

## **DIRECTOR’S REPORT AND RECOMMENDATION**

### **Downtown Sign Code Amendment**

#### **Introduction**

The Department of Planning and Development (“DPD”) is proposing to amend the Land Use Code to allow wall identification signs above sixty-five feet for tenants with a lease in force for more than 200,000 square feet in a single building and to allow ground signs for multi-business centers. Similar to the existing approval process for hotel and public building signs above sixty-five feet, the upper level wall signage would be approved by the Director of DPD as a Type I decision pursuant to certain criteria, including dimensional and design criteria. Already-existing prohibitions against rotating signs above 65 feet, flashing signs and roof signs would be retained. The allowance of ground signs would add to the current multi-business centers sign options of wall, marquee, under-marquee, projecting or combination signs also and be approved as a Type I decision.

#### **Background and Analysis**

##### Wall Signs above 65 feet.

Currently, the Land Use Code allows business establishments to erect on-premise signs at or below 65 feet. Only hotels and public buildings are allowed to erect on-premises signs at heights above 65 feet (See SMC 23.55.034.C.5). Regulations governing signs downtown were enacted by Ordinance 112830 in 1986. Originally, on-premise signs were prohibited at heights above 65 feet. In 1996, the code was amended by Ordinance 118414 to allow hotels and public buildings to erect on-premise signs at heights above 65 feet. According to the Director’s Final Recommendation accompanying this new allowance, the purpose of allowing these signs above 65-feet was to reduce the difficulty tourists and visitors to Seattle were having locating hotels and public buildings as they walk and drive through downtown (Director’s Final Recommendation October 7, 1996). Examples of downtown hotels and buildings with signs above 65 feet include the Sheraton Hotel (6<sup>th</sup> & Union), the Red Lion Hotel (5<sup>th</sup> & Pike), the Pan-Pacific Hotel (Denny Way & Westlake Avenue), the Warwick Hotel (4<sup>th</sup> & Lenora), the Renaissance Madison Hotel (6<sup>th</sup> & Madison) the Westin Hotel (5<sup>th</sup> & Stewart), the Hilton Hotel (6<sup>th</sup> & University), and 1600 Bell Plaza (1600 7<sup>th</sup> Avenue).

The purpose of amending the Land Use Code to allow on-premises business or building wall identification signs above 65 feet is to help to attract and retain large-scale tenants and jobs to downtown Seattle offices. In October 2009, the downtown office vacancy rate was nearly 20%, which is the highest vacancy rate downtown in at least twenty years. The vacancy rate is predicted to rise to 25 percent in the next year. Building signage visible from a wider area than the surrounding streets below a building is a desired element by many large-scale businesses.

Several cities in the western United States allow on-premises wall signs above 65 feet in their downtown zones. San Francisco allows on-premises wall signs up to 100 feet above grade. Salt Lake City and Denver allow on-premises wall signs with no height limits. Recently, the City of Bellevue amended its sign regulations to permit “upper level high rise” signs for a single tenant occupying more than 180,000 square feet regardless of height. As a result, upper level business identification signage is now on numerous high-rise buildings in Downtown Bellevue. Examples are Eddie Bauer on Lincoln Square, Symetra, Microsoft on City Center Plaza and The Bravern, Expedia on Expedia Tower, Hyatt Hotel, Westin Hotel and The Paccar Building.

In contrast, Seattle allows wall signs above 65 feet in Neighborhood Commercial (NC), Commercial (C), International District and Seattle Mixed (SM) zones with height limits greater than 65 feet but not on buildings in Downtown zones.

Downtown Seattle has established itself as a location for certain types of business establishments. These include banking, insurance and financial services, health care, research and development, electronic merchandising and the production and sale of software. These are economic areas in which the City and the Downtown have a competitive advantage in attracting new tenants and employers. One factor in attracting and retaining large tenants to the City of Seattle is whether a tenant can identify its location by name or logo on its signature building. Amendment of the sign code to allow on-premises business identification wall signs above 65 feet is intended to have a positive impact in attracting and retaining large tenants in downtown Seattle. Further if Seattle is to realize the goals and objectives of the City’s growth management strategy and to remain competitive with other regional centers and where jobs can be served by its excellent regional transit it must continue to take steps to encourage business to locate in urban centers, particularly downtown.

Proposals to broaden the allowed types or numbers of signs in Downtown must be seen through the perspective of two long-standing bases for Seattle’s regulation of signage: minimizing driver distraction (public safety) and preventing visual clutter (aesthetics). Driver distraction from signs can be caused by sign type, material, brightness or a size that is sharply contrasting to the sign’s surroundings, such as other signs or, in undeveloped areas, the lack of other signs. Driver distraction can also be caused by inappropriately sized signs or the lack of identifying signage. Signage can be too small to allow easy identification of the business or building without “taking one’s eyes off of the road”. Conversely, the lack of identifying signage can also cause one’s eyes to be off the road in order to try and identify the driver’s destination building among Downtown’s great array of similar height and shape of tower buildings. An allowance for business and building identification signs should therefore be narrowly tailored to allowed visibility from the broader Downtown area through their size and location on the building while not being a distraction to drivers.

Visual clutter from signs is caused by allowing an excess number of signs and sign sizes, types and designs that are incompatible with the sign’s location and surroundings. However, if limited in number and size as well as designed and placed in a manner that is

consistent with the architecture and materials of the structure a sign can be an asset to the building and life and energy it contributes to the city, while not detracting from the city's skyline or place.

Examples of the positive contribution building top signage can make to way-finding in the wider Downtown area, while not creating visual clutter but being consistent with the design of the buildings upon which they are mounted, are the eight buildings listed on page one of this report. Additionally, building top signage is already allowed in the Chinatown-International District and in the rapidly-developing South Lake Union area where it has been an asset.

Toward the goal of allowing limited upper level business and building identification signage, while preventing driver distraction and visual clutter, wall identification signs over 65 feet would be allowed in downtown zones for buildings in addition to hotels and public buildings only if the following criteria are met:

1. The tenant would be required to have a lease in force for at least 200,000 square feet of gross floor area within the structure on which the signs are proposed.
2. The signs would only identify the tenant or building and not exceed 324 square feet in area or eighteen feet in height or width.
3. No structure would be allowed to have more than four of these signs and no more than one sign per façade.
4. Signs would be located within the highest 25 percent of the tallest portion of the façade.
5. Changing image (digital), rotating or moving, or externally illuminated signs would be prohibited.
6. Signs would be required to relate to the architectural style of the building through their design, materials, scale and location while preserving the use of the brand design of the establishment. Signs would also have to be (a) attached to the building with a mounting system that is not visible beyond the edges of the sign elements, and (b) not project above the top or beyond the edge of the wall surface to which it is affixed.
7. Only one tenant per structure would be permitted to have this signage.

### Multi-business Center Ground Signs

Currently, the Land Use Code allows multi-business centers to have one wall, marquee, under-marquee, projecting or combination sign for each 300 feet of frontage on public rights-of-way. Multi-business centers are defined by the Land Use Code as "a grouping of two or more business establishments that either share common parking on the lot where they are located, or occupy a single structure or separate structures that are physically attached or both" (SMC 23.84A.025). As defined, most commercial structures/office buildings in downtown are considered multi-business centers since they

typically have two or more tenants. Currently the Land Use Code only allows ground signs downtown for an individual use as one option among other types. These are also limited to one for each 300 feet of its frontage on a public right-of-way. No additional signs would be permitted by this proposal.

Most downtown office and commercial buildings have multiple tenants. Many have tenants who do not have street frontage, but are instead located in the interior, such as in an internal food/retail court or on upper-levels. Street-oriented signage for these businesses is often essential for attracting and guiding pedestrians.

The purpose of amending the Land Use Code to allow ground signs for multi-business centers is to provide another option for signage when one of the other currently allowed sign types (wall, marquee, under-marquee, projecting or combination) are not feasible or appropriate due to the site design of the building, its proximity to the right of way or the architectural design of the structure. By allowing the possibility of a contextually and visually appropriate sign type without increasing the allowed number of signs, the objectives of preventing driver distraction and visual sign clutter are furthered.

For example, on a structure built to the property line along a tree lined street, a marquee or projecting sign would not be visible through the trees to the intended audience. In the same context, a wall sign would not be feasible for the same reason. Another example of where a wall or projecting sign is not optimal is for a tower structure that is set-back from the street, typically across a plaza. Finally, the architectural style of many downtown structures does not lend itself to the attachment of signs but the location of a ground sign for multiple business tenants near the entrance, or in a plaza leading to the entrance, could be an architecturally and visually appropriate solution.

Driver distraction or visual clutter would not be increased by this proposal. Instead, the lack of appropriately located signage designed to assist in way-finding and business identification when traveling through downtown streets and sidewalks can increase driver distraction by requiring “eyes” to be off of the road . The addition of ground signs as an option does not increase the sign allotment for a multi-business center, instead it is an alternative to the currently allowed selection of multi-business center sign types.

## **Recommendation**

The Director recommends that the proposed amendment to the Land Use Code allowing on-premises wall identification signs above 65 feet in downtown zones subject to certain criteria and the allowance for the option of multi-business center ground signs be adopted. The criteria for approval will serve to protect the aesthetics of the Seattle skyline and streetscape and not compromise public safety, while allowing the City to retain and attract large businesses to the downtown and allow ground signs as an architecturally and context appropriate alternate means of identifying multiple business tenants that don't have a street front or street level presence.