

Ordinance No. 110422

AN ORDINANCE relating to street use; adding a new Chapter 15.64 to the Seattle Municipal Code to establish procedures and standards for granting special term permits for the installation, maintenance and operation of pedestrian skybridges.

*1-13-82 Pass
1/18/82 Hold 3 weeks in Full Council*

COMPTROLLER
FILE NUMBER _____
ENGROSSED BILL

38 **Council Bill No. 102725**

INTRODUCED: NOV 23 1981	BY: WILLIAMS
REFERRED: Nov 23 1981	TO: TRANSPORTATION
REFERRED:	
REFERRED:	
REPORTED: FEB 08 1982	SECOND READING: FEB 08 1982
THIRD READING: FEB 08 1982	SIGNED: FEB 08 1982
PRESENTED TO MAYOR: FEB 09 1982	APPROVED: FEB 16 1982
RETD. TO CITY CLERK: FEB 16 1982	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:



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Law Department,

SEE BACK COVER

- Res. 26752 -Approves in concept the petition of the Ballard Community Hosp. to construct a one-level pedestrian skybridge over Tallman Ave. NW north of NW Central Pl. (C.F. 291367).
- Res. 26790 -Approves in concept two pedestrian skybridges over/across Post Avenue between Spring & Seneca St. (Pet of Cornerstone Development Co.; C.F. 291483).
- Res. 26826 -Approves in concept a pedestrian skybridge over/across the Ninth - Terry Avenue Alley, north of Marion ST.

<input checked="" type="checkbox"/> LIGHT	<input type="checkbox"/> HEALTH
<input checked="" type="checkbox"/> ENG	<input type="checkbox"/> PARKS
<input checked="" type="checkbox"/> DCLU	<input type="checkbox"/> L & CA
<input type="checkbox"/> DCD	<input checked="" type="checkbox"/> BFW
<input checked="" type="checkbox"/> LAW	<input type="checkbox"/>

2/8/82

ORDINANCE 110422

1 AN ORDINANCE relating to street use; adding a new Chapter 15.64 to the
2 Seattle Municipal Code to establish procedures and standards for
granting special term permits for the installation, maintenance
and operation of pedestrian skybridges.

3 WHEREAS, the City is continuing to receive applications for construction
of skybridges over public places; and

4 WHEREAS, skybridges inherently block views, shadow streets, divide
5 City blocks, and discourage pedestrian activity at street level;
and

6 WHEREAS, reasonable alternatives to skybridges which do not cause such
adverse effects often exist; and

7 WHEREAS, it is the desire of the City Council to limit the proliferation
8 and adverse effects of skybridges; Now, Therefore,

9 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

10 Section 1. That there is added to the Seattle Municipal Code a
new chapter 15.64 to read as follows:

11 Chapter 15.64

12 SKYBRIDGE PERMITS

13 15.64.010 PURPOSE AND INTENT STATEMENT

14 The purpose of this chapter is to establish the procedure and cri-
15 teria for the administration and approval of applications for permission
16 to construct, maintain and operate pedestrian skybridges over and across
17 streets, alleys and other public places within the City of Seattle.

18 It is the intent of the City Council to limit the proliferation
19 and adverse effects of skybridges. It is intended that proposed
20 skybridges shall be reviewed with regard to how well they serve the
21 public interest and their relationship to the cityscape. The provisions
22 of this ordinance shall be liberally construed in carrying out the
intent of the Council.

23 15.64.020 PETITION FOR SKYBRIDGE PERMIT

24 Any owner of an interest in real property abutting any street,
25 alley or other public place, as defined in Section 15.02.030 of the
26 Seattle Municipal Code, who desires to construct a pedestrian skybridge
27 over and above the street, alley or other public place, may petition the
28 City Council to grant a special permit for construction, maintenance,
and operation of a pedestrian skybridge. The petition shall be filed
with the City Clerk.

15.64.030 RECOMMENDATION OF BOARD OF PUBLIC WORKS

1 The City Council shall refer each petition for a skybridge permit
2 to the Board of Public Works for a recommendation. Thereafter, the
3 Board and the City Council shall follow the procedures set forth in
4 Sections 15.64.040, et seq. of this chapter.

5 15.64.040 PRELIMINARY APPLICATION

6 At the time of filing the petition, the applicant shall also submit
7 to the Board of Public Works on a form supplied by the Director of
8 Engineering a preliminary application for a skybridge permit. The
9 application shall include the following:

- 10 (a) Conceptual drawings of the proposed skybridge, which shall
11 include its location, size, height above ground surface, and
12 cost estimate;
- 13 (b) Conceptual drawings of alternatives to the skybridge, with
14 cost estimates;
- 15 (c) Drawings of the proposed skybridge showing its visual
16 appearance;
- 17 (d) Photographs of the location and immediately surrounding
18 area;
- 19 (e) An environmental checklist as defined by WAC 197-10-365 and
20 adopted by Section 25.04.020 of the Seattle Municipal Code;
- 21 (f) A statement of the reasons for the necessity for the pro-
22 posed skybridge;
- 23 (g) Any additional information deemed necessary for processing
24 the application.

25 15.64.050 CIRCULATION OF PRELIMINARY APPLICATION

26 A. The Director of Engineering shall circulate the preliminary
27 application and conceptual drawings to the Seattle Design Commission,
28 the various interested City departments, and public and private utili-
ties affected by the proposed skybridge for review, comment and
recommendation.

 B. In making the recommendation on the proposed skybridge, the
following elements shall be considered:

- (1) That horizontal and vertical clearance is adequate;
- (2) That structural adequacy is insured;
- (3) Potential conflict with existing or proposed utili-
ties, street lighting or traffic control devices;

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- (4) View blockage;
- (5) Interruption or interference with existing streetscape;
- (6) Reduction of natural light;
- (7) Reduction of pedestrian activity at street level;
- (8) The number of pedestrians projected to use the skybridges;
- (9) Effect on commerce and enjoyment of neighboring land use;
- (10) Availability of reasonable alternatives;
- (11) Effect on traffic and pedestrian safety; and
- (12) Accessibility for elderly and handicapped.

15.64.060 PRELIMINARY CONCEPTUAL APPROVAL

The Director of Engineering shall compile the comments and recommendations of the Seattle Design Commission, the various City departments and utilities and submit them, along with the preliminary application, conceptual drawings and environmental documents, to the Board of Public Works for conceptual approval review of the proposed skybridge. Upon completion of review, the Board shall recommend to approve, deny or modify the application, and transmit the recommendation, together with the preliminary application, conceptual drawings and environmental documents, to the City Council or a committee thereof, for conceptual approval.

15.64.065 COUNCIL CONCEPTUAL APPROVAL

The City Council or a Committee thereof shall consider the recommendation of the Board of Public Works and shall include in its consideration those elements set out in Section 15.64.050, paragraph B. Upon completion of consideration of the recommendation of the Board of Public Works, the City Council shall by resolution approve, deny, or approve with requirements or conditions, the application for conceptual approval of the skybridge.

1 The City Council shall not grant conceptual approval to construct,
2 maintain and operate a skybridge unless it finds that the skybridge is
3 in the public interest and no reasonable alternative to the skybridge
4 exists.

5 15.64.070 FINAL RECOMMENDATION TO THE BOARD OF PUBLIC WORKS

6 If conceptual approval of the preliminary application is obtained
7 from the City Council, the applicant shall submit construction plans to
8 the Director of Engineering, the Director of Construction and Land Use,
9 and the Seattle Design Commission for their final review and recommen-
10 dation to the Board of Public Works.

11 15.64.080 COUNCIL CONSIDERATION OF PETITION

12 A. The Board of Public Works shall determine if the construc-
13 tion plans are in substantial conformance with the application which was
14 given preliminary conceptual approval, including any requirements or
15 conditions imposed by the Council.

16 B. Upon completion of its final review of the construction
17 plans, the Board of Public Works shall transmit its final recommendation
18 to the City Council for its decision to grant or deny the petition for a
19 skybridge permit.

20 C. Approval of a petition for a skybridge and permit shall be
21 granted only by ordinance.

22 15.64.090 CONDITIONS IMPOSED ON GRANT OF PERMIT

23 The City Council may impose such terms and conditions as it deems
24 necessary upon the grant of permission to construct, maintain and
25 operate a skybridge, which terms and conditions may include but shall
26 not be limited to: the term of years for which permission is granted
27 and renewal periods, if any; provision for regular City inspection of
28 and procedures for closure or removal of the skybridge; requirements for
performance bonds, public liability insurance, indemnification, and
annual fees; prohibition against assignment without City Council
consent; and timely acceptance of permission. Every ordinance approving

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a skybridge shall provide that the permission granted is subject to the primary use by the city of the street, alley or other public place for public travel and other street uses, and that the City expressly reserves the right to require the permittee to remove the skybridge at its sole cost and expense in case the street, alley or other public place is needed for such public use; or if the skybridge interferes with such public use; and that a determination by the City Council by ordinance that the space occupied by the skybridge is needed for or interferes with such public sue shall be final and conclusive without any right of the permittee to resort to the courts to question the same.

Section 2. The Director of Engineering is authorized to adopt such rules as are necessary and appropriate to carry out his responsibilities under this ordinance. The Board of Public Works is authorized to adopt procedures for determining fees for skybridge permits.

Section 3. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

(To be used for all Ordinances except Emergency.)

Section..... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 8th day of February, 1982
and signed by me in open session in authentication of its passage this 8th day of February, 1982
Janette Williams
President of the City Council.

Approved by me this 16th day of February, 1982
Charles Porter
Mayor.

Filed by me this 16th day of February, 1982.

Attest: Jim Hill
City Comptroller and City Clerk.

(SEAL)

Published.....

By Theresa Dumban
Deputy Clerk.

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ORDINANCE _____

AN ORDINANCE relating to street use; adding a new Chapter 15.64 to the Seattle Municipal Code to establish procedures and standards for granting special term permits for the installation, maintenance and operation of pedestrian skybridges.

WHEREAS, the City is continuing to receive applications for construction of skybridges over public places; and

WHEREAS, skybridges inherently block views, shadow streets, divide street blocks, discourage pedestrian activity at street level; and

WHEREAS, reasonable alternatives to skybridges which do not cause such adverse effects often exist; and

WHEREAS, it is the desire of the City Council to limit the proliferation and adverse effects of skybridges; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That there is added to the Seattle Municipal Code a new chapter 15.64 to read as follows:

Chapter 15.64

SKYBRIDGE PERMITS

15.64.010 PURPOSE

The purpose of this chapter is to establish the procedure and criteria for the administration and approval of applications for permission to construct, maintain and operate pedestrian skybridges over and across streets, alleys and other public places within the City of Seattle.

15.64.020 PETITION FOR SKYBRIDGE PERMIT

Any owner of an interest in real property abutting any street, alley or other public place, as defined in Section 15.02.030 of the Seattle Municipal Code, who desires to construct a pedestrian skybridge over and above the street, alley or other public place may petition the City Council to grant a special permit for construction, maintenance, and operation of a pedestrian skybridge. The petition shall be filed with the City Clerk.

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15.64.030 RECOMMENDATION OF BOARD OF PUBLIC WORKS

The City Council shall refer each petition for a skybridge permit to the Board of Public Works for a recommendation. Thereafter, the Board and the City Council shall follow the procedures set forth in Sections 15.64.040 et seq. of this chapter.

15.64.040 PRELIMINARY APPLICATION

At the time of filing the petition, the applicant shall also submit to the Board of Public Works on a form supplied by the Director of Engineering a preliminary application for a skybridge permit. The application shall include the following:

- (a) schematic plans of the proposed skybridge, which shall include its location, size, height above ground surface, and cost estimate;
- (b) schematic plans of alternatives to the skybridge, with cost estimates;
- (c) drawings of the proposed skybridge showing its visual appearance;
- (d) photographs of the location and immediately surrounding area;
- (e) an environmental checklist as defined by WAC 197-10-365 and adopted by Section 25.04.020 of the Seattle Municipal Code, unless one is already being processed by a City department;
- (f) a statement of the reasons for the necessity for the proposed skybridge;
- (g) any additional information deemed necessary for processing the application.

15.64.050 CIRCULATION OF PRELIMINARY APPLICATION

A. The Director of Engineering shall circulate the preliminary application and schematic plans to the Seattle Design Commission, the various interested City Departments, and public and private utilities affected by the proposed skybridge or its alternative for review, comment and recommendation.

1 B. In making the recommendation on the proposed
2 skybridge, the following elements shall be considered:

- 3 (1) horizontal and vertical clearance;
- 4 (2) structural adequacy;
- 5 (3) conflict with existing or proposed utilities,
6 street lighting or traffic control devices;
- 7 (4) view blockage;
- 8 (5) segregation or walling-off effect;
- 9 (6) reduction of natural light;
- 10 (7) reduction of pedestrian traffic;
- 11 (8) impact on public and private land use;
- 12 (9) availability of reasonable alternatives;
- 13 (10) traffic safety; and
- 14 (11) accessibility for elderly and handicapped.

15 C. If an environmental checklist is not being processed
16 by another City Department, the Director of Engineering
17 shall make the threshold determination of whether the proposed
18 skybridge will result in a significant adverse impact on the
19 quality of the environment in accordance with WAC 197-10 and
20 Chapter 25.04 of the Seattle Municipal Code.

21 15.64.060 PRELIMINARY CONCEPTUAL APPROVAL

22 The Director of Engineering shall compile the comments
23 and recommendations of the Seattle Design Commission, the
24 various City Departments and utilities and submit them,
25 along with the preliminary application, schematic plans and
26 environmental documents, to the Board of Public Works for
27 conceptual approval review of the proposed skybridge. Upon
28 completion of review, the Board shall recommend to approve,
deny or modify the application, and transmit the recommendation,
together with the preliminary application, plans and environ-
mental documents to the City Council, or a committee thereof,
for conceptual approval.

1 15.64.070 FINAL RECOMMENDATION TO THE BOARD OF PUBLIC WORKS

2 If conceptual approval of the preliminary application
3 is obtained from the City Council, or a committee thereof,
4 the applicant shall submit construction plans to the Director
5 of Engineering, the Director of Construction and Land Use,
6 and the Seattle Design Commission for their final review and
7 recommendation to the Board of Public Works.

8 15.64.080 COUNCIL CONSIDERATION OF PETITION

9 A. Upon completion of its final review of the construction
10 plans, the Board of Public Works shall transmit its final
11 recommendation to the City Council for its decision to grant
12 or deny the petition for a skybridge permit.

13 B. Special term permits shall be granted only by
14 ordinance. The City Council shall not enact an ordinance
15 granting permission to construct, maintain and operate a
16 skybridge unless it finds that the skybridge is in the
17 public interest and no reasonable alternative to the skybridge
18 exists.

19 15.64.090 CONDITIONS IMPOSED ON GRANT OF PERMIT

20 The City Council may impose such terms and conditions
21 as it deems necessary upon the grant of permission to
22 construct, maintain and operate a skybridge, which terms and
23 conditions may include but shall not be limited to: the
24 term of years for which permission is granted and renewal
25 periods, if any; provision for regular City inspection of
26 and procedures for closure or removal of the skybridge;
27 requirements for performance bonds, public liability insurance,
28 indemnification, and annual fees; prohibition against assignment
without City Council consent; and timely acceptance of
permission. Every ordinance approving a skybridge shall
provide that the permission granted is subject to the primary

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use by the city of the street, alley or other public place for public travel and other street uses, and that the City expressly reserves the right to require the permittee to remove the skybridge at its sole cost and expense in case the street, alley or other public place is needed for such public use, or if the skybridge interferes with such public use; and that a determination by the City Council by ordinance that the space occupied by the skybridge is needed for or interferes with such public use shall be final and conclusive without any right of the permittee to resort to the courts to question the same.

Section 2. The Director of Engineering is authorized to adopt such rules as are necessary and appropriate to carry out his responsibilities under this ordinance. The Board of Public Works is authorized to adopt procedures for determining fees for skybridge permits.

Section 3. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Seattle City Council

January 15, 1982



Douglas N. Jewett
City Attorney
City of Seattle

Paul Kraabel
President of Council
625-2447

George E. Benson
Chair
Parks and Community
Service Committee
625-2441

Michael Hildt
Chair
Urban Development and
Housing Committee
625-2443

Randy Revelle
Chair
Energy Committee
625-2445

Norman B. Rice
Chair
Finance Committee
625-2436

Jack N. Richards
Chair
Water and Waste
Management Committee
625-2438

Dolores Sibonga
Chair
Personnel and Property
Management Committee
625-2451

Sam Smith
Chair
Public Safety and
Justice Committee
625-2455

Jeanette Williams
Chair
Transportation
Committee
625-2453

Dear Mr. Jewett:

The City Council's Transportation Committee requests that Council Bill 102725 be engrossed as follows:

Page 1, line 8: Eliminate the words "and pose a potential safety hazard".

Page 3, under paragraph "B": Add the following:

"(10) Traffic Safety"

"(11) Accessibility for Elderly and Handicapped"

Page 3, under section 15.64.060, please add a new paragraph which would require that the Board of Public Works submit the skybridge proposal to the Council for conceptual approval following its review at this stage.

Page 4, line 9: Eliminate the word "clearly".

It is my hope that the Council can consider this at the Council meeting of Monday, January 18, 1982. Your assistance is appreciated.

Sincerely,

JEANETTE WILLIAMS, President
Seattle City Council

JW:kc

VICE PRESIDENT FOR UNIVERSITY RELATIONS

Seattle University

SEATTLE, WASHINGTON 98122
TELEPHONE (206) 626-6447

RECEIVED
DEC 11 1981
JEANETTE WILLIAMS

December 4, 1981

Councilwoman Jeanette Williams
Seattle City Council
Eleventh floor, Seattle Municipal Building
Fourth Avenue and Cherry Street
Seattle, Washington 98104

Dear Mrs. Williams:

The Seattle University Planning Office has reviewed the proposed ordinance setting standards and procedures for proposed skybridges. The University is concerned about the wording of section 15.64.090, Conditions Imposed on Grant of Permit. This section states that "the City would reserve the right to require the permittee to remove the skybridge at its sole cost and expense in case the street, alley or other public place is needed for such public use, or if the skybridge interferes with such public use; and that a determination by the City Council by ordinance that the space occupied by the skybridge is needed for or interferes with such public use shall be final and conclusive without any right of the permittee to resort to the courts to question the same".

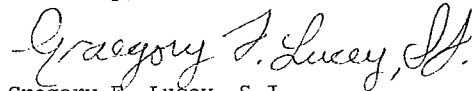
Seattle University is considering building a bridge over East James Way between Broadway Avenue and Eleventh Avenue as a part of its long-range campus planning. The need to provide safer pedestrian access to Campion Tower and the University's new Intramural Field is recognized by both the University and the City. Indeed, the City's Engineering Department recently criticized the University's request to vacate Eleventh Avenue between Cherry and Jefferson Streets on the grounds that said vacation would encourage more people to cross East James Way in a crosswalk that is recognized by both the University and the City as a very dangerous crossing for pedestrians.

The effect of section 15.64.090 of the proposed ordinance as presently written would be to preclude Seattle University from seriously considering constructing a skybridge at this location. The cost of a skybridge to a small university is so great that we would be hard pressed to consider building one if this ordinance is passed in its present form.

Section 15.64.090 should be modified to exempt structures that are erected at private expense for the purpose of ensuring public safety.

Thank you for your attention to our concerns.

Sincerely,



Gregory F. Lucey, S.J.
Vice President
University Relations & Planning

GFL:sm

Seattle City Council NEWS RELEASE

1106 Seattle Municipal Building

600 Fourth Avenue, Seattle, WA 98104

Jeanette Williams, Chair
Transportation Committee

November 25, 1981

For Further Info: Lori Mayfield
Telephone: 625-2453

FOR IMMEDIATE RELEASE

(Pedestrian Skybridge Standards)

Seattle City Councilmember Jeanette Williams announced today that a public hearing will be held on a proposed ordinance which would establish standards and procedures for the installation and construction of skybridges over public places.

The hearing will be held on Friday, December 4, 1981, at 9:30 a.m. in the Council Chambers, located on the 11th floor of the Municipal Building, 600 Fourth Avenue.

The ordinance establishes procedures for application to construct a skybridge over and above a city street, alley or other public place. The City Council is petitioned for permission to construct by filing a petition with the City Clerk. The applicant is required along with the petition to submit schematic plans for the proposal, provide alternatives with cost estimates, and state the reasons for the proposed skybridge.

The petition is reviewed by the Board of Public Works under criteria set out in the ordinance. The Board then forwards their recommendation on the application to the City Council.

Criteria established in the proposed ordinance for the Board to consider include the need and purpose of the skybridge, safety of the proposed structure, effect on the area in which it is to be constructed, the impact on public and private land use, and the availability of reasonable alternatives. New considerations are identified including view blockage, reduction of natural light and the affect on pedestrian traffic.

At issue is whether conceptual approval should be given by both the Board of Public Works and the City Council or just the Board. Only after conceptual approval would the applicant then be required to submit construction plans for final review and recommendation by the Board.

The final decision to grant or deny the skybridge permit is made by the City Council. The Council would grant permission only when it is determined to clearly be in the public interest to do so, and that no reasonable alternative exists.

"There has been increasing concern about the proliferation of skybridges in the downtown area," stated Councilmember Williams. "It is felt by many that the skybridges inherently block views, shadow streets, discourage pedestrian activity at street level and pose a potential safety hazard. I believe that the Council should consider establishing clear procedures and guidelines with regard to these structures which have a significant impact upon the character of our downtown area."

###

RECEIVED
JUL 30 1981
JEANETTE WILLIAMS

MEMORANDUM

July 30, 1981

TO: Jeanette Williams, Chair, Transportation Committee
FROM: Judith B. Barbour, Assistant City Attorney *JBB*
SUBJECT: Skybridge regulation

Attached please find a draft ordinance regulating skybridges in response to your request for a draft resolution. The Law Department view is that an ordinance is preferable to a resolution since the former carries the force of law and will be a permanent, codified regulation.

This draft is basically a codification of existing standard operating procedure. Your attention is drawn to proposed 15.64.070 (the second step in the process), which you may wish to delete or modify. An applicant now can only get to Council with his construction plans. Considering their costliness, it might be preferable for an applicant to get a Council decision based on the schematics and the recommendation, for or against, from the Board of Public Works, with permit issuance, if granted, only after approval from DCLU and Engineering.

If we can be of further assistance on this matter please let us know.

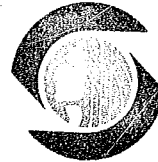
JBB:mm

Attachment

Your
Seattle
Board of Public Works

Michael E. Purdy, Acting Executive Secretary
Charles Royer, Mayor

RECEIVED
DEC 11 1981
JEANETTE WILLIAMS



Re: Proposed Skybridge Ordinance

December 10, 1981

Jeanette Williams
City Councilmember
City of Seattle

Dear Ms. Williams:

The Board of Public Works, in regular session December 9, 1981, concurred with the comments submitted by the Engineering Department in their memorandum of December 7, 1981, attached. The Board also recommended that the phrase "and pose a potential safety hazard" at the end of the second "whereas" be deleted from the ordinance, as it may open the City to future liability.

I hope that these comments are helpful to you. If you have any questions, please call either Kirk Jones or myself.

Very truly yours,

BOARD OF PUBLIC WORKS

Michael E. Purdy
Acting Executive Secretary

MEP:clc

Attachment

cc: Board of Public Works Members
Kirk Jones, Engineering Dept.

An equal employment opportunity - affirmative action employer.

Board of Public Works Department, 4th Floor, 400 Yesler Building, Seattle, Washington 98104, (206) 625-2266
Board of Public Works: Frank Doolittle, Chairman, Dir. of Administrative Services; Kenneth M. Lowthian, Supt. of Water;
Eugene V. Avery, Dir. of Engineering; Joseph P. Recchi, Supt. of City Light; Walter R. Hundley, Supt. of Parks and Recreation

Seattle
Engineering Department

RECEIVED
DEC 6 10 08 AM '81
CITY OF SEATTLE
BOARD OF PUBLIC WORKS



MEMORANDUM

December 7, 1981

To: Board of Public Works, Attention Mike Purdy

From: Eugene V. Avery, Director of Engineering *EVA*

Subject: Proposed Skybridge Ordinance (C.B. 102725)

The Engineering Department has reviewed the attached ordinance and agrees that such an ordinance should be passed to clarify the City's Policy and Procedures related to Skybridges. The Engineering Department has one major concern with this Council Bill. We interpret Section 15.64.080 to mean that a developer must have contract plans completed before the City Council will make a decision to grant or deny the petition for a permit. The developer will have to spend substantial sums of money to develop contract plans without knowing that the Council will approve the BPW recommendation. We recommend that a procedure similar to the street vacation or platting process be adopted. The City Council denies or approves the concept after receiving a report from the BPW as contemplated in Section 15.64.060. If approved, with or without conditions, the applicant proceeds with contract plans and meets any condition stipulated by the Council. Upon completion of final documents, the BPW reviews them and transmits a recommendation to the City Council certifying that the applicant has or has not met the conditions stipulated by the Council.

We also recommend adding the following elements to Section 15.64.050 B:

- include* (10) Traffic Safety
- include* (11) Accessibility for elderly and handicapped

KTJ:mf



Seattle City Council

Memorandum

Date: December 10, 1981
To: All Councilmembers
From: Jeanette Williams *JW*
Subject: Procedures and Standards for Pedestrian Skybridges

Attached is a proposed ordinance establishing procedures and standards for the installation, maintenance and operation of pedestrian skybridges.

The Board of Public Works has been requested to submit its comments to the Transportation Committee. At its meeting yesterday, the Committee agreed to postpone discussion until the Board's comments are received.

I would appreciate your reviewing the proposed ordinance and forwarding any comments to me. I am recommending a new paragraph be added on Page 3 under Section 15.64.060. This amendment would require the "concept" of the skybridge be submitted to the Council for approval by the Board of Public Works.

Thank you for your assistance. If my office can be of any assistance, please feel free to ask.

JW:lm
Att.



Seattle City Council
Memorandum

Date: November 30, 1981
To: Michael Purdy, Acting Executive Secretary
Board of Public Works
From: Jeanette Williams
Subject: Skybridge Permits

Attached is draft legislation establishing procedures and standards for granting permits for the installation, maintenance and operation of pedestrian skybridges.

I would appreciate the Board of Public Works reviewing the draft ordinance and forwarding its comments to me.

The Transportation Committee will conduct a public hearing on Friday, December 4, to gather comments on the draft legislation. The Committee is not scheduled to make a decision on Friday, so your comments after that date would still be timely.

Thank you for your assistance.

JW:lm
Att.



Seattle
Design
Commission

Charles Royer, Mayor

RECEIVED
DEC 11 1981
JEANETTE WILLIAMS

December 8, 1981

SDC-231/81

Mr. Frank Doolittle, Chairman
Board of Public Works
City of Seattle

Subject: Chancery Place Pedestrian Bridge

Dear Mr. Doolittle:

At the Design Commission meeting of December 3rd, the Commission reviewed the concept drawings for the Chancery Place Pedestrian Bridge to be located on First Hill, connecting two chancery office spaces across an alley. The proposed project blocks no views and appears to be justified from a use standpoint. It is not likely that a bridge across an alley in this location would take pedestrians off the street. The Commission acted to approve the proposal and waive further review.

We hope this is helpful to your Board in your upcoming review of the project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Virginia Voorhees".

Virginia Voorhees
Coordinator

VV:leo

cc: ✓ Jeanette Williams
Eugene Avery
Dean Mosier
Ray Allwine
Dave Jarrell, Streeter-Dermanis, Architects

Ordinance No. _____

WP

AN ORDINANCE relating to street use; adding a new Chapter 15.64 to the Seattle Municipal Code to establish procedures and standards for granting special term permits for the installation, maintenance and operation of pedestrian skybridges.

12/4/81 Hall
12/9/81 Hall
1-13-82 Pass

COMPTROLLER
FILE NUMBER _____

Council Bill No. 102725

INTRODUCED: NOV 23 1981	BY: WILLIAMS
REFERRED: NOV 23 1981	TO: TRANSPORTATION
REFERRED:	
REFERRED:	
REPORTED:	SECOND READING:
THIRD READING:	SIGNED:
PRESENTED TO MAYOR:	APPROVED:
RETD. TO CITY CLERK:	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

CSS 8.1.97



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ORDINANCE _____

AN ORDINANCE relating to street use; adding a new Chapter 15.64 to the Seattle Municipal Code to establish procedures and standards for granting special term permits for the installation, maintenance and operation of pedestrian skybridges.

WHEREAS, the City is continuing to receive applications for construction of skybridges over public places; and

WHEREAS, skybridges inherently block views, shadow streets, divide street blocks, discourage pedestrian activity at street level and pose a potential safety hazard; and

WHEREAS, reasonable alternatives to skybridges which do not cause such adverse effects often exist; and

WHEREAS, it is the desire of the City Council to limit the proliferation and adverse effects of skybridges; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That there is added to the Seattle Municipal Code a new chapter 15.64 to read as follows:

Chapter 15.64

SKYBRIDGE PERMITS

15.64.010 PURPOSE

The purpose of this chapter is to establish the procedure and criteria for the administration and approval of applications for permission to construct, maintain and operate pedestrian skybridges over and across streets, alleys and other public places within the City of Seattle.

15.64.020 PETITION FOR SKYBRIDGE PERMIT

Any owner of an interest in real property abutting any street, alley or other public place, as defined in Section 15.02.030 of the Seattle Municipal Code, who desires to construct a pedestrian skybridge over and above the street, alley or other public place may petition the City Council to grant a special permit for construction, maintenance, and operation of a pedestrian skybridge. The petition shall be filed with the City Clerk.

1 15.64.030 RECOMMENDATION OF BOARD OF PUBLIC WORKS

2 The City Council shall refer each petition for a skybridge
3 permit to the Board of Public Works for a recommendation.
4 Thereafter, the Board and the City Council shall follow the
5 procedures set forth in Sections 15.64.040 et seq. of this
6 chapter.

7 15.64.040 PRELIMINARY APPLICATION

8 At the time of filing the petition, the applicant shall
9 also submit to the Board of Public Works on a form supplied
10 by the Director of Engineering a preliminary application for
11 a skybridge permit. The application shall include the
12 following:

- 13 (a) schematic plans of the proposed skybridge, which
14 shall include its location, size, height above
15 ground surface, and cost estimate;
- 16 (b) schematic plans of alternatives to the skybridge,
17 with cost estimates;
- 18 (c) drawings of the proposed skybridge showing its
19 visual appearance;
- 20 (d) photographs of the location and immediately
21 surrounding area;
- 22 (e) an environmental checklist as defined by WAC
23 197-10-365 and adopted by Section 25.04.020 of the
24 Seattle Municipal Code, unless one is already
25 being processed by a City department;
- 26 (f) a statement of the reasons for the necessity for
27 the proposed skybridge;
- 28 (g) any additional information deemed necessary for
processing the application.

22 15.64.050 CIRCULATION OF PRELIMINARY APPLICATION

23 A. The Director of Engineering shall circulate the
24 preliminary application and schematic plans to the Seattle
25 Design Commission, the various interested City Departments,
26 and public and private utilities affected by the proposed
27 skybridge or its alternative for review, comment and recommendation.
28

1 B. In making the recommendation on the proposed
2 skybridge, the following elements shall be considered:

- 3 (1) horizontal and vertical clearance;
4 (2) structural adequacy;
5 (3) conflict with existing or proposed utilities,
6 street lighting or traffic control devices;
7 (4) view blockage;
8 (5) segregation or walling-off effect;
9 (6) reduction of natural light;
10 (7) reduction of pedestrian traffic;
11 (8) impact on public and private land use; and
12 (9) availability of reasonable alternatives.

13 C. If an environmental checklist is not being processed
14 by another City Department, the Director of Engineering
15 shall make the threshold determination of whether the proposed
16 skybridge will result in a significant adverse impact on the
17 quality of the environment in accordance with WAC 197-10 and
18 Chapter 25.04 of the Seattle Municipal Code.

19 15.64.060 PRELIMINARY APPROVAL BY BOARD OF PUBLIC WORKS

20 The Director of Engineering shall compile the comments
21 and recommendations of the Seattle Design Commission, the
22 various City Departments and utilities and submit them,
23 along with the preliminary application, schematic plans and
24 environmental documents, to the Board of Public Works for
25 its conceptual approval of the proposed skybridge.

26 15.64.070 FINAL RECOMMENDATION TO THE BOARD OF PUBLIC WORKS

27 If conceptual approval of the preliminary application
28 is obtained from the Board of Public Works, the applicant
shall submit construction plans to the Director of Engineering,
the Director of Construction and Land Use, and the Seattle
Design Commission for their final review and recommendation
to the Board of Public Works.

1 15.64.080 COUNCIL CONSIDERATION OF PETITION

2 A. Upon completion of its final review of the construction
3 plans, the Board of Public Works shall transmit its recommendation
4 together with the preliminary application, plans and environmental
5 documents to the City Council for its decision to grant or
6 deny the petition for a skybridge permit.

7 B. Special term permits shall be granted only by
8 ordinance. The City Council shall not enact an ordinance
9 granting permission to construct, maintain and operate a
10 skybridge unless it finds that the skybridge is clearly in
11 the public interest and no reasonable alternative to the
12 skybridge exists.

13 15.64.090 CONDITIONS IMPOSED ON GRANT OF PERMIT

14 The City Council may impose such terms and conditions
15 as it deems necessary upon the grant of permission to
16 construct, maintain and operate a skybridge, which terms and
17 conditions may include but shall not be limited to: the
18 term of years for which permission is granted and renewal
19 periods, if any; provision for regular City inspection of
20 and procedures for closure or removal of the skybridge;
21 requirements for performance bonds, public liability insurance,
22 indemnification, and annual fees; prohibition against assignment
23 without City Council consent; and timely acceptance of
24 permission. Every ordinance approving a skybridge shall
25 provide that the permission granted is subject to the primary
26 use by the city of the street, alley or other public place
27 for public travel and other street uses, and that the City
28 expressly reserves the right to require the permittee to
remove the skybridge at its sole cost and expense in case
the street, alley or other public place is needed for such
public use, or if the skybridge interferes with such public

1 use; and that a determination by the City Council by ordinance
2 that the space occupied by the skybridge is needed for or
3 interferes with such public use shall be final and conclusive
4 without any right of the permittee to resort to the courts
5 to question the same.

6 Section 2. The Director of Engineering is authorized
7 to adopt such rules as are necessary and appropriate to
8 carry out his responsibilities under this ordinance. The
9 Board of Public Works is authorized to adopt procedures for
10 determining fees for skybridge permits.

11 Section 3. Any act consistent with the authority and
12 prior to the effective date of this ordinance is hereby
13 ratified and confirmed.

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ORDINANCE 110422

AN ORDINANCE relating to street use; adding a new Chapter 15.64 to the Seattle Municipal Code to establish procedures and standards for granting special term permits for the installation, maintenance and operation of pedestrian skybridges.

WHEREAS, the City is continuing to receive applications for construction of skybridges over public places; and

WHEREAS, skybridges inherently block views, shadow streets, divide City blocks, and discourage pedestrian activity at street level; and

WHEREAS, reasonable alternatives to skybridges which do not cause such adverse effects often exist; and

WHEREAS, it is the desire of the City Council to limit the proliferation and adverse effects of skybridges; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That there is added to the Seattle Municipal Code a new chapter 15.64 to read as follows:

Chapter 15.64

SKYBRIDGE PERMITS

15.64.010 PURPOSE AND INTENT STATEMENT

The purpose of this chapter is to establish the procedure and criteria for the administration and approval of applications for permission to construct, maintain and operate pedestrian skybridge over and across streets, alleys and other public places within the City of Seattle.

It is the intent of the City Council to limit the proliferation and adverse effects of skybridges. It is intended that proposed skybridges shall be reviewed with regard to how well they serve the public interest and their relationship to the cityscape. The provisions of this ordinance shall be liberally construed in carrying out the intent of the Council.

15.64.020 PETITION FOR SKYBRIDGE PERMIT

Any owner of an interest in real property abutting any street, alley or other public place, as defined in Section 15.02.030 of the Seattle Municipal Code, who desires to construct a pedestrian skybridge over and above the street, alley or other public place, may petition the City Council to grant a special permit for construction, maintenance, and operation of a pedestrian skybridge. The petition shall be filed with the City Clerk.

15.64.030 RECOMMENDATION OF BOARD OF PUBLIC WORKS

The City Council shall refer each petition for a skybridge permit to the Board of Public Works for a recommendation. Thereafter, the Board and the City Council shall follow the procedures set forth in Sections 15.64.040, et seq. of this chapter.

15.64.040 PRELIMINARY APPLICATION

At the time of filing the petition, the applicant shall also submit to the Board of Public Works on a form supplied by the Director of Engineering a preliminary application for a skybridge permit. The application shall include the following:

- (a) Conceptual drawings of the proposed skybridge, which shall include its location, size, height above ground surface, and cost estimate;
- (b) Conceptual drawings of alternatives to the skybridge, with cost estimates;
- (c) Drawings of the proposed skybridge showing its visual appearance;
- (d) Photographs of the location and immediately surrounding area;
- (e) An environmental checklist as defined by WAC 197-10-365 and adopted by Section 25.04.020 of the Seattle Municipal Code;
- (f) A statement of the reasons for the necessity for the proposed skybridge;
- (g) Any additional information deemed necessary for processing the application.

15.64.050 CIRCULATION OF PRELIMINARY APPLICATION

A. The Director of Engineering shall circulate the preliminary application and conceptual drawings to the Seattle Design Commission, the various interested City departments, and public and private utilities affected by the proposed skybridge for review, comment and recommendation.

B. In making the recommendation on the proposed skybridge, the following elements shall be considered:

- (1) That horizontal and vertical clearance is adequate;
- (2) That structural adequacy is insured;
- (3) Potential conflict with existing or proposed utilities, street lighting or traffic control devices;
- (4) View blockage;
- (5) Interruption or interference with existing

streetscape;

- (6) Reduction of natural light;
- (7) Reduction of pedestrian activity at street level;
- (8) The number of pedestrians projected to use the

skybridges;

- (9) Effect on commerce and enjoyment of neighboring land

use;

- (10) Availability of reasonable alternatives;
- (11) Effect on traffic and pedestrian safety; and
- (12) Accessibility for elderly and handicapped.

15.64.060 PRELIMINARY CONCEPTUAL APPROVAL

The Director of Engineering shall compile the comments and recommendations of the Seattle Design Commission, the various City departments and utilities and submit them, along with the preliminary application, conceptual drawings and environmental documents, to the Board of Public Works for conceptual approval review of the proposed skybridge. Upon completion of review, the Board shall recommend to approve, deny or modify the application, and transmit the recommendation, together with the preliminary application, conceptual drawings and environmental documents, to the City Council or a committee thereof, for conceptual approval.

15.64.065 COUNCIL CONCEPTUAL APPROVAL

The City Council or a Committee thereof shall consider the recommendation of the Board of Public Works and shall include in its consideration those elements set out in Section 15.64.050, paragraph B. Upon completion of consideration of the recommendation of the Board of Public Works, the City Council shall by resolution approve, deny, or approve with requirements or conditions, the application for conceptual approval of the skybridge.

The City Council shall not grant conceptual approval to construct, maintain and operate a skybridge unless it finds that the skybridge is in the public interest and no reasonable alternative to the skybridge exists.

15.64.070 FINAL RECOMMENDATION TO THE BOARD OF PUBLIC WORKS

If conceptual approval of the preliminary application is obtained from the City Council, the applicant shall submit construction plans to the Director of Engineering, the Director of Construction and Land Use, and the Seattle Design Commission for their final review and recommendation to the Board of Public Works.

15.64.080 COUNCIL CONSIDERATION OF PETITION

A. The Board of Public Works shall determine if the construction plans are in substantial conformance with the application which was given preliminary conceptual approval, including any requirements or conditions imposed by the Council.

B. Upon completion of its final review of the construction plans, the Board of Public Works shall transmit its final recommendation to the City Council for its decision to grant or deny the petition for a skybridge permit.

C. Approval of a petition for a skybridge and permit shall be granted only by ordinance.

15.64.090 CONDITIONS IMPOSED ON GRANT OF PERMIT

The City Council may impose such terms and conditions as it deems necessary upon the grant of permission to construct, maintain and operate a skybridge, which terms and conditions may include but shall not be limited to: the term of years for which permission is granted and renewal periods, if any; provision for regular City inspection of and procedures for closure or removal of the skybridge; requirements for performance bonds, public liability insurance, indemnification, and annual fees; prohibition against assignment without City Council consent; and timely acceptance of permission. Every ordinance approving a skybridge shall provide that the permission granted is subject to the primary use by the city of the street, alley or other public place for public travel and other street uses, and that the City expressly reserves the right to require the permittee to remove the skybridge at its sole cost and expense in case the street, alley or other public place is needed for such public use; or if the skybridge interferes with such public use; and that a determination by the City Council by ordinance that the space occupied by the skybridge is needed for or interferes with such public use shall be final and conclusive without any right of the permittee to resort to the courts to question the same.

9

Section 2. The Director of Engineering is authorized to adopt such rules as are necessary and appropriate to carry out his responsibilities under this ordinance. The Board of Public Works is authorized to adopt procedures for determining fees for skybridge permits.

Section 3. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 8th day of February, 1922, and signed by me in open session in authentication of its passage this 8th day of February, 1922.

Approved by me this 16th day of February, 1922.

Filed by me this 16th day of February, 1922.

Harold W. Williams
President of the City Council

Charles R. Miller
Mayor

Tim Hill
Attest: City Comptroller and City Clerk

(SEAL)

By *Theresa Dumbauld*
Deputy Clerk

Publication ordered by TIM HILL, Comptroller and City Clerk.
Date of Official Publication in the Daily Journal of Commerce, Seattle, February 19, 1922. (C-119)

ORDINANCE 110422

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WHEREAS, skybridges inherently block views, shadow streets, divide City blocks, and discourage pedestrian activity at street level; and

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- (b) Conceptual drawings of alternatives to the skybridge, with cost estimates;
- (c) Drawings of the proposed skybridge showing its visual appearance;
- (d) Photographs of the location and immediately surrounding area;
- (e) An environmental checklist as defined by WAC 197-10-265 and adopted by Section 25.04.020 of the Seattle Municipal Code;
- (f) A statement of the reasons for the necessity for the proposed skybridge;
- (g) Any additional information deemed necessary for processing the application.

15.64.050 CIRCULATION OF PRELIMINARY APPLICATION

A. The Director of Engineering shall circulate the preliminary application and conceptual drawings to the Seattle Design Commission, the various interested City departments, and public and private utilities affected by the proposed skybridge for review, comment and recommendation.

B. In making the recommendation on the proposed skybridge, the following elements shall be considered:

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- (4) View blockage;
- (5) Interruption or interference with existing

streetscape;

- (6) Reduction of natural light;
- (7) Reduction of pedestrian activity at street level;
- (8) The number of pedestrians projected to use the

skybridges;

- (9) Effect on commerce and enjoyment of neighboring land

use;

- (10) Availability of reasonable alternatives;
- (11) Effect on traffic and pedestrian safety; and
- (12) Accessibility for elderly and handicapped.

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15.64.065 COUNCIL CONCEPTUAL APPROVAL

The City Council or a Committee thereof shall consider the recommendation of the Board of Public Works and shall include in its consideration those elements set out in Section 15.64.050, paragraph B. Upon completion of consideration of the recommendation of the Board of Public Works, the City Council shall by resolution approve, deny, or approve with requirements or conditions, the application for conceptual approval of the skybridge.

The City Council shall not grant conceptual approval to construct, maintain and operate a skybridge unless it finds that the skybridge is in the public interest and no reasonable alternative to the skybridge exists.

15.64.070 FINAL RECOMMENDATION TO THE BOARD OF PUBLIC WORKS

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A. The Board of Public Works shall determine if the construction plans are in substantial conformance with the application which was given preliminary conceptual approval, including any requirements or conditions imposed by the Council.

B. Upon completion of its final review of the construction plans, the Board of Public Works shall transmit its final recommendation to the City Council for its decision to grant or deny the petition for a skybridge permit.

C. Approval of a petition for a skybridge and permit shall be granted only by ordinance.

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The City Council may impose such terms and conditions as it deems necessary upon the grant of permission to construct, maintain and operate a skybridge, which terms and conditions may include but shall not be limited to: the term of years for which permission is granted and renewal periods, if any; provision for regular City inspection of and procedures for closure or removal of the skybridge; requirements for performance bonds, public liability insurance, indemnification, and annual fees; prohibition against assignment without City Council consent; and timely acceptance of permission. Every ordinance approving a skybridge shall provide that the permission granted is subject to the primary use by the city of the street, alley or other public place for public travel and other street uses, and that the City expressly reserves the right to require the permittee to remove the skybridge at its sole cost and expense in case the street, alley or other public place is needed for such public use; or if the skybridge interferes with such public use; and that a determination by the City Council by ordinance that the space occupied by the skybridge is needed for or interferes with such public use shall be final and conclusive without any right of the permittee to resort to the courts to question the same.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on *transportation*

JAN 18 1964

to which was referred

C.B. 102725 Relating to street use; adding a new Chapter 15.64 to the Seattle Municipal Code to establish procedures and standards for granting special term permits for the installation, maintenance and operation of pedestrian skybridges.

RD 3000

110422

.....	Chairman	Chairman
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.....	Committee	Committee

CSS 20.14

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on TRANS

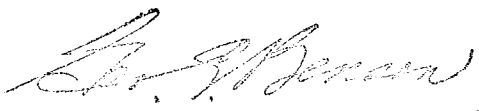
FEB 08 1982

to which was referred

C.B. 102725

Adding a new chapter to the Municipal Code to establish procedures and standards for granting special term permits for the installation maintenance and operation of pedestrian skybridges

PASS



..... Chairman

..... Chairman

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Committee

Committee

Affidavit of Publication

STATE OF WASHINGTON
KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a
Ordinance No. 110422

.....
was published on **February 19, 1982**
.....

J. Mikalys

Subscribed and sworn to before me on
February 19, 1982

Barbara C. Jensen
Notary Public for the State of Washington,
residing in Seattle.

TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:

Janette Williams _____

FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: *Transportation* _____

PRESIDENT'S SIGNATURE

C S. 20.28