

---

## Section 43.1 Design Standards for Public Plazas in the BD-3 and TOC Zones (04-20-20)

### 43.1-01 Purpose.

Public plazas are privately operated open areas on a Lot intended for public use and enjoyment. Public plazas are intended to serve the following specific purposes:

- (1) to serve a variety of users of the public plaza;
  - (2) to provide spaces for solitary users while at the same time providing opportunities for social interaction;
  - (3) to provide safe spaces, with maximum visibility from the Street and adjacent Buildings and with multiple avenues for ingress and egress;
  - (4) to mitigate the impact of Urban Heat Island by incorporating planting;
  - (5) to maintain the use of the public plaza as publicly accessible space throughout the life of the Building for which a bonus FAR is provided due to the inclusion of a public plaza on the Lot on which the Building is located; and
  - (6) to ensure that the provision of a FAR bonus for a Building due to the inclusion of a public plaza on the Lot on which the Building is located is based upon consistently applied standards.
- (7) to create spaces which are pleasing to the senses, and suitably control any above-ground utility-like appurtenances which may be visually, audibly, and odorously offensive.
- (8) to create spaces which are architecturally compatible and harmonious with surroundings.

(Ord. No. 1899, Sched. A, 7-6-20)

### 43.1-02 Definitions.

*Corner public plaza:* A "corner public plaza" is a public plaza that is located on an intersection of two or more Streets.

*Through block public plaza:* A "through block public plaza" is a public plaza or portion of a public plaza that connects two Streets at mid-block.

(Ord. No. 1899, Sched. A, 7-6-20)

### 43.1-03 Area dimensions.

A public plaza shall contain an area of not less than 3,000 square feet. In no case, shall spaces between existing Buildings on a Lot qualify as public plazas for purposes calculating a zoning bonus. Only the areas of a public plaza that meets the Standards shall count towards qualifying area for purposes of calculating a zoning bonus.

(Ord. No. 1899, Sched. A, 7-6-20)

---

### **43.1-04 Orientation.**

The orientation of the public plaza shall maximize access to sunlight and air. A primary frontage of the public plaza shall be south facing where possible and adequate shade shall be provided for user comfort. Prevailing wind patterns and down drafts shall be considered with adequate protections for user comfort.

(Ord. No. 1899, Sched. A, 7-6-20)

### **43.1-05 Requirements for major portions of public plazas.**

All contiguous public plaza areas meeting these standards for public plazas on one Lot shall be considered one public plaza, as follows:

- (1) The major portion of a public plaza is the largest area of the public plaza and the area of primary use.
- (2) Major portions shall be generally regular in shape, easily and directly accessible from adjoining Buildings and public spaces, and continuously visible from within all portions of the public plaza.
- (3) The major portion of a public plaza shall have a minimum average width and depth of 40 feet.
- (4) Where a public plaza has an irregular shape, minor portions of the public plaza shall be directly adjacent to the major portion and have a minimum depth of 15 feet.

(Ord. No. 1899, Sched. A, 7-6-20)

### **43.1-06 Regulations for through block public plazas.**

Through block plazas shall meet the following standards:

- (1) Through block public plazas shall be treated as two public plazas separated at a line drawn within 25 feet of the midblock line.
- (2) Where any Building wall or walls adjoin a through block public plaza or a through block portion of a public plaza and where such wall or walls exceed 120 feet in aggregate length, a minimum ten-foot setback at a height between 60 and 90 feet is required for the full length of the Building wall.
- (3) Through block public plazas shall contain a circulation path at least ten feet in width, connecting the two Streets on which the public plaza fronts.

(Ord. No. 1899, Sched. A, 7-6-20)

### **43.1-07 Paving.**

The paving of the public plaza shall be of non-skid durable materials that are decorative and compatible in color and pattern with other design features of the public plaza. To reduce urban heat island:

- (1) Paving materials shall be of high-reflective material and/or pervious pavers or vegetated pavers.
- (2) Urban landscape, trees and vegetation shall be used to reduce direct sunlight on pavement surfaces.

(Ord. No. 1899, Sched. A, 7-6-20)

---

### **43.1-08 Access and Circulation.**

- (a) At least 30 percent of public plaza Street frontage shall be free of obstructions
- (b) The level of a public plaza, inclusive of major and minor portions, shall be at the average elevation of the level of the curb of adjacent Street frontage
- (c) Clear sightlines shall be maintained into main areas of the public plaza from adjacent sidewalks.
- (d) Notwithstanding the foregoing. If the grade of the public plaza is different from the grade of an adjacent Street, there must be a visible means of access from the adjacent Street onto the public plaza as well as signage, artwork, planted walls or other visual cues that connect the adjacent Street to the public plaza.
- (e) Where the elevation of the public plaza is more than four feet above or below the curb level of an adjoining Street, access to the public plaza shall be provided by ADA compliant stairs, via a through block connection (a connection between two Streets) or via a publicly accessible arcade or enclosed passage that is open to public and ADA accessible.
- (f) Circulation paths within public plazas shall provide for unobstructed pedestrian circulation throughout the minor and major portions of the public plaza at a minimum width of five feet. At least one circulation path should be at an average eight in width.

(Ord. No. 1899, Sched. A, 7-6-20)

### **43.1-09 Permitted obstructions.**

Public plazas shall be open to the sky and unobstructed except for the following features:

- (1) Equipment and appurtenances normally found in public parks and playgrounds: water features, art; seating; trees, planters, planting beds, arbors or trellises; litter receptacles; bicycle racks; tables and other outdoor furniture: lights, public restrooms; permitted temporary exhibitions; permitted canopies; permitted freestanding signs; play equipment; kiosks and open-air cafes; stages.
- (2) No obstructions shall impede sightlines in the public plaza so as to create a public safety issue.
- (3) Permitted obstructions may occupy a maximum percentage of the area of a public plaza, as follows:  
For public plazas less than 10,000 square feet in area: 40 percent  
For public plazas 10,000 square feet or more in area: 50 percent
- (4) The area of permitted obstructions shall be measured by outside dimensions at ground level. Obstructions that are non-permanent or moveable, such as moveable chairs, open air cafes, or temporary exhibitions are exempt.
- (5) Trees planted flush-to-grade in accordance with the provisions of Section 43.1-13b (Planting and Trees) and tree canopies as well as raised planted areas that are bounded by seating do not count as obstructions for the purpose of calculating total area occupied by permitted obstructions.
- (6) The following are prohibited in public plazas: garage entrances, driveways, parking spaces, passenger drop offs, loading berths, exhaust vents, mechanical equipment and building trash storage facilities. Vents may be permitted in adjacent walls if they are more than 15 feet above the level of plaza with visual and auditory mitigation. Vents in public plazas must be concealed from view by planting or other features.

(Ord. No. 1899, Sched. A, 7-6-20)

---

### **43.1-10 Hours of access.**

All public plazas shall always be accessible to the public, except for anticipated temporarily closures for maintenance of the public plaza or for public safety as documented by the applicant.

(Ord. No. 1899, Sched. A, 7-6-20)

### **43.1-11 Standards of accessibility for persons with disabilities.**

All public plazas shall conform to applicable laws pertaining to access for persons with disabilities regardless of whether the Building associated with the public plaza is existing or new.

(Ord. No. 1899, Sched. A, 7-6-20)

### **43.1-12 Kiosks, Food Carts and Open-Air Cafes.**

Kiosks, food carts and open-air cafes may be placed within a public plaza which are licensed in accordance with City regulations. Such features shall be treated as permitted obstructions.

(Ord. No. 1899, Sched. A, 7-6-20)

### **43.1-13 Amenities.**

All public plazas shall provide amenities, as listed below. All required amenities shall be considered permitted obstructions within the public plaza.

(Ord. No. 1899, Sched. A, 7-6-20)

### **43.1-13a Seating.**

Standards for seating within public plazas are intended to facilitate the provision of abundant, comfortable and accessible seating throughout the public plaza, to provide a broad variety of seating types and configurations; to accommodate individual users engaged in solitary activities as well as groups engaged in social activities; to provide comfortable and safe seating surfaces; to incorporate, to the maximum extent possible, a combination of fixed benches, moveable chairs, seating with backs, seat walls and ledges, and seating steps; as follows:

A minimum of one linear foot of seating shall be provided for each 75 square feet of public plaza area. Moveable seats can be credited as two linear feet.

(Ord. No. 1899, Sched. A, 7-6-20)

### **43.1-13b Planting and Trees.**

The provisions of this Section are intended to facilitate a combination of landscaping elements in order to provide comfort, shade and textural variety.

- (1) At least 15 percent of the area of a public plaza shall be comprised of planting beds with a minimum plan dimension of two feet, exclusive of any bounding walls.
- (2) All public plazas shall provide a minimum of four trees with a minimum of three-inch diameter at breast height (DBH).

- 
- (3) For a public plaza greater than 10,000 square feet in area, additional trees that measures at least three inches DBH or multi-stemmed equivalents must be provided for each additional 1,200 square feet of public plaza area.
  - (4) For all public plazas, at least 50 percent of required trees shall be planted flush-to-grade or planted at grade within planting beds with no raised curbs or railings. Trees planted flush-to-grade shall be surrounded by a porous surface (such as grating or open-joint paving) that allows water to penetrate into the soil for 75 square feet around trunk.
  - (5) Planting beds shall have a soil depth of at least 18 inches for grass or other ground cover, three feet for trees and shrubs. Any planting bed containing required trees shall have a continuous area of at least 75 square feet for each tree exclusive of bounding walls. Each tree should have access to 1000 cubic feet (cf) of soil. If trees are planted in a continuous planting bed, a minimum of 600 cubic feet of soil per tree should be allocated.
  - (6) All plantings shall be appropriate to local climate and conditions with a 90 percent survival rate expectancy in first two years. Native species shall be prioritized in plant selections.
  - (7) Planted areas on the roof of a subsurface structure may qualify as ECO roofs (see ECO roof definition). The requirements for soil depth and heights of planting beds above subsurface structures shall not apply if planting depths are not achievable due to structural or similar constraints and an alternative design such as intensive eco-roof application is provided.
  - (8) Street trees are required to be planted at minimum 30 feet on center in the sidewalk area adjacent to a Lot on which a Building is located which has received a FAR bonus due to the presence of a public plaza on the Lot. Street trees are required to be approved by the City Tree Warden through the Site Plan Review process.

(Ord. No. 1899, Sched. A, 7-6-20)

#### **43.1-14 Lighting and electrical power.**

Public plazas shall be illuminated to provide for safe use and enjoyment of all areas of the public plaza. Steps and other changes in elevation and areas under tree canopies and permitted canopies within the public plaza shall be adequately lit. Electrical service shall be provided for public programming. All lighting sources that illuminate the public plaza and are mounted on or located within the Buildings adjacent to the public plaza on the Lot on which the public plaza is located shall be shielded from direct view. In addition, all lighting within the public plaza area shall be shielded to minimize any adverse effect on surrounding residences. All lighting must be Dark Sky Friendly to reduce light pollution.

(Ord. No. 1899, Sched. A, 7-6-20)

#### **43.1-15 Litter and recycling receptacles.**

Litter and recycling receptacle shall be provided in adequate numbers in accordance with use and programming of the public plaza.

(Ord. No. 1899, Sched. A, 7-6-20)

#### **43.1-16 Bicycle parking.**

In addition to the requirements for bicycle parking in Section 45 for the Building on the Lot on which the public plaza is located, public plazas greater than 10,000 square feet in size must provide parking for at least eight

---

(Supp. No. 27)

Created: 2021-04-06 13:10:00 [EST]

---

bicycles. Bike racks must be provided directly adjacent to the sidewalk that borders a public plaza and conform with any applicable City standards.

(Ord. No. 1899, Sched. A, 7-6-20)

#### **43.1-17 Additional amenities.**

Public plazas between 5,000 and 10,000 square feet in area must provide one of the following additional amenities and public plazas greater than 10,000 square feet in area must provide at least three of the following additional amenities. All additional amenities shall be considered permitted obstructions within the public plaza.

- (1) Artwork. The applicant shall consult with City's Director of Arts, Culture and Tourism with respect to the selection of artwork prior to submitting its Site Plan application.
- (2) Moveable tables and chairs.
- (3) Water features.
- (4) Children's play area in accordance with relevant safety standards.
- (5) Game tables and associated seating; or
- (6) Food service, including: food service in a retail space directly accessible from the major portion of the public, plaza; or an open-air cafe or kiosk. Public plazas greater than 10,000 square feet in area must include a food service as one of the three additional required amenities.

(Ord. No. 1899, Sched. A, 7-6-20)

#### **43.1-18 Mandatory Allocation of Frontages for Permitted Uses.**

At least 50 percent of the total frontage of all new Building walls fronting on a public plaza shall contain active uses on the ground floor level of the Building wall fronting the public plaza. All such uses shall include and comply with the following:

- (1) A public entrance that is directly accessible from the major portion of the public plaza;
- (2) A minimum depth of 15 feet, measured perpendicular to the wall adjoining the public plaza;
- (3) Continuation of the occupancy of such frontage for the life of the Building that has received a FAR bonus due to the presence of the public plaza on the Lot on which the Building is located (but not necessarily the same active use); and
- (4) For all new Building walls fronting on the major and minor portions of the public plaza, such Building walls shall be treated with clear, un-tinted transparent material for 50 percent of the Building wall fronting on the public plaza to a minimum height of 14 feet above the public plaza. Any non-transparent area of a new or existing Building wall fronting on the major or minor portion of a public plaza shall be treated with a decorative element or material or shall be screened with planting to a minimum height of 14 feet above the public plaza.

(Ord. No. 1899, Sched. A, 7-6-20)

#### **43.1-19 Maintenance.**

The public plaza, including, but not limited to, the permitted obstructions pursuant to Section 43.1-09, shall be maintained including litter control, management of pigeons and rodents, maintenance of required lighting

---

(Supp. No. 27)

Created: 2021-04-06 13:10:00 [EST]

---

levels, and the care and replacement of furnishings and vegetation and trees within the Lot as well as snow and ice removal, as needed.

(Ord. No. 1899, Sched. A, 7-6-20)

### **43.1-20 Programming.**

Opportunities and permissions for pop-up seasonal events, temporary art installations, performances, educational events on the public plaza shall be provided in consultation with the City, the City's Art, Culture and Tourism Director and any applicable Special Services District. Access to power for public programming on the public plaza will be provided. A schedule of events shall be publicly available.

(Ord. No. 1899, Sched. A, 7-6-20)

### **43.1-21 Compliance.**

As part of its Site Plan application, an applicant seeking a FAR bonus based upon the provision of a public plaza shall include a site plan indicating the area and dimensions of the proposed public plaza, the location of all existing Buildings and Structures occupying the Lot; all proposed Buildings and Structures, computations of proposed FAR, including bonus FAR, and detailed plans prepared by a registered landscape architect, including but not limited to a furnishing plan, a planting plan, a signage plan, a lighting/photometric plan, and sections and elevations of the public plaza.

(Ord. No. 1899, Sched. A, 7-6-20)