

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5357

AN ORDINANCE amending Bellevue City Code sections 22B.10.020, 22B.10.030, 22B.10.040, 22B.10.090, 22B.10.120, 22B.10.130, 22B.10.150, 22B.10.160, 22B.10.180, 1.18.040 and 1.18.050; and adding a new section 22B.10.025 to the Bellevue City Code.

WHEREAS, the Bellevue Downtown Association has approached the City of Bellevue about amending the Sign Code to provide a more workable regulatory framework for signage utilized during project construction and initial lease-up, as well as during the life of the project, including special event signs; and

WHEREAS, Bellevue's sign regulations and enforcement have been perceived as more restrictive than those found in adjacent communities, most notably with regard to construction and real estate signs; and

WHEREAS, there are a number of land use policies contained within the City's Comprehensive Plan that support real estate and commercial marketing through the use of signage and other visual elements subject to compatible and tasteful design practices; and

WHEREAS, a number of additional formatting and substantive items within the Sign Code are in need of being updated; and

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

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

Section 1. Bellevue City Code, section 22B.10.020 is hereby amended to read as follows:

**22B.10.020 DEFINITIONS**

**Area or Surface Area.** The greatest area of a sign, visible from any one viewpoint, enclosed within not more than three circles, rectangles or squares, or any combination of these forms which produces the smallest area, excluding sign support structure which does not form part of the sign proper or of the display. "Surface area" includes only one face of a multiple-faced sign.

**Architectural blade.** A roof sign or projecting sign with no exposed legs or braces, designed to look as though it could have been part of the building structure rather than something suspended from or standing on the building.

**Banner.** A sign intended to be temporary, made of flexible, sturdy material and affixed to a building or other structure (excludes flags).

# ORIGINAL

**Barricade Sign.** A sign affixed to construction barricades during the construction period.

**Billboard.** Outdoor advertising signs containing a message, commercial or otherwise, unrelated to any use or activity on the property on which the sign is located, but not including directional signs as defined herein.

**Building line.** A line established by ordinance defining the limits of buildings and/or signs in relation to streets. A building line in some instances may coincide with the property line. "Building line" is sometimes referred to as "required setback line". See BCC 22B.10.140.1.

**Building mounted sign.** A single or multiple-faced sign attached to the face of a building or marquee.

**Canopy.** A freestanding structure affording protection from the elements to persons or property thereunder.

**Canopy sign.** Any sign erected upon, against or directly above a canopy.

**Construction Barricade.** A structure set up to obstruct access to a construction site.

**Construction Period.** The time between issuance of a building permit and issuance of Certificate of Occupancy.

**Construction sign.** An information sign which identifies the architect, engineers, contractors and other individuals, or firms involved with the construction of a building, and/or announces the character of the building or enterprise, and which is erected during the building construction period.

**Directional sign.** A single or double-faced sign not exceeding six square feet in surface except as provided in BCC 22B.10.115 for major institutions, major office buildings, and major mixed use complexes and in BCC 22B.10.030 for the downtown, which is designed to guide or direct pedestrian or vehicular traffic to an area, place or convenience.

**Director.** The Director of the Department of Community Development or his or her designated representative.

**Freestanding sign.** A single or multiple-faced sign, supported from the ground by one or more columns, uprights or braces.

**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.

**Grade.** The elevation or level of the street closest to the sign to which reference is made, as measured at the street's centerline, or the relative ground level in the immediate vicinity of the sign.

**Height.** The vertical distance from the grade to the highest point of a sign or any vertical projection thereof, including its supporting columns, or the vertical distance from the relative ground level in the immediate vicinity of the sign.

**High Rise Building.** A building with a roofline that is equal to, or exceeds, 75 feet above the average finish grade.

**Hospital facility.** A building or buildings designed and used for medical treatment, surgical diagnosis and housing persons under the care of doctors and nurses. Rest homes, nursing homes, convalescent homes and clinics are not included.

**Illegal sign.** Any sign which does not comply with the requirements of this code within the city limits as they now or hereafter exist, and which does not have a nonconforming sign permit under BCC 22B.10.200.B.2.

**Incidental sign.** Small signs, two square feet or less in surface area, of a noncommercial nature, intended primarily for the convenience of the public. Included are signs designating restrooms, address numbers, hours of operation, entrances to buildings, directions, help wanted, public telephone, etc. Also included in this group of signs are those designed to identify an area or place on the premises of a business building or development by means of a directory designating names and addresses only.

**Institution, Major.** A use such as a hospital, convention center, performing arts center, college, or sports arena, or a major office building or mixed use complex containing 300,000 gross square feet or more, located in the downtown.

**Lease-up/Sales Period.** The time between issuance of Certificate of Occupancy (CO) or Temporary Certificate of Occupancy (TCO) and when the building becomes substantially leased up or until substantially all the units in the building are sold. For purposes of this definition, the period shall be the longer of six months from CO/TCO or 95% occupancy or sale. The Director may approve an extension if deemed necessary.

**Marquee.** A covering structure projecting horizontally from and attached to a building, affording protection from the elements to persons or property thereunder.

**Multiple building complex.** A group of structures housing more than one type of retail business, office or commercial venture and generally under one ownership and control.

**Multiple occupancy building.** A single structure housing more than one type of retail business office or commercial venture.

**Noncommercial public service sign.** Non-commercial signs devoted to religious, charitable, cultural, governmental or educational messages, including, but not limited to the advertising of events sponsored by a governmental agency, a school, church, civic or fraternal organization or other organizations engaged in activities for profit.

**Office building.** An office building in the PO and O land use districts as defined by the Bellevue Land Use Code.

**Parapet.** That portion of a building wall which extends above the roof of the building.

**Penthouse.** A structure on top of a building roof such as houses an elevator shaft or similar form.

**Permanent Signage.** Signage affixed to a building or property and intended for the life of the project.

**Political sign.** Signs advertising a candidate or candidates for public elective office, or a political party, or signs urging a particular vote on a public issue decided by ballot.

**Portable sign.** A sign which has no permanent attachment to a building or the ground, including A-frame signs, pole attachments, and mobile signs.

**Primary sign or signs.** All signs of a user which are not exempt (see BCC 22B.10.130), or which do not come within the category "incidental signs" (see definition in this section), or which do not come within the category "directional signs" (see definition in this section). The term "primary sign" is intended to include virtually all signs of a commercial nature.

**Property line.** The line denoting the limits of legal ownership of property.

**Readerboard.** A sign or part of a sign on which the letters are readily replaceable such that the copy can be changed from time to time at will.

**Roof sign.** Any sign erected upon, against or directly above a roof or on top of or above the parapet of a building, including a sign affixed to any structure erected upon a roof, including a structure housing building equipment.

**Sign.** Any letters, figures, design, symbol, trademark or device intended to attract attention to any activity, service, place, subject, person, firm, corporation, public performance, article, machine or merchandise whatsoever. Sources of light used primarily to illuminate a sign, or a building, or grounds surrounding the building, shall not be considered signs themselves; provided, however, that sources of light used primarily to attract attention to the light itself or as a decorative feature of the display shall be considered as part of the sign. Excluded from the definition are official traffic signs or signals, sheriff's notices, court notices or official public notices and the flag of a government or noncommercial institution, and signs not visible from the street or sidewalk (see BCC 22B.10.130 for more detailed treatment of exempt signs), and religious symbols.

**Sign Code.** Chapter 22B.10 of the Bellevue City Code.

**Sign Master Plan.** A plan for the design and placement of all signs intended for a project site, for the life of a project.

**Single occupancy building.** A commercial building or structure with one major enterprise, generally under one ownership. A building is classified as "single occupancy" only if: (a) it has only one occupant; (b) it has no wall in common with another building; and (c) it has no part of its roof in common with another building.

**Street.** Any automobile thoroughfare so designated by city ordinance. "Street" includes portions thereof used for parking.

**Subdivision signs.** Signs used to identify a land development which is to be or was accomplished at essentially one time.

**Substantial Remodel.** As defined in the Land Use Code.

**Surface area.** See "Area or Surface Area of Sign."

**Facade.** The area of that continuous front, side or back surface of a building, including doors and windows, but excluding any roof area and structures or elevators or air conditioning equipment thereon; provided, that in the case of a roof sign, the surface area or facade shall be the area of that continuous front, side or back surface immediately beneath the roof, including doors and windows, but excluding the roof area and structures for elevators or air conditioning thereon.

**Temporary Event.** The advertising of a grand opening, change in ownership/management, substantial remodel, or going out of business sale.

**Temporary sign.** A nonpermanent sign intended for use for a limited period of time. Types of temporary signs are: Construction signs, grand opening displays, real estate signs, and political signs. (See BCC 22B.10.120).

**Way open to public.** Any paved or unpaved area on private property open to the general public for driving or parking.

**Window sign.** All signs located inside and affixed to or within three feet of windows of a building, whether temporary or permanent, lighted or unlighted, which may be viewed from the exterior of the building. The term does not include merchandise located within three feet of a window. (See BCC 22B.10.030.I).

Section 2. A new section 22B.10.025 is added to the Bellevue City Code as follows:

**22B.10.025 DESIGN REVIEW**

A. **Purpose.** Design review is a discretionary administrative decision used to ensure that signs comply with the policies set forth below:

B. **Applicability.**

1. **Affected Land Use Districts.** The provisions of this section are applicable in the following land use districts:

- a. DNTN (All Downtown districts);
- b. CB (Community Business);
- c. NB (Neighborhood Business);
- d. Development in Transition Areas as defined in the Land Use Code;
- e. Any development required to have design review by ordinance (except Factoria);
- f. Planned Unit Developments; and
- g. Conditional Uses

# ORIGINAL

Signs within the land use districts set forth above must also comply with all other provisions of this Chapter 22B.10.

2. 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) without design review approval as described in this Section.

3. Signs erected, altered or relocated within a building(s) or project(s) in existence prior to adoption of this Code shall not be subject to the design review requirements of this Section, but shall comply with all other applicable provisions of this Sign Code.

4. 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.

C. **Applicable Procedure**. A design review application is reviewed and approved by the Department of Planning and Community Development through the design review process described in LUC 20.30F. Requests to amend a previously-approved sign master plan, as well as proposals for new signage which are regulated by an existing sign master plan, require approval of a Land Use Exemption (LUX).

D. **Design Review Application Submittal Requirements**. Applications for design review shall include the following elements:

1. Location;
2. Lighting;
3. Letter size, type & style;
4. Type (i.e. blade, neon, individual letter);
5. Color(s);
6. Material(s);
7. Sign placement (relationship of all signs to one another on building and/or tenant facades); and
8. Overall signage concept for Construction Period, Initial Lease-up Period, and Permanent Signs.

The Director may waive specific submittal requirements determined to be unnecessary for review of a specific application.

E. **Design Criteria**. Applications for design review are evaluated according to the following criteria:

# ORIGINAL

## 1. General Requirements.

- a. Signs shall enhance the overall appearance, image and design character of the building and site.
- b. Signage shall be simple and clear so as not to distract moving traffic.
- c. Signs shall be architecturally integrated by relating scale, location, sign type, style and materials to the architectural style and size of the building or tenant facade.
- 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.
- e. Placement of signage shall not obscure or overlap architectural elements.
- f. Signs in commercial development with multiple businesses shall be compatible.
- g. Signs shall provide information and be consistent with the character of the community.
- h. Signs shall be incorporated into commercial and public centers that make them appear and function cohesively.
- i. Perimeter areas of major commercial and public centers shall use appropriate signs to blend with surrounding development and to be compatible with surrounding residential neighborhoods.
- j. Any awning which projects less than 3 feet from the face of a building is classified as a sign. The entire awning face will be calculated as sign area.
- k. Glass buildings shall incorporate a sign band into the building design to avoid difficult and impractical application of signage to spandrel glass.
- l. Application of multiple signs to one building shall be consolidated or arranged so as not to result in a scattered appearance.
- m. Illuminated signs shall be oriented away from adjoining residential development.
- n. Signage shall be in accord with the Comprehensive Plan.

In addition to the above, signs located within the land use districts below must also comply with the criteria set forth for such district.

## 2. Community Retail Districts (CB, NB).

- a. Signs shall be of a type face that can be made as individual letters or a letter type shall be chosen to accommodate the individual letter format. Exceptions may

# ORIGINAL

be made for registered trademarks or logos that cannot be manufactured as individual elements.

- b. Auto oriented signage shall have a maximum letter size of 36".
- c. When auto oriented signage is proposed, it shall be accompanied by pedestrian oriented signage.
- d. Signage shall be oriented to face the major direction of pedestrian movement in the area of the sign.

### 3. **Downtown Districts (All DNTN)**.

- a. The primary signage for any building or business shall comply with the Design Guidelines: Building/Sidewalk Relationships now or as hereafter amended pursuant to the procedures set forth therein.
- b. Pedestrian oriented signage shall use lettering and graphics no larger than 24 inches and shall be located within the first two floor levels of the building. 24 inches may be an average size when upper and lower case lettering is used. Logos and first-letter capitals may be up to 30" if consistent with applicable design review criteria.
- c. Illumination shall be coordinated in multi-sign or multi-tenant buildings.

### 4. **Downtown - Old Bellevue (DNTN-OB)**. The Downtown requirements above apply to the DNTN-OB except as modified herein:

- a. Sign letters shall not exceed 18", provided that logos and first-letter capitals may be up to 24" if consistent with applicable design review criteria.
- b. Awnings shall be opaque or a deep, rich color, and shall be scaled to the development.
- c. Signs shall generally not be placed above the first floor level.
- d. Auto oriented signs are not permitted except as directional signage to vehicular entries.
- e. Cabinet, box and freestanding signs are prohibited.

### 5. **Freeway Corridors**. In addition to criteria applicable in the underlying land use district, signs within freeway corridors are subject to the following design criteria:

- a. Letter height shall generally not exceed 42", provided that logos and first-letter capitals may exceed this limit if consistent with applicable design review criteria.
- b. Sign length shall not exceed 1/3 of the building facade. When multiple signs are to be placed on a building face this ratio will include all signs.

Additional variation in size may be considered by the Director pursuant to the decision criteria of this section.

# ORIGINAL

Section 3. Bellevue City Code, section 22B.10.030A is hereby amended to read as follows:

A. **General** - The following provisions govern signs in the OLB, CB, all Downtown, GC, LI and I districts, and may be modified through design review as described in Section 22B.10.025.

1. **Sign Scale.** Signs shall be scaled to the building to which the sign is related.
2. **Sign Allocation – Single Occupancy Buildings.** Any single occupancy building in the business district shall be permitted the primary signs described in subsections B through F of this section. No more than one freestanding sign is permitted per single occupancy building unless the building faces on more than one street (see subsection D of this section), and is not a part of a multiple building complex.
3. **Sign Allocation – Multiple Occupancy Buildings:** Each enterprise in a multiple occupancy building in the business district shall be permitted the primary signs described in subsections B through E of this section and the incidental signs described in subsection F except that no more than one freestanding sign is permitted per multiple occupancy building unless the building faces more than one street (see subsection D), and is not a part of a multiple building complex.
4. **Address Number.** Each enterprise shall display and maintain on premises street address number identification.
5. **Multiple Buildings on 15 Acres or More:** A multiple building complex encompassing at least 15 acres may display one complex identification sign along each right-of-way, which provides direct access to the complex. Each sign shall not exceed 75 square feet in area and 15 feet in height.

Section 4. Bellevue City Code, section 22B.10.030B.3 is hereby amended to read as follows:

3. **Sign Area Limitations: Building-mounted, roof or canopy-mounted signs.** The surface area of any building-mounted 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.

# ORIGINAL

In multiple occupancy buildings the facade area for each tenant or user is derived by measuring only the surface area of the exterior facade of the premises actually used by the tenant or user, and the sign displayed by that tenant or user must be located on the facade used to determine the size of the sign, except as provided in this section.

Unused sign surface area for a facade may be used by any tenant or user within the same multiple occupancy office building if:

- a. The applicant files with the city a written statement signed by the tenant or user permitted to utilize that 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 nondependent sign user will not create a significant adverse impact on dependent sign users of that facade.
- c. The display of the nondependent sign is necessary to reasonably identify the use, and the provisions of this code do not provide the use with adequate sign display options.

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

Section 5. Bellevue City Code, section 22B.10.030B.4 is hereby amended to read as follows:

4. **Sign Height: Building-Mounted Signs.** No building-mounted sign shall be installed on the rooftop or extend above the height of the building to which it is attached, provided that hotels and motels may have rooftop mounted signs and signs extending above the height of the building.

Section 6. Bellevue City Code, section 22B.10.030E is hereby amended to read 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.

# ORIGINAL

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. A freestanding sign located between the property line and the building line shall only identify the building or tenant it serves. No product or service information may be included. A freestanding sign located at the building line or behind it may include principal product and/or services information in addition to building or tenant identification.

e. 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.

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.

## 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 7. Bellevue City Code, section 22B.10.040B is hereby amended to read as follows:

B. **Dimensional Limitations.** Signs shall conform with the setback, area, and height limitations set forth below.

1. **Setback Limitations - Freestanding Signs.** The size of any freestanding sign shall not exceed the following limits, based on the sign setback of the sign:

# ORIGINAL

<b>Setback</b>	<b>Maximum Area</b>
Between property line and building line	25 sq. ft.
On building line, or behind it	35 sq. ft.

2. **Sign Height - Freestanding Signs.** The height of any freestanding sign shall not exceed the following limits, based on the setback of the sign:

<b>Setback</b>	<b>Maximum Height</b>
Between property line and building line	5 ft.
On building line, or behind it	10 ft.

3. **Sign Area Limitations - Building-mounted, Roof and Canopy-mounted Signs.** The surface area of any building-mounted, roof or canopy-mounted sign shall not exceed the figures derived from the following schedule:

<b>Relevant Surface Area or Facade As Determined Pursuant to Subsection 22B.10.020</b>	<b>Maximum Sign Surface Area for that Facade</b>
Below 100 sq. ft.	21 sq. ft.
100 - 199 sq. ft.	21 sq. ft. + 9% of facade area over 100 sq. ft.
200 - 499 sq. ft.	30 sq. ft. + 10% of facade area over 200 sq. ft.
500 - 999 sq. ft.	60 sq. ft. + 9% of facade area over 500 sq. ft.
Over 1000 sq. ft.	105 sq. ft. - Maximum square footage

In multiple occupancy buildings the facade area for each tenant or user is derived by measuring only the surface area of the exterior facade of the premises actually used by the tenant or user, and the sign displayed by that tenant or user must be located on the facade used to determine the size of the sign, except as provided in this section.

Unused sign surface area for a facade may be used by any tenant or user within the same multiple occupancy office building if:

a. The applicant files with the city a written statement signed by the tenant or user permitted to utilize that 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 nondependent sign user will not create a significant adverse impact on dependent sign users of that facade.

c. The display of the nondependent sign is necessary to reasonably identify the use, and the provisions of this code do not provide the use with adequate sign display options.

ORIGINAL

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

4. **Sign Height: Building-mounted Signs.** No building-mounted sign, regardless of type, shall exceed the height of 20 feet above grade, or the height of the building to which it is attached. However, the height may be modified subject to design review approval.

5. **Limitation.** Freestanding or building-mounted signs shall only identify the building, the name of the firm or major enterprise, and the principal service or product of that firm or enterprise. No references to prices or other characteristics of the product or services offered may be included.

Section 8. Bellevue City Code, section 22B.10.040C is hereby amended to read as follows:

C. **Number of Primary Signs Permitted.**

1. Buildings or building complexes facing on one street may have two primary signs, only one of which may be freestanding.

2. Buildings or building complexes on street corner locations are permitted a maximum of three signs. Two of the three signs may be freestanding only if they are located on two different streets and are separated more than 100 feet, measured in a straight line between the signs.

3. Buildings or building complexes which extend through a block to face on two parallel streets are permitted two primary signs on each street, only one of which may be freestanding for each street.

4. Multiple buildings on 5 acres or more. A multiple building complex encompassing at least 5 acres may display one complex identification sign along each right-of-way, which provides direct access to the complex. Each sign shall not exceed 75 square feet in area and 15 feet in height. These allowances are in addition to other provisions of the Sign Code.

Section 9. Bellevue City Code, section 22B.10.090C is hereby amended to read as follows:

C. **Signs for Noncommercial Uses.**

1. Signs for Churches, Schools, Golf Courses, Fire Stations, Police Stations, Noncommercial Use or Public Service, or Other Similar Noncommercial Uses.

Unless otherwise covered by the provisions set forth in Section 22B.10.130N, signs for the above noncommercial uses shall comply with the following:

a. On Premises signs shall conform with the following requirements:

i. Each use identified above shall have no more than one freestanding sign and one building-mounted sign along each street frontage.

# ORIGINAL

ii. Building-mounted signs shall not exceed 20 feet in height or 50 square feet in surface area.

iii. Freestanding signs located between the building line and the property line shall not exceed five feet in height or 25 square feet in surface area.

iv. Freestanding signs located at the building line or behind it shall not exceed 15 feet in height or 35 feet in area.

b. Off-premises signs for these noncommercial uses may be approved by the Director subject to the following conditions:

i. The sign is to identify current events or activities.

ii. The sign or message is for a temporary period of time sufficient to inform the public of the event or activity with a maximum of two weeks.

iii. The sign is not located on street or freeway right of way except when a part of a permanent subdivision or neighborhood designation sign (see paragraph 4 of this subsection).

iv. The sign does not exceed 15 square feet in area nor five feet in height.

v. Not more than two such signs shall be permitted.

2. **Illumination.** Signs in single family residential districts may be internally or externally illuminated. If externally illuminated, the illumination source shall be located, shaded, shielded, or directed so that it is not visible from a public street or adjoining residential property.

3. **House Numbers.** All houses in single family residential districts shall display house numbers visible from the street.

4. **Permanent Subdivision or Neighborhood Designation Signs.** Permanent subdivision or neighborhood designation signs shall conform with the following requirements:

a. Signs shall not exceed five feet in height and 25 square feet in surface area.

b. Signs shall be located between the building line and the property line unless a location on excess city right-of-way is approved by the Director of Transportation.

Section 10. Bellevue City Code, section 22B.10.120 is hereby amended to read as follows:

# ORIGINAL

## **22B.10.120 Temporary Signs**

The aggregate area of all temporary signs placed or maintained on any parcel of private real property in one ownership shall not exceed 64 square feet maximum, and the area of any single sign shall not exceed 32 square feet maximum. In addition, temporary signs must comply with the following limitations:

### **A. Construction Period Signage and Barricade Graphics:**

1. **Downtown.** These signs shall be of durable material, and may only identify the architects, engineers, contractors and other individuals or firms involved with the construction of a building. Signs may also announce the character of the building, or the purpose for which the building is intended and may include words and/or graphic images to illustrate the project or other subject matter. These signs are subject to design review approval pursuant to BCC 20.30F and the design review criteria of 22B.10.025, may be displayed only after issuance of a construction permit, and displayed only until issuance of a temporary certificate of occupancy or certificate of occupancy. Barricade signs submitted at any time after design review approval may be permitted through a Land Use Exemption (LUX) permit.

2. **All Zones Outside Downtown (Single Family Excepted).** No construction sign shall exceed 32 square feet in surface area or 10 feet in height, nor be located closer than 30 feet of the abutting owner so as not to constitute a hazard. Such signs must be removed by the date of first occupancy of the premises.

3. **Single Family Zones.** No construction sign shall exceed eight square feet in surface area, or be located closer than 10 feet from the property line of the abutting owner. Such signs shall be removed by the date of first occupancy of the premises.

**B. Lease-up/Sales Period Signage.** Any portion of the permanent signage allocation may be utilized to display marketing signage during the initial lease-up/sales period of a new or substantially-remodeled building. These signs shall be of durable material, graphically-compatible with the permanent signage, and may include words and/or graphic images to communicate availability within the building. These signs are subject to a previously-approved sign package or design review approval pursuant to BCC 20.30F, may be displayed only after issuance of certificate of occupancy, and must be removed or converted back to permanent signage when initial lease-up ends as defined under 22B.10.020.

**C. Real Estate Signs.** Except as governed by 22B.10.120B, all exterior real estate signs must be of wood, or plastic or other rigid and durable material, are permitted individually or through a sign package, and are subject to the following limitations:

1. **On Premises Residential "For Sale", "For Lease/ Rent" and "Sold" Signs.** Signs shall be limited to one single or double-faced sign oriented to each street upon which the advertised property fronts. The sign must be placed wholly on the property for sale/lease/rent and may remain up until the property is sold/rented/leased.

a. **Multi-Family.** Signs may not exceed sixteen square feet in surface area. If freestanding, the sign may not exceed five feet in height and shall be located wholly on the property for sale or rent and more than 15 feet from any abutting interior property line.

# ORIGINAL

b. **Single Family.** The sign may not exceed six square feet in surface area.

2. **Off-Premises Residential Directional "For Sale/Rent/Lease/Open House" Signs.** Signs advertising "open house" and the direction to a residence for sale, lease or rent shall be limited to three single or double-faced off-premises signs. However, if a realtor has more than one house open for inspection in a single development or subdivision, off-premises signs are limited to four for the entire development or subdivision. Such signs are permitted only during daylight hours and when the realtor or seller or an agent is in attendance at the property for sale. No off-premises "For Sale/Rent/Lease/Open House" sign shall exceed six square feet in surface area. The sign may be placed along the periphery of a public right-of-way.

3. **Undeveloped Commercial or Industrial Property "For Sale or Rent" Signs.** Signs advertising undeveloped commercial or industrial property "For Sale or Rent" shall be limited to one single or double-faced sign per street frontage. Signs may be displayed while the property is actually for sale or rent. The sign may not exceed 16 square feet in surface area. If freestanding the sign may not exceed five feet in height and shall be located more than 15 feet from any abutting interior property line and wholly on the property for sale or rent.

4. **Developed Commercial or Industrial Property "For Sale or Rent" Signs.** Signs advertising developed commercial or industrial property "For Sale or Rent" shall be limited to one single or double-faced sign per street frontage. Signs may be displayed while the building is actually for rent or sale. The sign may not exceed 16 square feet in surface area. If freestanding, the sign may not exceed five feet in height, and shall be located more than 15 feet from any abutting side or rear property line, and wholly on the property for sale or rent.

5. **Residential Land Subdivision Signs.** Signs advertising residential subdivisions are permitted, subject to the following:

- a. Each sign shall be limited to 32 square feet in surface area;
- b. Only one sign is permitted per subdivision, except in either of the following instances:
  - i. If a subdivision abuts only one street, two signs are permitted provided that the two signs must be placed at least 200 feet apart;
  - ii. If a subdivision abuts more than one street, one sign may be erected along each street frontage.

In no case shall more than a total of two such signs be allowed.

- c. No sign shall project beyond the building line;
- d. Each sign must be placed at least 30 feet from the abutting owner's property line;

e. Such signs shall not exceed a height of 12 feet;

f. Such signs shall be removed by the end of one year or when 75 percent of the houses in the subdivision are sold or occupied, whichever first occurs; and

g. Permanent subdivision or neighborhood designation signs shall be as approved by the Director, as set forth in BCC 22B.10.090C.

6. **Subdivision Directional Signs Designating New Developments.** Signs advertising the direction to a subdivision shall be furnished and placed only by the developer or residents of the subdivision, but at locations designated by the city. Signs shall be of the dimensions 12 inches by 36 inches, shall bear only the name of the subdivision and a directional arrow (no name of realtor permitted), and be limited in number to four. The city will designate placement of the signs at street intersections a maximum of one mile from the nearest subdivision entrance. The signs shall be maintained by the developer and removed when 75 percent of the subdivision is occupied.

7. **Undeveloped Multifamily Property "For Sale" Signs.** "For sale" signs for undeveloped multifamily property shall be regulated pursuant to the provisions of BCC 22B.10.120.C.3.

8. **Undeveloped Single Family Acreage "For Sale" Signs.** Signs for undeveloped, unsubdivided single family property which may be legally divided into four or more single lots shall be regulated pursuant to the provisions of BCC 22B.10.120.C.3.

D. **Temporary Event Signage.** Signs, posters, banners, strings of lights, clusters of flags, blinking lights, balloons and searchlights are permitted for a period of one month to announce the opening of a completely new enterprise, and anytime thereafter for two weeks each occurrence (searchlights excepted) to announce the opening of an enterprise under new ownership, a substantial remodel, or a going out-of-business sale. All such materials shall be removed immediately upon expiration of the respective time limit. Use of the above-described devices within the limits specified shall be an exception to the general prohibition on these devices in BCC 22B.150.E. Such displays are not exempt from permit requirements and are permitted only in districts where the enterprise so advertised is allowed under district zoning regulations.

E. **Political Headquarters Signs.**

1. **Party Headquarters.** On-premises political signs are permitted on the premises of political headquarters located in the business, commercial, manufacturing, and institutional districts (BCC 22B.10.030), and on office buildings in the office and apartment districts (BCC 22B.10.040), so long as the signs meet the requirements of those districts.

2. **Headquarters for Candidate or Ballot Issue.** On-premises political signs are permitted on the premises of the headquarters of a candidate for public elective office (whether partisan or nonpartisan) or on the headquarters of persons supporting or opposing a public issue decided by ballot, when such headquarters are located in the business, commercial, manufacturing, and institutional districts (BCC 22B.10.030), and in office buildings in the office and apartment districts (BCC 22B.10.040), so long as the signs meet the requirements of those districts and so long as the signs remain for a period no longer than six months. Such signs shall be removed within seven days after the general election.

# ORIGINAL

## F. Political Signs.

1. **Political signs promoting or publicizing candidates for public office or issues** that are to be voted upon in a general or special election may be displayed on private property.

Such signs shall be removed within seven days following the election; provided, that signs promoting successful candidates in a primary election may remain displayed on private property until seven days following the immediately subsequent general election.

2. **Political Signs Not Allowed on Public Utility Poles or Public Buildings or Structures.** It is unlawful for any person to paste, paint, affix or fasten a political sign on any utility pole or on any public building or structure.

3. **Political Signs Within Public Right-of-Way.** Political signs may be posted within public right-of-way only if the sign does not create a traffic obstruction or hazard. Political signs in the right-of-way are limited to a maximum surface area of six square feet and a maximum height of five feet. A political sign must be removed within seven days following an election; provided that political signs promoting successful candidates in a primary election may remain displayed until seven days following the immediately subsequent general election.

4. **Responsibility for Removal of Signs Following Election.** It shall be the responsibility of the above campaign officer or responsible official to have the signs removed.

5. **Public Notices Unaffected.** Nothing in this section shall be construed to prohibit the placement of public notices required by law.

6. **The display of any political sign in violation** of BCC 22B.10.120.E, or any portion or part thereof, shall be presumed to have been done at the direction and request of the campaign officer or responsible official.

Section 11. Bellevue City Code, section 22B.10.130N is hereby amended to read as follows:

N. Reasonable temporary decorations and signs for the purpose of announcing or promoting a school or child daycare center sponsored community fair, festival or event, including announcement of enrollment periods. Such decorations and signs may be displayed no more than 14 calendar days prior to and during the fair, festival or event.

If approved by the Public Works Department, such decorations or signs may be located on or over the public right-of-way. All decorations and signs must be removed within five calendar days following the end of the fair, festival or event.

# ORIGINAL

Section 12. Bellevue City Code, sections 22B.10.150 is hereby amended to read as follows:

The following signs or displays are prohibited, except as indicated. Prohibited signs are subject to removal by the city at the owner's or user's expense (see BCC 22B.10.170).

- A. Window signs containing material unrelated to the merchandise for sale or service performed by the person or business on whose premises or property the sign is located (except real estate "open house" and subdivision directional signs as governed by BCC 22B.10.120.C.2 and C.6); provided, however, on-premises signs may call the attention of the public to public holidays or community events, the time and temperature;
- B. Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal, or which bear the words "stop," "caution," "danger," "warning," or similar words;
- C. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal or device or the light of an emergency or radio equipment vehicle; or which obstruct the visibility of any traffic or street sign or signal device;
- D. Signs which rotate or have a part or parts which move or revolve except that the movement of the hands of a clock or digital changes indicating time and temperature or national market indices which do not advertise a specific company or commodity, or indicating whether a parking garage is full are permitted.
- E. Displays, banners, clusters of flags, posters, pennants, ribbons, streamers, strings of lights, spinners, twirlers or propellers, flashing, rotating or blinking lights, chasing or scintillating lights, flares, balloons, bubble machines and similar devices of a carnival nature, or containing elements creating sound or smell. Exception: Certain of these devices are permitted on a limited basis as seasonal decorations under BCC 22B.10.130 I or for temporary event signage under BCC 22B.10.120.D;
- F. Signs identifying or window signs advertising, activities, products, businesses or services which have been discontinued for more than 60 days on the premises upon which the signs are located;
- G. Private signs on utility poles or public property, except as provided in 22B.10.120.F and 22B.10.125;
- H. Searchlights, except if used for a maximum period of seven consecutive days and if:
  - 1. They are used by any business or enterprise once yearly only; or
  - 2. They are used in conjunction with the grand opening of a new enterprise or an enterprise under new management (see BCC 22B.10.120.D).The beam of the searchlight shall not flash against any building or sweep an arc greater than 45 degrees from vertical;
- I. Billboards;

# ORIGINAL

- J. Portable signs, except for sandwich board signs as permitted under BCC 22B.10.130.L, and political signs, provided such political signs must meet the requirements of BCC 22B.120. and F, where applicable.
- K. Signs for which a permit has been granted under conditions with which the permitted does not comply;
- L. Signs for which a permit has been granted and subsequently revoked for cause by the Director;
- M. Directional signs, except where specifically authorized under provisions of this code;
- N. Signs erected, altered or relocated without a permit issued by the city or any other governmental agency which requires a permit by law; and
- O. LED reader board signs, except within the Downtown at locations of public assembly pursuant to BCC 20.10.440. The frequency of message change shall be limited to a maximum of once every four minutes.

Section 13. Bellevue City Code, section 22B.10.160 is hereby amended to read as follows:

- A. **Permit Requirements.** Except as provided in Section D below, no sign governed by this code shall be erected, altered or relocated from and after the date of adoption of this code without a permit issued by the city.
- B. **Permit Applications.** In addition to application requirements detailed in Section 22B.10.025, applications for permits shall contain the name and address of the owner and user of the sign, the name and address of the owner of the property on which the sign is to be located, the location of the sign structure, drawings or photographs showing the design and dimensions of the sign and details of its proposed placement, and such other pertinent information as the Director may require to insure compliance with this code and other applicable ordinances. Permit applications shall be available for inspection by the public upon request.
- C. **Expiration of Permits.** A sign permit shall become null and void if the work for which the permit was issued has not been completed within one year of its issuance. Permits for temporary (BCC 22B.10.120) shall expire a maximum of 12 months from the date of the sign installation. Such permits are not subject to renewal.
- D. **Permit Exceptions.** The following signs and sign alterations do not require a permit, but shall comply with all other applicable requirements of this Code:
  - 1. Signs having six square feet or less of surface area; provided that this exemption shall not apply to subdivision directional signs (BCC 22B.120.C.6);
  - 2. Signs which have permits and which conform with the requirements of this code on the day of its adoption unless and until the sign is altered or relocated;

3. Signs which, on the date of adoption of this code, have permits but do not conform with this code's requirements and are determined by the Director to be nonconforming signs and for which a nonconforming sign permit is issued pursuant to BCC 22B.10.200.B.4;

4. Repainting, cleaning or other normal maintenance or repair of a sign or sign structure for which a permit has previously been issued, so long as the sign structure or content is not modified in any way;

5. Changing of advertising copy or message on an approved readerboard or theater marquee, during the period of amortization;

6. Temporary political signs.

7. Real Estate signs meeting the standards set forth in BCC 22B.10.120.C.

8. On-site signs erected by utility providers to indicate the utility's intended use of the site for future major utility facilities. Such signs shall be limited to twenty square feet in area and not exceed eight feet in height.

E. **Notice of Permit Denial – Reasons.** When a sign permit is denied by the Director, he or she shall give written notice of the denial to the applicant, together with a brief written statement of the reason for the denial.

Section 14. Bellevue City Code, section 22B.10.180H is hereby amended to read as follows:

H. **Limitation on Authority.** The Director may not grant a variance to:

1. Any dimensional requirement of the Sign Code to the extent of greater than 15 percent of that dimension. However, additional variation beyond 15 percent on sign location and height may be considered by the Director pursuant to the decision criteria of this section.

2. The number of signs permitted.

3. Any provision of the sign code which, by the terms of that code, is not subject to a variance.

Section 15. Section 1.18.040B of the Bellevue City Code is hereby amended as follows:

B. **Content.** The notice of civil violation shall include the following:

1. The name and address of the person responsible for that violation; and

2. The street address or description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring; and

3. A description of the violation and a reference to the provision(s) of the city regulation which has been violated; and
4. The required corrective action and a date and time by which the correction must be completed after which the city may abate the unlawful condition in accordance with BCC 1.18.060 and the hearing examiner's order; and
5. The date, time and location of an appeal hearing before the hearing examiner which will be at least 10 days from the date the notice of civil violation is issued; and
6. A statement indicating that the hearing will be canceled and no monetary penalty will be assessed if the applicable department director approves the completed, required corrective action at least 48 hours prior to the hearing; except, that this statement need not be included where the violation constitutes a repeat violation, the violation creates a situation or condition which cannot be corrected, or the violation is of the sign code (Chapter 22B.10 BCC); and
7. In the case of a violation of the sign code, either a statement indicating that the hearing will be canceled if the monetary penalty recommended by the applicable department director is paid in full to the city at least 72 hours prior to the scheduled hearing, or, in the applicable department director's discretion, a statement indicating that the hearing will be canceled and no monetary penalty will be assessed if the applicable department director approves the completed, required corrective action at least 72 hours prior to the hearing; and
8. A statement that the costs and expenses of abatement incurred by the city pursuant to BCC 1.18.060(D) and a monetary penalty in an amount per day for each violation as specified in BCC 1.18.040(E) may be assessed against the person to whom the notice of civil violation is directed as specified and ordered by the hearing examiner.

Section 16. Section 1.18.050B of the Bellevue City Code is hereby amended to read as follows:

B. Prior Correction of Violation or Payment of Monetary Penalty. Except in the case of a repeat violation, a violation which creates a situation or condition which cannot be corrected, or a violation of the sign code (Chapter 22B.10 BCC), the hearing will be canceled and no monetary penalty will be assessed if the applicable department director approves the completed required corrective action at least 48 hours prior to the scheduled hearing. In the case of a violation of the sign code, the hearing will be canceled if, in compliance with the statement required pursuant to Section 1.18.040B(7), either the monetary penalty recommended by the applicable department director is paid in full to the city at least 72 hours prior to the scheduled hearing, or the required corrective action is completed and approved by the applicable department director at least 72 hours prior to the scheduled hearing.

ORIGINAL

Section 17. This ordinance shall take force and be in effect thirty days after its passage and legal publication.

Passed by the City Council this 19<sup>th</sup> day of February, 2002, and signed in authentication of its passage this 19<sup>th</sup> day of February, 2002.

(SEAL)

Connie Marshall  
Connie M. Marshall, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Lori M. Riordan  
Lori Riordan, Assistant City Attorney

Attest:

Myrna L. Basich  
Myrna L. Basich, City Clerk

Published February 22, 2002