

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6630

AN ORDINANCE amending Bellevue City Code (BCC) 22B.10.025 and BCC 22B.10.030 to incorporate and regulate the new East Main Land Use Districts, EM-TOD-H and EM-TOD-L, in the Sign Code, Chapter 22B.10 BCC; providing for severability; and establishing an effective date.

WHEREAS, the City Council will adopt, concurrent with this Ordinance amending BCC 22B.10.025 and BCC 22B.10.030, separate Ordinances to create a new Part 20.25Q in the Bellevue Land Use Code (LUC) and provide for the use and development and rezone of properties located in the East Main Transit Oriented Development (TOD) Land Use District; and

WHEREAS, the East Main LUC amendment (LUCA) and Rezone will advance the East Main vision, goals, and policies in the Comprehensive Plan, and the East Main LUCA and Rezone will create two new East Main Land Use Districts, EM-TOD-H and EM-TOD-L; and

WHEREAS, consistent with the State Growth Management Act, Chapter 36.70A RCW, the City Council has by separate ordinances adopted updates to the Comprehensive Plan and other development-related codes and regulations as appropriate to respond to an accommodate changing conditions and needs of the City; and

WHEREAS, the City's Sign Code, Chapter 22B.10 BCC, establishes standards for the design, placement, size and maintenance of all exterior signs and sign structures in the City for the purpose of permitting and encouraging the design of signs which are responsive to the needs of the public in locating a business establishment by identification, address and product and/or services information; and

WHEREAS, the City desires to effectuate the purposes of the Sign Code in East Main Land Use Districts by incorporating and regulating these new EM-TOD-H and EM-TOD-L Land Use Districts in the Sign Code, Chapter 22B.10 BCC; and

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

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

Section 1. The Table of Contents of Chapter 22B.10 of the Bellevue City Code is hereby amended to read as follows:

Sections:

- 22B.10.010 General provisions.
- 22B.10.020 Definitions.
- 22B.10.025 Design review.
- 22B.10.030 Business, commercial, manufacturing and medical institution land use district signs – OLB, OLB-2, OLB-OS, EG-TOD, CB, NMU, DT-O-1, DT-O-2, DT-MU, DT-R, DT-OB, DT-OLB, EM-TOD-H, EM-TOD-L, GC, LI, MI, and BelRed land use districts, except BR-ORT.
- 22B.10.040 Office, research and development, and multifamily residential land use districts signs – PO, O, BR-ORT, EH-D, R-10, R-15, R-20, and R-30.
- 22B.10.050 *Repealed.*
- 22B.10.055 Factoria area – Freestanding and freeway-oriented signs – Multiple tenants – Additional signs.
- 22B.10.060 Neighborhood business land use district signs – NB.
- 22B.10.080 *Repealed.*
- 22B.10.090 Single-family residential land use district signs – R-7.5, R-5, R-4, R-3.5, R-2.5, R-1.8, and R-1.
- 22B.10.100 *Repealed.*
- 22B.10.105 Vendor carts and produce stands.
- 22B.10.107 LED (light emitting diode) readerboard signs.
- 22B.10.110 Hospital and ambulatory health care signs.
- 22B.10.115 Directional signs for major institutions.
- 22B.10.120 Temporary signs.
- 22B.10.125 Permanent signs within street rights-of-way.
- 22B.10.130 Exempt signs or displays.
- 22B.10.140 Requirements applicable to all signs.
- 22B.10.150 Prohibited signs.
- 22B.10.160 Permits and fees.
- 22B.10.170 Administration, enforcement and sign removal.
- 22B.10.180 Variance from sign code.
- 22B.10.190 Appeals.
- 22B.10.200 Nonconforming signs.
- 22B.10.210 Conflicting provisions.
- 22B.10.220 Severability.

Section 2. Section 22.B.10.025.B.1.a of the Bellevue City Code is hereby amended to read as follows:

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 or overlay districts as provided for in the Land Use Code:
  - i. Downtown, except DT-OLB;
  - ii. CB and NMU (community business and neighborhood mixed use);
  - iii. NB (neighborhood business);
  - iv. OLB-OS and OLB-2 (office limited business – open space and office limited business 2);
  - v. Development in transition areas as defined in the Land Use Code;
  - vi. BelRed land use districts, except BR-GC unless design review is available per LUC 20.25D.030.C.2, as now or hereafter amended;
  - vii. EG-TOD (Eastgate transit oriented development); and
  - viii. EM-TOD-H (East Main transit oriented development – high) and EM-TOD-L (East Main transit oriented development – low).

Signs within the land use and overlay districts set forth above shall also comply with all other provisions of this chapter and provisions applicable to signs that are contained in the Land Use Code.

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

3. *Downtown, BelRed, and East Main Land Use Districts (All DT, except DT-OLB, and All BR).*

- a. The primary signage for any building or business shall comply with the appropriate design guidelines for downtown, LUC 20.25A.140 et seq., East Main, LUC 20.25Q.130 et seq., and BelRed, LUC 20.25D.150, land use districts, as now or hereafter amended, pursuant to the procedures set forth therein. Signage within downtown and East Main shall be pedestrian-oriented unless the sign is permitted as an upper level high-rise sign.

...

Section 4. The heading of Section 22.B.10.030 of the Bellevue City Code is hereby amended to read as follows:

**22B.10.030 Business, commercial, manufacturing and medical institution land use district signs – OLB, OLB-2, OLB-OS, EG-TOD, CB, NMU, DT-O-1, DT-O-2, DT-MU, DT-R, DT-OB, DT-OLB, EM-TOD-H, EM-TOD-L, GC, LI, MI, and BelRed land use districts, except BR-ORT.**

Section 5. Section 22.B.10.030.A of the Bellevue City Code is hereby amended to read as follows:

A. *General.* The following provisions govern signs in the OLB, OLB-2, OLB-OS, EG-TOD, CB, NMU, DT-O-1, DT-O-2, DT-MU, DT-R, DT-OB, DT-OLB, EM-TOD-H, EM-TOD-L, GC, LI, MI, and all BelRed land use districts, except BR-ORT, and may be modified through design review as described in BCC 22B.10.025, as now or hereafter amended.

1. ...

Section 6. Section 22.B.10.030.B.3.c of the Bellevue City Code is hereby amended to read as follows:

c. Unused sign surface area for a facade may be used by any enterprise within the same multiple occupancy building or by any enterprise within the same multiple building complex located within all downtown and East Main land use districts and BelRed BR-OR-1, BR-OR-2, BR-RC-1, BR-RC-2, and BR-MO-1 land use districts, if:

i. ...

Section 7. Section 22.B.10.030.C.3 of the Bellevue City Code is hereby amended to read as follows:

3. In multiple occupancy buildings, or multiple building complexes located within any downtown or East Main land use district or within BelRed BR-OR-1, BR-OR-2, BR-RC-1, BR-RC-2 and BR-MO-1 land use districts, unused primary sign allotment for one enterprise may be used by any enterprise within the same multiple occupancy building, or by any enterprise within the same multiple building complex located within a downtown land use district or the BelRed land use districts listed above, if:

a. ...

...

- e. Unused allotments may not be transferred between downtown land use districts, East Main land use districts, and BelRed land use districts.

Section 8. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 9. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2021 and signed in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

(SEAL)

\_\_\_\_\_  
Lynne Robinson, Mayor

Approved as to form:

Kathryn L. Gerla, City Attorney

\_\_\_\_\_  
Matthew McFarland, Assistant City Attorney

Attest:

\_\_\_\_\_  
Charmaine Arredondo, City Clerk

Published: \_\_\_\_\_