

Chapter 20.30

INTRODUCTION TO ZONING, LAND USES, AND BUILDING TYPES

Sections:

20.30.010 Purpose

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20.30.010 Purpose.

- (1) This subtitle is adopted for the purpose of guiding development in accordance with the Port Orchard Comprehensive Plan and to protect, promote, and improve the public health, safety, and general welfare.
- (2) This subtitle is enacted to exercise the full range of authority under Washington law to establish standards to regulate and restrict the:
 - (a) Height, number of stories, size, construction, reconstruction, alteration, repair, or use of buildings and structures;
 - (b) Percentage of lot occupancy, size of courts, yards, and open spaces;
 - (c) Dimensions of lots and density of development; and
 - (d) Location and use of buildings and structures.
- (3) This subtitle is enacted for the following purposes:
 - (a) To ensure that important environmental features are protected;
 - (b) To encourage the urban development within the City of Port Orchard consistent with the Growth Management Act, the Countywide Planning Policies, and the Regional Growth Strategy;
 - (c) To protect life and property in areas subject to natural hazards and disasters;
 - (d) To protect fish, wildlife, and recreation resources;
 - (e) To avoid undue water and air pollution;
 - (f) To provide standards for the subdivision of land in addition to those listed in Subtitle V of this Title;
 - (g) To encourage economically sound, fiscally sustainable, orderly, and compatible land development practices in accordance with the comprehensive plan;
 - (h) To ensure that adequate public facilities and services are provided to Port Orchard residents at a reasonable cost;
 - (i) To ensure that development on land is commensurate with the physical characteristics of the land; and
 - (j) To assure the provision of needed open spaces and public facility sites.
- (4) This Subtitle is intended to provide a mechanism for achieving the following goals:
 - (a) Mix of land uses;
 - (b) Compact building design;
 - (c) Creating a range of housing opportunities and choices;
 - (d) Creating walkable neighborhoods;
 - (e) Fostering distinctive, attractive communities with a strong sense of place;
 - (f) Preserving open spaces and natural beauty;
 - (g) Providing a variety of transportation choices; and
 - (h) Making development decisions predictable, fair, and cost effective.

20.30.020 Application

- (1) Territorial Application. This Subtitle applies to all land, uses, buildings and structures within Port Orchard located above (landward of) the ordinary high water mark (OHWM) of the shoreline, as defined in the city's shoreline master program (Chapter 20.164). Land located below the OHWM does not have a zoning designation, and use of such land is subject to the regulations of the city's shoreline master program.
- (2) General Application. In their interpretation and application, the provisions of this subtitle are the minimum requirements necessary to meet the purpose and intent of these regulations.
- (3) Required Conformance. All buildings, structures or land, in whole or in part, must be used or occupied in accordance with this subtitle.
- (4) Control over less restrictive laws and regulations. If any condition or requirement imposed by this subtitle is more restrictive than a condition or requirement imposed by any other law, rule or regulation of any kind, the more restrictive condition or requirement governs.
- (5) Conflict. If any condition or requirement imposed by this subtitle contains an actual, implied, or apparent conflict, the more restrictive condition or requirement controls.
- (6) References to Other Laws. Whenever a provision of this subtitle refers to any other part of the Port Orchard Municipal Code or to any other law, the reference applies to any subsequent amendment of that law.
- (7) Text and Graphics. Illustrations and photographs are included in this Subtitle to illustrate the intent and requirement of the text. In cases of a conflict between the text and illustrations, photos, and graphics, the text controls.