

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 554?

AN ORDINANCE amending the Bellevue City Code to allow signs at the upper levels of high-rise buildings downtown; amending Sections 22B.10.020, 22B.10.025 and 22B.10.030 of the Bellevue City Code; and establishing an effective date.

WHEREAS, the Comprehensive Plan of the City of Bellevue contains policies supportive of economic development and development of the downtown as an urban center; and

WHEREAS, the Comprehensive Plan of the City of Bellevue identifies an interest in ensuring that the design and use of development downtown minimizes impacts on adjacent neighborhoods; and

WHEREAS, the Comprehensive Plan of the City of Bellevue also contains policies discouraging the placement of signs at the upper levels of high-rise buildings and encouraging architecturally compatible sign design; and

WHEREAS, allowing signs for certain enterprises at the upper levels of high-rise buildings may attract new and vital businesses to locate or remain in the downtown; and

WHEREAS, the impact of signs at the upper levels of high-rise buildings can be minimized through controls on number, design, lighting and placement, consistent with all existing Comprehensive Plan policies; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, and the City's Environmental Procedures Code, BCC 22.02; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The definition of "Freeway corridor" in Section 22B.10.020 of the Bellevue City Code is hereby amended as follows:

Freeway Corridor. A corridor paralleling each side of the freeway, with a width of 375 feet on each side of the freeway right of way. The freeway corridor does not include land within the boundaries of the downtown, as defined in the Land Use Code.

Section 2. A new definition of "halo lighting" is hereby added to Section 22B.10.020 as follows:

Halo Lighting. A method of sign illumination that consists of a light source external to the sign or sign elements and mounted behind the sign or sign elements. The sign elements of a sign illuminated through halo lighting shall be opaque, so that the light does not appear to emit from within or through the sign elements.

Section 3. Section 22B.10.025.B.2 of the Bellevue City Code is hereby amended as follows:

2. When Design Review Applies

- a. Upon adoption of this Code, no sign governed by this Code shall be erected, altered or relocated in any new building(s) or project(s), or on existing building(s) or project(s) located in a design district or originally approved through PUD or conditional use processes pursuant to the Land Use Code, without design review approval as described in this Section.
- b. Signs erected, altered or relocated within an existing building(s) or project(s) outside of any design district and originally approved through any permitting process under the Land Use Code other than through a PUD or conditional use process shall not be subject to the design review requirements of this Section, but shall comply with all other applicable provisions of this Sign Code.
- c. A property owner or his or her authorized agent may choose at any time to submit an application for design review for an existing building or project where a design review application has not previously been approved.

Section 4. Section 22B.10.025.E.1.d of the Bellevue City Code is hereby amended as follows:

- d. Signage is prohibited at the upper levels of high rise buildings, with exceptions for hotel/motel uses when the design is compatible with building architecture, and for enterprises occupying at least 180,000 net sq. ft. of building floor area as permitted by 22B.10.030.E.

Section 5. Section 22B.10.025.E.3 of the Bellevue City Code is hereby amended by the addition of a new subsection (d) as follows:

- d. High rise signs (other than hotel/motel uses). Signs permitted at the upper levels of high rise buildings pursuant to Section 22B.10.030 shall comply with the following requirements:
  - i. Signs shall not project above the top of the surface to which they are affixed, nor beyond the edge of any surface to which they are affixed;
  - ii. Signs shall use logos and lettering no larger than 8 feet in height;
  - iii. Cabinet and box signs are prohibited;
  - iv. Signs shall be mounted to the building with a mounting system that is not visible beyond the edges of the sign elements;
  - v. Signs shall be designed and located to preserve the integrity of the building roof form; and

- vi. Sign illumination shall be limited to halo lighting with a white light source; provided that signs may be internally illuminated when the surface on which the sign is mounted is made of glass or other highly reflective material that would interfere with the appearance of the sign if halo-lit. Internal illumination is limited to only those letters or sign elements that will appear white when lit. Any illumination shall be designed to ensure no exposed lighting source or raceway. The light source shall be no brighter than the equivalent of 30 milliamp neon tubing behind a diffuser panel. The applicant shall provide a signed certification from the sign manufacturer declaring that the illumination meets the limits of this subsection.

Section 6. Section 22B.10.030.B.3 of the Bellevue Land Use Code is hereby amended as follows:

- 3. **Sign Area Limitations: Building mounted, upper-level high rise, roof or canopy-mounted signs.** The surface area of any building-mounted, upper-level high rise, roof or canopy-mounted signage shall not exceed the figures derived from the following schedule:

Relevant Surface Area or Facade Area As Determined Pursuant to Subsection 22B.10.020	Maximum Sign Surface Area for that Facade
Below 100 sq. ft.	26 sq. ft.
100 - 199 sq. ft.	26 sq. ft. + 11% of facade area over 100 sq. ft.
200 - 499 sq. ft.	38 sq. ft. + 12% of facade area over 200 sq. ft.
500 - 999 sq. ft.	75 sq. ft. + 11% of facade area over 500 sq. ft.
1,000 - 1,499 sq. ft.	131 sq. ft. + 7.5% of facade area over 1,000 sq. ft.
1,500 - 2,999 sq. ft.	169 sq. ft. + 2.5% of facade area over 1,500 sq. ft.
Over 3,000 sq. ft.	206 sq. ft. + 1.5% of facade area over 3,000 sq. ft. to a maximum of 300 sq. ft.

For other than upper-level high rise signs, in multiple occupancy buildings the facade area for each enterprise is derived by measuring only the surface area of the exterior facade of the premises actually used by the enterprise, and the sign displayed by the enterprise must be located on the facade used to determine the size of the sign, except as provided in this section. For upper-level high rise signs, sign size may be up to 300 square feet, regardless of facade size.

Unused sign surface area for a facade may be used by any enterprise within the same multiple occupancy building, if:

- a. The applicant files with the City a written statement signed by the enterprise that earned the sign area under this code permitting the applicant to utilize the unused sign surface area.
- b. The display of a sign on that facade by the applicant will not create a significant adverse impact on other users of that facade.
- c. The display of the applicant's sign is necessary to reasonably identify the enterprise, and the provisions of this code do not provide the enterprise with adequate sign display options.
- d. In no event may sign surface area transferred under this provision be used for an upper-level high rise sign. Unused upper-level high rise sign surface area may not be transferred for use for any other sign, regardless of enterprise or location.

In no case may the maximum sign surface area or maximum number of signs permitted on a building facade be exceeded.

Section 7. Section 22B.10.030.B.4 of the Bellevue City Code is hereby amended as follows:

4. **Sign Height: Building-mounted Signs.** No building-mounted sign shall be placed on the upper levels of a high rise building, installed on the rooftop or extend above the height of the building to which it is attached, provided that hotels and motels may have signs at upper levels of a high rise building, rooftop mounted signs, and signs extending above the height of the building, and further provided that signs complying with Section 22B.10.030.E may be placed at the upper levels of high rise buildings.

Section 8. Section 22B.10.030.C of the Bellevue City Code is hereby amended as follows:

C. **Number of Primary Signs.**

1. General. The permissible number of signs for each single occupancy building is dependent upon the surface area of the largest single facade of the building. The permissible number of signs for each enterprise in a multiple occupancy building is dependent upon the surface area of the largest single facade of the portion of the building occupied by the enterprise applying for the sign permit. An enterprise in a multiple occupancy building must have an exterior entrance to be allowed primary signage pursuant to this section C, except as provided in subsections 2 and 3. The permitted number of signs is as follows:

<b>Surface Area of Largest Facade</b>	<b>Maximum Number of Signs</b>
Less than 999 sq. ft.	2
1,000 - 2,999 sq. ft.	3
3,000 sq. ft. and over	4

Buildings or enterprises with more than 3,000 square feet on any face, with several clearly differentiated departments, each with separate exterior entrances, are permitted one sign for each different department with a separate exterior entrance, in addition to the four allotted.

2. Upper-level high rise signs. One enterprise occupying at least 180,000 net square feet in a single high-rise building within the downtown may earn two upper-level high rise signs for placement on the building in which such enterprise is located, regardless of whether such enterprise has an exterior entrance. Such signs must comply with section 22B.10.030.E.2. Such signs are in addition to other signs allowed under this section 22B.10.030. Both signs must be used the same enterprise.
3. Transfer of Unused Allotment. In multiple occupancy buildings, unused primary sign allotment for one enterprise may be used by any enterprise within the same multiple occupancy building, if:
  - a. The applicant files with the City a written statement signed by the enterprise that earned the primary sign under this code permitting the applicant to utilize the unused primary sign allotment.
  - b. The display of a sign by the applicant will not create a significant adverse impact on the primary signs of other enterprises in the building.
  - c. The display of the applicant's sign is necessary to reasonably identify the enterprise, and the provisions of this code do not provide the enterprise with adequate sign display options.
  - d. In no event may unused primary sign allotment transferred under this provision be used for an upper-level high rise sign. Unused upper-level high rise sign allotment may not be transferred for use for any other sign, regardless of enterprise or location.

In no case may the maximum sign surface area or maximum number of signs permitted on a building facade be exceeded.

Section 9. Section 22B.10.030.E of the Bellevue City Code is hereby amended as follows:

E. **Types of Placement of Primary Signs.** The permissible types of primary signs, their placement and other limitations are as follows:

1. **Freestanding Signs.**

- a. Freestanding signs shall be wholly located within the center two-thirds of the frontage of the property on the street or 15 feet from the adjacent property line, whichever provides the longer distance from the closest part of the sign to the adjacent property line; provided, however, that a freestanding sign may be located within five feet of the property line with the written consent of the title holder of the adjacent property. If such consent is obtained, the consenting party or his or her successors or assigns may not place a freestanding sign on his or her property within 20 feet of the first freestanding sign.
- b. A freestanding sign located at the property line shall be wholly behind the property line, and a freestanding sign located at the building line shall be wholly behind the building line.
- c. Any freestanding sign must be integrated. That is, all supports or sign elements shall be an integral part of the design. Auxiliary projections or attachments not a part of a single design are prohibited, unless approved through Design Review.
- d. Landscaping shall be provided at the base of all freestanding signs, as required by BCC 22B.10.140.F.

2. **Building-mounted Signs.**

- a. Signs shall not project more than five feet from the face of the building to which the sign is attached. However, an exception may be made for the main building sign or tenant sign if it meets the following criteria:
  1. The sign must be of a scale and orientation designed to address pedestrian or vehicular traffic; and
  2. The sign must not pose a traffic safety hazard; and
  3. The bottom of the sign must measure at least 8.5 feet from finish grade.
  4. For all signs, structural supports shall be compatible with the design or concealed from view.
- b. Building-mounted signs shall only identify the building and the name of the firm, or the major enterprise, and principal product and/or service information.

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- c. Upper-level high rise signs. Building mounted signs may be located at the upper levels of high-rise buildings if they meet the following criteria, in addition to other applicable provisions of this Code:
1. The sign is for a hotel/motel use and otherwise complies with all applicable provisions of this Code; or
  2. Two upper-level high rise signs may be placed on any high-rise building within the downtown, provided:
    - i. Only a single enterprise that occupies at least 180,000 net sq. ft. of building floor area within the building on which the signs are mounted may place an upper-level high rise sign;
    - ii. Signs shall be limited to the name and/or logo of the enterprise placing the sign;
    - iii. In no event may the sign area of each sign exceed 300 square feet;
    - iv. The signs shall be located on the two facades of the building most oriented to I-405, with no more than one upper-level sign on any façade; and
    - v. The sign shall comply with the requirements of Section 22B.10.025.

Upper level high rise signs shall be removed within 90 days after the enterprise ceases to occupy at least 180,000 net square feet in the high-rise building on which the sign is located.

### 3. **Roof and Canopy Signs.**

- a. All such signs must be manufactured in such a way that they appear as an architectural blade or penthouse and are finished in such a manner that the visual appearance from all sides is such that they appear to be a part of the building itself.
- b. All roof and canopy signs shall be installed or erected in such a manner that there shall be no visible angle iron support structure.

Section 10. This ordinance shall take effect and be in force thirty (30) days after adoption and legal publication.

Passed by the City Council this 13<sup>th</sup> day of September, 2004, and signed in authentication of its passage this 13<sup>th</sup> day of September, 2004.

(SEAL)

Connie B. Marshall  
Connie B. Marshall, Mayor

Approved as to form:

Bellevue City Attorney

Lori M. Riordan

Lori M. Riordan, Acting City Attorney

Attest:

Myrna L. Basich  
Myrna L. Basich, City Clerk

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