

February 1, 2016

## **CITY COUNCIL STUDY SESSION ITEM**

### **SUBJECT**

Discussion on Ordinance proposing to amend Land Use Code Section 20.10.440 and Part 20.25A to incorporate the Downtown Livability Early Wins; and

Ordinance proposing to amend the High-Rise Sign Code provisions in BCC 22B.10 to ensure consistency with the Comprehensive Plan Update.

### **STAFF CONTACT**

Carol Helland, Land Use Director, 452-2724, [chelland@bellevuewa.gov](mailto:chelland@bellevuewa.gov)

Trish Byers, Code Development Manager, 452-4241, [pbyers@bellevuewa.gov](mailto:pbyers@bellevuewa.gov)

***Development Services Department***

Emil King, Strategic Planning Manager, 452-7223, [eaking@bellevuewa.gov](mailto:eaking@bellevuewa.gov)

Patti Wilma, Community Development Manager, 452-4114, [pwilma@bellevuewa.gov](mailto:pwilma@bellevuewa.gov)

***Planning and Community Development***

### **POLICY ISSUES**

Should the City amend Land Use Code Section 20.10.440 and Part 20.25A to incorporate the Downtown Livability Early Wins as unanimously recommended by the Planning Commission?

Should the City amend Sign Code sections 22B.10.220, 22B.10.025 and 22B.10.030 to remove corporate size and headquarter requirements for the placement of high-rise signs?

### **DIRECTION NEEDED FROM COUNCIL**

- ☐ Action
- ☒ Discussion
- ☒ Information

This Study Session is scheduled to review and discuss the Planning Commission's recommended Land Use Code (LUC) amendments for the Downtown Livability Early Wins. At this Study Session, the City Council will also be introduced to a consistency amendment to the Sign Code relating to the placement of high-rise signs in Downtown. These two amendments are related to development in the Downtown and were combined for code processing efficiency. Final action on these ordinances is scheduled for February 16, 2016.

### **BACKGROUND**

#### **Downtown Livability**

On October 5, 2015, the City Council approved the DS/PCD Coordinated Code Amendment Work Program, and the Downtown Livability Amendments were identified as a high priority. Refer to Attachment A. The Downtown Livability Early Wins represent a subset of the larger Downtown Livability code amendment project that were identified by the Planning Commission

for expedited processing because the Citizen's Advisory Committee recommendation on the topics was unanimous, and the topic were discreet and not complex.

The Planning Commission Transmittal is included as Attachment B, and the associated ordinance recommended by the Planning Commission is included as Attachment B-1. Amendments recommended as Downtown Livability Early Wins will be available for use by developers immediately upon adoption, will provide added code flexibility, will simplify permit review processes, and will enhance livability of the built environment. The package of Downtown Livability Early Wins includes the following recommended amendments:

- Expand uses allowed in the Downtown and remove redundant processes
- Require Signage for public spaces that are developed to earn amenity bonus points
- Require mechanical screening to be architecturally compatible and clarify locational preferences
- Update streetscape landscaping requirements to improve vegetation survival
- Expand weather protection requirements to improve walkability of Downtown
- Revise Downtown definition to align with boundary changes adopted in the Comprehensive Plan Update
- Extend the Major Pedestrian Corridor east to 112<sup>th</sup> Avenue NE.

The Planning Commission voted unanimously to recommend the Downtown Livability Early Wins to the City Council for approval. The Planning Commission Transmittal provides detail regarding each of the early win amendments, describes the public outreach undertaken and comments received, and presents the final recommended ordinance. Refer to Attachment B. Chair Hilhorst of the Planning Commission will be present at the Study Session and available to answer questions.

### Sign Code

The staff is recommending amendments to the Sign Code for consistency with the Comprehensive Plan Update that was adopted in August 2015. The Sign Code is contained in a section of the Bellevue City Code that does not require Planning Commission review or a public hearing. The amendment before the Council removes the minimum square footage and corporate headquarter requirements that must be met before a sign can be reviewed for placement at the top of a high-rise.

The pre-Comprehensive Plan Update policy discouraged signs at the upper levels of high-rise buildings except for hotels and for logos that were compatible with the building's architecture.

*UD -74 Discourage signs at upper levels of high-rise buildings with limited exception for hotel names and logos when compatible with the building's architecture.*

Repealed August 2015.

Bellevue's skyline is identified as a public amenity, and to implement the direction contained in the UD-74 pre-Comprehensive Plan Update policy, signs were limited to hotel uses and large corporate tenants. The subset of corporate tenants permitted to have high-rise signs were limited to those entities that had either more than 180,000 sf of space, or the single corporate headquarters for the company, located in the building to which the sign was attached.

In August 2015, the Comprehensive Plan was updated. The policy still discourages signs at the upper level of high-rises that are not compatible with the building's architecture, but it removed the limitation on uses that were allowed to have high-rise signs in the Downtown.

*UD – 52 Maintain the skyline as a public view discouraging signs at upper levels of major buildings with limited exceptions. When allowed, signs should be in a subdued color and not impact the skyline.*

Adopted August 2015.

To implement the new direction contained in the UD-54 Comprehensive Plan Update policy, the implementation provisions contained in the Sign Code need to be amended. The proposal recommended by staff includes the following amendments:

- Remove use based limitations on high-rise sign placements so that hotels and large corporate tenants are not the only entities that can apply for a high-rise sign permit.
- Retain the size, design and locational requirements to ensure that the public view is protected.

The recommended Sign Code Amendment is being presented for Council consideration together with the Downtown Livability Early Wins for code processing efficiency. The recommended amendment will ensure consistency with the Comprehensive Plan by aligning Sign Code implementation with the updated Policy UD-54.

The practical effect of the change on the skyline would be negligible. Currently, a single hotel or large corporate entity is permitted to have up to two high-rise signs when certain design requirements are met. A broader group of users would be permitted to have high-rise signs under the recommended amendment, but the design requirements governing size and location of those signs would remain in effect. As a result, this amendment will not permit more signs than are allowed to be placed on high-rises now. However, the amendment will give building owners broader discretion to determine how their building is branded, and it will give tenants the opportunity to negotiate for the benefit to communicate their corporate image using high-rise signage.

If the recommended Sign Code amendment is adopted, the skyline would remain protected as a public amenity. High-rise signs would also be available as a marketing and branding tool for an expanded group of building tenants, which supports the City Council's "Open for Business" vision and commitment to economic prosperity for all. Staff will be present at the Study Session and available to answer questions related to the recommended Sign Code amendment as well as the Downtown Livability Early Wins.

## **ALTERNATIVES**

### **Downtown Livability Early Wins – Land Use Code Amendment**

1. Direct staff to prepare the Downtown Livability Early Wins recommended by the Planning Commission for Council approval at a future meeting (Attachment B-1).
2. Reject the Downtown Livability Early Wins and provide staff with alternative direction.

#### High-Rise Signs – Sign Code Amendment

1. Direct staff to prepare the High-Rise Sign Code amendment recommended by the staff for Council approval at a future meeting (Attachment C).
2. Reject the Sign Code amendment and provide staff with alternative direction.

#### **RECOMMENDATION**

##### Downtown Livability Early Wins – Land Use Code Amendment:

Direct staff to prepare the Downtown Livability Early Wins recommended by the Planning Commission for Council approval at a future meeting (Attachment B-1).

##### High-Rise Signs – Sign Code Amendment:

Direct staff to prepare the High-Rise Sign Code amendment recommended by the staff for Council approval at a future meeting (Attachment C).

#### **ATTACHMENT(S)**

Attachment A: DS/PCD Coordinated Code Amendment Work Program

Attachment B: Planning Commission Transmittal

Attachment B-1 Recommended Downtown Livability Early Wins Draft Ordinance

Attachment C: Recommended High-Rise Sign Code Amendment