  - a. The minimum horizontal dimension unobstructed by any permanent ~~((feature))~~ element over ~~((three))~~ 3 feet in height should be approximately 30 feet.
  - b. The height of the atrium should be generous, with most of the ~~((bonusable))~~ area eligible for bonus at least two stories in height.
  - c. The elevation of the atrium floor should generally be level, but may vary, provided that grade changes are gradual and do not significantly disrupt the continuity of the space.
2. **Street orientation:** While frontage on high volume pedestrian and transit corridors is desirable, the length of the atrium's street frontage should be minimized to avoid disruption of street level activity.
  - a. Maximize the transparency of atrium façades abutting a street or public open space.
  - b. The treatment of street frontages should be consistent with applicable street facade development standards.
  - c. Frontage on a Class I Pedestrian Street identified on Map 1F of the Downtown Chapter of the Land Use Code should generally not exceed 60 feet.
  - d. On street frontages where street level uses are required, the atrium space should be separated from the street with street level uses as much as possible while still maintaining clear, direct access to the space from the street.
3. **Access:** The space should be designed as a functionally independent area within the building, separate from the building lobby. However, it should be visible and directly accessible from the lobby and major internal circulation routes.
  - a. If integrated with a hillclimb assist, access from the assist should be at the same level as a landing along the assist route.

- b. The atrium space should be directly accessible, with minimal change of grade, from a prominent entrance on an abutting street or public open space.

**4. Landscaping and furnishing:** Incorporate landscaping and required art into the design of the space to enhance comfort and aesthetic quality, while also accommodating flexible use. The design of the atrium should be conducive to temporary arts events and gatherings and should include electrical outlets, open areas for performers or exhibits, and seating.

- a. Design of the space should encourage a range of activities determined to be of a public benefit, such as designing the atrium floor to serve as amphitheater seating for public entertainment.
- b. Approximately one lineal foot of seating should be provided for every 30 square feet of ~~((bonusable))~~ area eligible for bonus.

**5. Limits on retail use:** The amount of retail space accessible inside the atrium should be limited to prevent the space from assuming a retail character that detracts from outdoor street activity. However, the treatment of the atrium's street frontages should minimize interruptions in the continuity of street-oriented retail activity by including retail space, which may or may not have access to the atrium.

## C. Public Restrooms

Public restrooms enhance the public environment Downtown by providing for the comfort and convenience of pedestrians.

### Eligibility Conditions

1. **Use and Access:** Public restrooms eligible for a bonus are rooms, separated by gender except as expressly permitted in this subsection C, containing toilets and lavatories for the use of the general public. For purposes of personal safety, limited control of access shall be allowed, such as required use of a key, provided that an attendant is available to ensure access. If access to the public restroom is monitored by a person located at the restroom facility during the normal operating hours of the building in which the restroom is located, separation by gender is not required.
2. **Location:** To serve the general public, the location of bonused public restrooms must be easily recognizable and accessible from either the street or other public areas. ~~((Public restrooms must be directly accessible from either the street, from))~~
  - a. Public restrooms must be directly accessible from the street, from an outdoor public area directly accessible from the street, from an outdoor public area easily accessible from the street, or from interior public spaces that qualify as ~~((bonusable public benefit))~~ amenity features.
  - b. Public restrooms may be located above or below street level if they are directly accessible from:
    - i. public areas providing connections to transportation facilities located above or below grade, such as transit station mezzanines, or
    - ii. ~~((bonusable))~~ interior public spaces eligible for bonus, such as public atriums, that may include public areas above or below street level. These areas must meet ADA accessibility standards.
  - c. The location of public restrooms shall be designated by signs sufficient to enable pedestrians on abutting streets or public open spaces to readily locate them.

- d. Access to public restrooms may be monitored by a person located at the restroom facility. Where such an attendant is available to provide access, restroom facilities may be locked when not in use.
  - e. The Director may determine that public restrooms directly accessible from building lobbies qualify for a bonus, provided that signage visible from the street indicates the presence of the restroom facility, and clear and direct access is provided.
  - f. The Director may allow restrooms serving the street level uses of a project to qualify for a bonus if signage clearly visible from the street is provided to indicate availability for general public use.
3. **Hours of operation:** Public restrooms shall be open to the general public during the hours that the structure is open to the general public. If access is provided from ~~((a public benefit))~~ an amenity feature that receives a floor area bonus, the restroom shall remain open during the time of required access to the bonused feature.
- ~~((4. **Special conditions:** Public restrooms shall be maintained by the owner of the structure for the life of the structure that includes the bonused space.))~~

## D. Parcel Park

Parcel parks are small open spaces adaptable to a wide variety of site conditions and open space needs. Their design and character vary in response to the different open space functions they serve in different Downtown environments. To provide amenities best suited to varying needs and locations, three types of parcel parks are eligible for floor area bonuses, including: 1) commercial parcel parks, 2) residential parcel parks, and 3) Green ~~((Street))~~ street parcel parks.

- **Commercial parcel parks** provide protected enclaves of open space designed as quiet retreats to provide enclosure and refuge from surrounding activity in high density employment and mixed use areas. While relatively small open spaces, through flexible design, passive recreational activities as well as temporary events and small public gatherings can be accommodated, with some retail activity to serve those using the space.
- **Residential parcel parks** reinforce the residential character of Downtown neighborhoods and provide landscaped public space for residents to engage in passive and active recreational activities.
- **Green ~~((Street))~~ street parcel parks** expand the amount of public open space along an abutting designated Green Street, thereby increasing the open space value of these amenities. Because Green Streets are quieter streets with relatively low traffic volumes and a greater pedestrian orientation, abutting parcel parks need not provide the same level of enclosure and sense of refuge desired for Commercial Parcel Parks at other locations.

## Eligibility Conditions

1. **Space Size, Configuration, and ~~((Features))~~ Elements:** For all types of parcel parks, the area eligible for a bonus shall be one contiguous space, with elements such as landscaping, fountains, seating, and public art counted as part of the contiguous space. In addition, the following conditions apply:
  - a. A parcel park must have a minimum area of 3,000 square feet.
  - b. Except on designated Green Streets, only one parcel park is eligible for a bonus on a block front, unless the Director determines an additional parcel park can be designed and integrated as an extension of an existing

parcel park. A maximum of two parcel parks are eligible for a bonus on any individual lot. Green ~~((Street))~~ street parcel parks are ~~((bonusable))~~ eligible for bonus on any lot abutting a designated Green Street.

2. **Allowable Departures:** To accommodate transit station access and to account for the different relationship required between the street level and the level of a parcel park, the Director may allow departure from these ~~((standards))~~ Standards to ensure that access to the transit station is well integrated with the open space, and that the open space functions as intended.

## Guidelines

1. **Area and dimensions:** Parcel parks should be large enough to accommodate a variety of activities and small gatherings of users while also providing more intimate spaces for retreat from activity.  
  
~~((a. accessible and best suited to accommodating the parks intended function.))~~  
~~((b))~~a. The area of the principal space should be at least 2,000 square feet, or 60 percent of the total park area, whichever is greater.  
~~((e))~~b. No dimension of the principal space should be less than 30 feet.  
~~((d))~~c. In general, the principal space should be:
  - i. directly accessible from the sidewalk,
  - ii. within approximately three feet of average sidewalk grade at the primary entrance to the park, (exceptions may be appropriate for steeply sloping streets in the office core)
  - iii. no further from the sidewalk than the width of the access to the park, and
  - iv. a level surface, except with grade changes required for drainage.~~((e))~~d. The accessory spaces of the park should accommodate complementary activities in a more flexible manner and may be at different levels from the principal space and from each other, as long as they are physically and visually connected.
2. **Street orientation and relationship to adjacent development:** Parcel parks should be highly visible from adjacent sidewalks and public areas and directly and easily accessible to abutting streets.
  - a. Parcel parks should be sited or designed to prevent topography from presenting a significant barrier to public access.
  - b. Parcel park locations should maximize direct or reflected solar access and increase light and air to the public street environment. Preferable locations are south of tower development and where the siting of the park would improve solar access to the sidewalk.
  - c. To promote safety and security, residential parcel parks should be located where they can be seen and actively used by nearby residents. Because these spaces are intended for more localized public use, locations on neighborhood Green Streets or within residential "enclaves" are most desirable, while locations on principal transit streets identified on Map 1B of the Downtown ~~((Section))~~ Chapter of the Land Use Code are less desirable.
  - d. The siting and design of parcel parks should minimize interruptions to street level activity and the physical continuity of the street wall, especially along streets where heavy pedestrian traffic is anticipated and/or active street level uses are required. For the purposes of this guideline, street frontage shall be the maximum width of the parcel park measured parallel to the street, projected to the street ~~((property))~~ lot line, Figure A.

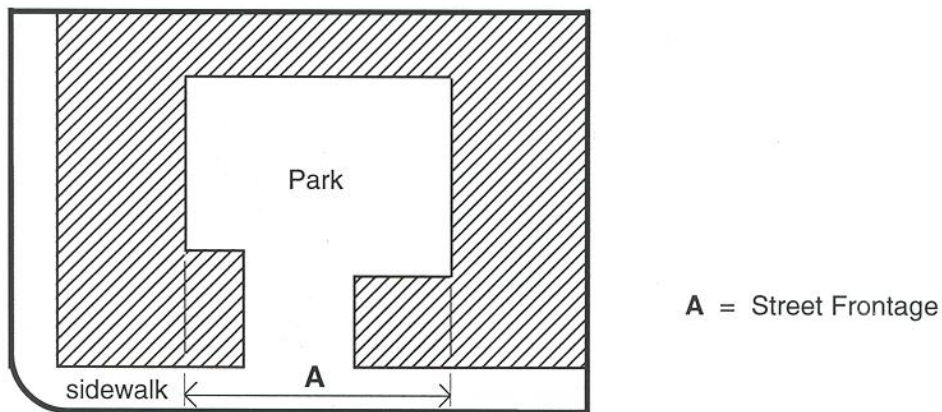


Figure A

- i. On Class I Pedestrian Streets, parcel parks should be oriented to minimize interruptions to street level uses. The total opening to the street of any parcel park should generally be less than the depth of the park measured perpendicular to the street ((property))lot line, Figure B.

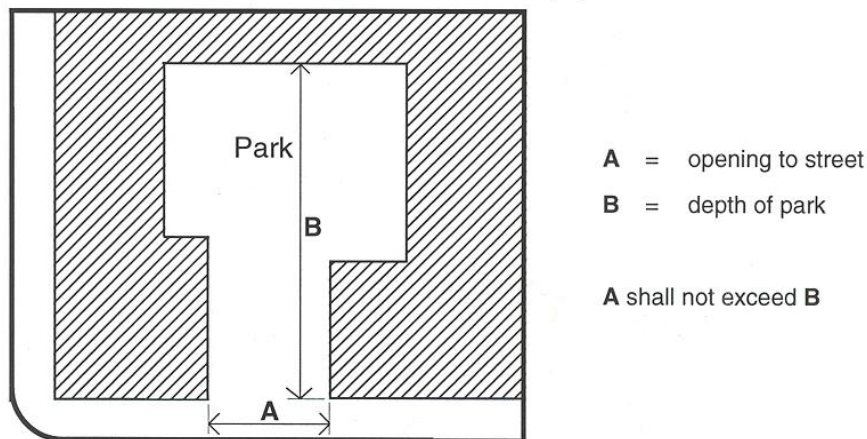


Figure B

- ii. Where street level uses are required, the width of street openings should be further minimized to generally no more than forty feet by separating areas of the park from the sidewalk by a structure(s) containing required street level uses. However, for parcel parks with frontage on Green Streets, no separation is needed if the required uses are located within about 40 feet of the ((property))lot line of the abutting designated Green Street and are easily accessible from the Green Street.
- e. Corner locations are generally less desirable for commercial parcel parks because of the potential for eroding a well defined streetscape and interrupting the continuity of street level activity. However, in some situations, a corner location may be optimal in terms of solar exposure or for other reasons. To protect the integrity of the streetscape, on corners where property line street ((walls)) facades are required on both streets on Map 1H of the Downtown Chapter of the Land Use Code, parcel parks

- should be enclosed by structural elements provided along the street edges, except at access points, consistent with the property line street (~~((wall))~~) façade requirements established in the Land Use Code. Access to commercial parcel parks at corner locations should generally be at least 30 feet from any intersecting street, with a structural element, such as a retail pavilion, placed at the corner.
- f. To add interest and increase the security of the space, the design of the walls, uses, colonnade, or other elements separating a parcel park from the street to provide enclosure should ensure that the interior park space is highly visible from the street.
  - g. Transparent materials or openings to permit views and light should be used on walls enclosing any parcel park along street (~~((property))~~)lot lines. When a parcel park is separated from the street by a structure containing retail uses, the structure should meet the street façade requirements, except height, for the zone in which the park is located.
3. **Treatment of required (~~((active))~~) street-level uses:** Required (~~((active))~~) street level uses should be convenient to park users and add interest and activity to the space. Where (~~((active))~~) street level uses are required, at least twenty percent of the perimeter of the parcel park should be occupied by (~~((active))~~) street level uses having direct access to the park.
4. **Access**
- a. Parcel parks should be directly accessible from the sidewalk or another public open space, and should be highly visible from the street.
  - b. Parcel parks should not serve primarily as a forecourt to a project's principal entrance. When a parcel park is located between the street and the principal building entrance, pedestrian access to the development should not disrupt the passive nature of the park. The path from the street to the project entrance should be located to the edge of the park, and an area along this path approximately fifteen feet wide should not be bonused.
  - c. Where the street frontage exceeds (~~((forty))~~) 40 feet on more than one street, access generally should be provided from both streets.
  - d. Through siting and design, residential parcel parks on lots with housing should complement and be well integrated with the residential use, taking advantage of the added security of having "eyes" on the space, while also promoting access and use by the general public.
5. **Landscaping and furnishings:** To provide relief from the "hardscape" of the surrounding urban environment, parcel parks should provide sufficient greenery, including trees, to give the space a strong, landscaped character. In addition to reinforcing the desired function of different types of parcel parks, landscaping and furnishings, including required art, should lend identity and interest to the space and provide for the comfort of park users. Design elements such as walls, structures containing retail uses, low planters or benches, and seating should be used as appropriate to minimize interruptions in the street wall and breaks in retail activity.
- a. **Commercial Parcel Park.** The landscaping and design of commercial parcel parks should enhance the feeling of intimacy and quiet. Along with other design elements of the space, landscaping should provide enclosure, and minimize disruption to the street wall and street level activity. Approximately one lineal foot of seating should be provided for every 30 square feet of (~~((bonusable))~~) area eligible for bonus.
  - b. **Residential Parcel Park.** The design and landscaping of residential parcel parks, should introduce greenery into the neighborhood, while allowing for flexible use of the space to accommodate recreational activities of the nearby residential population. Approximately one lineal foot of seating should be provided for every 60 square feet of (~~((bonusable))~~) area eligible for bonus.

- c. **Green Street Parcel Park.** The design and landscaping of Green Street parcel parks should reinforce the concept plan for the abutting Green Street, if one exists, or otherwise ensure integration of the space with the Green Street. The Director should evaluate the status of design for the abutting Green Street to determine the appropriate landscaping and seating for the abutting park area. Where a design concept plan is not available to guide landscaping decisions, the Director should consider the intended use of the parcel park based on the intended function of the area where it is located and the surrounding development context.
6. **Coverage:** All parcel parks should be open to the sky, except that portions may be covered to accommodate activities that complement use of the space and make ~~((them))~~ it more comfortable and usable. This coverage may include retail kiosks or overhead weather protection. While kiosks and temporary overhead weather protection may be located within the principal space, no portion of the principal space should be permanently covered

## **E. Neighborhood Open Space**

Neighborhood open spaces are intended to provide relatively level and open areas that introduce greenery into downtown residential neighborhoods, and provide opportunities for passive recreational activities for those who live nearby.

### **Eligibility Conditions**

1. The area eligible for a bonus shall be one contiguous space, with elements such as landscaping, fountains, seating, retail kiosks, and public art counted as part of the contiguous space.
2. A neighborhood open space shall have a minimum area of 3,000 square feet.
3. The minimum horizontal dimension for a neighborhood open space is 10 feet.
4. The neighborhood open space shall be provided at ground level, except that in order to provide level open spaces on steep lots, some separation of multiple levels may be allowed, provided they are physically and visually connected.

### **Guidelines**

#### **1. Landscaping and Furnishings**

- a. Approximately 35 percent of the neighborhood open space should be landscaped.
- b. Approximately 1 lineal foot of seating should be provided for every 200 square feet of neighborhood open space.
- c. All neighborhood open spaces should be open to the sky, except that up to 20 percent of the neighborhood open space may be covered to accommodate activities that complement use of the space and make it more comfortable and usable, such as retail kiosks or overhead weather protection.

#### **2. Access**

- a. The neighborhood open space should be located and configured to maximize solar exposure to the space, allow easy access from streets or other abutting public spaces, including access for persons with disabilities, and allow convenient pedestrian circulation through all portions of the open space.
- b. The neighborhood open space should have a minimum frontage of approximately 30 feet at grade abutting a sidewalk, and be visible from sidewalks on at least one street.



## **F. Residential Hillside Terrace**

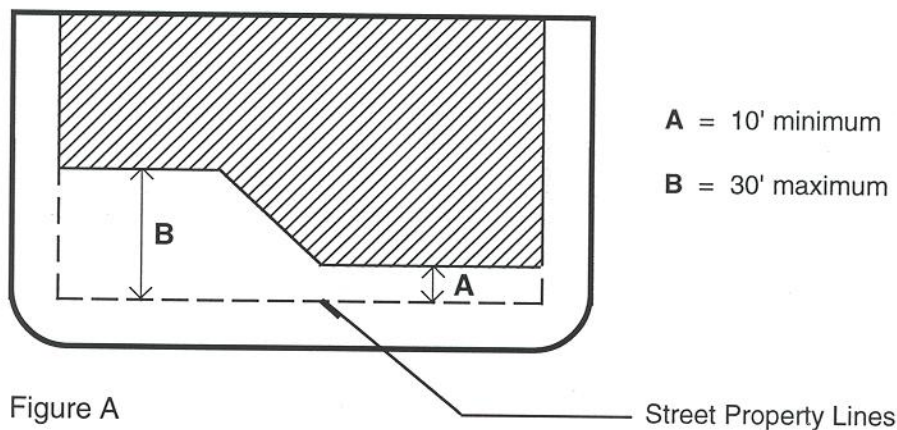
Residential hillside terraces are open spaces adapted to conditions in steeply sloping downtown residential areas, as opposed to hillside terraces located in commercial areas. They enhance pedestrian movement on steep streets and better integrate development with the street environment on sloping lots. They contribute to a more spacious street environment, and, if located along east/west streets, afford opportunities to expand views to Elliott Bay.

### **Eligibility Conditions**

#### **1. Minimum standards:**

- a. A residential hillside terrace must be located on a street that slopes at least 7 percent, and must abut the street for at least half of the length of the side of the block where it abuts the street, after deducting from that length the width of an alley, if one exists, where it bisects that side of the block.
- b. The area eligible for a bonus must be one contiguous space, except that a driveway may separate parts of the terrace but is not included in the area eligible for a bonus. Landscaping, fountains, seating and art are considered part of the contiguous space.

2. **Minimum dimensions:** The minimum depth of the residential hillside terrace measured at any point from the street lot line is 10 feet, and the maximum depth of any terrace area eligible for a bonus is 30 feet from the street lot line (see Figure A).



3. The terrace shall be accessible to persons with disabilities.

### **Guidelines**

1. **Access:** The residential hillside terrace should facilitate pedestrian movement up and down the hillside by integrating the sidewalk with the project site.
  - a. Minimize obstructions separating the sidewalk from the terrace.

- b. Maximize direct connections across the space from the sidewalk to abutting development, for example by providing at least one entrance to a retail use or to the predominant use in the structure for every 100 feet of building frontage along the terrace.
  - c. Limit vehicular access across the hillside terrace to abutting development. Vehicular access to the lot from other street frontages is preferable, consistent with development standards for access to parking in the Land Use Code.
  - d. The residential hillside terrace may be on several different levels.
1. Landscaping and furnishings: Use landscaping and furnishings, including required art, to integrate the terrace area with the sidewalk and abutting structures, as well as provide for the comfort and visual enjoyment of pedestrians.
  - a. The arrangement of seating and landscaping should enhance the quality of the space and allow a variety of passive recreational activities without obstructing pedestrian movement.
  - b. Approximately one lineal foot of seating should be provided for every 30 square feet of terrace area.
3. **Coverage:** To remain open to the street environment and maximize opportunities for views, residential hillside terraces should be open to the sky. However, limited coverage may be permitted in order to increase comfort, encourage activity, and better integrate the space with abutting development, provided that the space maintains its overall character as an extension of the sidewalk. Permitted coverage may be permitted in the form of permanent, free-standing elements, such as retail kiosks or pedestrian shelters, or as permanent or temporary overhead weather protection associated with abutting development.

## G. Green Street Setback

A Green ~~((Street))~~ street setback extends the improvements of the public right-of-way ((improvements to)) area of a designated Green Street onto one or more abutting lots to provide additional space for landscaping and ~~((amenities))~~ other elements that will enhance the open space character of the Green Street.

### Eligibility Conditions

~~((1. Eligibility restriction: Green Street setbacks are not eligible for a bonus on street frontages requiring lot line street walls.))~~

**1. Location:** A green street setback may be eligible for a bonus only if located on a lot line that abuts a Green Street designated on Downtown zoning Map 1F. Green street setbacks are not eligible for a bonus on streets designated on Downtown zoning Map 1H as streets where property line facades are required.

**2. Minimum length:** A green street setback must be continuous for the length of the street lot line that abuts the Green Street.

~~((2))~~**3. ~~((Bonusable area))~~Areas eligible for bonus:** On designated Green Streets ((requiring)) where street level setbacks are required, the required setback area may be included as area eligible for a bonus if the

~~((improvements))~~ green street setback overall meets ~~((the required conditions of this Rule))~~ these Downtown Amenity Standards.

~~((3))~~**4. Size requirements:** ~~((The intent of this section is that the setback area be of sufficient size to accommodate a variety of landscaping treatments and amenities, but limited in depth to better integrate activity in abutting development with the Green Street.))~~

- a. The minimum setback from the Green Street ~~((property))~~ lot line is ~~five~~ 5 feet.
- b. The maximum setback area ~~((from the street property line of area))~~ eligible for a bonus is ~~((is ten feet.))~~ the area that is set back from the abutting Green Street lot line by an average of not more than 10 feet, and a maximum of 15 feet.
- c. The Director may ~~((modify))~~ allow departures from ~~((these standards))~~ the conditions in this subsection G.4 to provide more usable space or special landscaping treatments within the green street setback area, ~~((especially))~~ if such treatments are consistent with ~~((a))~~ the concept plan for the abutting Green Street (concept plan).

~~((4))~~**5. Configuration:** The green street setback area shall be open to the sky ~~((and free and clear of overhead obstructions))~~, except that the Director may allow some encroachments, such as bay windows, balconies, building cornices, and other architectural ~~((features))~~ elements that add visual interest to the abutting building facades and/or ~~((increase the "eyes on the street"))~~ enhance public safety by making the Green Street more visible to building occupants.

- a. No more than ~~((ten))~~ 10 percent of the setback area may be occupied by any temporary use for more than five days.
- b. Permanent coverage of the setback area is not permitted unless approved as part of the Green Street concept plan.

## **Guidelines**

**1. Street orientation:** ~~((Facades facing))~~ Building facades that face the setback area along the Green Street should provide visual interest for pedestrians and complement the landscaped treatment of the setback area. Façade design should encourage integration of activities at the ground floor of the abutting structure with the setback area and the Green Street.

**2. Access:** The design of the setback area should allow for public access, such as access to street level uses in abutting structures or access to areas for seating.

**3. Street Level Uses:** For green street setbacks on street frontages where street level uses are required, the amount of required street level uses is determined by SMC 23.49.009.

~~((2))~~**4. Landscaping and furnishings:** Provide sufficient landscaping within the setback area to enhance the open space character of the Green Street, and coordinate landscaping, paving, and furnishings with improvements in the abutting Green Street right-of-way.

- a. At least 50 percent of the setback area ~~((eligible for a bonus must))~~ should be landscaped.
- b. Temporary elements, such as kiosks, ~~((displays,))~~ art exhibits, and retail use of the setback area may be permitted, provided such ~~((features))~~ elements are compatible with the Green Street concept plan.

## **H. Mid-block Corridor**

Mid-block corridors are intended to provide open space and pedestrian circulation across extremely long blocks located in the Downtown Urban Center east of Interstate 5.

### **Eligibility Conditions**

1. **Location:** The mid-block corridor must be located a minimum of 200 feet from the nearest street that is oriented generally north-south.
2. **Access**
  - a. Each end of the corridor must be directly accessible from the sidewalk, including access for persons with disabilities.
  - b. The corridor must be improved with a surface and necessary drainage so as to be suitable for pedestrian use in all seasons.
3. **Size Requirements:**
  - a. The average width of the corridor must be at least 25 feet, and its minimum width must be at least 15 feet. Any corridor segment that is fully covered from side to side must be at least 20 feet in width.
  - b. There must be at least one additional open space area on the lot that abuts the mid-block corridor and has an area of at least 1,500 square feet and a minimum horizontal dimension of 30 feet.
4. **Configuration:** The mid-block corridor shall be provided at ground level, except that in order to provide level open spaces on steep lots, some separation of multiple levels may be allowed, provided they are physically and visually connected and there is access for persons with disabilities through the entire corridor.
5. **Coverage:** At least 65 percent of the mid-block corridor must be open to the sky; and any covered portions of the corridor must have a minimum height of 13 feet between the ground and any overhead projection or overhanging structure.

### **Guidelines**

#### **1. Landscaping and Furnishings**

- a. Approximately 35 percent of the open space area required in subsection H.3.b above should be landscaped.
- b. Approximately 1 lineal foot of seating should be provided for every 200 square feet of the open space required in subsection H.3.b above.
- c. The open space required in subsection H.3.b above should be open to the sky, except that up to 20 percent of the it may be covered to accommodate activities that complement use of the space and make it more comfortable and usable, such as retail kiosks or overhead weather protection.

2. **Lighting:** The corridor must include sufficient lighting to provide visible and safe passage for pedestrians during all hours that the corridor is available for public use.

## **I. Shopping Corridor**

Shopping corridors provide weather protected, through-block pedestrian connections with retail frontage to reinforce retail activity and enhance pedestrian circulation in areas of concentrated shopping activity and heavy pedestrian

traffic. Shopping corridors expand the pedestrian network in these areas by creating additional “pedestrian streets” through private development that are well integrated with adjacent streets and complement street-oriented retail activity.

## Eligibility Conditions

1. **Location:** Shopping corridors shall be located near the middle of the long, rectangular blocks (360 feet along the Avenue frontage) in the retail core area and shall provide a continuous connection between two Avenues.
2. **Access:** Entrances to the corridor must be at the same grade as the sidewalk.
3. **Number of bonused corridors per block:** The number of shopping corridors eligible for a bonus shall be limited to two on a block to avoid a significant diversion of pedestrian activity from the street.

## Guidelines

1. **Location:** Site shopping corridors to improve pedestrian circulation and provide additional retail frontage without detracting from sidewalk activity.
  - a. The shopping corridor should generally not be closer than 120 feet to any parallel street (~~((property))~~) lot line, and the minimum distance between corridors should be 60 feet.
  - b. Where possible, align shopping corridors with mid-block pedestrian crosswalks or entries to other pedestrian corridors on adjacent blocks to better integrate them with pedestrian circulation patterns.
2. **Area and dimensions:** The shopping corridor should provide an apparent and convenient connection between Avenues, as well as a pleasant space for pedestrian movement and shopping. Limit the overall area of the block occupied by corridor space to maximize the amount of street level floor area available for retail use.
  - a. The minimum height of the corridor should generally be twelve feet, although additional height for at least portions of the corridor is desirable to prevent a tunnel-like space.
  - b. The unobstructed width of the corridor connecting the Avenues should generally be at least 20 feet.
  - c. To accommodate pedestrian movement through the block while ensuring easy access to shops on both sides of the corridor, the width of the corridor should not exceed 30 feet.
3. **Access:** Shopping corridor entrances should be highly visible from the street, easily accessible, and inviting.
  - a. Permit changes in the level of the corridor route to accommodate changes in grade, although avoid level changes that require the use of stairs or mechanical assists.
  - b. The height and width of entrances should be prominent to signify the corridor’s function as a public access route through the block.
4. **Treatment of required (~~((active))~~) uses:** To ensure the intended retail function, the frontages of the shopping corridor should be occupied by (~~((active))~~) street level uses similar to conditions established for streets where street level uses are required. These uses should have entrances directly onto the corridor, except that uses abutting a street should also have access to the street.

5. **Facade treatment and furnishings:** Design the facades and furnishings of shopping corridors to enhance the shopping environment and increase pedestrian comfort without detracting from the corridor's function as a through-block connection.
  - a. Temporary kiosks, displays, art exhibits, and retail use of the corridor space may be permitted provided they don't obstruct the use, access, and circulation through the space by the general public is not obstructed. Temporary structures are those that are movable or designed to be easily dismantled. Any temporary use of the space should not reduce the circulation path to a width less than ten feet.
  - b. To promote visual interest and enhance retail activity, transparency and blank walls along shopping corridor walls should be treated similarly to facades along a Class 1 Pedestrian Street.
6. **Natural light:** Access to natural light is desirable and should be provided through skylights and/or clerestory windows to prevent a tunnel-like space and to increase the overall quality of the corridor.

## ~~((F))~~J. Green Street Improvement

A Green ~~((S))~~street improvement implements a portion of the concept plan for the street right-of-way design of a designated Green Street. Such improvements, which might include sidewalk widening, landscaping, traffic calming, street furniture, and pedestrian oriented lighting, enhance the public use of the Green Street right-of-way for pedestrian circulation and open space.

### Eligibility Conditions

1. **Eligible streets:** Green Streets improvements shall be in accordance with the Green Street Director's Rule 11-~~((93))~~ 2007 or successor Rules. The improvements must be to a designated Green Street abutting or in the vicinity of the lot ~~((seeking the bonus))~~ for which a bonus is sought, and must be made within a reasonable amount of time, as determined by the Director.
2. **Requirements:** The following conditions must be met to ensure an integrated design for the length of the Green Street:
  - a. Paving and landscaping improvements and other ~~((amenities))~~ elements specified in the Green Street concept plan for the public right-of-way are required along the entire Green Street frontage of the lot, extending to the centerline of the street or other location approved in the Green Street concept plan.
  - b. Art shall be incorporated, as set forth in ~~((Part))~~ subsection I.E. The nature of the artwork and locations shall be determined as part of the Green Street review process specified in the Green Street Director's Rule 11-~~((93))~~ 2007 or successor Rules.
  - c. The area of the public right-of-way developed as a Green Street shall remain in the public domain.
3. **Maintenance**
  - a. All areas separated from the vehicular right-of-way by a curb, and all nonstandard ~~((features))~~ elements located between curbs, shall be maintained by the property owner for the life of the project or as specified in the Master Use Permit decision.

- b. On Green Streets without a curb, ~~the Director shall determine ((a determination shall be made regarding))~~ the area for which the property owner will assume maintenance responsibility or the amount of reimbursement required to cover the cost to the City or other party for maintaining the area.

## ~~((H))~~ **K. Hillside Terrace**

Hillside terraces are open spaces adapted to conditions in steeply sloping downtown areas. They enhance pedestrian movement on steep streets and better integrate development with the street environment on sloping lots. They contribute to a more spacious street environment, and, when located along east/west streets, afford opportunities to expand views to Elliott Bay.

### Eligibility Conditions

1. **Minimum standards:** To provide usable open space, accommodate continuous pedestrian movement along the sloping street, and integrate sidewalk activity with abutting development, the following standards apply:
  - a. ~~((The minimum frontage of the terrace along the sloping street is one-half block, excluding the alley, if one exists.))~~ A hillside terrace must be located on a street that slopes at least 7 percent, and must abut the street for at least half of the length of the side of the block where it abuts the street, after deducting from that length the width of an alley, if one exists, where it bisects that side of the block.
  - b. The area eligible for a bonus must be one contiguous space, ~~((but may be on several different levels; landscaping.))~~ except that a driveway may separate parts of the terrace but is not included in the area eligible for a bonus. Landscaping, fountains, seating, and art are considered part of the contiguous space.  
~~((c. Any driveway area crossing the terrace is not bonusable.))~~
  - ~~((d))~~ c. The minimum depth of the terrace measured at any point from the street ((property)) lot line is ((ten)) 10 feet, Figure A.

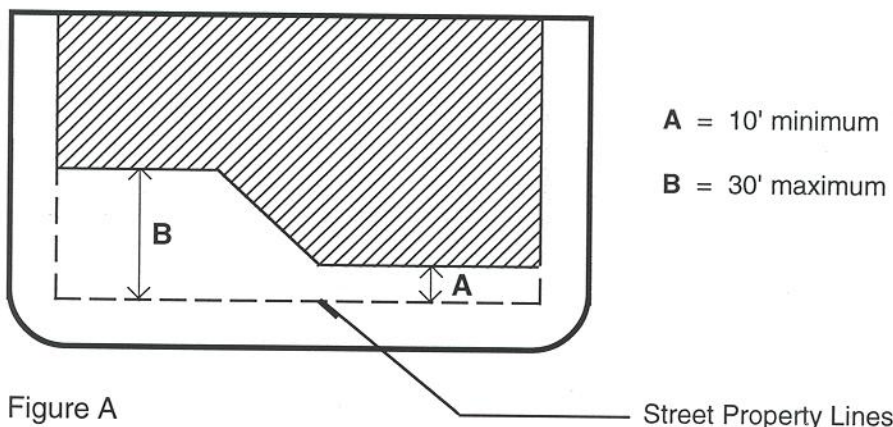


Figure A

Street Property Lines

- ~~((e))~~ d. The maximum depth from the street lot line of any ((bonusable)) hillside terrace area ((from the street property line)) eligible for a bonus is ((thirty)) 30 feet.

**2. Transit access:** To accommodate transit station access and to account for the different relationship required between the street level and the level of the hillside terrace, the Director may allow departure from these standards to ensure that access to the transit station is well integrated with the open space, and that the open space functions as intended.

## Guidelines

1. **Access:** Integrate the sidewalk with the project site by designing the hillside terrace to facilitate pedestrian movement up and down the hillside along the sidewalk.
  - a. **Maximize direct connections** across the space from the sidewalk to abutting development and minimize obstructions separating the sidewalk from the terrace.
  - b. ~~((Limit vehicular))~~ **Vehicular access** across the hillside terrace to abutting development should be limited. Access to the lot from other street frontages is preferable, consistent with development standards for access to parking in the Land Use Code.
2. **Treatment of required ~~((active))~~ street-level use:** Locate ~~((active))~~ street level uses in structures abutting the hillside terrace to activate the space and provide visual interest. Frontage equivalent to about half of the length of the hillside terrace, measured along the street ~~((property))~~ lot line, should be occupied by qualifying uses that are directly accessible from the terrace.
3. **Landscaping and furnishings:** Use landscaping and furnishings, including required art, to integrate the terrace area with the sidewalk and abutting structures, as well as provide for the comfort and visual enjoyment of pedestrians.
  - a. The arrangement of seating and landscaping should enhance the quality of the space and allow a variety of passive recreational activities without obstructing pedestrian movement.
  - b. Approximately one lineal foot of seating should be provided for every 30 square feet of ~~((bonusable))~~ area eligible for bonus.
4. **Coverage:** To remain open to the street environment and maximize opportunities for views, hillside terraces should be open to the sky. However, limited coverage may be permitted to increase comfort, encourage activity, and better integrate the space with abutting development, provided that the space maintains its overall character as an extension of the sidewalk.

Permitted coverage may occur as permanent, free-standing elements, such as retail kiosks or pedestrian shelters, or as an overhead arcade or other form of permanent or temporary overhead weather protection associated with abutting development.

## ~~((L))~~ **L. Urban Plaza**

Urban plazas are relatively large, strategically located open spaces that denote important downtown places, create a public focus for surrounding development, increase access to light and air at street level, and provide points of orientation within downtown. As key elements of the streetscape, urban plazas are especially beneficial when sited to complement the transit network by physically denoting major transit facilities, facilitating access to station entrances for large volumes of pedestrians, and providing amenities that contribute to the comfort and convenience of transit riders.



## Eligibility Conditions

1. **Minimum size:** To ensure that the urban plaza is large enough to function as intended, and that the overall streetscape remains well-defined, the minimum size of a plaza shall be 6,000 square feet.
2. **Wind and solar access:** If required by the Director, the design shall include special measures to reduce downdraft wind impacts from abutting development and to increase solar access to the plaza.
3. **Transit access:** To accommodate transit station access and to account for the different relationship required between the street level and the level of the plaza, the Director may allow departure from these standards to ensure that access to the transit station is well integrated with the open space, and that the open space functions as intended.
4. **Exceptions:** An urban plaza is **not** eligible for a bonus on any block containing an existing plaza bonused under Title 24 that exceeds 6,000 square feet, or an existing urban plaza bonused under Title 23, unless the Director determines that:
  - a. the existing and proposed spaces can be integrated to create the appearance of a larger, unified space, provide a more prominent public focus, and increase public use by providing more activity, usable space and better pedestrian connections;
  - b. the intensity of surrounding activity and volume of pedestrian traffic will ensure active use of the space; and
  - c. the interruptions to the street edge created by relatively large open spaces will not detract from street activity or substantially erode the streetscape.

## Guidelines

1. **Street orientation and relationship to surrounding development:** To denote their locations as transit access points and gateways, urban plazas should provide highly visible openings in the street façade, in contrast to the more enclosed character of adjacent streets with uninterrupted facades. However, the plaza space itself should be well defined by abutting structures, and interruptions to street level activity and the physical continuity of the streetscape should be minimized.
  - a. The opening of a plaza onto a Class 1 Pedestrian Street should not exceed 120 feet.
  - b. To minimize breaks in activity along streets requiring street level uses, the maximum plaza frontage open to the street should generally not exceed 80 feet, with structures containing street level uses separating other areas of the plaza from the sidewalk.
  - c. Plazas at corner locations should be open and accessible from both streets, with the corner area clear of permanent structures.
  - d. Siting and design of the plaza in relation to the rest of the project and surrounding development should maximize direct and/or reflected solar access. Preferable plaza locations are to the south of tower development, or where the siting of the plaza would improve solar access to the sidewalk.
2. **Area and dimensions:** Urban plazas should be large enough to provide a prominent open space focus and accommodate a high level of pedestrian activity. Some areas within the plaza should be of sufficient size and designed to allow heavy volumes of pedestrian movement through the space, while other areas should accommodate more passive use.
  - a. Provide a principal space that is a relatively large and open area to serve as the focus of the plaza. The principal space should be open to the sky, with a minimum area of about 4,000 square feet or 60

percent of the total plaza area, whichever is greater, and a minimum horizontal dimension of approximately 40 feet.

- b. The principal space should be directly accessible from the sidewalk and located no further from the sidewalk than the clear, unobstructed width of access along the street. This space should be generally at one level.
- c. The elevation of the plaza floor should generally be level, but may vary, provided that grade changes are gradual and do not significantly disrupt the continuity of the space. Greater grade changes may be allowed, as necessary, to provide access to transit tunnel stations.
- d. Variations to these conditions may be appropriate to improve access to transit stations or to respond to other special conditions of a particular lot.

**3. Access:** The urban plaza should function as an extension of the public sidewalk, with minimal obstruction between the plaza and the sidewalk. On steeply sloping lots, the plaza should be designed to assist pedestrian movement up and down the hillside.

**4. Treatment of required ((active)) street-level uses:** The urban plaza should promote a high level of activity complementing that of the abutting street. Frontage equivalent to at least fifty percent of the perimeter of the plaza should be occupied by uses qualifying as required active street level uses and having direct access onto the plaza.

**5. Landscaping and furnishings:** Incorporate landscaping and special elements, including required public art, into the design of the plaza to create an aesthetically pleasing space that is well integrated with the surrounding street environment.

- a. ((Features)) Elements of the plaza should establish an identity for the space and provide for the comfort of those using it, while also maintaining the desired sense of openness and easy street access. ((Features)) Elements, including trees and artwork, should be of a scale appropriate for the size and prominence of these spaces.
- b. Landscaping and other furnishings should be arranged to enhance the quality of the space and allow a variety of passive recreational activities. A significant portion of the plaza area should be landscaped to soften the paved surfaces and other "hardscape" characteristics of these active, urban spaces.
- c. To ensure year round vegetation and color, seasonal plantings should be included.
- d. Approximately one lineal foot of seating should be provided for every 30 square feet of ((bonusable)) area eligible for bonus.

**6. Coverage:** To maximize access to light and air and the sense of openness within the public street environment, plazas should be predominantly open to the sky. However, limited coverage may be appropriate to increase activity in the space and provide for the comfort of users, while maintaining the overall character of the space as an extension of the outdoor public street environment.

## **TRANSIT STATION ACCESS**

Lots including amenity features that improve public access to stations serving major transit facilities may be eligible for a floor area bonus. To accommodate a variety of access conditions related to differences in the type, operation, and location of these facilities, the following station access improvements may be provided: 1) access easements, 2) mechanical assists, and 3) grade level access to transit stations.

### **((L))M. Transit Station Access((:-Access)) Easement**

~~((Lots including features that improve public access to stations serving major transit facilities may be eligible for a floor area bonus. To accommodate a variety of access conditions related to differences in the type, operation, and location of these facilities, the following station access improvements may be provided: 1) mechanical assists, 2) grade level access to transit stations, and 3) access easements.))~~

Access easements increase opportunities for direct access to transit stations from the street level. The easement defines a volume of space adjacent to a transit station on a lot, either inside or outside of a structure, or both, in which the transit provider would construct a station entrance. An easement may be combined with bonused hillside terraces, urban plazas, shopping atriums, and shopping corridors to integrate public open space amenities with access to transit stations.

### Eligibility Conditions

1. ~~((**Location and size**))~~ **Transit provider approval:** The size of the access, and location, and suitability of the easement shall be subject to approval by the transit provider. The configuration and all vertical and horizontal dimensions of the easement shall allow for construction and maintenance of the station access and include sufficient space to accommodate both mechanical and a non-mechanical means of travel to the station.
2. **Incorporation with other amenities:** To increase visibility and comfort and convenience for transit riders, the access easement may, upon approval by the Director, be incorporated as part of bonused hillside terraces, urban plazas, public atriums and shopping corridors.
3. ~~((**Area and dimensions:** The configuration and all vertical and horizontal dimensions of the easement shall allow for construction and maintenance of the station access and include sufficient space to accommodate both mechanical and a non-mechanical means of travel to the station.))~~
- ~~((4. **Locational criteria**))~~ **3. Location:** ~~((The Director shall use the following criteria to evaluate the eligibility of a lot for the station access bonus:))~~
  - a. Lots on which the easement for access to the transit station is provided shall abut a station mezzanine or be located within a 300 foot radius of the station mezzanine.
  - b. The maximum distance from the public sidewalk adjacent to the transit station access easement to the station mezzanine shall be 400 feet. This shall be measured along the shortest path of travel from the sidewalk to the mezzanine, Figure A.

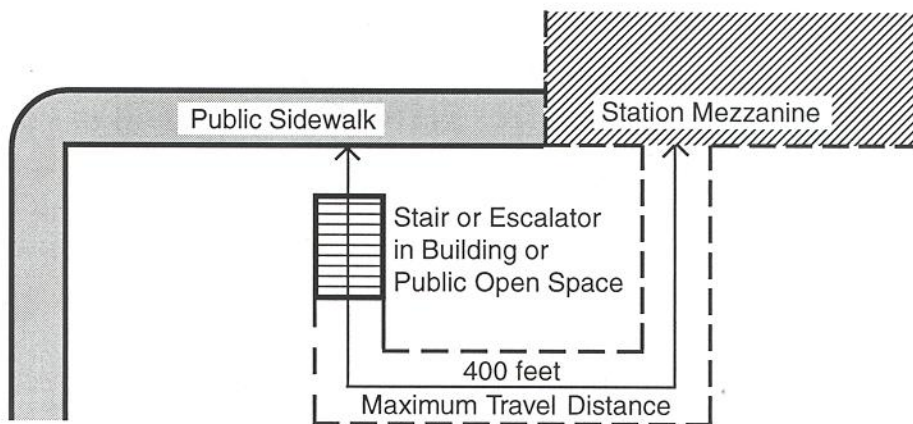


Figure A

- c. The minimum distance from the proposed access point in the easement area to the nearest existing or proposed station entrance on the same block, measured along the street ~~((property))~~ lot line, shall be 180 feet.
  - d. The Director may approve a proposed access easement ~~((which))~~ that uses a public right-of-way to reach a station mezzanine only ~~((when it has been determined))~~ if the Director determines that the connection will not adversely affect other uses of the right-of-way including utilities.
  - e. ~~((The location of the easement shall be approved by the transit provider before a bonus may be granted. ))~~
5. **Construction of station access:** The design and construction of the station access within the easement area shall be the responsibility of the transit provider. The property owner shall deliver ~~((to the Director, prior to))~~ a signed commitment from the transit provider ~~((, acceptable to the Director,))~~ for the construction of the station access to the Director, in a form acceptable to the Director. The property owner shall cooperate as necessary during construction to facilitate installation of the station access, including but not limited to the potential temporary closure of some areas of the site or structure adjacent to the defined easement.
6. **Access and hours of operation**
- a. The area and location of the easement shall be configured to allow direct access from the sidewalk or public open space to the station.
  - b. All portions of the easement area that are part of the path of travel for access to the transit station shall be open to the public for the purpose of access to and from the transit station at all times when the station is open.
7. **Maintenance of landscaping and furnishings**
- a. When landscaping, furnishings or other amenities are provided within an easement area, the owner is responsible for maintenance except when the area is under the exclusive regulation of the transit provider.

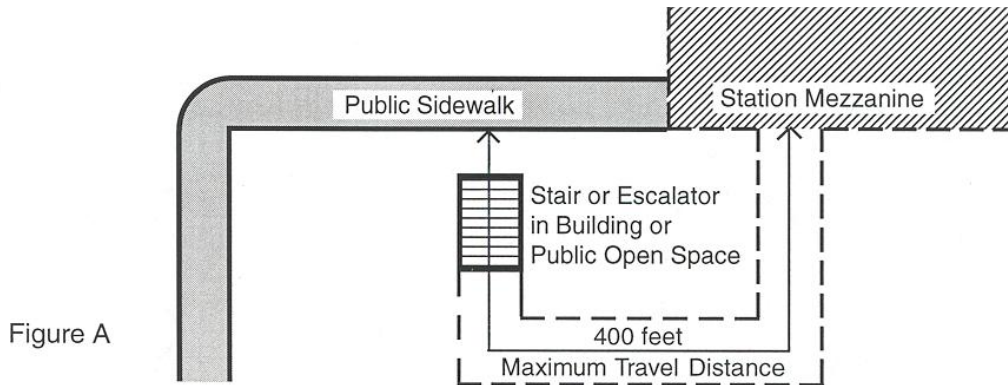
- b. The owner shall maintain all landscaping, furnishings, or other elements in the easement area that are also a part of another ~~((bonused))~~ amenity feature that earns a bonus, in accordance with the requirements of the particular ~~((public benefit))~~ amenity feature.
8. **Special Conditions:** The property owner and the transit provider shall execute an agreement specifying the area and all dimensions of the easement. The property owner shall grant in favor of the transit provider, and the transit provider shall accept, a permanent easement for public use of the station access in connection with transit operations. The easement shall be recorded with the King County ~~((Department of Records and Elections))~~ Recorder.

## ~~((J))~~ **N. Transit Station Access: Mechanical Assists**

~~((Lots including features that improve public access to stations serving major transit facilities may be eligible for a floor area bonus. To accommodate a variety of access conditions related to differences in the type, operation, and location of these facilities, the following station access improvements may be provided: 1) mechanical assists, 2) grade level access to transit stations, and 3) access easements.))~~ Mechanical assists facilitate pedestrian access to transit stations located above or below grade by providing direct access from the street level.

### **Eligibility Conditions**

1. **Eligible locations:** Mechanically assisted transit station access shall be eligible for a bonus at locations approved by the transit provider and the Director.
2. **Size:** The size of the access shall be determined by the transit provider. The access may be located partially in the street right-of-way.
3. **Evaluation criteria:** The Director shall use the following locational criteria to evaluate the eligibility of a lot for the station access bonus:
  - a. Lots from which the mechanical access to the transit station is provided shall abut a station mezzanine or be located within a 300-foot radius of the station mezzanine.
  - b. The maximum distance from the public sidewalk adjacent to the transit station access to the station mezzanine is 400 feet. This shall be measured along the shortest path of travel from the sidewalk to the mezzanine, Figure A.
  - c. The minimum distance from a bonused access to the nearest existing or proposed station entrance on the same block, measured along the street ~~((property))~~ lot line, is 180 feet, unless the Director and transit provider determine that additional access is warranted.
  - d. The Director may approve a proposed access that uses a public right-of-way to reach a station mezzanine only when the Director determines that the connection will not adversely affect other uses of the right-of-way, including utilities.



- e. Queuing and circulation space off the existing sidewalk, in the form of a widened sidewalk, arcade, or public open space, shall be provided at both ends of the assist and shall have minimum dimensions as required by the Director after consultation with the transit provider.
  - f. To increase visibility and comfort and convenience for transit riders, the mechanical assist may, upon approval by the Director, be incorporated as part of a bonused hillside terrace, urban plaza, public atrium, or shopping corridor.
4. **Visibility and accessibility:** Mechanical assists shall be visible and directly accessible from the street. The assist entrance shall be immediately adjacent and accessible to a public sidewalk or public open space without any obstruction.
  5. **Access times:** The assist shall provide free access to the public at all times when the station is open.
  6. **Vertical circulation elements:** The vertical circulation elements of the access shall include stairways, escalators, and/or elevators, as determined by the transit provider. These elements shall meet the transit provider's standards for the following: escalator widths, stair rise and tread relationships, handrails, passageways, ramps, lighting, finishes and materials, ventilation, and information signage.
  7. **Disabled access:** Convenient access for the physically disabled shall be provided from the street level to the station, as determined by the transit provider.
  8. **Special conditions**
    - i. The applicant shall submit a plan and commitment, acceptable to the Director after consultation with the transit provider, binding the applicant to construct the access in accordance with the plan, prior to issuance of any building permit that is required to build the access.
    - ii. The property owner shall grant in favor of the transit provider, and the transit provider shall accept a permanent easement for public use of the assist in connection with transit operations. The easement shall be recorded with the King County ((Department of Records and Elections)) Recorder.

## Guidelines

1. **Area and dimensions:** Access ways should provide sufficient space to comfortably move large volumes of pedestrians between the transit station and the street without conflicting with sidewalk activity.
  - a. Where access is not directly from the public sidewalk, the transit provider should determine the minimum width of the circulation path from the sidewalk to stairs and escalators to ensure adequate space to accommodate anticipated pedestrian volumes.
  - b. All below-grade passages of the assist and all covered areas at or above grade should have a minimum height from finished floor to finished ceiling, including all lighting fixtures and signs, as required by the transit operator.
2. **Access**
  - a. The assist should connect, either directly or via an underground or above grade passageway, the sidewalk level with the transit station. When directly connected to the station mezzanine, portions of the station access above or below grade may be constructed within the street right-of-way.
  - b. The assist entrance may be within a building, provided that hours of access are the same as the operating hours of the transit system.
3. **Landscaping and furnishing:** Design of the station access should incorporate ~~((features))~~ elements that establish an identity for the facility and help orient transit riders. ~~((Features))~~ Elements that add interest to the space without conflicting with pedestrian movement are encouraged, as well as measures to increase access to natural light and reduce noise.
  - a. Non-transparent walls should be architecturally finished in an interesting way. Advertising shall be permitted in conformance with the transit provider's standards for size, area and location.
  - b. Temporary kiosks, retail uses such as bookstalls, flower stands and newsstands, displays and exhibits are permitted provided they do not obstruct pedestrian movement and width of the main circulation path is no less than required by the transit provider.
4. **Lighting:** Increasing access to natural light should be encouraged as much as possible through the siting of openings at street level and the use of transparent coverings.

## ~~((K))~~ Q. Transit Tunnel Station Access: Grade Level

~~((Lots including features that improve public access to stations serving major transit facilities may be eligible for a floor area bonus. To accommodate a variety of access conditions related to differences in the type, operation, and location of these facilities, the following station access improvements may be provided: 1) mechanical assists, 2) grade level access to transit stations, and 3) access easements. ))~~ Topographic conditions along the transit tunnel alignment present opportunities for admitting natural light and providing pedestrian access to transit stations at approximately the same level as station mezzanines. The intent of grade level transit station access is to improve the accessibility and the quality of station environments by increasing daylight access into stations and integrating station connections with public open spaces.

### Eligibility Conditions

1. **Integration with open space:** Grade Level Transit Tunnel Station Access must be integrated with public open space. The location of the access is subject to the approval of the transit provider and the Director.

2. **Size:** The size of the access must be approved by the transit provider. The access shall be on multiple levels, and may be located partially in the street right-of-way.
3. **Locational criteria:** The Director shall use the following locational criteria to evaluate the eligibility of a lot for the station access bonus:
  - a. Lots from which grade level access to transit stations is provided shall abut a station mezzanine or be located within a 300-foot radius of the station mezzanine.
  - b. The maximum distance from the public sidewalk adjacent to the transit station access to the station mezzanine shall be 400 feet. This shall be measured along the shortest path of travel from the sidewalk to the mezzanine, Figure A.

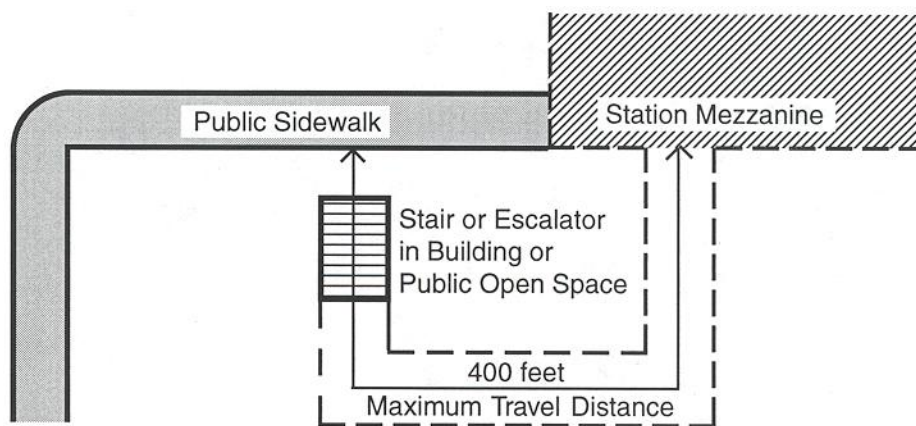


Figure A

- c. The minimum distance from a bonused access to the nearest existing or proposed station entrance on the same block, measured along the street ((property)) lot line, shall be 180 feet.
  - d. The Director may approve a proposed access using a public right-of-way to reach a station mezzanine only when the Director determines that the connection will not adversely affect other uses of the right-of-way including utilities.
4. **Access:** A physically and visually direct path through the required open space integrated with the Transit Tunnel Station Access shall connect the street with the station access and shall meet the following conditions established by the transit provider and the Director:
  - a. A clear path with a minimum width established by the Director after consultation with the transit provider shall be required between the transit station frontage and a public sidewalk. Stairs may be a part of the path, but the difference in grade between the station access frontage and the elevation of the street providing access to the station shall be accommodated by ramps or gradual level changes in the floor of the open space.
  - b. Signage indicating the location of the transit station shall be provided at the entrance to the open space on the street front.



- c. The public shall have unobstructed, well lighted access through the open space at all hours that the station mezzanine is open.

## 5. Special conditions

- a. Approval of any building permit required to build the access shall depend upon approval of a plan submitted by the developer to the Director and the transit provider binding the developer to construct the access in accordance with the plan.
- b. An agreement shall be required between the property owner and the transit provider granting a permanent easement for public use of the access in connection with transit operations. The easement shall be recorded with the deed to the property at the King County ((Department of Records and Elections)) Recorder.

## Guidelines

1. **Access:** ((Bonused public open space)) Amenity features eligible for a bonus that are adapted to accommodate station access should provide a relatively level route between the street and the mezzanine or concourse of the transit station.
  - a. Providing open space at the same elevation as a transit station mezzanine may require portions of the ((open space)) amenity feature to be substantially below some street elevations. Departure from provisions regarding the elevation of a particular ((open space)) amenity feature may be permitted. However, changes in grade between the sidewalk and abutting depressed portions of open space should not create the effect of a precipice along the sidewalk edge.
  - b. The level of the ((open space)) amenity feature should generally not be more than ((five)) 5 feet below the street elevation along the sidewalk edge. ((Where)) If portions of the ((open space)) amenity feature are ((is)) more than ((five)) 5 feet below the street elevation, ((it)) they should be separated from the sidewalk by another use or a landscaped area directly accessible from the sidewalk and extending a minimum of ((ten)) 10 feet from the sidewalk onto the lot.
2. **Landscaping and furnishing:** ((Public amenity)) Amenity features providing access to transit stations should be designed to reinforce clear and direct connections from the street through the space to the station, while also serving their intended function as public open space. In both overall design and details, the treatment of station areas and public open space areas should be coordinated to produce a cohesive whole.
  - a. Any ((bonused public open space area)) amenity feature eligible for a bonus that is used to provide access to the transit station should conform to the applicable landscaping standards and guidelines for that particular amenity feature. However, at the discretion of the Director, ((modifications)) departures may be allowed to better adapt the space to specific conditions associated with its relationship to the transit station.
  - b. Non-transparent walls should be architecturally finished in an interesting way. Advertising shall be permitted in conformance with standards of the transit provider for size, area, and location.
  - c. Temporary kiosks, retail uses such as bookstalls, flower stands and newsstands, displays, and exhibits may be permitted provided they do not obstruct pedestrian movement and the width of the main circulation path is no less than required by the transit provider.

3. **Natural Lighting:** To enhance conditions in the transit station, the ~~((open space))~~ amenity feature should be sited and designed to increase as much as possible the amount of natural light reaching access areas and the mezzanine level.

## ~~((M))~~ **P. Human Services**

The human services bonus is intended to provide space for human service uses at locations easily accessible to ~~((target))~~ client populations.

### **Eligibility Conditions**

1. **Location.** Space for human service uses shall be ~~((bonused))~~ eligible for a bonus in all downtown ~~((areas))~~ zones where ~~((public benefit features are permitted))~~ such a bonus is authorized by SMC 23.49.013.  
~~((Alternatively, at the discretion of the Director, a bonus may be granted for a voluntary agreement to contribute funds to the City for a downtown health and human services endowment fund, which shall support such facilities at appropriate locations throughout downtown.))~~
2. **Street orientation.** The location of a human service must be evident from the street, either as a result of frontage at street level or through exterior and interior signage clearly visible from the street.
3. **Area and dimensions.** The minimum area shall be 1,000 square feet or interior space.
4. **Special conditions:** The applicant shall secure at least a five year lease with a qualified human service agency.
  - a. Any additional improvements beyond the minimum requirements needed for specific service activities may be provided either by the applicant or the agency. The specifics shall be included in the lease agreement. Depending on the terms of the agreement, the tenant may be required to pay for utilities, insurance, taxes, and maintenance expenses. In addition, the tenant may be required to pay for development costs specifically required to meet the needs of the lessee.
  - b. Rent shall not be charged for use of the space.
  - c. On an interim basis (not to exceed six months from any time the space is vacated by a qualifying human service use), if the space remains unoccupied, it may be used for non-profit purposes as a community and /or public area, under the following conditions:
    - i. The space shall be made available to community and charitable organizations (not to be used for profit-making activities ).
    - ii. The space shall be made available for both day and evening use.
    - iii. The space shall be made available on a first come, first serve basis to community~~((/))~~ and charitable organizations.
    - iv. There shall be no charge for use of the space, except for any costs that may be necessary by the interim use.
    - v. The space shall be accessible to the elderly and disabled.
    - vi. Availability of the space and the contact persons shall be made known to community~~((/))~~ and charitable groups through means such as newspaper articles, radio announcements, flyers to organizations, and contacts with umbrella organizations such as the Downtown Human Services Council and the Central Seattle Community Council Federation.

5. **Access:** The human services space must either have direct access to the street or be accessible along a well marked route that leads from a building entrance located on a street and does not require the use of steps.
6. **Finishings:** The applicant shall finish the space with ceilings, walls, floors, and utility connections.

## ~~((N))~~ **Q. Restoration and Preservation of Landmark Performing Arts Theatre**

The landmark performing arts theater (LPAT) bonus is intended to contribute to the city's architectural, historic and cultural heritage by encouraging the preservation, rehabilitation and use of landmark performing arts theaters.

### **Eligibility Conditions**

1. **Application Process:** Proposals that include a LPAT bonus require a Certificate of Approval from the Seattle Landmarks Preservation Board for any modifications to the LPAT in accordance with the requirements of Part 6 of the Seattle Landmarks Preservation Ordinance (Seattle Municipal Code, Sections 25.12.670-.790), unless the plan of rehabilitation is incorporated in the controls and incentives approved by City Council pursuant to SMC 25.12.510. If the owner of a LPAT is also applying to transfer development rights, or for public subsidies, subsidy review will be performed by the Office of Housing (OH). Use of this bonus is subject to completion of subsidy review by OH. Application for the LPAT bonus is made at the Department of Planning and Development (DPD) using application forms provided by DPD in conjunction with OH. The forms will describe the financial and other documentation required for the OH subsidy review.
2. **Security:** If a LPAT bonus is sought, the applicant for a permit for the project proposing to use the bonus will be required to provide security for the completion of the rehabilitation of the landmark theater. Security may be provided in the form of cash in a restricted escrow account, letter of credit or other form acceptable to the City. Security shall be posted when the final building permit is issued for the project using the bonus FAR. A waiver from the security requirement may be permitted for an on-site LPAT at time of issuance of building permit. The Landmarks Preservation Board may modify this requirement to allow for a phased rehabilitation program and/or a phased occupancy for the landmark theater. Funds may be drawn from the security by the owner of the theater during the course of the rehabilitation work with prior approval of the OH Director.
3. **Duration:** The theater is required to be available for the duration of any commitment made to qualify for a Floor Area Ratio (FAR) bonus for at least 180 days a year for live theater performances. An annual report by the theater owner to DPD shall specify the number of days when live performances took place, number of days not open, and number of days when other types of entertainment were provided.

The use of the theater primarily as a performing arts theater for at least 40 years\* shall be ensured by binding covenants between the theater owner and the City. The recipient of the bonus (unless also the theater owner) shall have no obligation for the operation of the theater.

*\*and for so long thereafter as any of the interior features of the theater portion of the structure remains subject to controls under the Landmarks Ordinance or successor provisions, unless after the minimum 40 year period the owner demonstrates to the satisfaction of the Landmarks Board that a change in use is required to allow the owner a sufficient economic return under the standards then applicable to proceedings for removal or modification of such controls.*

4. **Restrictive Covenant:** A restrictive covenant approved by DPD in consultation with OH and DON shall be recorded by DPD with the King County Department of Records and Elections on the property on which the LPAT is located. If other bonuses or TDRs are used, the restrictive covenant may be combined with a Performance Agreement, as approved by OH. The covenant will include the terms, duration, priority of commitment, commitment to repair and maintain the structure and right to access by City staff.

If the requirements of the covenant are not met, then in addition to other remedies, the City may apply to a court for appointment of a receiver to manage the theater.

5. **Variable Bonus Ratio:** The Land Use Code permits a variable bonus ratio (maximum of 12). It is intended to be set at a ratio which makes the LPAT bonus competitive with other bonuses available for use by the project. Determination of the exact bonus ratio will depend upon the cost of rehabilitation, the cost per square foot of ((~~bonusable~~)) theater space eligible for bonus of obtaining a linkage (market conditions), other subsidies available for the theater rehabilitation and a comparative analysis of costs per square foot of using other bonuses. DPD shall request documentation of sources and uses of funds for theater rehabilitation. DPD will review information, and consult with other departments and determine what bonus ratio is appropriate.

## **SECTION III: ((PUBLIC BENEFIT)) SPECIFIC ELIGIBILITY CONDITIONS AND GUIDELINES FOR AMENITY FEATURES ELIGIBLE FOR FLOOR AREA EXEMPTION ONLY**

### **((P))R. Museum**

Museums add to the mix of Downtown activity and provide educational, cultural and/or recreational opportunities by establishing permanent interior areas for viewing objects, programs or presentations of natural, scientific, historical, cultural or literary interest.

#### **Eligibility Conditions for Floor Area Exemption**

1. **Eligibility criteria:** Museum space eligible for a floor area exemption must meet the following criteria:
  - a. The museum does not have a commercial character or is not used for commercial purposes, although associated uses, such as a museum shop or snack bar, may be permitted.
  - b. The use of the space has significant, long term educational, cultural and/or recreational value and interest to the public.
  - c. Information is available to enhance public enjoyment and knowledge of items on display. Presentations that encourage public participation or direct interaction with the display are desirable.
  - d. Ample space is provided to ensure that displayed items can be viewed to best advantage. Renderings illustrating typical ~~((features))~~ elements of the display area shall be available for review by the Director.
2. **Use proposal:** The developer must present a proposal for the use of the museum identifying the nature of items to be displayed or programs to be presented as well as examples of typical design and layout of exhibits in the space.
3. **Lease requirements:** If the operator of the museum is not the same as the developer, a ten year lease from the operator of the museum identifying the use of the space shall be secured by the developer for review by the Director. The lease shall be secured within two years of the date that the first Certificate of Occupancy is issued for the project with the museum, or when the final Certificate of Occupancy is issued, whichever is first.

#### **Guidelines**

1. **Area and Dimensions:** Adequate space should be provided for exhibits and public viewing, as well as necessary storage and support facilities. All such support spaces may be exempted from calculations of chargeable floor area.
2. **Street orientation:** The street level treatment of museums should provide pedestrian interest and attraction.
  - a. To minimize disruption of street level activity, the museum's street frontage should be limited. Separating museum space from the street by other more active street level uses may be appropriate.
  - b. Either transparent frontage sufficient to allow views into the exhibition area, or exterior signage and display cases visible from the street or a public open space shall be provided.
3. **Access**

- a. Access to the museum should be apparent to pedestrians through signs or direct visibility from the street or public open space.
- b. The museum should be functionally separate from other areas of the project. While access to the major circulation areas of a building, such as elevator lobbies, is desirable, and may be provided, the display space should be independent of these circulation areas. If needed, walls or other enclosure should be provided.

## **((Q))S. Shopping Atrium**

Shopping atriums provide enclosed, weather protected public spaces in concentrated shopping areas to enhance shopping activity while maintaining active and visually interesting retail streets. The enclosed space of the atrium may be on multiple levels and must be of sufficient size to accommodate public gatherings and events where shoppers can rest, relax, and enjoy surrounding activity.

### **Eligibility Conditions for Floor Area Exemption**

1. **Pedestrian access:** A pedestrian entrance with direct access from the sidewalk shall be provided on each street frontage of the atrium.
  2. **Uses:** Shopping atriums should intensify retail activity within shopping areas by increasing available retail frontage on streets and public areas. ((Active uses)) Uses that help activate the space are required on the perimeter of the atrium ((space)), ((consistent with the applicable guidelines below.)) as follows:
    - a. At least 75 percent of the perimeter of each level of the entire exempt area of the atrium space shall be occupied by uses that qualify as street level uses in SMC 23.49.009. All of these uses shall have direct access to the atrium.
    - b. Any street level uses on the perimeter of the shopping atrium with frontage on a street shall also be accessible from the street.
- ~~((3. **Required features:** Landscaping and furnishings, including art, are required, consistent with the applicable guidelines below.))~~
- ~~((4))3. **Natural Lighting:** To improve the quality of the space, support interior landscaping and increase the overall sense of openness, the principal space of the shopping atrium must have access to natural light, consistent with the applicable guidelines below.~~

### **Guidelines**

1. **Area and dimensions:** Shopping atriums should be spacious to accommodate a high level of activity and multiple uses, including public gatherings. Interior spaces should be arranged to integrate the shopping atrium with both the exterior street environment and the internal circulation of the project.
  - a. The shopping atrium should include a principal space of at least 2,400 square feet that provides the public focus and is proportionally the largest and most prominent ~~((feature))~~ element of the atrium. Other areas may accommodate functions and activities that support the principal space and further integrate the atrium with the rest of the project and the street environment.
  - b. The entire floor area of the principal space should generally be level with the average sidewalk grade at the main entrance to the shopping atrium. The principal space should be at one level,

- with minor adjustments of levels permitted, provided that the difference in elevation between the highest and lowest points is generally within four feet.
- c. The exempt floor area may be on multiple levels. All exempt floor area should be directly accessible by escalator, walkway, or stairs to the principal space. All exempt floor area should have visual access to the principal space.
  - d. Exempt floor area should generally be clear and unobstructed by walls or other elements exceeding approximately three feet in height, except that escalators; artwork; and free standing retail kiosks may be permitted. The height and the total area covered by these elements should be limited to ensure the desired sense of spaciousness and unobstructed pedestrian circulation.
2. **Access and street orientation:** The location of a shopping atrium should be highly apparent from the street and easily accessible and inviting to pedestrians. Wherever possible, the atrium and its connections to the street should be designed to improve overall pedestrian circulation on the block.
- a. The main entrance to the atrium should be at sidewalk grade.
  - b. For lots with frontage on two Avenues, the atrium should provide a clear direct connection between the Avenues.
  - c. Because shopping atriums are located in active shopping areas, the street frontage of the atrium space should be limited to avoid disrupting the continuity of retail activity along the street. The maximum street frontage of the shopping atrium space, including entrances, but not including retail uses with access to the street, should be approximately sixty feet on any one street.
  - d. The principal space of the atrium should be visible from adjacent sidewalks. Visual and physical access to the space should be provided along as much of the atrium's street frontage as possible.
- ~~((3. **Required active uses:** Shopping atriums should intensify retail activity within shopping areas by increasing available retail frontage on streets and public areas.~~
- a. ~~Frontage generally equivalent to at least seventy-five percent of the perimeter of each level of the entire exempt area of the atrium space should be occupied by uses meeting the definition of active street level uses. All of these uses should have direct access to the atrium.~~
  - b. ~~Any street level uses on the perimeter of the shopping atrium with frontage on a street should also be accessible from the street.))~~
- ((4))3. **Landscaping and furnishings:** Landscaping and furnishings of the shopping atrium, including required art, should create an attractive and comfortable atmosphere for shoppers. ~~((Features))~~ Such elements should add interest and activity while allowing flexible use of the space, especially for public gatherings and events. Landscaping and other design treatments should reinforce the prominence of the principal space, while ensuring a cohesive relationship between the principal space and abutting accessory space.
- ((5))4. **Natural lighting:** The Director shall use the following guidelines for required skylights and/or clerestory windows to ensure sufficient natural light:
- a. Skylights that, at a minimum, provide access to natural light for approximately ~~((twenty-five))~~ 25 percent of the roof area above the principal space; or
  - b. Windows or clerestory windows at a height of approximately ~~((eight))~~ 8 feet or more that, at a minimum, allow access to natural light through approximately ~~((twenty-five))~~ 25 percent of the perimeter of the principal space; or

- c. ~~((Some))~~ A combination of ~~((a. and b. above))~~ skylights and clerestories, or similar ~~((features))~~ elements, ~~((admitting))~~ admits at least as much natural light as the options in subsections 4.a and 4.b above ~~((ample light))~~.

## ~~((O))~~ I. Major Retail Store

Major retail stores, including full service department stores, provide retail anchors that reinforce shopping activity in the Downtown retail core and increase the area's regional draw for customers. These facilities expand the range of goods and services available to Downtown shoppers and, as retail "magnets," support other uses necessary to the health and vitality of the area. One way to help offset the cost of accommodating the large amount of floor area a major retail store requires is to include them as part of the mix in a larger development with more revenue generating uses. Allowing a floor area exemption will enable major retail stores to be accommodated in mixed use developments, without reducing the amount of ~~((chargeable))~~ floor area allowed for other commercial uses.

### Eligibility Conditions for Floor Area Exemption

1. **Access:** Direct access to the street is required, although exempt retail space may be provided above and below the street level as long as all areas are connected and function as a single retail establishment.
2. **Management structure:** The store must function as a single retail establishment, under the management of a single retail operation.

### Guidelines

~~((4-))~~ **Access:** The store should be oriented to activity on the street and, wherever possible, provide opportunities for through block circulation. At least one major entrance should be provided directly from the sidewalk of each street frontage, with at least one principal entrance at the same elevation as the sidewalk. Multiple access points are desirable, as well as protected areas set back from the sidewalk at entrances to accommodate pedestrian flow and provide shelter.