

Section 20.127.020 is hereby amended to read as follows:

20.127.020 Applicability and compliance.

(1) Applicability. The provisions of this chapter apply to all development within Port Orchard, except:

(a) Detached houses, backyard cottages, cottage courts (cottages), side by side duplexes, back to back duplexes, attached houses, and townhomes as defined in POMC 20.32 shall not be required to comply with this chapter except that 20.127.330 shall apply to these building types. In addition, 20.127.340 shall apply to townhomes as defined in POMC 20.32. Additional detached house, backyard cottage, cottage court (cottage), side by side duplexes, back to back duplexes, attached house, and townhome design standards are found in Chapter 20.139 POMC.

(b) Properties within the designated Old Clifton Industrial Park. See the figure below for a map clarifying the location of properties which are exempt.

Figure 20.127.020(1)

Old Clifton Industrial Park



(c) The director may waive these provisions in other employment – industrial/office zoned properties where they are screened from view from the public right-of-way and adjacent nonemployment – industrial/office properties by a minimum 20-foot wide landscaped buffer meeting the requirements of

Table 20.128.296 for urban buffers – full screening or by preservation of comparable existing landscaping on the site.

(2) Relationship to Other Codes and Documents. Where provisions of this chapter conflict with provisions in any other section of the Port Orchard design standards, this chapter prevails unless otherwise noted herein.

(3) For building additions, remodels, and site improvements, three different thresholds have been established to gauge how the design standards in this chapter are applied to such projects. See Figure 20.127.020(3) below for examples of site development and the respective types of improvements required under each of the three levels of improvements.

(a) Level I improvements include all exterior remodels, building additions, and/or site improvements that affect the exterior appearance of the building/site or cumulatively increase the gross floor area by up to 20 percent of the gross square footage that existed three years prior to the date of permit issuance. The requirement for such improvements is only that the proposed improvements meet the standards and do not lead to further nonconformance with the standards.

For example, if a property owner decides to replace a building facade's siding, then the siding must meet the applicable exterior building material standards, but elements such as building articulation (see POMC 20.127.430) would not be required.

(b) Level II improvements include all improvements that cumulatively increase the gross floor area by 20 percent or more, but not greater than 75 percent, of the gross square footage that existed three years prior to the date of permit issuance. All standards that do not relate to repositioning the building or reconfiguring site development apply to Level II improvements. For example, if a property owner of an existing home in the BP zone wants to convert the home to an office and build an addition equaling 45 percent of the current building's area, then the following elements would apply:

(i) The location and design of the addition/remodel must be consistent with the block frontage standards (see Article II of this chapter), to the extent possible given the location of the existing building. For such developments seeking additions to buildings where an off-street parking location currently does not comply with applicable parking location standards, building additions are allowed provided they do not increase any current nonconformity and generally bring the project closer into conformance with the standards. See Figure 20.127.020(3) for an example of this.

(ii) Comply with applicable site planning and design elements (see Article III of this chapter).

(iii) Comply with all building design provisions of Article IV of this chapter, except architectural scale and materials provisions related to the existing portion of the building where no exterior changes are proposed. The entire building must comply with building elements/details, materials, and blank wall treatment standards of POMC 20.127.450.

(iv) The proposed improvements shall comply with the off-street parking, landscaping, and signage provisions of Chapters 20.124, 20.128, and 20.132 POMC.

(c) Level III improvements include all improvements that cumulatively increase the gross floor area by more than 75 percent of the gross square footage that existed three years prior to the date of permit issuance. Such developments must conform to all applicable standards.

Figure 20.127.020(3)

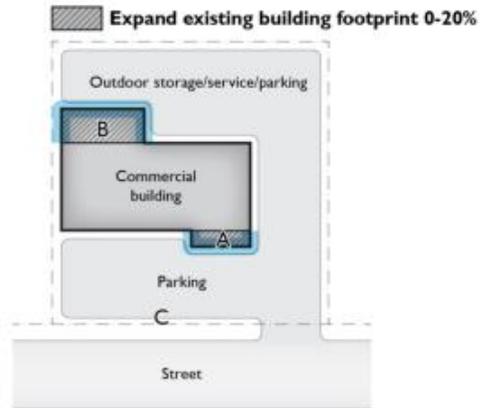
Examples of Improvement Types and Required Compliance

Existing Site



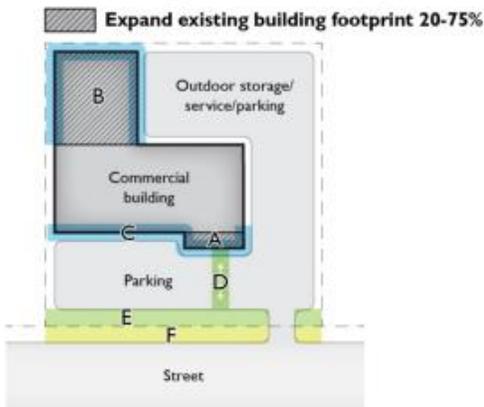
- Pre-existing non-conformities:
- Parking in front of the building
 - No pedestrian connection to the entry
 - Doesn't meet streetscape and landscaping standards
 - Facade doesn't meet standards

Level I Improvement Example



- Required improvements:
- A. Entry addition meets facade and building design standards (POMC 20.127.400-460)
 - B. Rear addition meets applicable building design standards (POMC 20.127.400-460)
 - C. Landscaping improvements are encouraged but not required

Level II Improvement Example



- Required improvements:
- A. Entry addition meets facade and building design standards (POMC 20.127.400-460)
 - B. Rear addition meets applicable building design standards (POMC 20.127.400-460)
 - C. Facade upgraded to meet applicable facade and building design standards (POMC 20.127.400-460)
 - D. Pedestrian access improvements (POMC 20.127.330)
 - E. Parking lot landscaping improvements (Chapter 20.128 POMC)
 - F. Landscaping improvements are encouraged but not required

Level III Improvement Example



- Required improvements:
- A. Entire building meets facade and building design standards (POMC 20.127.400-460)
 - B. Landscaping improvements are encouraged but not required
 - C. Site meets site planning standards (POMC 20.127.300-360)

(4) Review for Compliance. Proposals for development, including design standard departure requests, shall be reviewed for consistency with the design standards as found in this chapter in conjunction with every underlying permit application(s) (i.e., building permit, stormwater drainage permit, conditional use permit, binding site plan, etc.) at each stage of the development. The city recognizes that every project is unique and that permits are not always submitted in a single package simultaneously. For instance, a project may require a conditional use permit, building permit, land disturbing activity permit, and stormwater drainage permit. It is common that a building permit application be submitted after site development activities have begun. It is also common to develop building pads for future construction as part of an approved development.