

### VIII. A CITY PLANS AND REGULATIONS

#### CITY PLANS AND REGULATIONS

##### A. Comprehensive Plan

The Comprehensive Plan is the plan for the growth and development of Kirkland over a twenty year period. It is adopted in accordance with the requirements of the state Growth Management Act. The plan is a policy document which provides a vision for the future, sets forth a variety of goals for managing growth, and lists numerous policies describing ways to achieve the goals. Also included is a list of specific measures needed to implement the plan.

The Comprehensive Plan is composed of two parts. The first part contains a series of “elements,” each of which addresses a specific topic, for example, land use, housing and transportation. The goals and policies in each element are applicable city-wide. The second part is composed of thirteen neighborhood plans, each of which discusses in detail the unique features and desired development characteristics of smaller geographic sections of the City.

By law, amendments to the plan may occur no more frequently than once a year. Consequently, all amendments proposed each year are considered together. The Planning Commission plays a central role in the annual review of Comprehensive Plan amendments. All proposed plan amendments are reviewed by the Commission, the Commission ensures public involvement and conducts public hearings, and the Commission presents recommendations to the City Council.

##### B. Zoning Code

The zoning Code sets forth specific regulations governing the use and development of land in Kirkland. The Growth Management Act requires that the Zoning Code be consistent with the Comprehensive Plan.

About half of the Zoning Code is composed of a series of “use zone” charts which list permitted uses and development regulations for each of the zoning districts indicated on the official Zoning Map. The remainder of the code contains a series of chapters which set forth regulations of general applicability such as required public improvements, landscaping standards and sign review and decide upon development proposals. Provisions for enforcement of the Zoning Code are also included.

As with the Comprehensive Plan, it is the Planning Commission’s responsibility to review, ensure public involvement and make recommendations regarding all proposed amendments to the Zoning Code.

##### C. Subdivision Ordinance

The subdivision ordinance contains the City’s regulations for dividing parcels of land into two or more smaller lots. Nearly all subdivisions involve the creations of additional building sites for single family homes. Amendment of the subdivision ordinance is subject to Planning Commission review. The Commission must hold a public hearing on all proposed amendments and submit a recommendation to the City Council.

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#### D. Shoreline Master Program

The Shoreline Master Program (SMP) contains policies and development regulations pertaining to shoreline areas of the City (lands within 200 feet of the high water line of Lake Washington and wetlands abutting the lake which extend beyond 200 feet). The SMP is adopted pursuant to the requirements of the state Shoreline Management Act. It is adopted by both the City and state Department of Ecology.

Practically speaking most shoreline regulations closely mirror Zoning Code regulations and thus are somewhat redundant. However, because the SMP is adopted by the state under the typically carry greater weight when it comes to enforcement.

The Planning Commission usually reviews proposed SMP amendments, although this is not legally required.

#### E. SEPA Review

The State Environmental Policy Act (SEPA) requires the review of most development actions, including proposed comprehensive plan and zoning code amendments, for potential environmental impacts. Some development actions are excluded from review, due to their type or size. SEPA review is an administrative task conducted by the Planning Department.

Every proposal subject to SEPA must be accompanied by an environmental checklist which summarizes potential impacts. Based on the information in the checklist, the Planning Department must issue one of three possible “threshold determinations”: 1) a Determination of Non-significance (DNS) – meaning that the proposal has no significant impacts and no further studies are needed 2) a Determination of Significance (DS) – in which case a more detailed Environmental Impact Statement (EIS) must be prepared; or 3) a Mitigated Determination of Non-significance (MDNS) – in which case specific development conditions are required in order for the proposal to be accepted without preparation of an EIS.

Most proposals reviewed by the Planning Commission are subject to SEPA review. In such instances, the Commission is forwarded a copy of the environmental checklist and SEPA determination or EIS prior to making a recommendation.