

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6427

AN ORDINANCE amending the Bellevue City Code (BCC) Sign Code, Chapter 22B.10 BCC, for consistency with the new Downtown Code, Land Use Code (LUC) Part 20.25A LUC, and Eastgate LUC amendments; for general clean-ups and clarifications to correct errors, omissions and/or internal conflicts within the BCC; providing for severability; and establishing an effective date.

WHEREAS, the Bellevue City Council has by Ordinance No. 6366 amended the Bellevue LUC to advance the Eastgate/I-90 Land Use and Transportation Project; and

WHEREAS, the City Council has by Ordinance No. 6377 created a new Part 20.25A in the Bellevue LUC providing for the use and development of properties located within the Downtown Subarea consistent with the Downtown Livability Initiative; and

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

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

WHEREAS, the City desires to effectuate the purposes of the Sign Code in Eastgate and Downtown Land Use Districts; and

WHEREAS, accurate cross references and amendments to other sections of the Sign Code are necessary to effectively integrate and ensure consistency with the Eastgate LUC amendments, the new Downtown Code, Part 20.25A LUC, and other development-related codes and regulations in the LUC and the BCC, and to generally clean-up and correct errors, omissions and/or internal conflicts within the Sign Code; and

WHEREAS, the Sign Code amendments proposed herein are to be known as the Sign Code Conformance Amendments; and

WHEREAS, the City Council will adopt, concurrent with this amendment, separate ordinances for the LUC Conformance Amendments and the Noise Control Code Conformance Amendments; and

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

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

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

Sections:

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

22B.10.170	Administration, enforcement and sign removal.
22B.10.180	Variance from sign code.
22B.10.190	Appeals.
22B.10.200	Nonconforming signs.
22B.10.210	Conflicting provisions.
22B.10.220	Severability.

Section 2. Section 22B.10.020—Building Line – Boulevards for Urban Design Treatment; Building Line – Downtown; Building Line – General; Directional sign; Director; Enterprise; Entertainment/public assembly use; Freeway corridor; Office building; and Window sign—of the Bellevue City Code is hereby amended to read as follows:

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

Building Line – Downtown. The building line for signs for any property within the limits of the Downtown and abutting a street classified by LUC 20.25A.170, Streetscape and public realm, as now or hereafter amended, shall be 25 feet from the property line. However, the director may administratively approve a modification of the required building line if the result of such modification would be consistent with the urban design policies of the comprehensive plan and the requirements of Chapter 20.25A LUC, as now or hereafter amended.

Building Line – General. Except as otherwise provided in this code, the building line for signs shall be the setback required for the property by the Land Use Code. In any area of the city, except Downtown, where the applicable line is located more than 65 feet from the centerline of the city street on which it faces, the building line shall, for purposes of limiting size or placement of signs under this code, be deemed to begin 65 feet from the centerline of the street and run parallel thereto.

“Directional sign” means a single- or double-faced sign not exceeding six square feet in surface area, except as provided in BCC 22B.10.115 for major institutions, major office buildings, and major mixed-use complexes, BCC 22B.10.110 for hospitals in any land use district and ambulatory health care centers located in Medical Institution Land Use Districts and in BCC 22B.10.030 for Downtown, as now or hereafter amended, which is designed to guide or direct pedestrian or vehicular traffic to an area, place or convenience.

“Director” means the Director of the Development Services Department or his or her designated representative.

“Entertainment/public assembly use” means those uses permitted in any Downtown Land Use Districts classified as indoor public assembly, motion picture, or theater by the Culture, Entertainment, and Recreation Use Chart in LUC 20.25A.050.D, as now or hereafter amended.

“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, as defined in the Land Use Code.

“Office building” means an office building in the PO, O, BR-ORT, and other land use districts as provided by the Land Use Code.

“Window sign” means all signs located inside and 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. (See BCC 22B.10.030.H, as now or hereafter amended.)

Section 3. Section 22B.10.025.B.1 of the Bellevue City Code is hereby amended to read as follows:

B. Applicability.

1. Where Design Review Applies.

a. Affected Land Use or Overlay Districts. The provisions of this section are applicable in the following land use or overlay districts as provided for in the Land Use Code:

- i. Downtown, except DT-OLB;
- ii. CB and NMU (Community Business and Neighborhood Mixed Use);
- iii. NB (Neighborhood Business);
- iv. OLB-OS and OLB-2 (Office Limited Business – Open Space and Office Limited Business 2);
- v. Development in transition areas as defined in the Land Use Code;
- vi. BelRed Land Use Districts, except BR-GC unless design review is available per LUC 20.25D.030.C.2, as now or hereafter amended; and
- vii. EG-TOD (Eastgate Transit Oriented Development).

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

b. Affected Permits, Approvals and Sign Types. The provisions of this section also apply to the following permits, approvals and sign types irrespective of the land use district within which they are located:

- i. Signs for any development required to have design review by ordinance (except Factoria);
- ii. Planned unit developments;
- iii. Conditional uses; and
- iv. Freeway corridor signs.

Signs requiring the permits/approvals or signs of the type set forth above shall also comply with all other provisions of this chapter and provisions applicable to signs that are contained in the Land Use Code.

Section 4. Section 22B.10.025.E.1.d of the Bellevue City Code is hereby amended to read as follows:

d. Signage is prohibited at the upper levels of high-rise buildings, except with exceptions for hotel/motel uses when the design is compatible with building architecture and for enterprises occupying at least 75,000 net square feet, of building area as permitted by BCC 22B.10.030E.2, as now or hereafter amended.

Section 5. Section 22B.10.025.E.2 of the Bellevue City Code is hereby amended to read as follows:

2. Community Retail Land Use Districts (CB, NB).

- a. Signs 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. Signage shall have a maximum letter and logo height of 36 inches.
- c. Signage shall be oriented to face the major direction of pedestrian movement in the area of the sign.

Section 6. Section 22B.10.025.E.3 of the Bellevue City Code is hereby amended to read as follows:

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

- a. The primary signage for any building or business shall comply with the appropriate design guidelines for Downtown, LUC 20.25A.140 et seq., and

BelRed, LUC 20.25D.150, Land Use districts, as now or hereafter amended, pursuant to the procedures set forth therein. Signage within Downtown shall be pedestrian-oriented unless the sign is permitted as an upper level high-rise sign.

b. Pedestrian-oriented signage shall use lettering and graphics no larger than 24 inches in height and shall be located within the first two floor levels of the building. Twenty-four inches may be an average height when upper and lower case lettering is used. Logos and first-letter capitals may be up to 30 inches if consistent with applicable design review criteria.

c. Illumination shall be coordinated in multi-sign or multi-tenant buildings.

d. High-rise signs (other than hotel/motel or a hospital). Signs permitted at the upper levels of high-rise buildings pursuant to BCC 22B.10.030, as now or hereafter amended, shall comply with the following requirements:

i. Signs shall 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;

ii. Signs shall use logos and lettering no larger than eight feet in height;

iii. Cabinet and box signs are prohibited;

iv. Signs shall be mounted to the building with a mounting system that is not visible beyond the edges of the sign elements;

v. Signs shall be designed and located to preserve the integrity of the building roof form; and

vi. Sign illumination shall 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.

Section 7. Section 22B.10.025.E.4 of the Bellevue City Code is hereby amended to read as follows:

4. Downtown – Old Bellevue (DT-OB). The downtown requirements above apply to DT-OB Land Use District except as modified herein; provided, that the following criteria shall not apply to signs for an entertainment/public assembly use within the DT-OB Land Use District:

- a. Sign letter and logo height shall not exceed 18 inches; provided, that logos and first-letter capitals may be up to 24 inches if consistent with applicable design review criteria.
- b. Awnings shall be opaque or a deep, rich color, and shall be scaled to the development.
- c. Signs shall generally not be placed above the first floor level.
- d. Signs intended and designed for visibility and attention of vehicle traffic are not permitted except as directional signage to vehicular entries.
- e. Cabinet, box and freestanding signs are prohibited.

Section 8. Section 22B.10.025.E.5 of the Bellevue City Code is hereby amended to read as follows:

5. Freeway Corridors. In addition to criteria applicable in the underlying land use district, signs within freeway corridors are subject to the following design criteria:

- a. Sign letter and logo height shall generally not exceed 42 inches; provided, that logos and first-letter capitals may exceed this limit if consistent with applicable design review criteria.
- b. 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.

Section 9. The heading of Section 22B.10.030 of the Bellevue City Code is hereby amended to read as follows:

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

Section 10. Section 22B.10.030.A of the Bellevue City Code is hereby amended to read as follows:

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

- 1. Sign Scale. Signs shall be scaled to the building to which the sign is related.

2. Sign Allocation – Single Occupancy Buildings. Any single occupancy building in the above land use districts shall be permitted the number of primary signs described in subsection C of this section. No more than one of the allowed primary signs may be a freestanding sign unless the single occupancy building faces on more than one street. If the single occupancy building faces on more than one street, see subsection D of this section to determine the number of allowed freestanding signs.

3. Sign Allocation – Multiple Occupancy Buildings. Each enterprise with its own separate exterior entrance in a multiple occupancy building in the above land use districts shall be permitted its own primary sign allocation as described in subsection C of this section. Enterprises which share an exterior entrance in a multiple occupancy building shall be considered a single combined enterprise and shall share primary sign allocation as described in subsection C of this section. No more than one freestanding sign is permitted per multiple occupancy building facing on only one street. If the multiple occupancy building faces on more than one street, see subsection D of this section to determine the number of allowed freestanding signs.

4. Address Number. Each enterprise shall display and maintain on-premises street address number identification. Such identification shall not be included in the number of primary signs.

5. Multiple Buildings on 15 Acres or More. A multiple building complex encompassing at least 15 acres may display one complex identification sign along each right-of-way which provides direct access to the complex. Each sign shall not exceed 75 square feet in area and 15 feet in height.

Section 11. Section 22B.10.030.B.3.c of the Bellevue City Code is hereby amended to read as follows:

c. Unused sign surface area for a facade may be used by any enterprise within the same multiple occupancy building or by any enterprise within the same multiple building complex located within all Downtown Land Use Districts and BelRed BR-OR-1, BR-OR-2, BR-RC-1, BR-RC-2, and BR-MO-1 Land Use Districts, if:

i. 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.

iii. The display of the applicant's sign is necessary to reasonably identify the enterprise, and the provisions of this code do not provide the enterprise with adequate sign display options.

- iv. In no event may sign surface area transferred under this provision be used for an upper-level high-rise sign. Unused upper-level high-rise sign or entertainment/public assembly use sign surface area may not be transferred for use for any other sign, regardless of enterprise or location.

Section 12. Section 22B.10.030.B.3.c of the Bellevue City Code is hereby amended to read as follows:

c. Unused sign surface area for a facade may be used by any enterprise within the same multiple occupancy building or by any enterprise within the same multiple building complex located within all Downtown Land Use Districts and BelRed BR-OR-1, BR-OR-2, BR-RC-1, BR-RC-2, and BR-MO-1 Land Use Districts, if:

- i. 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.
- iii. The display of the applicant's sign is necessary to reasonably identify the enterprise, and the provisions of this code do not provide the enterprise with adequate sign display options.
- iv. In no event may sign surface area transferred under this provision be used for an upper-level high-rise sign. Unused upper-level high-rise sign or entertainment/public assembly use sign surface area may not be transferred for use for any other sign, regardless of enterprise or location.

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

C. Number of Primary Signs.

1. General. The permissible number of primary signs for each single occupancy building is dependent upon the surface area of the largest single facade of the building. The permissible number of primary signs for each enterprise with its own primary sign allocation pursuant to subsection A of this section in a multiple occupancy building is dependent upon the surface area of the largest single facade of the portion of the building occupied by the enterprise applying for the sign permit. An enterprise in a multiple occupancy building shall have its own separate exterior entrance to be allowed primary signage pursuant to this subsection C, except as provided in paragraphs 2 and 3 of this subsection. The permissible number of primary signs for a combined enterprise with a shared primary sign allocation pursuant to subsection A of this section in a multiple occupancy building is dependent upon the surface area of the largest single

facade of the portion of the building occupied by the combined enterprise applying for the sign permit. The permitted number of signs is as follows:

Surface Area of Largest Facade	Maximum Number of Signs
Less than 999 sq. ft.	2
1,000 – 2,999 sq. ft.	3
3,000 sq. ft. and over	4

Buildings or enterprises with more than 3,000 square feet on any face, with several clearly differentiated departments, each with separate exterior entrances, are permitted one sign for each different department with a separate exterior entrance, in addition to the four allotted.

2. Upper-Level High-Rise Signs. One enterprise occupying at least 75,000 net square feet in a single high-rise building within the downtown may earn two upper-level high-rise signs for placement on the building in which such enterprise is located, regardless of whether such enterprise has an exterior entrance. Such signs must comply with subsection E.2 of this section. Such signs are in addition to other signs allowed under this section. Both signs must be used by the same enterprise.

3. In multiple occupancy buildings, or multiple building complexes located within any Downtown Land Use District or within BelRed BR-OR-1, BR-OR-2, BR-RC-1, BR-RC-2 and BR-MO-1 Land Use Districts, unused primary sign allotment for one enterprise may be used by any enterprise within the same multiple occupancy building, or by any enterprise within the same multiple building complex located within a Downtown Land Use District or the BelRed Land Use Districts listed above, if:

- a. The applicant files with the city a written statement signed by the enterprise that earned the primary sign under this code permitting the applicant to utilize the unused primary sign allotment.
- b. The display of a sign by the applicant will not create a significant adverse impact on the primary signs of other enterprises in the building.
- c. The display of the applicant's sign is necessary to reasonably identify the enterprise, and the provisions of this code do not provide the enterprise with adequate sign display options.

d. In no event may unused primary sign allotment transferred under this provision be used for an upper-level high-rise sign. Unused upper-level high-rise or entertainment/public assembly use sign allotment may not be transferred for use for any other sign, regardless of enterprise or location.

e. Unused allotments may not be transferred between Downtown Land Use Districts and BelRed Land Use Districts.

Section 14. Section 22B.10.030.E.2.c of the Bellevue City Code is hereby amended to read as follows:

c. For other than upper-level high-rise signs, an enterprise in a multiple occupancy building with its own primary sign allocation pursuant to subsection A in this section shall locate its building-mounted signs on a facade of the portion of the building occupied by that enterprise, except as provided in subsections B and C of this section.

Section 15. Section 22B.10.030.E.2.e of the Bellevue City Code is hereby amended to read as follows:

e. Upper-Level High-Rise Signs. Building-mounted signs may be located at the upper levels of high-rise buildings if they meet the following criteria, in addition to other applicable provisions of this code:

...

Section 16. The heading of Section 22B.10.040 of the Bellevue City Code is hereby amended to read as follows:

22B.10.040 Office, research and development, and multifamily residential land use districts signs – PO, O, BR-ORT, EH-D, R-10, R-15, R-20, and R-30.

Section 17. Section 22B.10.040.A of the Bellevue City Code is hereby amended to read as follows:

A. General. The following provisions govern signs in the PO, O, BR-ORT, EH-D, R-A0, R-15, R-20, and R-30 Land Use Districts.

Section 18. Section 22B.10.040.C of the Bellevue City Code is hereby amended to read as follows:

C. Number of Primary Signs Permitted.

1. Buildings or building complexes facing on one street, or buildings or building complexes with no street frontage, may have a maximum of two primary signs, only one of which may be freestanding.

2. Buildings or building complexes on street corner locations are permitted a maximum of four signs. Two of the four signs may be freestanding only if they are located on two different streets and are separated more than 100 feet, measured in a straight line between the signs.
3. Buildings or building complexes which extend through a block to face on two parallel streets are permitted two primary signs on each street, only one of which may be freestanding for each street.
4. Multiple Buildings on Five Acres or More. A multiple building complex encompassing at least five acres may display one complex identification sign along each right-of-way, which provides direct access to the complex. Each sign shall not exceed 75 square feet in area and 15 feet in height. Such complex identification signs may be freestanding, and shall not be included in determining the number of primary signs allowed for each building or building complex set forth in paragraphs 1 through 3 of this subsection.

Section 19. The heading of Section 22B.10.050 of the Bellevue City Code is hereby amended to read as follows:

22B.10.050 Commercial and manufacturing land use district signs – GC and LI.

Section 20. Section 22B.10.055.D.2 of the Bellevue City Code is hereby amended to read as follows:

2. Building-Mounted Tenant Signs – Location. In addition to the entrance sign permitted in this subsection, each building is permitted to place any number of building-mounted tenant or user signs on a building facade; provided, that the total sign area shall not exceed 10 percent of the building facade area upon which the sign is mounted; and provided further, that signs shall not extend above or beyond the building facade. The location of such signs shall be in accordance with a sign location plan designed to ensure a coordinated signage image for the building and approved by the city. For each building within the F3 land use district north of the F3 land use district separation line, only the east, north and west facades of the building may be used for building mounted tenant signage; and for each building south of the F3 land use district separation line only the north, west and south facades of the building may be used for building-mounted tenant signage.

Section 21. Section 22B.10.060 of the Bellevue City Code is hereby amended to read as follows:

22B.10.060 Neighborhood business land use district signs – NB.

Permissible signs and their limitations in the neighborhood business land use district (NB) shall be identical to those in the business districts (BCC 22B.10.030, as now or hereafter amended) with the following exceptions:

...

Section 22. The heading of Section 22B.10.090 of the Bellevue City Code is hereby amended to read as follows:

22B.10.090 Single-family residential land use district signs – R-7.5, R-5, R-4, R-3.5, R-2.5, R-1.8, and R-1.

Section 23. Section 22B.10.120.H of the Bellevue City Code is hereby amended to read as follows:

H. Temporary Joint Sales Signage. Signs, posters, banners, strings of lights, clusters of flags, blinking lights, balloons and searchlights are permitted for a period of two weeks to announce a special sales event sponsored by more than one commercial enterprise. Such special sales event must be held on the premises of one or more of the sponsoring enterprises, and all participating enterprises must be located on the same site or abutting sites. The signage allowed under this section may be permitted no more than four times per year for any participating enterprise. All such materials shall be removed immediately upon expiration of the respective time limit. Use of the above-described devices within the limits specified shall be an exception to the general prohibition on these devices in BCC 22B.10.150.E. Such displays are not exempt from permit requirements and are permitted only in Downtown, Factoria, CB, NMU, EG-TOD, GC, LI, OLB, and OLB-2 Land Use Districts where the advertised enterprise is allowed under land use district regulations or operating pursuant to a valid permit or approval.

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

E. Sign Obstructing View or Passage. No sign shall be located so as to physically obstruct any door, window or exit from a building. No sign shall be located so as to be hazardous to a motorist's or pedestrian's ingress and egress from parking areas or any way open to the public. All signs shall comply with the sight distance requirements of BCC 14.60.240, as now or hereafter amended.

Section 25. Section 22B.10.200.F of the Bellevue City Code is hereby amended to read as follows:

F. Sign Amortization Exemption Process.

1. Applicability. This subsection F applies to each sign which is required to be removed pursuant to subsection D of this section following the amortization period.
2. Purpose. A sign amortization exemption is a mechanism by which the city may provide relief from the effect of the sign amortization program when its

enforcement would fail to noticeably improve the appearance of the neighborhood and the city.

3. Who May Apply. The property owner or the person displaying the sign which is required to be removed pursuant to subsection D of this section may apply for a sign amortization exemption.

4. Special Filing Requirement. The applicant must submit a completed application for a sign amortization exemption within 60 days of notification by the city as provided in subsection B.1 of this section that the sign is nonconforming, or is thereafter barred from making such application. If a completed application is not filed, the sign is illegal and in violation of this code.

5. Applicable Procedure. The city will process an application for a sign amortization exemption through Process II, LUC 20.35.200 et seq., as now or hereafter amended.

6. Submittal Requirements.

a. The director shall specify the submittal requirements, including type, detail and number of copies, for a sign amortization exemption application to be deemed complete and accepted for filing.

b. The director may waive specific submittal requirements determined to be unnecessary for review of an application.

7. Decision Criteria. The director may approve or approve with modifications an application for a sign amortization exemption if:

a. The sign is compatible with the architectural design of structures on the subject property; and

b. The sign substantially complies with the requirements of the sign code for the land use district in which it is located; and

c. The sign complies with BCC 14.60.240 (Street intersection sight obstruction), as now or hereafter amended; and

d. If illuminated, the sign is oriented away from residentially developed or zoned property or is adequately screened so that the source of light is not directly visible.

8. Effect of Exemption. If the director approves or approves with modification a sign amortization exemption, that sign may remain until removal is required pursuant to subsection B.5 or C of this section.

9. Assurance Device. The director may require a reasonable performance or maintenance assurance device in conformance with LUC 20.40.490, as now or hereafter amended, to assure compliance with the provisions of the sign code and exemption as approved.

10. Fee. The applicant shall pay a fee upon application which is equal to that land use review and processing fee required for a variance to the sign code.

Section 26. Section 22B.10.210 of the Bellevue City Code is hereby amended to read as follows:

22B.10.210 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.

Section 27. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 28. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this _____ day of _____, 2018 and signed in authentication of its passage this _____ day of _____, 2018.

(SEAL)

John Chelminiak, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

Matthew B. McFarland, Assistant City Attorney

Attest:

Kyle Stannert, City Clerk

Published _____