

CITY COUNCIL AGENDA TOPIC

Ordinance relating signs; repealing Chapter 22B.10 BCC; Adopting a new Chapter 22.10 BCC; Amending Chapter 14.30.070 BCC; Providing for severability; and setting an effective date.

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EXECUTIVE SUMMARY**ACTION**

This Ordinance is a Bellevue City Code Amendment (BCCA) to update the sign code consistent with legal requirements and contemporary sign design techniques. On April 14, after discussion in study session about the proposed Sign Code Update, City Council directed staff to bring back this ordinance for final action.

RECOMMENDATION

Move to adopt Ordinance No. 6925

BACKGROUND/ANALYSIS**Background**

In 2015, the Supreme Court decided in *Reed v. Town of Gilbert et al.* that all sign regulations must be content neutral. The court has dictated that the content of the sign generally may not be regulated and, importantly, that signs of the same type generally may not be regulated differently based on the content of the sign. For example, the City may not regulate a temporary directional sign differently than a temporary political sign or regulate a freestanding church sign differently than a freestanding festival sign. Both temporary signs and freestanding signs are examples of sign types, while the other distinctions noted are examples of content which generally cannot be regulated or variations within one sign type which must generally be treated the same.

In addition to the legal requirements, the sign code update provides the City an opportunity to ensure the provisions of the code meet the needs of the community and allow for contemporary sign design, technology, and construction methods. Both the public and city staff have identified difficulties interpreting and administering the code and the update will look to simplify and streamline the code while ensuring the design desires of the community are upheld.

Components of the Proposed BCCA

The proposed sign code BCCA is a complete rewrite of the existing code to ensure that standards are reorganized in a manner that is easy to understand and apply. Many aspects, policies, and standards from the existing code have been carried over, when appropriate, into the draft. Key elements of the draft include continuing to limit the number and type of permanent signage allowed in residential districts, as well as the size, placement, and type of signage in certain areas like Old Bellevue. Additional allowances have been included to support unique signage needs, such as with Dick's Drive-

In and their iconic signage, and introducing noncommercial freestanding digital signage in the Grand Connection and the BelRed Arts District Intensive Area to support mobility, wayfinding, and tourism in the city. New standards for temporary signs include elements such as location, number, size, and duration based on sign type and location. Additional standards for a-frame and pole banner signs have been included in the draft to support visibility for businesses and community events. To balance the need to better track and manage temporary yard signs with the need for these types of signs in our community, the draft includes a new temporary sign registration program for yard signs. The standards for nonconforming signs, prohibited signs, and variances have been simplified and streamlined to accurately reflect current practice and policies as well as modified to ensure compliance with applicable case law; a complete draft showing the proposed amendments is provided as attachment A.

Review Process

On April 14, the council held a study session where staff introduced the proposed Sign Code BCCA. Following discussion on April 14, the council directed staff to prepare the ordinance for final action at a future meeting.

During the April 14 study session, the council identified three items in the draft for staff to address and come back with additional information. These items included:

- Simplifying the temporary sign registration form;
- Refining the temporary sign registration requirements; and
- Exempting neighborhood associations from the temporary sign registration requirements.

1. Simplifying the temporary sign registration form

Staff has revised the draft and implementation plan to address these items. First, there is an internal team tasked with implementing the temporary sign registration program, which includes the form application requirements. Based on the council's discussion, staff propose to have less personal information displayed on the sign face and instead will focus on the temporary sign registration number, the issued date, and the expired date. Staff are looking into storing the contact information of the registrant, such as the applicant's name and contact information, in a database.

2. Refining the temporary sign registration requirements

Next, the council expressed concern with the requirement to apply for a temporary sign registration for any and all yard signs on private property. To address this concern, staff updated the draft to require registration only for yard signs displayed in the public right-of-way. Under this revised approach, residents would no longer need to register yard signs displayed entirely on private property, such as signs placed within a front yard. Registration would apply only to signs installed in areas owned or maintained for public use, including planting strips, medians, sidewalks, and other portions of the public right-of-way.

Operationally, this change would simplify administration and enforcement by narrowing the scope of the registration requirement to signs placed in publicly controlled spaces, where visibility, safety, and maintenance concerns are more significant. It would also reduce the regulatory burden on residents while allowing the city to maintain oversight of signs that may affect pedestrian access, traffic visibility, utilities, or public maintenance activities.

Council also expressed interest in increasing the time limitation for exempt temporary signs from 24 to

48 hours, which has been reflected in the draft to allow for more flexibility for weekend events in the community.

3. Exempting neighborhood associations from the temporary sign registration requirements

There was also discussion about exempting neighborhood associations from needing to register a temporary sign. This type of exemption would not align with the guiding legal framework and U.S. Supreme Court precedent that requires sign standards to be content-neutral. Under this framework, regulations generally cannot distinguish between signs based on the identity of the speaker, the type of organization, or the message being conveyed. Providing a special exemption only for neighborhood associations could therefore create legal concerns by treating certain groups or categories of speech differently from others.

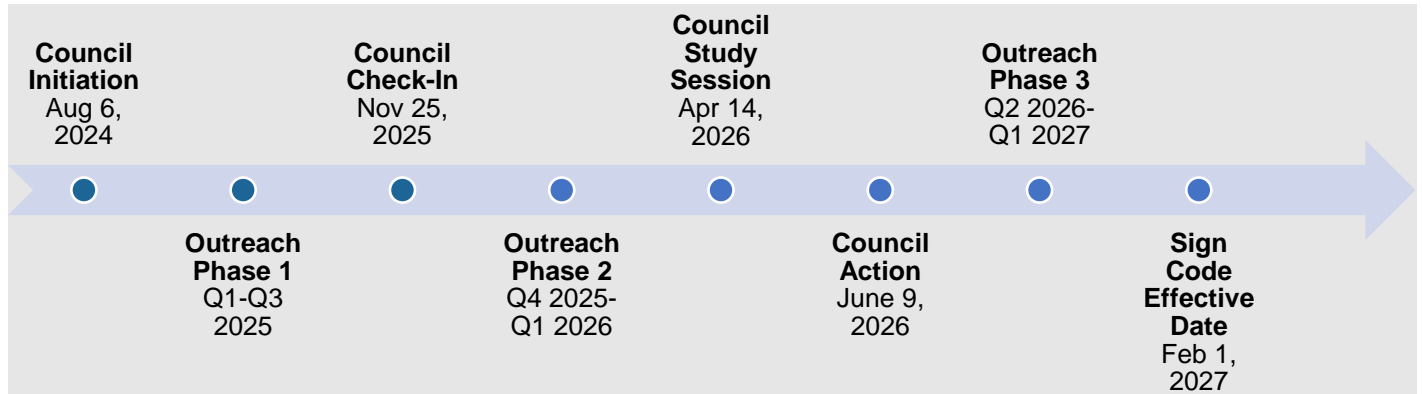
To help address concerns raised by neighborhood associations, the sign code draft was revised to narrow the registration requirement for temporary yard signs so that it only applies to yard signs placed in the public right-of-way and to allow signs to be placed in the right-of-way for up to 48-hours before requiring a registration. This represents a significant change from the initial public draft which required registration for all small temporary signs including A-frames (most commonly used by neighborhood associations). The time limit increase for exempt temporary signs was also to support neighborhood and community organizations.

There have been several versions of the draft that have been revised and improved based on feedback from the council, the community, stakeholders, and many internal departments and groups to create the final draft. These revisions were made with the goal of developing a final draft that is both legally compliant and responsive to community input.

Public Engagement

The sign code update project includes three main phases of outreach. Phase one focused on expanding project awareness, sharing project objectives, and gathering community perspectives on project priorities. Phase two included sharing the public sign code draft, hosting an information session, and following up with stakeholders from phase one. Phase three of outreach will be focused on community education and awareness to ensure that the community is aware of the updates. The time during phase three will also be used to develop and implement the necessary programs and processes, such as the temporary sign registration program required for the updated. As part of phase three, a delayed effective date of February 1, 2027, for the new sign code ordinance is proposed to allow time for education, outreach, and awareness before the new regulations take effect.

Project Timeline



POLICY & FISCAL IMPACTS

Policy Impact

The BCCA will amend the Bellevue City Code. The amendments will be consistent with the Comprehensive Plan, specifically the Urban Design element.

Fiscal Impact

There is no fiscal impact associated with implementing this BCCA.

OPTIONS

1. Adopt the Ordinance relating signs; repealing Chapter 22B.10 BCC; Adopting a new Chapter 22.10 BCC; Amending Chapter 14.30.070 BCC; Providing for severability; and setting an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

- A. Sign Code Update Final Strike Draft
Proposed Ordinance No. 6925

AVAILABLE IN COUNCIL LIBRARY

N/A