

Article 20: West Lewis Street Planned District

(“West Lewis Street Planned District” added 3-27-2007 by O-19596 N.S.;
effective 4-26-2007.)

Division 2: Permits and Procedures

(“Permits and Procedures” added 3-27-2007 by O-19596 N.S.; effective 4-26-2007.)

§1520.0201 Administrative Regulations

- (a) No permit shall be issued for the erection, construction, conversion, establishment, alteration, or enlargement of any building, structure or improvement, or for the change of use of any building or structure in the West Lewis Street Planned District until approval of the appropriate decisionmaker has been obtained by the applicant.
 - (1) Approval by the City Manager is not required for interior modifications, repairs or alterations for which a building permit is not now required nor for some minor modification which do require a building permit. These are defined by the Bureau of Census (BC) codes and include BC codes 201, 212, 221.
 - (2) Approval by the City Manager, excluding design review, is required for all construction or modifications requiring building permits, of 1,000 square feet or less and for reconstruction as determined in Section 1520.0203.
 - (3) A Hearing Officer may approve, conditionally approve or deny, in accordance with Process Three, all construction or modifications that are 1,000 square feet in area or greater and all construction or modifications, requiring a building permit, which affect the West Lewis Street facade and are less than 1,000 square feet in area. The decision of the Hearing Officer may be appealed to the Planning Commission in accordance with Land Development Code Section 112.0506 (Process Three Appeals).
- (b) The decisionmaker may approve the application if the following finding can be made: that the new use or building or modification of existing building is in conformance with the purpose and intent of the West Lewis Street Planned District Ordinance.

(“Administrative Regulations” added 3-27-2007 by O-19596 N.S.;
effective 4-26-2007.)

§1520.0202 Design Review for New and Altered Structures

In making the finding of project conformance, the City Manager shall, pursuant to Section 1520.0201(a)(3), make the following design considerations:

- (a) New construction shall preserve and enhance the existing scale and character of the neighborhood. New construction shall be compatible with adjacent properties, scale and proportion, rhythm and spacing, materials and texture, architectural detailing and rooflines and materials.
- (b) Rehabilitation of and/or additions to existing structures shall respect the original distinguishing qualities or character of the property.
- (c) Parking along the street frontage shall be suitably screened and landscaped so as to mitigate any visual impacts.
- (d) Exemption: Single-family residential structures.
(“Design Review for New and Altered Structures” added 3-27-2007 by O-19596 N.S.; effective 4-26-2007.)

§1520.0203 Previously Conforming Uses, Structures, and Conditions

- (a) The lawful use of land which existed at the time the West Lewis Planned District Ordinance became effective (April 8, 1985 by O-16398), and which use does not conform with the Planned District Ordinance, may be continued except when specifically prohibited, provided no enlargement or additions to such use is made, as determined in Section 1520.0201(a).
- (b) The lawful use of buildings existing at the time the Planned District Ordinance regulations became effective with which regulations such buildings did not conform may be continued, provided any enlargement, addition, repairs, or alterations to such buildings will not increase the degree of nonconformity and will conform in every respect with all the West Lewis Planned District regulations.
- (c) Any discontinuance of a previously conforming use for a continuous period of 12 months constitutes abandonment of any nonconforming rights existing at the time of the enactment of the West Lewis Planned District Ordinance.
- (d) Any change from a previously conforming use of land or buildings to a conforming use constitutes abandonment of such previously conforming rights.

- (e) If any previously conforming structure, that is previously conforming in use or condition and that existed the date the West Lewis Street Planned District was enacted, is destroyed by fire, explosion, act of God, or act of the public enemy, the building or structure may be rebuilt to the original area, footprint, and height, and must, in all other respects, be consistent with regulations of the Planned District. The reconstruction is subject to ministerial review (in accordance with Section 1520.0201(a)).
- (f) Previously conforming signs are subject to Chapter 12, Article 7, Division 2. (*“Previously Conforming Uses, Structures, and Conditions” added 3-27-2007 by O-19596 N.S.; effective 4-26-2007.*)