

Chapter 22.10 Sign Code

Sections:

- 22.10.010 General Provisions
- 22.10.020 Definitions Specific to the Sign Code
- 22.10.030 Measurements
- 22.10.040 Requirements Applicable to All Signs
- 22.10.050 Permanent Signs in Residential Land Use Districts
- 22.10.060 Permanent Signs in Commercial and Mixed-Use Land Use Districts
- 22.10.070 Temporary Signs in All Land Use Districts
- 22.10.080 Signs Within the Public Right-of-Way
- 22.10.090 Nonconforming Signs
- 22.10.100 Prohibited Signs
- 22.10.110 Variances
- 22.10.120 Administration and Enforcement
- 22.10.130 Permits and Exempt Signs
- 22.10.140 Appeals
- 22.10.150 Conflicting Provisions
- 22.10.160 Severability

22.10.010 General Provisions

A. *Intent and Purpose.* The purpose of this chapter is to promote the public health, safety and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements. It has also been adopted to promote the following:

1. Minimum standards in order to promote traffic safety;
2. Recognition of free speech rights by regulating signs in a content-neutral manner;
3. The free flow of traffic and to protect pedestrians, non-motorized wheeled users, and motorists from injury and property damage caused by, or attributable to, cluttered, distracting, or illegible signs;
4. Provide consistent and compatible sign design standards; and
5. Adopt understandable regulations which enable the fair and consistent enforcement of this chapter.

This chapter is not intended to restrict speech on the basis of its content, viewpoint, or message. Any classification of signs herein which purports to permit speech by reason of the type of sign, identity of the sign user or otherwise, should be interpreted to allow commercial or noncommercial speech on the sign. Nothing in this chapter should be construed to favor commercial speech over noncommercial speech.

22.10.020 Definitions Specific to the Sign Code

As used in this Chapter, the following definitions shall apply:

A. "A" Definitions

1. "Abandoned sign" means a temporary or permanent sign that, because the passage of time, has faded, peeled, cracked or otherwise become deteriorated or dilapidated, or is no longer affixed to the ground or attached to a structure, or is missing the sign face.
2. "Abandoned sign structure" means a sign structure where no sign has been in place for a continuous period of at least twelve months.
3. "Alteration" or "alter" means the presence, or making, of any change, addition, or modification except for changes, additions, or modifications that are exempt under BCC 22.10.130.
4. "Awning" means a shelter or canopy projecting from, and supported by, a structure or building wall to provide protection from the elements to persons or property thereunder.

B. "B" Definitions

1. "BelRed Arts District Intensive Area" shall have the same meaning as provided in LUC 20.25D.015.

C. "C" Definitions

1. "Commercial and mixed-use land use districts" means all land use districts established under LUC 20.10.020 except for residential land use districts.
2. "Commercial" means copy related to commercial interests.
3. "Copy" means letters, characters, illustrations, logos, graphics, symbols, writing, intellectual property, or any combination thereof designed to communicate objectively tangible information, or to advertise, announce, or identify a person, entity, business, event, business product, or to advertise the sale, rental, or lease of premises.
4. "Crossroads Sign Overlay" means the area legally defined as follows:

That portion of the SE 1/4, Section 26, Township 25 North, Range 5 East W.M., King County, Washington, described as follows:

Commencing at the southwest corner of the Upton at Crossroads Village Condo filed in Volume 291 of Condos, Pages 87-90, records of King County Washington; Thence easterly along the south line of said Crossroads Condo a distance of 150 feet to the **Point of Beginning**. Thence continuing easterly along said south line to the intersection of the northerly extension of the west line of Parcel 2 City of Bellevue Boundary Line Adjustment 22-115531 LW recorded under recording number 20230203900002 records of King County, Washington; Thence southerly along said northerly extension and the west line of said Parcel 2 and the southerly extension to the north right of way margin of NE 8th St; Thence westerly along said north right of way margin a distance of 284.9 feet; Thence northerly parallel with the centerline of 156th Ave NE to the **Point of Beginning**.

D. "D" Definitions

1. "Director" means the Director of the Development Services Department for the City of Bellevue, the Director's authorized representative, or any representative authorized by the City Manager, unless otherwise specified in this chapter.
2. "Downtown" shall have the same meaning as provided in LUC 20.50.016.

E. "E" Definitions

1. "Electronic Message Center Sign" or "EMC Sign" means a sign capable of displaying copy that can be electronically or mechanically changed by remote or automatic means including signs using a video display method.

2. "Enterprise" means the owner, tenant, user, or other occupant of a structure seeking signs under this sign code.

F. "F" Definitions

1. "Facade" means the area of that continuous front, side, or back surface, including doors, windows, and parapets.
2. "Freeway corridor" means a corridor paralleling each side of the freeway with a width of 375 feet on each side of the freeway right-of-way. The freeway corridor does not include land within the boundaries of Downtown.

G. "G" Definitions

1. "Grade, finished" shall have the meaning provided in LUC 20.50.022.
2. "Grand Connection" shall have the meaning provided in LUC 20.50.022.

H. "H" Definitions

1. "Halo lighting" means a method of sign illumination that consists of a light source external to the sign or sign elements and mounted behind the sign or sign elements. The sign elements of a sign illuminated through halo lighting shall be opaque, so that the light does not appear to emit from within or through the sign elements.
2. "Highrise building" means a building with a roofline that is equal to, or exceeds, 75 feet above the average finished grade.
3. "Hospital" means a building requiring a license pursuant to Chapter 70.41 RCW and designed and used for the medical, surgical diagnosis, treatment and housing of persons under the care of doctors and nurses and including ancillary uses such as cafeterias, florists and patient- and visitor-related services. Rest homes, nursing homes, convalescent homes and clinics are not included.

I. "I" Definitions

1. "Illegal sign" means any sign which does not comply with the requirements of this code within the city limits as they now or hereafter exist.
2. "Incidental sign" means small signs, two square feet or less in surface area.

J. "M" Definitions

1. "Master sign plan" means a plan for the design and placement of all signs intended for a project site for the life of the project. (See BCC 22.10.130.D, Master Sign Plan).
2. "Multiple building complex" means a group of structures containing more than one enterprise.

3. "Multiple occupancy building" means a single structure containing more than one enterprise.

K. "N" Definitions

1. "Neighborhood Identification Sign" means a painted wall sign or building-mounted sign that contains only the name, as designated and mapped in the City's Comprehensive Plan, of the BelRed Arts District, neighborhood area, or neighborhood district for the area or district in which the sign is located and no other copy.
2. "Noncommercial" means copy unrelated to commercial interests.

L. "P" Definitions

1. "Parapet" means that portion of a building wall which extends above the roof of the building.
2. "Permanent sign" means a sign intended for permanent use and that does not otherwise meet the definition of "temporary sign".
3. "Primary sign" means all permanent signs of an enterprise which are not exempt (see BCC 22.10.130.B) or do not meet the definition for "incidental signs."

M. "R" Definitions

1. "Residential Land Use District" shall have the meaning set forth in Chapter 20.50 LUC.
2. "Right-of-way" means all public streets and property granted or reserved for, or dedicated to, public use for street purposes, together with public property granted or reserved for, or dedicated to, public use for walkways, sidewalks, bikeways and horse trails, whether improved or unimproved.
3. "Routine maintenance" includes those usual acts to prevent decline, lapse, or cessation of a lawfully established sign. Routine maintenance includes, but is not limited to, alterations necessary to keep moisture or wind from entering or damaging a sign. Routine maintenance does not increase the sign area of any sign or increase the conditions that render the sign nonconforming.
4. "Routine repair" includes like-for-like restoration of a sign to a state comparable to its original condition within a reasonable period after decay has occurred. Routine repair includes, but is not limited to, the like-for-like replacement of cabinets, illumination sources, and structural supports that have decayed or are near the end of their functional life. Routine repair does not increase the sign area of any sign or increase the conditions that render the sign nonconforming.

N. "S" Definitions

1. "Shared-use path" means a path physically separated from the roadway for use by bicyclists, pedestrians, and other micromobility users.
2. "Sign" means materials placed or constructed, or light projected, in a manner that creates or contains copy to inform or attract the attention of the public. The scope of the term "sign" does not depend on the content of the message or the image conveyed. Some examples of signs can include, but are not limited to, placards, A-frame, banners, or electronic visual messages, pictures, videos or images. Graffiti, as defined in Chapter 9.10 BCC, does not constitute a sign.
 - a. "Sign, banner" means a sign intended to be temporary, made of flexible, sturdy material and affixed to a building or other structure (excludes flags).
 - b. "Sign, billboard" means an outdoor advertising sign containing a message, commercial or otherwise, unrelated to any use or activity on the property on which the sign is located. Billboards do not include signs subject to BCC 22.10.070 or BCC 22.10.080.
 - c. "Sign, blade" means a projecting sign attached directly to a building wall or awning where the sign is perpendicular to the wall or facade.
 - d. "Sign, building-mounted" means a single or multiple-faced sign that is parallel to and attached directly to the face of the building, canopy, or awning.
 - e. "Sign, freestanding" means a single- or multiple-faced sign, supported from the ground by one or more columns, uprights, or braces.
 - f. "Sign, painted wall" means a sign applied to the wall or façade of a building or structure with paint or a thin layer of vinyl, paper, or similar material adhered directly to the facade and that has no sign structure.
 - g. "Sign, roof" means 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.
 - h. "Sign, upper-level highrise" means a sign located on a highrise building more than 75 feet above average finished grade, except as provided in this chapter.
 - i. "Sign, window" means all signs located inside, 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.
3. "Sign face" means the portion of a sign which contains copy. (See BCC 22.10.030.A, Sign Area).
4. "Sign structure" means a structure specifically intended for supporting, mounting, or containing a sign.

5. "Single occupancy building" means 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 enterprise; (B) it has no wall in common with another building; and (C) it has no part of its roof in common with another building.

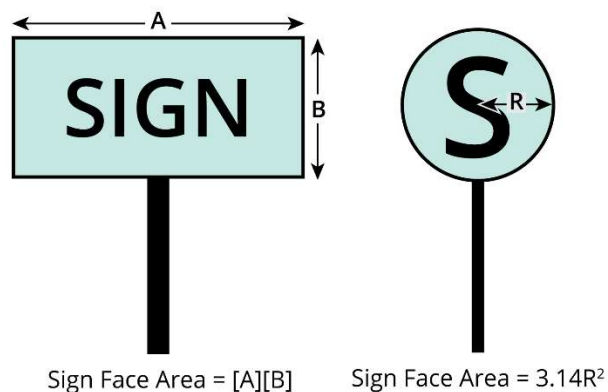
O. "T" Definitions

1. "Temporary sign" means any sign; poster; placard; stake sign or sign not placed in the ground with concrete or other means to provide permanent support, stability or rot prevention; and used temporarily and is not permanently mounted, painted or otherwise affixed to a permanent structure or building.
2. "Transportation Director" means the Director of the Transportation Department for the City of Bellevue, the Director's authorized representative, or any representative authorized by the City Manager, unless otherwise specified in this chapter.

22.10.030 Measurements

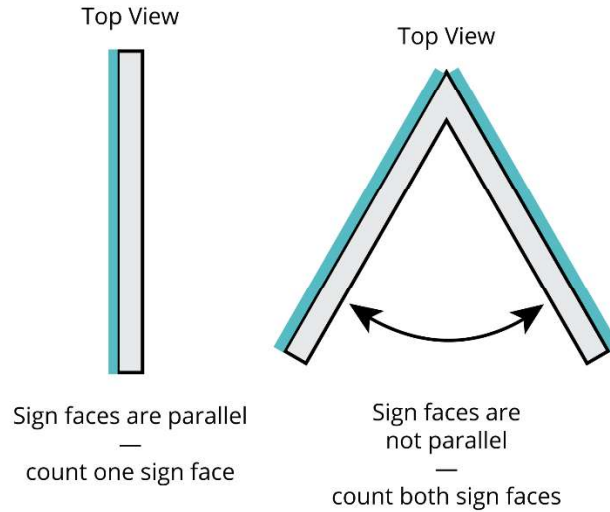
- A. *Sign Area.* The sign area is determined based on the outer dimensions of the frame surrounding the sign face. If the frame itself forms the copy, then the sign area includes the surface area of that frame. (See Figure 22.10.030.A).

Figure 22.10.030.A



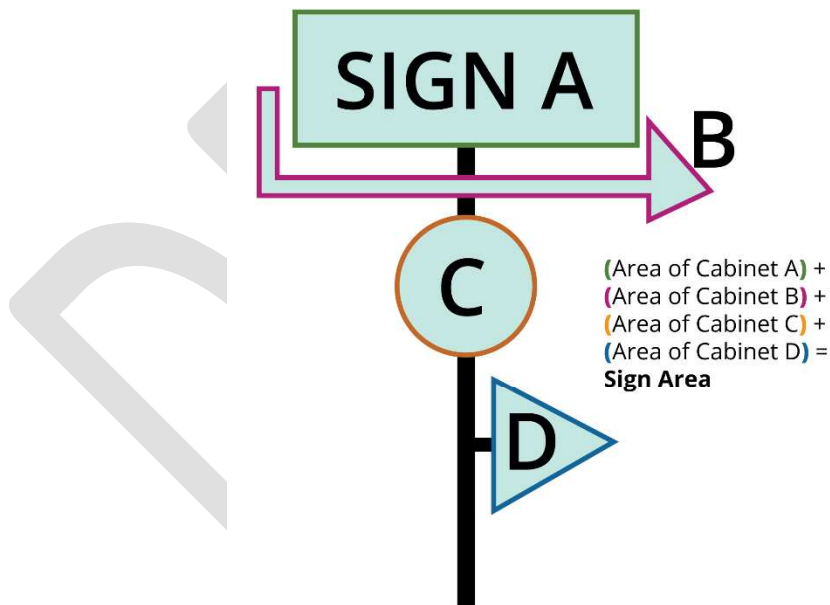
- B. *Double-faced Signs.* If a permanent sign contains two sign faces that are parallel with one another, then only one sign face of the sign is counted in determining the sign area. If the two sign faces are parallel with one another but are not of equal size, then the larger of the two sign faces is used in determining sign area. If the two sign faces are not parallel with one another, then both sign faces are used in determining sign area. (See Figure 22.10.030.B).

Figure 22.10.030.B



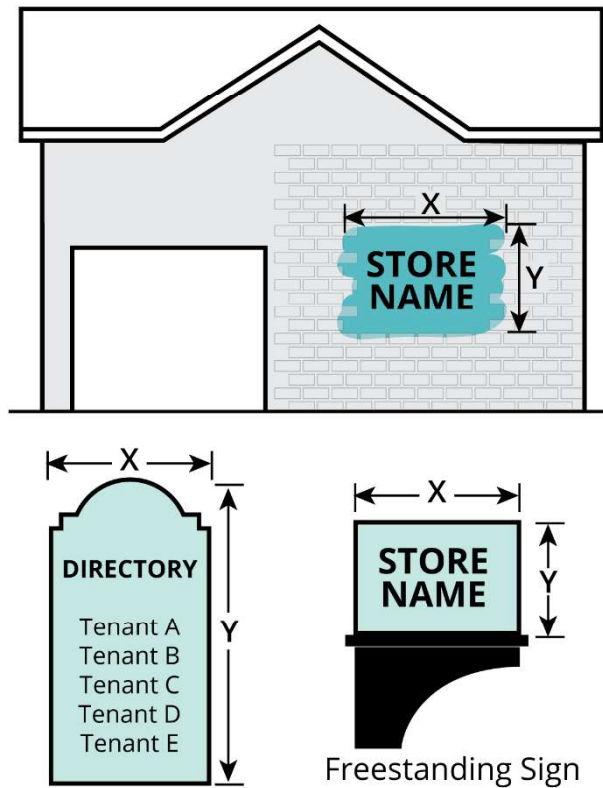
- C. *Multiple Frames.* For freestanding and projecting signs that contain multiple frames on one sign structure and are oriented in the same direction, the combined area of all frames is counted as one sign face (See Figure 22.10.030.C).

Figure 22.10.030.C



- D. *Signs with Background panels or surfaces.* Sign copy mounted, affixed, or painted on a background panel or surface distinctively painted, textured, or constructed as a background for the sign copy, is measured as that area contained within the smallest rectangle, parallelogram, triangle, or circle that will enclose the sign copy and the background (See Figure 22.10.030.D).

Figure 22.10.030.D



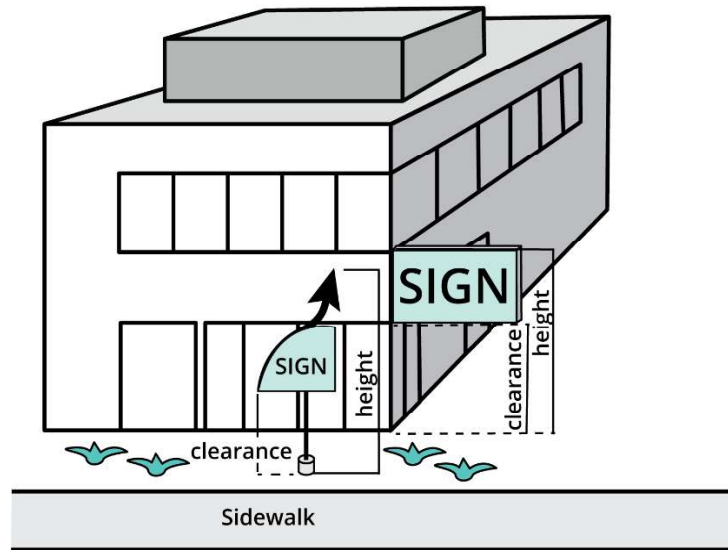
- E. *Signs with individual letters or graphics.* Sign copy mounted as individual letters or graphics against a wall of a building or surface of another structure, that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy, is measured as the sum of the smallest square, rectangle, parallelogram, triangle, or circle that will enclose each word, sentence, complete message, and each graphic in the sign (See Figure 22.10.030.E).

Figure 22.10.030.E



- F. *Painted Wall Signs.* Painted wall signs are measured as the sum of the smallest square, rectangle, parallelogram, triangle, or circle that will enclose the sign copy.
- G. *Awnings.* When signs are incorporated into awnings, the sign area is determined by computing the area of an imaginary rectangle drawn around the sign face. When the ends of awnings are parallel and contain sign faces, only one side is counted in addition to the sign face area on the front.
- H. *Height and Clearance*
1. *Height.* The overall height of a sign or sign structure is measured from the finished grade to the highest point of the sign or sign structure. The height of copy is measured from the bottom of the copy. (See Figure 22.10.030.H).
 2. *Clearance.* Clearances are measured from the highest point of the ground directly below the sign to the bottom of the sign structure enclosing the sign face (See Figure 22.10.030.H).

Figure 22.10.030.H



22.10.040 Requirements Applicable to All Signs

- A. *General.* The regulations contained in this section shall apply to signs in all land use districts.
- B. *Landscaping.* Unless otherwise provided for in this chapter, all freestanding signs shall have landscaping with ground cover and shrubs at the base of the sign equal to, or greater than, the sign area.
- C. *Removal of Signs.*
 1. Abandoned Signs and Abandoned Sign Structures.
 - a. Abandoned signs and abandoned sign structures shall be removed by the owner of record, lessor, lessee, manager, or other person, having lawful possession or control over real property on which the abandoned sign or abandoned sign structure is located. If the abandoned sign or abandoned sign structure is located in the public right-of-way, then the abandoned sign or abandoned sign structure shall be removed by the owner of the abandoned sign or abandoned sign structure.
 2. Temporary signs for which a permit or registration is required under BCC 22.10.130 shall be removed upon expiration of the permit or registration.
 3. In addition to the remedies of this title, the Director shall have the authority to require the repair, maintenance, or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health, or welfare of the public, at the cost of the sign owner or property owner.

- D. *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.
- E. *Maintenance of Signs.* Any owner of record, lessor, lessee, manager, or other person, except for the city, having lawful possession or control over a building, structure, or parcel of land is required to maintain any signs on the building, structure, or parcel in compliance with this chapter. Failure to maintain a sign constitutes a violation of this chapter and shall be subject to enforcement and penalties as provided in BCC 22.10.120.
- F. *Safety and Access.*
1. All signs shall be placed in a manner that is safe for all users of the public right-of-way and the real property on which the sign is located.
 2. Signs shall not block or obstruct access to buildings, structures, parked cars, bicycle parking, pedestrian amenities, recycling collection areas, solid waste collection areas, or bus loading or unloading areas.
 3. Signs shall not block, obstruct, or impair access to publicly accessible pedestrian facilities, bicycle facilities, access corridors, parks, plazas, or driveways.
 4. Signs shall not block, obstruct, or impair required emergency access.
 5. Signs shall not block, obstruct, or impair access to, or operation of, any utilities, including, but not limited to, water, sewer, and stormwater facilities.
 6. Signs shall not be attached to, or otherwise supported by, any tree.
 7. All signs shall comply with the applicable sight distance requirements contained in Chapter 14.60 BCC and in the Transportation Department Design Manual.
 8. The requirements of this subsection F do not apply in the event of an emergency or where a separate provision of local, state, or federal law authorizes a sign to be placed in a manner that would conflict with the requirements of this subsection F.

22.10.050 Permanent Signs in Residential Land Use Districts

- A. *General.* The regulations contained in this section shall apply to permanent signs in all residential land use districts. If a type of permanent sign is not explicitly mentioned in this section, then that type of permanent sign is not permitted within Residential Land Use Districts; provided that if the Director determines that type of permanent sign is so

substantially similar to a type of permanent sign mentioned below that it can be regulated in the same manner, then that type of permanent sign may be permitted.

B. *Freestanding signs.*

1. On lots that contain a nonresidential use, freestanding signs shall meet the following requirements:
 - a. Be limited to noncommercial freestanding signs only;
 - b. Be limited to a maximum sign area of 25 square feet and a maximum height of five feet when located within a setback as required in LUC 20.20.010;
 - c. Be limited to a maximum sign area of 35 square feet and a maximum height of 15 feet when not located within a setback as required in LUC 20.20.010;
 - d. Be restricted from being placed in the public right-of-way, including public easements, unless otherwise provided for in this chapter;
 - e. Be constructed out of durable materials, such as wood or metal;
 - f. Be limited to one sign per street frontage per lot; and
 - g. Comply with the landscaping requirements in BCC 22.10.040.B.
2. On lots that do not contain a nonresidential use, freestanding signs shall meet the following requirements:
 - a. Be limited to noncommercial freestanding signs only;
 - b. Be limited to a maximum sign area of 25 square feet and a maximum height of five feet;
 - c. Be restricted from being placed in the public right-of-way, including public easements, unless otherwise provided for in this chapter;
 - d. Be limited to one sign per neighborhood entrance, or as otherwise approved by the Director;
 - e. Be constructed out of durable materials, such as wood or metal; and
 - f. Comply with the landscaping requirements in BCC 22.10.040.B.

C. *Building mounted signs.*

1. On lots that contain a nonresidential use, building mounted signs shall meet the following requirements:
 - a. Be limited to noncommercial building mounted signs only;

- b. Be limited to a maximum sign area of 50 square feet and a maximum height of 20 feet;
- c. Be restricted from being located in, or projecting into, the public right-of-way, including public easements, unless otherwise provided for in this chapter;
- d. Be limited to one sign per street frontage per lot; and
- e. Be constructed out of durable materials, such as wood or metal.

D. Electronic message center signs.

1. *General and Applicability.* An Electronic Message Center sign is not a separately allowed sign type. The purpose of this section is to regulate the manner in which EMC sign technology can be applied to sign types that are otherwise provided for in this chapter. It is not intended to allow more signs or larger signs than otherwise provided for in this chapter. If any provision of this section conflicts with any provision of the associated sign type otherwise provided for in this section, the EMC sign standard shall prevail
2. Electronic message center signs shall meet the following requirements in addition to any other requirements for the associated sign type otherwise provided for in this section:
 - a. Be limited to noncommercial signs only;
 - b. Be limited to lots that contain a nonresidential use;
 - c. Be limited to one EMC sign per street frontage per lot;
 - d. Have a minimum hold between messages of 10 seconds, plus one-and-one-half-second transition fade;
 - e. Be limited to no motion except for a fade in of the next message with the fade transition being no more or less than one and one-half seconds. Fade transition is required rather than instantaneous message changes to avoid sudden or startling flashes of light; and
 - f. Comply with the following luminance standards:
 - i. In the daytime, luminance may not exceed 5,000 nits;
 - ii. In the nighttime (one-half hour before sunset to one-half hour after sunrise), luminance may not exceed 100 nits;
 - iii. Signs must be turned off by 11:00 p.m. or when the enterprise closes, whichever is later; and
 - iv. Signs must include auto-dimming features with light-sensory capabilities to dim the sign to allowable luminance levels during nighttime hours.

22.10.060 Permanent Signs in Commercial and Mixed-Use Land Use Districts

- A. *General.* The regulations contained in this section shall apply to signs in all commercial and mixed-use land use districts. If a type of permanent sign is not explicitly mentioned in this section, then that type of permanent sign is not permitted within commercial and mixed-use land use districts; provided that if the Director determines that type of permanent sign is so substantially similar to a type of permanent sign mentioned below that it can be regulated in the same manner, then that type of permanent sign may be permitted.
- B. *Number of Primary Signs.* The allowable number of primary signs are determined as follows:
1. In single occupancy buildings, the number of primary signs allowed is dependent upon the surface area of the largest single facade of the building. The permitted number of primary signs is as follows:
 - a. When the surface area of the largest facade is 999 square feet or less, the maximum number of primary signs is 2; provided that only one sign may be a freestanding sign.
 - b. When the surface area of the largest facade is between 1,000 and 2,999 square feet, the maximum number of primary signs is 3; provided that only one sign may be a freestanding sign.
 - c. When the surface area of the largest facade is 3000 square feet or greater, the maximum number of primary signs is 4; provided that only one sign may be a freestanding sign.
 2. In multiple occupancy buildings, each enterprise with its own exterior entrance shall be allowed two primary signs, enterprises without their own exterior entrance shall be allotted one primary sign; provided, that there may only be one freestanding sign per lot.
 - a. Unused sign surface area for a facade may be used by any enterprise within the same multiple occupancy building if:
 - i. 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;
 - ii. The display of a sign on that facade by the applicant will not create a significant adverse impact on other users of that facade; and
 - iii. In no event may sign surface area transferred under this provision be used for an upper-level highrise sign. Unused upper-level highrise sign surface

area may not be transferred for use for any other sign, regardless of enterprise or location.

3. Exceptions.

- a. *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. The second freestanding sign shall not be included in determining the number of primary signs allowed.
- b. *Multiple Buildings on Five Acres or More.* A multiple building complex encompassing at least five acres may display one freestanding sign along each right-of-way, which provides direct access to the complex. Such freestanding signage shall not be included in determining the number of primary signs allowed.

C. *Freestanding Signs.* Except as otherwise provided for in this section, freestanding signs shall meet the following requirements:

1. Be limited to a maximum sign area of 35 square feet and a maximum height of six feet when located within 50 feet of the property line;
2. Be limited to a maximum sign area of 75 square feet and a maximum height of 15 feet when located 50 feet or greater from the property line;
3. Be wholly located 15 feet from 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 their successors or assigns may not place a freestanding sign on their property within 20 feet of the first freestanding sign;
4. Be restricted from being placed in the public right-of-way, including public easements, unless otherwise provided for in this chapter;
5. Be constructed out of durable materials, such as wood or metal; and
6. Comply with the landscaping requirements in BCC 22.10.040.B.

D. *Building Mounted Signs.* Except as otherwise provided for in this section, building mounted signs shall meet the following requirements:

1. *Sign area limitations.* The total sign area for building mounted signs on a single facade is subject to the following limitations:
 - a. When the surface area of the facade where the sign is affixed is below 100 square feet, the maximum total sign area for the entire facade is 30 square feet.

- b. When the surface area of the facade where the sign is affixed is between 100 square feet and 199 square feet, the maximum total sign area for the entire facade is 40 square feet.
 - c. When the surface area of the facade where the sign is affixed is between 200 square feet and 499 square feet, the maximum total sign area for the entire facade is 75 square feet.
 - d. When the surface area of the facade where the sign is affixed is between 500 square feet and 999 square feet, the maximum total sign area for the entire facade is 130 square feet.
 - e. When the surface area of the facade where the sign is affixed is between 1,000 square feet and 1,499 square feet, the maximum total sign area for the entire facade is 170 square feet.
 - f. When the surface area of the facade where the sign is affixed is between 1,500 square feet and 2,999 square feet, the maximum total sign area for the entire facade is 210 square feet.
 - g. When the surface area of the facade where the sign is affixed is 3,000 square feet or greater, the maximum total sign area for the entire facade is 300 square feet.
2. Except for upper-level highrise signs that meet the requirements in BCC 22.10.060.F, Building-mounted signs may not be placed on the upper levels of a highrise building, installed on the rooftop or extend above the height of the building to which it is attached.
 3. Be limited to projecting no more than five feet from the face of the building to which the sign is attached.
 4. Maintain a minimum clearance of eight feet when the sign does not overhang a shared use path and where no bicycle conflicts exist unless otherwise approved by the Transportation Director.
 5. Maintain a minimum clearance of 10 feet when the sign overhangs a shared use path or where bicycle conflicts may be present unless otherwise approved by the Transportation Director.
- E. *Window Signs.* Except as otherwise provided for in this section, window signs shall meet the following requirements:
1. The total surface area of all window signs may not exceed 25 percent of the window area. For purposes of calculating surface area of window signs, the calculation is based on the uninterrupted window area or between each transom of the window the sign is located on and not the total window area provided on a facade; and

2. Not be included in determining the number of primary signs.
- F. *Upper-Level Highrise Signs.* Except as otherwise provided for in this section, upper-level highrise signs shall meet the following requirements:
1. In addition to the allowable number of primary signs determined in 22.10.060.B, two upper-level highrise signs may be placed on any highrise building; provided, that:
 - a. Only a single enterprise that occupies at least 75,000 net square feet of the highrise building, on which the sign is located may place an upper-level highrise sign. The 75,000 net square feet cannot contain any square footage dedicated to residential uses or for parking;
 - b. In no event may the sign area of each sign exceed 300 square feet;
 - c. When applicable, the signs shall be located on the two facades of the building most oriented to I-405;
 - d. No more than one upper-level sign may be placed on any facade.
 2. Be removed within 90 days after the enterprise ceases to occupy at least 75,000 net square feet in the highrise building on which the sign is located;
 3. Not project above the top of the surface to which they are affixed, nor beyond the edge of any surface to which they are affixed;
 4. Contain copy no larger than eight feet in height;
 5. Not be a cabinet or box sign;
 6. Be mounted to the building with a mounting system that is not visible beyond the edges of the sign elements;
 7. Be designed and located to preserve the integrity of the building roof form; and
 8. Be limited to halo lighting with a white light source; provided, that signs may be internally illuminated when the surface on which the sign is mounted is made of glass or other highly reflective material that would interfere with the appearance of the sign if halo-lit. Internal illumination is limited to only those letters or sign elements that will appear white when lit. Any illumination shall be designed to ensure no exposed lighting source or raceway. The light source shall be no brighter than the equivalent of 30 milliamp neon tubing behind a diffuser panel. The applicant shall provide a signed certification from the sign manufacturer declaring that the illumination meets the limits of this subsection. To the extent that this subsection conflicts with BCC 22.10.040.D, this subsection shall control.
- G. *Electronic message center signs.*

1. *Purpose.* An Electronic Message Center sign is not a separately allowed sign type. The purpose of this section is to regulate the manner in which EMC sign technology can be applied to sign types that are otherwise provided for in this chapter specifically to support mobility, wayfinding, and tourism in the city. It is not intended to allow more signs or larger signs than otherwise provided for in this chapter. If any provision of this section conflicts with any provision of the associated sign type otherwise provided for in this section, the EMC sign standards shall prevail.
2. *Applicability.* Electronic Message Center signs shall be limited to the following areas:
 - a. The Grand Connection (except DT-OB); and
 - b. The BelRed Arts District Intensive Area.
3. Electronic message center signs shall meet the following requirements in addition to any other requirements for the associated sign type otherwise provided for in this section:
 - a. Be limited to noncommercial freestanding signs only;
 - b. Be limited to a maximum sign area of 30 square feet and a maximum height of eight feet;
 - c. Be limited to one EMC sign per 200 feet of street frontage;
 - d. Maintain a minimum distance of 20 feet from other freestanding signs;
 - e. Be exempt from the landscaping requirements in BCC 22.10.040.B;
 - f. Be limited to a minimum hold between messages of 10 seconds, plus one-and-one-half-second transition fade;
 - g. Be limited to no motion except for a fade in of the next message with the fade transition being no more nor less than one and one-half seconds. Fade transition is required rather than instantaneous message changes to avoid sudden or startling flashes of light; and
 - h. Meet the following luminance standards:
 - i. In the daytime, luminance may not exceed 5,000 nits;
 - ii. In the nighttime (one-half hour before sunset to one-half hour after sunrise), luminance may not exceed 100 nits;
 - iii. Signs must be turned off by 11:00 p.m. or when the enterprise closes, whichever is later; and
 - iv. Signs must include auto-dimming features with light-sensory capabilities to dim the sign to allowable luminance levels during nighttime hours.

H. *Standards Specific to Certain Areas.*

1. *General.* All signs subject to BCC 22.10.060.H shall meet the following requirements in addition to any other requirements for the associated sign type otherwise provided for in this section. If any provision of this section conflicts with any provision of the associated sign type otherwise provided for in this section, the standard specific to a certain area shall prevail:
2. Standards specific to the Community Business (CB), Neighborhood Mixed Use (NMU), Office and Limited Business (OLB), Office and Limited Business 2 (OLB 2), Downtown-Office and Limited Business (DT-OLB), Office (O), Mixed Use: 8 Story (MU-8), Mixed Use: 16 Story (MU-16), Factoria 3 (F3), and Neighborhood Business (NB) land use districts:
 - a. Sign copy 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 be made for registered trademarks or logos that cannot be manufactured as individual elements;
 - b. Signs shall contain copy no larger than 36 inches in height; and
 - c. Signage shall be oriented to face the major direction of pedestrian movement in the area of the sign.
3. Standards specific to the Crossroads Sign Overlay
 - a. Each enterprise that, on [insert effective date of this ordinance], was lawfully in operation at a location located within the Crossroads Sign Overlay may erect up to two freestanding signs in accordance with the requirements of this subsection.
 - b. Freestanding signs authorized under this subsection are in addition to, and do not count towards, the maximum number of primary signs otherwise allowed by operation of BCC 22.10.060.B.
 - c. BCC 22.10.060.C does not apply to freestanding signs authorized under this subsection.
 - d. Location. The location of each freestanding sign authorized under this subsection must be:
 - i. Within, or no more than 500 feet from, the Crossroads Sign Overlay;
 - ii. Entirely outside of the public right-of-way;
 - iii. Approved by the owner of the real property on which the freestanding sign will be erected;

- iv. East of 156th Ave NE, north of NE 8th Street, west of 160th Ave NE, west of Crossroads Park, and south of NE 15th Street; and
- v. No more than 45 feet from another freestanding sign.
- e. Size. The size of each freestanding sign authorized under this subsection must:
 - i. Not exceed a maximum sign height of 15 feet; and
 - ii. Not exceed a maximum sign area of 60 square feet;
- f. Construction and Installation. Each freestanding sign authorized under this subsection must be constructed and installed:
 - i. With durable materials, such as wood or metal; and
 - ii. In compliance with the landscaping requirements in BCC 22.10.040.B.
- 4. Standards specific to Downtown (Except DT-OLB), BelRed, East Main Land Use Districts, Eastgate Transit Oriented Development District (EG-TOD), UC, MU-H, MU-M and MUR-M
 - a. Signs shall be oriented to face the major direction of pedestrian movement unless the sign is permitted as an upper-level highrise sign; and
 - b. Signs shall contain copy no larger than 30 inches in height and shall be located within the first two floor levels of the building.
- 5. Standards specific to Downtown - Old Bellevue (DT-OB)
 - a. Signs shall contain copy no larger than 24 inches in height
 - b. Signs shall not be placed above the first floor level.
 - c. Cabinet, box and freestanding signs are prohibited.
 - d. Signage shall be oriented to face the major direction of pedestrian movement.
- 6. Standards specific to Freeway Corridors
 - a. Signs located in the Freeway Corridor must be oriented towards and visible from the freeway.
 - b. Signs shall contain copy no larger than 42 inches in height.
 - c. Sign length shall not exceed one-third of the building facade. When multiple signs are to be placed on a building face, this ratio will include all signs.
- 7. Standards specific to the Medical Institution District (MI)
 - a. Freestanding signs shall have a maximum sign area of 75 square feet and shall have a maximum height of 15 feet.

- b. The number of freestanding signs allowed shall be limited to one sign per building entrance.
- c. Shall be exempt from the landscaping requirements in BCC 22.10.040.B.

22.10.070 Temporary Signs in All Land Use Districts

A. *General and Applicability.* For the purposes of this section, the following apply:

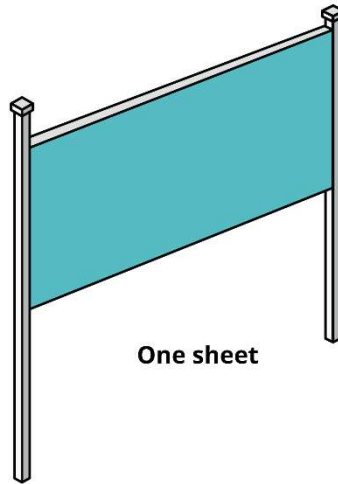
- 1. All standards in this section shall apply to temporary signs wholly contained on private property. See BCC 22.10.080 for temporary signs standards within or extended into the public right-of-way;
- 2. All temporary signs, unless otherwise exempt per this chapter, shall either receive an issued temporary sign permit or have an issued temporary sign registration attached to the sign face, see BCC 22.10.130.C for permitting requirements; and
 - a. All time limitations for temporary signs in this section shall begin at the valid temporary sign permit or temporary sign registration issuance date. For temporary signs that are exempt from permits and registration, the time limitation for temporary signs in this section shall begin at the time of installation.
- 3. If a type of temporary sign is not explicitly mentioned in this section, then that type of temporary sign is not permitted on private property; provided that if the Director determines that type of temporary sign is so substantially similar to a type of temporary sign mentioned below that it can be regulated in the same manner, then that type of temporary sign may be permitted.

B. *Temporary Sign Types and Standards.* Temporary signs may be placed on private property in the city based on the following regulations regarding the time, place, and manner of such placement.

- 1. Type A, "one sheet," temporary signs shall meet the following requirements:
 - a. Be limited to a maximum sign area of 32 square feet and a maximum height of eight feet;
 - b. Be constructed out of durable materials such as wood or metal;
 - c. Be installed with no permanent foundation;
 - d. Be limited to one "one sheet" sign per street frontage per lot and have a time limitation of one year in commercial and mixed-use land use districts;
 - e. Be limited to one "one sheet" sign per street frontage per lot and a time limitation of six months in residential land use districts; and

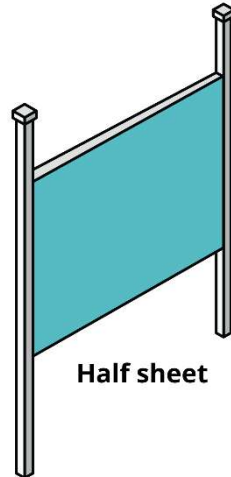
- f. Be set back a minimum of 10 feet from a front lot line and a minimum of 30 feet from any neighboring property.

Figure 22.10.070.B.1
Type A “one sheet”



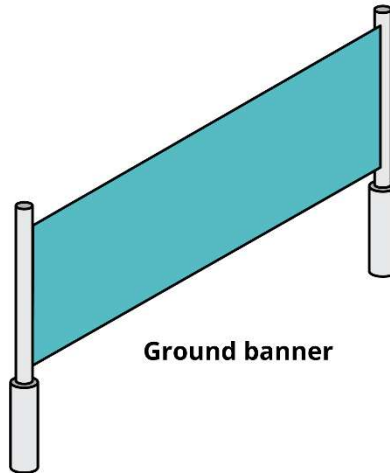
- 2. Type B, “half sheet,” temporary signs shall meet the following requirements:
 - a. Be limited to a maximum sign area of 16 square feet and a maximum height of eight feet;
 - b. Be constructed out of durable materials such as wood or metal;
 - c. Be installed with no permanent foundation;
 - d. Be limited to one half sheet sign per street frontage per lot and have a time limitation of one year; and
 - e. Be set back a minimum of 10 feet from a front lot line and a minimum of 15 feet from any neighboring property.

Figure 22.10.070.B.2
Type B “half sheet”



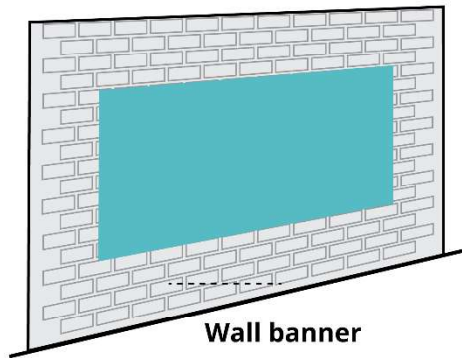
3. Type C, "ground banner," temporary signs shall meet the following requirements:
 - a. Be limited to a maximum sign length of 30 feet and a maximum height of four feet;
 - b. Be constructed out of flexible materials such as cloth, paper, or vinyl;
 - c. Be installed manually, either pushed or hammered into the ground, with no permanent foundation;
 - d. Be limited to one ground banner sign per enterprise and have no time limitation if a permanent primary sign is present on site in commercial and mixed-use land use districts. If there is no primary sign present on site in such land use districts, then the time limitation is 30 days;
 - e. Be limited to one ground banner sign per street frontage per lot and a time limitation of one year in residential land use districts; and
 - f. Be set back a minimum of 10 feet from a front lot line and 30 feet from any neighboring property.

Figure 22.10.070.B.3
Type C "ground banner"



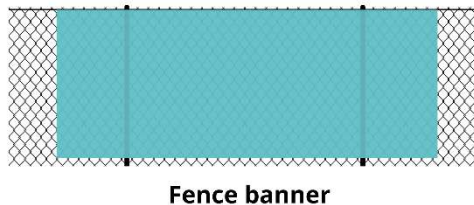
4. Type D, "wall banner," temporary signs shall meet the following requirements:
 - a. Be limited to a maximum sign length of 30 feet and a maximum height of four feet. The sign length may never exceed 50 percent of the wall length where the sign is mounted;
 - b. Be constructed out of flexible materials such as cloth, paper, or vinyl;
 - c. Be installed manually, either pushed or hammered into the ground, with no permanent foundation;
 - d. Be limited to one wall banner sign per enterprise and have no time limitation if a permanent primary sign is present in commercial and mixed-use land use districts. If there is no primary sign present on site in such land use districts, then the time limitation is 30 days;
 - e. Be limited to one wall banner sign per street frontage per lot and have a time limitation of one year in residential land use districts; and
 - f. Be mounted to a building wall only.

Figure 22.10.070.B.4
Type D "wall banner"



5. Type E, "fence banner," temporary signs shall meet the following requirements:
 - a. Be limited to a maximum sign length of 30 feet and a maximum height of six feet;
 - b. Be attached or affixed to a fence structure; and
 - c. Have a time limitation as follows:
 - i. Cannot be erected or displayed until a construction permit has been issued for the associated site; and
 - ii. Must be removed no later than issuance of a temporary certificate of occupancy for the associated site, issuance of a certificate of occupancy for the associated site, or expiration of the final construction permit, whichever occurs first.

Figure 22.10.070.B.5
Type E "fence banner"



6. Type F, "quarter sheet," temporary signs shall meet the following requirements:
 - a. Be limited to a maximum sign area of eight square feet and a maximum height of six feet;
 - b. Be constructed out of durable materials such as wood or metal;
 - c. Be installed with no permanent foundation;
 - d. Be limited to one quarter sheet sign per street frontage per lot containing real property that is for lease or for sale; and
 - e. Be limited to erecting the sign no more than 30 days prior to the real property becoming available for lease or sale and removed when the real property is no longer for lease or for sale.

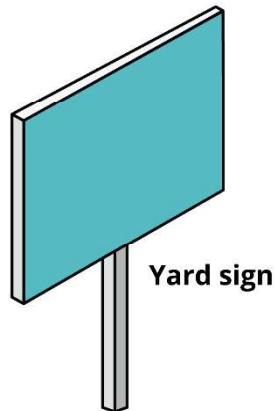
**Figure 22.10.070.B.6
Type F "quarter sheet"**



7. Type G, "yard sign," temporary signs shall meet the following requirements:
 - a. Be limited to a maximum sign area of five square feet and a maximum height of four feet;
 - b. Be constructed out of durable materials such as corrugated plastic or cardboard, metal or wood support;
 - c. Be installed manually, either pushed or hammered into the ground, with no permanent foundation;
 - d. Be limited to one yard sign per enterprise in commercial and mixed-use land use districts;
 - e. Be limited to two yard signs per lot in residential land use districts; and

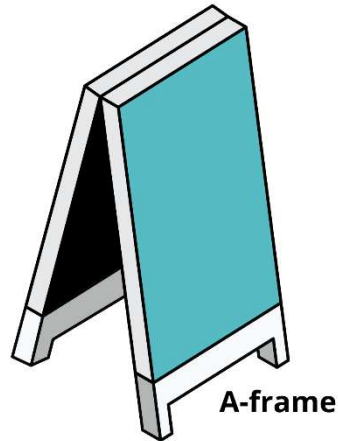
- f. Be set back a minimum of 10 feet from any neighboring property and have a time limitation of 90 days.

**Figure 22.10.070.B.7
Type G “yard sign”**



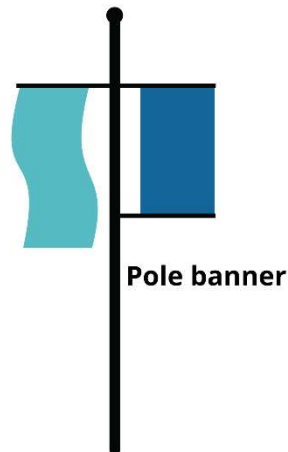
- 8. Type H, "A-frame," temporary signs shall meet the following requirements:
 - a. Be constructed out of sturdy weatherproof materials such as plastic, metal, or wood;
 - b. Stand free on the ground with no permanent foundation;
 - c. Be at least 10 feet apart from other temporary signage;
 - d. Be limited to one a-frame sign per street frontage per lot and have a time limitation of two weeks;
 - e. Be limited to a maximum sign area of six square feet and a maximum height of three and a half feet in residential land use districts; and
 - f. Be limited to a maximum sign area of 12 square feet and a maximum height of four feet in commercial and mixed-use land use districts.

**Figure 22.10.070.B.8
Type H "A-frame"**



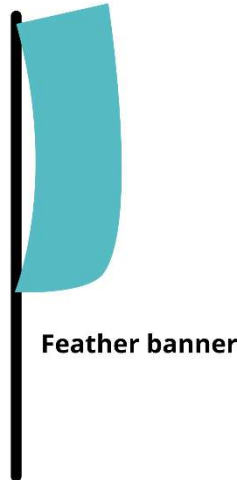
9. Type I, "pole banner," temporary signs shall meet the following requirements:
 - a. Be limited to the maximum dimensions of three feet by seven feet for free-flying pole banners and three feet by six feet for bracketed pole banners;
 - b. Maintain a minimum clearance of eight feet when the pole banner does not overhang a shared use path and where no bicycle conflicts exist unless otherwise approved by the Transportation Director;
 - c. Maintain a minimum clearance of 10 feet when the pole banner overhangs a shared use path or where bicycle conflicts may be present unless otherwise approved by the Transportation Director;
 - d. Be constructed out of flexible materials such as cloth or vinyl;
 - e. Be attached to light poles on private property;
 - f. Be at least 10 feet apart from other temporary signage; and
 - g. Be limited to two banner signs per pole in commercial and mixed-use land use districts and are not permitted in residential land use districts.

Figure 22.10.070.B.9
Type I "pole banner"



10. Type J, "feather banner," temporary signs shall meet the following requirements:
- a. Be limited to a maximum sign area of 16 square feet and a maximum height of 10 feet;
 - b. Be constructed out of durable fabric and a metal pole;
 - c. Be installed manually, either pushed or hammered into the ground, with no permanent foundation;
 - d. Be at least 10 feet apart from other temporary signage;
 - e. Be limited to two feather banner signs per enterprise only displayed during hours of operation in commercial and mixed-use land use districts; and
 - f. Be limited to one noncommercial feather banner sign per lot in residential land use districts.

Figure 22.10.070.B.10
Type J "feather banners"



11. Type K, "ground flag," temporary signs shall meet the following requirements:
- a. Be limited to a maximum sign area of 20 square feet and maintain a minimum clearance of 10 feet;
 - b. Be constructed out of durable fabric and pole;
 - c. Be installed manually in a designated location, either pushed or hammered into the ground, with no permanent foundation;
 - d. Be at least 10 feet apart from other temporary signage; and
 - e. Be limited to three ground flag signs per lot.

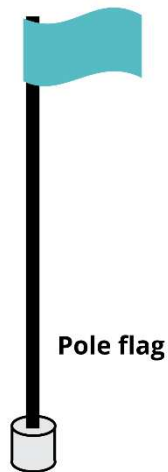
Figure 22.10.070.B.11
Type K "ground flag"



12. Type L, "pole flag," temporary signs shall meet the following requirements:
- a. Be limited to a maximum sign area of 20 square feet;

- b. Be constructed of durable fabric;
- c. Be attached to a permanently installed flag pole;
- d. Be set back a minimum of 10 feet from a front lot line and set back from neighboring parcels the same distance as the pole height; and
- e. Be limited to one pole flag sign per lot.

**Figure 22.10.070.B.12
Type L "pole flag"**



13. Type M, "sign walker," temporary signs shall meet the following requirements:
- a. Be limited to a maximum sign area of 12 square feet;
 - b. Be either handheld or attached to the body and not installed temporarily or permanently on the ground; and
 - c. Be located in an area where a sign would be allowed under BCC 22.10.040.F.

**Figure 22.10.070.B.13
Type M "sign walker"**



22.10.080 Signs Within the Public Right-of-Way

- A. *General.* All signs and sign structures must be erected and attached totally within the site except when allowed to be placed or extend into the public right-of-way subject to the requirements of this chapter and the permitting and registration requirements outlined in BCC 22.10.130. If a type of sign is not explicitly mentioned in this section, then that type of sign is not permitted within the public right-of-way; provided that if the Director determines that type of sign is so substantially similar to a type of sign mentioned below that it can be regulated in the same manner, then that type of sign may be permitted
- B. Permanent Signs in the Public Right-of-Way
 - 1. All permanent signs and permanent sign structures placed in or extending into the public right-of-way must obtain a right-of-way use permit unless otherwise determined by the Transportation Director.
 - 2. All permanent signs placed in or extending into the public right-of-way must obtain a sign permit approved by the Director for review of compliance with the applicable requirements of this chapter. The applicable standards for permanent signage on private property apply, unless a modification is approved by the Transportation Director.
- C. Signs Projecting into the Public Right-of-Way
 - 1. All projecting signs and sign structures extending into the public right-of-way must obtain a right-of-way use permit unless otherwise determined by the Transportation Director.
 - 2. All projecting signs and sign structures extending into the public right-of-way must obtain a sign permit approved by the Director for review of compliance with applicable requirements of this chapter. The applicable standards for permanent

signage on private property apply, unless a modification is approved by the Transportation Director.

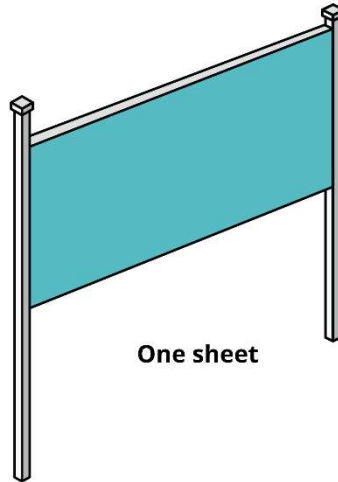
D. Temporary Signs in the Public Right-of-Way

1. *Location.* Temporary signs may not be placed within roundabouts and medians.
2. *Permitting.* All temporary signs, unless otherwise exempt per this chapter, shall either receive an issued temporary sign permit and right-of-way use permit or have an issued temporary sign registration attached to the sign face, see BCC 22.10.130.C for permitting requirements.
 - a. All time limitations for temporary signs in this section shall begin at the valid temporary sign permit or temporary sign registration issuance date. For temporary signs that are exempt from permits and registration, the time limitation for temporary signs in this section shall begin at the time of installation.

E. Temporary Sign Types and Standards. Temporary signs may be placed in the public right-of-way based on the following regulations regarding the time, place and manner of such placement and subject to the permitting requirements in BCC 22.10.130.C.

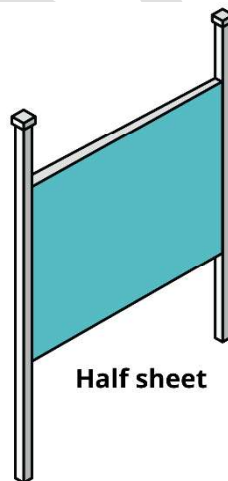
1. Type A, "one sheet," temporary signs shall meet the following requirements:
 - a. Be limited to a maximum sign area of 32 square feet and a maximum height of eight feet;
 - b. Be constructed out of durable materials such as wood or metal;
 - c. Be installed with no permanent foundation;
 - d. Be limited to one "one sheet" sign per street frontage per lot and have a time limitation of one year in commercial and mixed-use land use districts; and
 - e. Be limited to one "one sheet" sign per street frontage per lot and have a time limitation of six months in residential land use districts.

Figure 22.10.080.E.1
Type A "one sheet"



2. Type B, "half sheet," temporary signs shall meet the following requirements:
 - a. Be limited to a maximum sign area of 16 square feet and a maximum height of eight feet;
 - b. Be constructed out of durable materials such as wood or metal;
 - c. Be installed with no permanent foundation; and
 - d. Be limited to one half sheet sign per street frontage per lot and have a time limitation of one year.

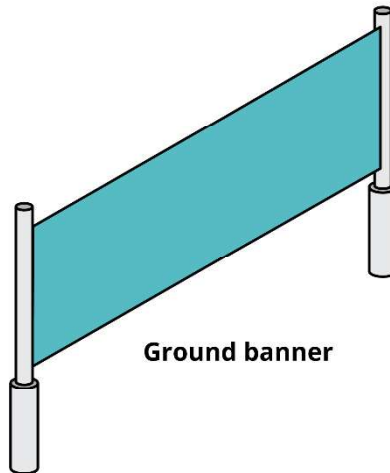
**Figure 22.10.080.E.2
Type B "half sheet"**



3. Type C, "ground banner," temporary signs shall meet the following requirements:
 - a. Be limited to a maximum sign length of 30 feet and a maximum height of four feet;

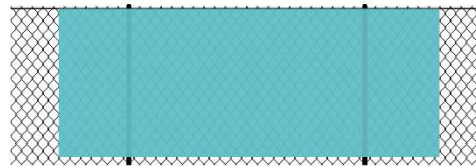
- b. Be constructed out of flexible materials such as cloth, paper, or vinyl;
- c. Be installed manually, either pushed or hammered into the ground, with no permanent foundation;
- d. Be limited to one ground banner sign per enterprise and have no time limitation if a permanent primary sign is present on site in commercial and mixed-use land use districts. If there is no primary sign present on site in such land use districts, then the time limitation is 30 days; and
- e. Be limited to one ground banner sign per street frontage per lot and have a time limitation of one year in residential land use districts.

Figure 22.10.080.E.3
Type C "ground banner"



- 4. Type E, "fence banner," temporary signs shall meet the following requirements:
 - a. Be limited to a maximum sign length of 30 feet and a maximum height of six feet;
 - b. Be attached or affixed to a fence structure; and
 - c. Have a time limitation as follows:
 - i. Cannot be erected or displayed until a construction permit has been issued for the associated site; and
 - ii. Must be removed no later than issuance of a temporary certificate of occupancy for the associated site, issuance of a certificate of occupancy for the associated site, or expiration of the final construction permit, whichever occurs first.

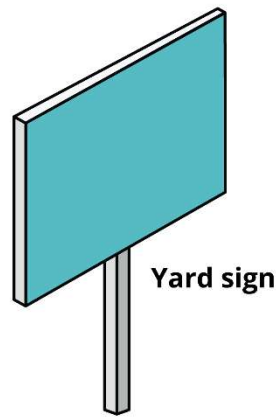
**Figure 22.10.080.E.4
Type E “fence banner”**



Fence banner

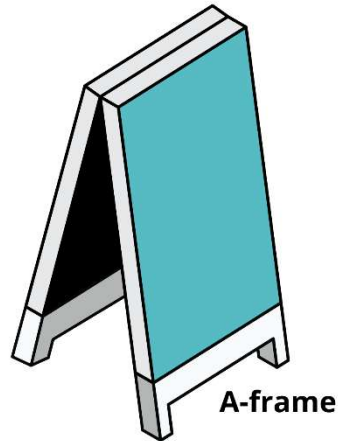
5. Type G, “yard sign,” temporary signs.
 - a. Temporary commercial yard signs shall meet the following requirements:
 - i. Be limited to a maximum sign area of five square feet and a maximum height of four feet;
 - ii. Be constructed out of durable materials such as corrugated plastic or cardboard, metal, or wood support;
 - iii. Be installed manually, either pushed or hammered into the ground, with no permanent foundation; and
 - iv. Be limited to one yard sign per 5 feet of street frontage per block, not to exceed 10 yard signs per 100 feet of street frontage per block and have a time limitation of 90 days.
 - b. Temporary noncommercial yard signs shall meet the following requirements:
 - i. Be limited to a maximum sign area of five square feet and a maximum height of four feet;
 - ii. Be constructed out of durable materials such as corrugated plastic or cardboard, metal, or wood support;
 - iii. Be installed manually, either pushed or hammered into the ground, with no permanent foundation; and
 - iv. Have a time limitation of 120 days.

**Figure 22.10.080.E.5
Type G “yard sign”**



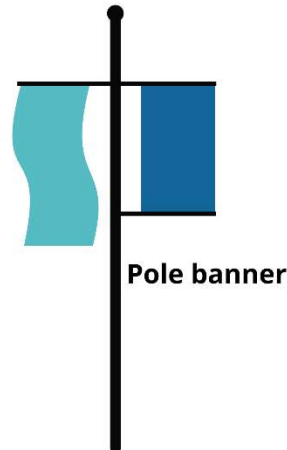
6. Type H, "A-frame," temporary signs shall meet the following requirements:
 - a. Be constructed out of sturdy weatherproof materials such as plastic, metal, or wood;
 - b. Stand free on the ground with no permanent foundation;
 - c. Be at least 10 feet apart from other temporary signage;
 - d. Be limited to three A-frame signs per 600 feet of street frontage. One additional A-frame sign shall be permitted for each additional 100 feet of street frontage beyond the initial 600 feet. Any such additional sign shall be subject to a maximum display period of two weeks;
 - e. Be limited to a maximum sign area of six square feet and a maximum height of three and a half feet in residential land use districts; and
 - f. Be limited to a maximum sign area of 12 square feet and a maximum height of four feet in commercial and mixed-use land use districts.

Figure 22.10.080.E.6
Type H "A-frame"



7. Type I, "pole banners," temporary signs shall meet the following requirements:
 - a. Be limited to the maximum dimensions of three feet by seven feet for free-flying pole banners and three feet by six feet for bracketed pole banners;
 - b. Maintain a minimum clearance of eight feet when the pole banner does not overhang a shared use path and where no bicycle conflicts exist unless otherwise approved by the Transportation Director;
 - c. Maintain a minimum clearance of 10 feet when the pole banner overhangs a shared use path or where bicycle conflicts may be present unless otherwise approved by the Transportation Director;
 - d. Be constructed out of flexible materials such as cloth or vinyl;
 - e. Be at least 10 feet apart from other temporary signage;
 - f. Be limited to two banner signs per pole in commercial and mixed-use land use districts and are not permitted in residential land use districts; and
 - g. Receive authorization for banner placement from the owner of the pole, or other structure, on which the pole banner is attached.

Figure 22.10.080.E.7
Type I "pole banners"



8. Type M, "sign walker," temporary signs shall meet the following requirements:
 - a. Be limited to a maximum sign area of 12 square feet;
 - b. Be either handheld or attached to the body and not installed temporarily or permanently on the ground; and
 - c. Be located in an area where a sign would be allowed under BCC 22.10.040.F.

Figure 22.10.080.E.8
Type M "sign walker"



22.10.090 Nonconforming Signs

A. Applicability.

1. Except as provided in subsection A.2 below, this section applies to all signs that were legally established on or before [insert effective date of ordinance] and are now nonconforming to the requirements of this chapter.

2. This section does not apply to the following types of signs:
 - a. Signs that were illegally established on or before [insert effective date of ordinance];
 - b. Abandoned signs;
 - c. Signs for which a permit was granted on or before [insert effective date of ordinance] under conditions with which the permittee does not now comply;
 - d. Signs for which a permit was granted on or before [insert effective date of ordinance] and subsequently revoked;
 - e. Signs owned or controlled by the city or by the state or federal government;
 - f. Signs that were legally established on or before [insert effective date of ordinance], are now nonconforming to the requirements of this chapter, but are subject to a legal agreement executed on or before [insert effective date of ordinance] that governs the maintenance, repair or replacement of such signs and that legally remains in effect;
 - g. Temporary signs.
- B. Documentation. An applicant proposing an alteration to a nonconforming sign shall submit documentation which shows that the nonconforming sign was permitted when established and has not been abandoned. The Director shall determine based on subsections B.1 and B.2 of this section whether the documentation is adequate to support a determination that the sign constitutes a nonconforming sign subject to this section. The Director may waive the requirement for documentation when a nonconforming sign has previously been clearly established.
 1. Sign permitted when established. Documentation that the sign was permitted when established includes, but is not limited to, the following:
 - a. Building, land use or other development permits; and
 - b. Prior versions of this chapter.
 2. Sign maintained over time. Documentation that the sign was maintained over time and not discontinued, destroyed or abandoned. Documentation may include, but is not limited to, the following:
 - a. Building, land use, or other development permits;
 - b. Insurance policies;
 - c. Invoices or receipts relating to maintenance; and
 - d. Dated aerial photos.

C. Requirements Applicable to All Nonconforming Signs.

1. Ownership.
 - a. The status of a nonconforming sign is not affected by a change in ownership of the real property on which the nonconforming sign is erected.
 - b. The status of a nonconforming sign is not affected by a change in ownership of the nonconforming sign.
2. Location.
 - a. It is not a violation of this chapter for a nonconforming sign to remain at the location on which it was legally established.
 - b. If a nonconforming sign is moved to a new location, then the sign is no longer a nonconforming sign subject to this section and must instead be made to conform to the requirements of this chapter.
3. Alterations, Maintenance, and Repair.
 - a. If the following requirements are satisfied, then alterations may be made to a nonconforming sign:
 - i. Alterations may bring the sign into, or closer to, conformance with the requirements of this chapter;
 - ii. Alterations shall not increase the conditions that render the sign nonconforming; and
 - iii. Alterations that result in no changes to the conditions that render the sign nonconforming are allowed.
 - b. Routine maintenance of a nonconforming sign is allowed.
 - c. Routine repair of a nonconforming sign is allowed.
4. New Development – Single-Phase Project. If the value of development occurring on a site on which a nonconforming sign is located exceeds the replacement value of all existing structures on the site, then the nonconforming sign shall either be removed or brought into compliance with the requirements of this chapter.
5. New Development – Multi-Phase Project. If the value of development occurring within a project limit in which a nonconforming sign is located exceeds the replacement value of all existing structures within that project limit, then the nonconforming sign shall either be removed or brought into compliance with the requirements of this chapter.

6. Nothing in this section limits, or otherwise precludes, the individual or entity with ownership or control of the real property on which a nonconforming sign is located from requiring that the nonconforming sign be removed.

22.10.100 Prohibited Signs

- A. *Applicability.* 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 22.10.120).
 1. Off-premise signs, except as otherwise permitted as temporary signage in sections BCC 22.10.070 and 22.10.080;
 2. Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal;
 3. 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;
 4. Signs which rotate or have a part or parts which move or revolve;
 5. Sign displays containing clusters of flags, pennants, ribbons, streamers, strings of lights, spinners, twirlers or propellers, flashing, rotating or blinking lights, chasing or scintillating lights, flares, and devices containing elements creating sound or smell;
 6. Billboards;
 7. Signs for which a permit has been granted under conditions with which the permittee does not comply;
 8. Signs for which a permit has been granted and subsequently revoked for cause by the Director or Transportation Director;
 9. Signs erected, altered, or relocated without a permit issued by the city or any other governmental agency which requires a permit by law; and
 10. Neighborhood Identification Signs with a maximum sign height greater than 30 feet.

22.10.110 Variances

- A. *Applicability.* This section applies to each application for a variance from the provisions of the sign code.
- B. *Intent and Purpose.* A variance is a mechanism by which the city may grant relief from the provisions of the sign code where practical difficulty renders compliance with the provisions of that code an unnecessary hardship, where the hardship is a result of the

physical characteristics of the subject property and where the purpose of that code can be fulfilled. This section establishes the procedure and criteria that the city will use in making a decision upon an application for a variance from the provisions of the sign code.

- C. *Who May Apply.* The property owner or their authorized agent may apply for a variance from the provisions of the sign code.
- D. *Applicable Procedure.* The city will process an application for a variance from the provisions of the sign code through Process II, LUC 20.35.200 et seq.
- E. *Submittal Requirements.* As part of any application for a variance under this section, the applicant shall submit the following information:
 - 1. The Director shall specify the submittal requirements, including type, detail and number of copies, for a variance application to be deemed complete and accepted for filing.
 - 2. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.
- F. *Decision Criteria.* The Director may approve or approve with modifications an application for a variance from the provisions of the sign code if:
 - 1. The variance will not constitute a grant of special privilege inconsistent with the limitation upon signage and uses of other properties in the same vicinity and zone; and
 - 2. Such variance is necessary, and is the minimum necessary, because of special circumstances not resulting from the voluntary actions of the applicant, relating to the size, shape, topography, location, or surroundings of the subject property, in order to provide it with signage use rights and privileges permitted to other properties in the same vicinity and land use district; and
 - 3. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same vicinity zone; and
- G. *Limitation on Authority.* The Director may not grant a variance to:
 - 1. Any dimensional requirement of the Sign Code that exceeds 40 percent of the applicable dimension.
 - 2. The number of signs permitted.
- H. *Protection of Constitutional Rights.* Where an applicant can demonstrate that the strict application of the regulations in this chapter would violate their constitutional rights, then the City may grant a variance that does not conform to all of the decision criteria in subsection F above. However, the applicant shall submit an application for a variance

which provides their response to each of the decision criteria in subsection F. The City need not make findings that all of the decision criteria have been satisfied, but if not all of the criteria have been satisfied, then the variance may only be granted to the extent reasonably necessary to protect the applicant's constitutional rights. If a variance is granted under this subsection H, then it shall be treated as an approval of a variance for the purposes of this chapter.

22.10.120 Administration and Enforcement

- A. *Administration.* The Director shall be responsible for administration of this code. The Director may adopt rules for the implementation of this code as provided in LUC 20.40.100.
- B. *Inspection of Director.* In accordance with BCC 1.18.065, the Director may enter or inspect any building, structure, or premises in the city, upon which, or in connection with which a sign, as defined by this code, is located for the purpose of inspection of the sign, its structural and electrical connections, and to ensure compliance with the provisions of this code.
- C. *Violation – Penalty.*
 - 1. The violation of or failure to comply with any provision of this chapter is declared to be unlawful.
 - 2. Any violation of any provision of this chapter is a civil violation as provided for in Chapter 1.18 BCC, for which a monetary penalty may be assessed and abatement may be required as provided therein.

22.10.130 Permits and Exempt Signs

- A. *Permit Requirements, Applications, Expiration and Denial.*
 - 1. *Permit Requirements.* Except as provided in subsection B of this section, no permanent sign governed by this code shall be erected, altered, or relocated on or after [insert effective date of ordinance] without a permit issued by the city.
 - 2. *Submittal Requirements.* As part of any application for a permanent sign permit under this chapter, the Director shall specify the submittal requirements for a sign application to be deemed complete and accepted for filing. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.
 - 3. *Expiration of Permits.* A sign permit shall expire if the work for which the permit was issued has not been completed within one year of its issuance. Any sign or sign structure that has been erected with an expired sign permit shall be removed by the owner of record, lessor, lessee, manager, or other person, having lawful possession or control over real property on which the sign or sign structure is located.

4. *Notice of Permit Denial.* When a sign permit is denied by the Director, they shall give written notice of the denial to the applicant, together with a brief written statement of the reason for the denial.
- B. *Permit Exemptions.* The following signs and sign alterations are exempt from a sign permit. The area and number of such signs shall not be included in the area and number of signs permitted for any site or use, however, all other relevant requirements of this chapter shall apply:
1. Permanent signs having nine square feet or less of surface area;
 2. Signs required by operation of the Bellevue City Code, the Land Use Code, state law or federal law;
 3. Exterior signs or displays not visible from streets or ways open to the public;
 4. Signs in the interior of a building more than three feet from the closest window or not facing a window;
 5. Changes to the face or copy of changeable copy signs, digital signs, electronic messaging signs, provided such changes do not change the material or appearance of the sign as originally permitted by the city; and
 6. Any paint-out, replacement, or change to copy displayed on a billboard; and
 7. Routine repair and routine maintenance of conforming or legal nonconforming signs; and
 8. Permanent signs that are completely within the public right-of-way that obtain a right-of-way use permit approved by the Transportation Director.
 9. Temporary signs that are required to receive an approved temporary sign permit or registration as described in BCC 22.10.130.C or otherwise comply with the applicable standards of this section.
 10. Sculptures, fountains, mosaics, murals, public art, and design features which do not otherwise constitute a sign.
 11. Neighborhood Identification Signs with a maximum sign height of 30 feet.
 12. Signs, signals, wayfinding signs, and other traffic control devices erected by the City or other public authority for transportation-related purposes, to protect the public health, safety, or welfare, or to respond to an emergency.
 13. Public notices pertaining to public health or safety issues, or for notification of legal or legislative action erected by the City or other public authority, of a temporary nature.
- C. Temporary Sign Permits and Registrations.

1. *Applicability.* All temporary signs, unless otherwise exempt per this chapter, are required to receive either a temporary sign permit or temporary sign registration dependent on the sign type:
 - a. The following sign types, as described in sections BCC 22.10.070 and 22.10.080, are required to receive a temporary sign permit approved by the Director:
 - i. Type A, one sheet;
 - ii. Type B, half sheet;
 - iii. Type C, ground banner;
 - iv. Type D, wall banner; and
 - v. Type E, fence banner.
 - b. Type G, yard signs, as described in sections BCC 22.10.070 and 22.10.080, are not required to receive a temporary sign permit or a right-of-way use permit but shall have an approved temporary sign registration attached to the sign face, unless otherwise exempt in this section.
 - c. *Exemptions.* The following sign types, as described in sections BCC 22.10.070 and 22.10.080, must comply with the applicable standards of this Chapter but are not required to receive a temporary sign permit or temporary sign registration:
 - i. Type F, quarter sheet;
 - ii. Type H, A-frame;
 - iii. Type I, pole banner;
 - iv. Type J, feather banner;
 - v. Type K, ground flag;
 - vi. Type L, pole flag;
 - vii. Type M, sign walker; and
 - viii. Temporary signs placed for less than 24 hours.
2. *Submittal requirements.* As part of any application for a temporary sign permit or temporary sign registration under this section, the Director shall specify the submittal requirements for a sign application to be deemed complete and accepted for filing. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.

D. Master Sign Plans

1. *Applicability.* This section applies to each application for a master sign plan relating to space in existing or new mixed use, multitenant building(s) or multitenant site development.
2. *Intent and Purpose.* This section provides a mechanism under which consideration can be given to signs which use a master sign plan to encourage the integration of signs into the framework of the building or buildings on the subject property.
3. *Submittal Requirements.* As part of any application for a master sign plan under this section, the Director shall specify the submittal requirements for a sign application to be deemed complete and accepted for filing. The Director may waive specific submittal requirements determined to be unnecessary for review of an application.

22.10.140 Appeals

The decision of the Director approving, approving with modifications or denying a sign permit or interpreting the provisions of the sign code may be appealed using the appeal provisions of Process II, LUC 20.35.200 et seq.

22.10.150 Conflicting Provisions

If any provision of this code is found to be in conflict with any provision of any zoning, building, fire, safety or health ordinance or code of the city, the provision which establishes the higher standard shall prevail.

22.10.160 Severability

If any provision of this chapter or its application to any person or circumstance is held invalid, the remainder of the chapter or the application of the provision to other persons or circumstances is not affected, and to this end the provisions of this chapter are declared to be severable.