

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5490

AN ORDINANCE amending the Bellevue Sign Code to improve clarity of the existing regulations, to allow use of LED reader boards for noncommercial public service signs and to provide additional flexibility for estate sale and temporary joint sale event signs; amending sections 22B.10.020, 22B.10.025, 22B.10.030, 22B.10.040, 22B.10.105, 22B.10.110, 22B.10.115, 22B.10.120, 22B.10.125, 22B.10.130, 22B.10.140, 22B.10.150, 22B.10.160; and adding a new section 22B.10.107 to the Bellevue City Code.

WHEREAS, the City has determined that improvements are warranted in the structure and cross references of the sign regulations to make them more understandable; 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 estate sales and large sales signage; 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. The definition of "Billboard" in Section 22B.10.020 of the Bellevue City Code is hereby amended as follows:

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. Billboards do not include signs that are specifically permitted to be located in the public rights of way or off the site of the property on which the activity is located pursuant to this Chapter 22B.10.

Section 2. The following new definitions are hereby added to Section 22B.10.020 of the Bellevue City Code:

Building Line - Boulevards for Urban Design Treatment. The building line for signs for any property outside the limits of the Downtown and abutting a street designated by the Urban Design Element of the Comprehensive Plan as a boulevard to be given urban design treatment shall be 65 feet from the centerline of the right-of-way. However, the Director of Planning and Community Development may administratively approve a modification of the required building line if the result of such modification would be consistent with the policies of the Urban Design Element of the Comprehensive Plan.

Building Line - Downtown. The building line for signs for any property within the limits of the downtown and abutting a street classified by Land Use Code Section 20.25A.115, Design Guidelines - Building/Sidewalk Relationships, shall be 25 feet from the property line. However, the Director of Community Development may administratively approve a modification of the required building line if the result of such modification would be consistent with the Urban Design policies of the Comprehensive Plan and the requirements of Land Use Code Section 20.25.A.

Building Line - General. Except as otherwise provided in this code, the building line for signs shall be the setback required for the property by Land Use Code Section 20.20.010, Dimensional Requirements Chart, Section 20.25A.020, Dimensional Requirements in Downtown Districts, Section 20.25L.030, Dimensional Requirements for OLB-OS or any other special or overlay district dimensional requirements applicable to the specific property or use. In any area of the city, except the Downtown, where the applicable line is located more than 65 feet from the centerline of the city street on which it faces, the building line shall, for purposes of limiting size or placement of signs under this code, be deemed to begin 65 feet from the centerline of the street and run parallel thereto.

Enterprise. An enterprise is the owner, tenant, user, or other occupant of a structure seeking signs under this Sign Code.

Section 3. The definition of "sign" in Section 22B.10.020 of the Bellevue City Code is hereby amended as follows:

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, the flags of a government or noncommercial institution, signs not visible from the street or sidewalk or way open to the public (see BCC 22B.10.130 for more detailed treatment of exempt signs), and religious symbols.

Section 4. The definition of "way open to the public" in Section 22B.10.020 of the Bellevue City Code is hereby amended as follows:

Way open to public. Any paved or unpaved exterior areas on private property open to the general public for pedestrian or vehicular ingress and egress into a site or between sites that are open to and provide services to the public.

Section 5. Section 22B.10.025B of the Bellevue City Code is hereby amended as follows:

22B.10.025 DESIGN REVIEW

B. Applicability.

1. Where Design Review Applies

- a. **Affected Land Use or Overlay Districts.** The provisions of this section are applicable in the following land use of overlay districts:
- i. DNTN (All Downtown districts);
 - ii. CB (Community Business);
 - iii. NB (Neighborhood Business);
 - iv. OLB-OS (Office Limited Business --- Open Space); and
 - v. Development in Transition Areas as defined in the Land Use Code.

Signs within the land use and overlay districts set forth above must also comply with all other provisions of this Chapter 22B.10 and provisions applicable to signs that are contained in the Land Use Code (Title 20 BCC).

- b. **Affected Permits, Approvals and Sign Types.** The provisions of this section also apply to the following permits, approvals and sign types irrespective of the land use district within which they are located:
- i. Signs for any development required to have design review by ordinance (except Factoria);
 - ii. Planned Unit Developments;
 - iii. Conditional Uses; and
 - iv. Freeway Corridor Signs.

Signs requiring the permits/approvals or signs of the type set forth above must also comply with all other provisions of this Chapter 22B.10 and provisions applicable to signs that are contained in the Land Use Code (Title 20 BCC).

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) without design review approval as described in this Section.

- b. 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.
- 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 6. Section 22B.10.030A of the Bellevue City Code is hereby amended as follows:

- A. **General** - The following provisions govern signs in the OLB, OLB-OS, 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 above districts shall be permitted the number of primary signs described in subsection C of this section. No more than one of the allowed primary signs may be a freestanding sign unless the single occupancy building faces on more than one street. If the single occupancy building faces on more than one street, see subsection D of this section to determine the number of allowed freestanding signs.
 - 3. **Sign Allocation – Multiple Occupancy Buildings:** Each enterprise with an exterior entrance in a multiple occupancy building in the above districts shall be permitted the number of primary signs described in subsection C of this section. No more than one freestanding sign is permitted per multiple occupancy building facing on only one street. If the multiple occupancy building faces on more than one street, see subsection D of this section to determine the number of allowed freestanding signs.
 - 4. **Address Number.** Each enterprise shall display and maintain on premises street address number identification. Such identification shall not be included in the number of primary signs.
 - 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 7. Section 22B.10.030B of the Bellevue City Code is hereby amended as follows:

- B. **Dimensional Limitations.** Except as otherwise specifically allowed herein, all signs shall conform with the setback, area, and height limitations set forth in this section.

1. **Setback Limitations: Freestanding Signs.** Except as otherwise provided in this section, the size of any freestanding sign shall not exceed the following limits, based on the setback of the sign from the property line:

Setback	Maximum Area
Between property line and building line	25 sq. ft.
On building line, or behind it	75 sq. ft.

2. **Sign Height: Freestanding Signs.** Except as otherwise provided in this section, the height of any freestanding sign shall not exceed the following limits, based on the setback of the sign:

Setback	Maximum Height
Between property line and building line	5 ft.
On building line, or behind it	15 ft.

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.

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. Un-used 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.

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

- 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.

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

- C. **Number of Primary Signs.** 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 otherwise provided in this section. The permitted number of signs is as follows:

Surface Area of Largest Facade	Maximum Number of Signs
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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.

In multiple occupancy buildings, un-used primary sign allotment for one enterprise may be used by any enterprise within the same multiple occupancy building, if:

- 1. 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.
- 2. 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.

3. 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.

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.10.030D of the Bellevue City Code is hereby amended as follows:

- D. **Buildings on More than One Street.** Buildings facing on more than one street are entitled to a bonus in the number of primary signs, as follows:
 1. **Buildings on Intersecting Streets.** When a building is located on intersecting streets, two freestanding signs are permitted if they are located on two different streets and are separated more than 100 feet measured in a straight line between signs. Otherwise, only one freestanding sign is permitted. The second freestanding sign is in addition to the primary signs allowed under subsection C of this section.
 2. **Buildings Facing on Two Parallel Streets.** Single occupancy buildings facing on two parallel streets, or enterprises within multiple occupancy buildings whose premises extend through a block to face on two parallel streets with customer entrances on each street, are permitted the number of primary signs under subsection C for each end of the building or premises facing on a street.

Section 10. Section 22B.10.030E 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.

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.

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 11. Section 22B.10.030G of the Bellevue City Code is hereby amended to read as follows:

- G. **Directional Signs.** Directional signs shall not exceed six square feet in sign surface area and may be located only on the premises to which the sign is intended to guide or direct pedestrian or vehicular traffic, except that off-premises directional signs may be approved by the Director subject to the same standards required for granting of a variance as set forth in BCC 22B.10.180, where the applicant has demonstrated that his or her premises are so located that on-premises directional signs are inadequate to reasonably apprise the public of the location of the premises. Directional signs shall not be included in determining the number of primary signs.

Section 12. Section 22B.10.030H of the Bellevue City Code is hereby deleted.

Section 13. Section 22B.10.030I of the Bellevue City Code is hereby amended as follows:

- H. **Window Signs.** The total surface area of all window signs shall not exceed 15 square feet, or 10 percent of the window area. Such signs shall not be included in determining the number of primary signs, nor in determining the permissible sign area for each façade; provided, that such signs shall not exceed an area total to 15 square feet, or 10 percent of the window area.

Section 14. Section 22B.10.030J of the Bellevue City Code is hereby amended as follows:

- I. **Signs for Legally Nonconforming Buildings.** All provisions of this section apply to signs on nonconforming buildings in the districts governed by this section, except that building-mounted signs may project over the building or property line, but shall not extend closer than five feet to the back of the curb. Such signs shall extend no more than five feet from the face of the building to which they are attached and shall have a maximum clearance over the sidewalk below of eight feet, six inches. The total sign surface area for signing of individual legal nonconforming buildings shall not exceed 40 square feet.

Section 15. Section 22B.10.040 of the Bellevue City Code is hereby amended as follows:

**22B.10.040 OFFICE, RESEARCH AND DEVELOPMENT, AND MULTI-FAMILY
RESIDENTIAL DISTRICT SIGNS - ZONES PO, O, EH-D, R-10, R-15, R-20,
AND R-30**

- A. **General.** The following provisions govern signs in the PO, O, EH-D, R-10, R-15, R-20 and R-30 districts.
- 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:

Setback	Maximum Area
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:

Setback	Maximum Height
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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:

Relevant Surface Area or Facade As Determined Pursuant to Subsection 22B.10.020	Maximum Sign Surface Area for that Facade
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 enterprise is derived by measuring only the surface area of the exterior facade of the premises actually used by the enterprise, except as provided in this section. The sign displayed by that enterprise (including unused sign surface area used by another enterprise) must be located on the facade used to determine the size of the sign.

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

- 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.
- The display of a sign on that facade by the applicant will not create a significant adverse impact on other users of that facade.
- 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.

In no case may the maximum sign surface area or number of primary signs 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, whichever is less. 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 enterprise, and the principal service or product of that firm or enterprise.

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 four signs. Two of the four 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. Such complex identification signs may be freestanding, and shall not be included in determining the number of primary signs allowed for each building or building complex set forth in subsections C.1. through C.3.

D. Types and Placement. The permissible types of primary signs, their placement and other limitations are as follows:

1. **Freestanding Signs.** Requirements are identical to BCC 22B.10.030.E.1.
2. **Building-mounted Signs.** Requirements are identical to BCC 22B.10.030.E.2.
3. **Signs or portions of signs indicating premises for rent** (e.g., "apartment for rent," "apartment available," "vacancy," "now renting," "free rent," etc.) shall not exceed a surface area of sixteen square feet.
4. **The illumination of any sign** may be internal or external. If externally illuminated, the source of illumination shall be so located, shaded, shielded, or directed that it is not visible from a public street or adjoining residential property; provided, that halo lighting of solid letters shall be permitted.
5. **Street Address Identification.** Each building or complex of buildings shall display and maintain on-premises street address number identification. Such sign shall not be included in determining the number of primary signs.

Section 16. Section 22B.10.105 of the Bellevue City Code is hereby amended as follows:

22B.10.105 VENDOR CARTS AND PRODUCE STANDS

- A. Vendor Cart Signs.** Instead of the sign allowances and requirements set forth for the land use district in which a vendor cart is located, a vendor cart is permitted a maximum of two primary signs having a combined sign area not exceeding 20

square feet. The signage may be attached to the cart and to any awning, umbrella or tent providing weather protection for the cart. The design of the signage shall be integrated with the design of the cart and have a maximum letter size of 18 inches. Freestanding signs are not permitted.

B. **Temporary Produce Stands.** Instead of the sign allowances and requirements set forth for the land use district in which a temporary produce stand is located, temporary produce stands are permitted two primary signs, one of which may be a freestanding sign. All signs must be removed at the end of the harvest season.

1. Freestanding signs shall have maximum sign area of 20 square feet and a maximum height of five feet. Freestanding signs located between the property line and the building line may include product information.
2. Building-mounted signs shall have a maximum sign area of 20 square feet and a maximum letter size of 24 inches.
3. Signage in residential districts shall not be internally illuminated.

C. **Permanent Produce Stands.** Permanent produce stands shall be permitted the signage of the land use district in which the stand is located.

Section 17. A new section 22B.10.107 is hereby added as follows:

6. **LED (Light Emitting Diode) reader board signs.** LED reader boards are allowed in any land use district when used only as a noncommercial public service sign. In addition to the criteria applicable in the underlying land use district, LED reader board signs outside of the Downtown are subject to the following design criteria:
 - a. Building mounted LED signs on Performing Arts Centers (PACs) shall not be incorporated within any artwork proposal received for the PACs building facade;
 - b. The proposed LED reader board sign text shall not flash but roll onto the screen. Furthermore, no chasing, scintillating, rotating or blinking lights shall be permitted. The LED reader board graphics are limited to text only, no animation of any kind is permitted;
 - c. LED reader board sign structure shall be designed to architecturally compliment the structure to which it is associated;
 - d. LED reader board text shall not change more than once every eight hours; and
 - e. All sign illumination shall be turned off between the hours of 10:00 p.m. and 6:00 a.m., except that, if the premises are open to accommodate noncommercial public service events occurring beyond the hours identified above, the illumination shall be turned off at the cessation of the event.

Section 18. Section 22B.10.110A of the Bellevue City Code is hereby amended as follows:

22B.10.110 HOSPITAL SIGNS

- A. **General.** The provisions of BCC 22B.10.030 apply to signs displayed at a hospital facility in any land use district, except as specifically provided otherwise in this section.

Section 19. Section 22B.10.115 of the Bellevue City Code is hereby amended as follows:

22B.10.115 DIRECTIONAL SIGNS FOR MAJOR INSTITUTIONS

A major institution may display no more than one freestanding directional sign for every 200 feet of street frontage, in conformance with the following requirements:

- A. **Number Allowed.** Only the minimum number of signs determined by the Director to be necessary to direct vehicular and pedestrian traffic may be displayed.
- B. **Sign Content.** Only the name or symbol of the institution or office building shall be displayed; provided, that directional signs may change to state whether a parking garage is full.
- C. **Location - General.** Directional signs must be placed at primary vehicular or pedestrian access points;
- D. **Location - On Sidewalks.** Directional signs may be placed on a sidewalk in the public right-of-way pursuant to BCC 14.30.080, or on other perimeter sidewalks adjacent to and owned by the major institution, with the prior approval of the Director; provided that directional signs must be located so as to not inhibit pedestrian movement.
- E. **Maximum Area.** Directional signs shall be no greater than 25 square feet in area.
- F. **Maximum Height.** Directional signs shall be no greater than five feet in height.

Section 20. Section 22B.10.120 of the Bellevue City Code is hereby amended as follows:

22B.10.120 TEMPORARY SIGNS

Except for the signage described in subsection B below, the aggregate area of all temporary signs regulated by this Section 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. Instead of the sign allowances and requirements applicable to the land use district within which the temporary sign is located, the temporary signs below 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 or 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 display 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. The aggregate and individual sign size limits set forth above may be modified through the design review process set forth in Section 22B.10.025 to allow additional construction period sign area, with an aggregate limit not to exceed 128 square feet, which may be allocated to one sign or several signs.
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 10 feet from the property line or closer than 30 feet from the property line 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. Only one such sign (which may be double-faced) is permitted per construction project adjacent to each public street upon which the project fronts.

B. Lease-up/Sales Period Signage. Any portion of a building's permanent signage allocation as set forth in applicable sections of this code 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, plastic or other rigid and durable material, and unless a permit is not required pursuant to Section 22B.10.160D, are permitted individually or through a sign package. In addition, all such signs 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 sale is sold/rented/leased.

- a. **Multi-Family.** Signs may not exceed 16 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.
 - 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.10.090.C.

- 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 search lights are permitted for a period of one month to announce the opening of a completely new enterprise, and any time thereafter for two weeks each occurrence (search lights 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.150E. 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, and where the enterprise advertised is allowed to have permanent signage under district zoning and sign 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.

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 four square feet and a maximum height of five feet. A political sign promoting or publicizing candidates for public office or issues that are to be voted upon in a general or special election 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.
- G. Commercial Estate Sale Signage.** All exterior commercial estate sale signs must be of wood, plastic or other rigid and durable material and must comply with the criteria of this Section 22B.10.120G.
1. **On-Premises "Estate Sale" Signs.** Signs shall be limited to one single or double-faced sign oriented to each street frontage adjacent to the property on which the estate sale is being held. The sign must be placed wholly on the property on which the estate sale is being held.
 - a. **Multi-Family, Commercial or Industrial.** Signs may not exceed 16 square feet in surface area. If freestanding, the sign may not exceed five feet in height and shall be located wholly on the property on which the estate sale is being held and more than 15 feet from any abutting interior property line.
 - b. **Single Family.** The sign may not exceed six square feet in surface area.
 2. **Off-Premises Directional "Estate Sale" Signs.** Signs advertising "estate sale" and the direction to the property on which the estate sale is being held shall be limited to three single or double-faced off-premises signs. However, if an estate sale operator has more than one estate sale within 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 estate sale operator is in attendance at the location of the advertised estate sale. Off-premises "estate sale" signs shall not exceed six square feet in surface area. The sign may be placed along the periphery of a public right-of-way.
- H. Temporary Joint Sales Signage.** Signs, posters, banners, strings of lights, clusters of flags, blinking lights, balloons and search lights are permitted for a period of two weeks to announce a special sales event sponsored by more than one commercial enterprise. Such special sales event must be held on the premises of one or more of the sponsoring enterprises, and all participating enterprises must be located on the same site or abutting sites. The signage allowed under this section may be permitted no more than four times per year for any participating enterprise. 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.150E. Such displays are not exempt from permit requirements and are permitted only in the Downtown, Factoria, CB, GC, LI and OLB land use districts where the advertised enterprise is allowed under land use district regulations or operating pursuant to a valid permit or approval.

Section 21. Section 22B.10.125A of the Bellevue City Code is hereby amended as follows:

- A. **General.** Signs for the purpose of identification only, which contain no advertising, and signs that are otherwise allowed in the right of way under this sign code, may be permanently located upon the street right-of-way only where view- obstructing acoustical protective devices such as acoustical walls, berms or solid fences have been legally installed with city approval at the property line thereby making building mounted or conforming freestanding signs ineffective.

Section 22. Section 22B.10.125C of the Bellevue City Code is hereby amended as follows:

- C. **Types of Signs Permitted.** Only signs identifying the use being maintained or operated upon the immediately abutting property and incidental signs indicating the appropriate entrance to and exit there from are permitted upon the public right-of-way under this section; provided that "vacancy" signs no larger than three square feet in surface area may be installed as an addition to the identification sign; and provided that other signs may be authorized on the public right-of-way pursuant to the variance process under BCC 22B.10.180.

Section 23. Section 22B.10.130N of the Bellevue City Code is hereby amended as follows:

- N. Reasonable temporary decorations and signs for the purpose of announcing or promoting a non-profit sponsored, school sponsored, 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 Department of Transportation, 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.

Section 24. Section 22B.10.140 of the Bellevue City Code is hereby amended to read as follows:

22B.10.140 REQUIREMENTS APPLICABLE TO ALL SIGNS

- A. **Structural Requirements.** The structure and erection of signs within the city shall be governed by Chapters 2 and 4 of the Uniform Sign Code, 1985 Edition (or by superseding edition adopted by the city), and the Uniform Building Code, 1985 Edition (or any superseding edition adopted by the city), Volume I (including appendices), as promulgated by the International Conference of Building Officials, which are adopted and made a part hereof by this reference. Not less than one copy of said codes are on file in the office of the city clerk. Compliance with the Uniform Sign Code and Uniform Building Code shall be a prerequisite to issuance of a sign permit under BCC 22B.10.160.
- B. **Electrical Requirements.** Electrical requirements for signs within the city shall be governed by the National Electrical Code, 1984 Edition (or any superseding edition adopted by the city), promulgated by the National Fire protection Association, which is adopted and made a part hereof by this reference. Compliance with the National

Electrical Code shall be required by every sign utilizing electrical energy as a prerequisite to issuance of a sign permit under BCC 22B.10.160.

- C. **Sign Illumination.** Illumination from or upon any sign shall be located, shaded, shielded, directed or reduced so as to avoid undue brightness, glare or reflection of light on private or public property in the surrounding area, and so as to avoid unreasonably distracting pedestrians or motorists. "Undue brightness" is illumination in excess of that which is reasonably necessary to make the sign reasonably visible to the average person on an adjacent street.
- D. **Sign Maintenance.** All signs, including signs heretofore installed, shall be constantly maintained in a state of security, safety and repair. If any sign is found not to be so maintained or is insecurely fastened or otherwise dangerous, it shall be the duty of the owner and/or occupant of the premises on which the sign is located to repair or remove the sign within five days after receiving notice from the Director. The premises surrounding a freestanding sign shall be free and clear of rubbish and landscaping area free of weeds.
- E. **Sign Obstructing View or Passage.** No sign shall be located so as to physically obstruct any door, window or exit from a building. No sign shall be located so as to be hazardous to a motorist's or pedestrian's ingress and egress from parking areas or any way open to the public. All signs shall comply with the sight distance requirements of the Land Use Code (LUC 20.20.830).
- F. **Landscaping for Freestanding Signs.** All primary freestanding signs shall include landscaping at their base to prevent automobiles from hitting the sign-supporting structure and to improve the overall appearance of the installation. The planting area shall be a minimum of one square foot for each square foot of sign surface area and shall include shrubs and groundcover so that at the time of installation a minimum of 25 percent of the required planting is covered by plant material.

If the landscaping is not installed concurrently with the sign, the applicant for a sign permit shall provide a performance assurance device in accordance with Bellevue City Code (Land Use Code) Section 20.40.490. All required landscaping must be installed within 60 days of completion of the sign installation, unless the Director grants an extension in writing for reasons of weather, good planting practices, or unforeseeable construction delay.
- G. **Sign Inspection.** All sign users shall permit the periodic inspection of their signs by the city upon city request.
- H. **Conflicting Provisions.** Whenever two provisions of this code overlap or conflict with regard to the size or placement of a sign, the more restrictive provision shall apply.
- I. **Painted Signs - Mounting.** Painted signs may be painted on plywood or other backing material or directly on the building wall itself.

Section 25. Section 22B.10.150A of the Bellevue City Code is hereby amended to read as follows:

- 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", subdivision directional, and commercial "estate sale" signs as governed by BCC 22B.10.120.C.2, C.6, and G.2); provided, however, on-premises signs may call the attention of the public to public holidays or community events, the time and temperature;

Section 26. Section 22B.10.150E of the Bellevue City Code is hereby amended to read as follows:

- 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. for temporary event signage under BCC 22B.10.120.D, and for joint sales signage under BCC 22B.10.120.H;

Section 27. Section 22B.10.150H of the Bellevue City Code is hereby amended to read as follows:

- H. Searchlights, except as permitted for temporary event signage under BCC 22B.10.120.D, and for joint sales signage under BCC 22B.10.120.H. The beam of the searchlight shall not flash against any building or sweep an arc greater than 45 degrees from vertical;

Section 28. Section 22B.10.150J of the Bellevue City Code is hereby amended to read as follows:

- J. Portable signs, except for sandwich board signs permitted under BCC 22B.10.130.L, political signs meeting the requirements of BCC 22B.10.120.E and F and temporary signs meeting the requirements of BCC 22B.10.120;

Section 29. Section 22B.10.150O of the Bellevue City Code is hereby amended to read as follows:

- O. LED reader board signs, except as follows:
1. LED reader board signs meeting the design review requirements of BCC 22B.10.025 are allowed within the Downtown at locations of public assembly pursuant to BCC 20.10.440. The frequency of message changes shall be limited to a maximum of once every four minutes; or
 2. LED reader board signs meeting the requirements of Section 22B.10.107 are allowed in any land use district when used only as a noncommercial public service sign. The frequency of message changes shall be limited to one message change every eight hours.

LED reader board signs permitted under the terms of these exceptions must comply with the requirements of all other provisions of the sign code applicable to the land use district within which the sign is located.

Section 30. Section 22B.10.160D of the Bellevue City Code is hereby amended as follows:

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 reader board, LED reader board, or theater marquee, during the period of amortization;
6. Temporary political signs;
7. Real Estate signs meeting the standards set forth in BCC 22B.10.120C;
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; and
9. Commercial estate sale signs meeting the standards set forth in BCC 22B.10.120.G.

Section 31. This ordinance shall take force and be in effect thirty (30) days after its passage and legal publication:

Passed by the City Council this 20th day of October, 2003, and signed in authentication of its passage this 23rd day of October, 2003.

(SEAL)

Connie Marshall
Connie Marshall, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Lori M. Riordan
Lori M. Riordan, Assistant City Attorney

Attest:

Myrna L. Basich
Myrna L. Basich, City Clerk

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