

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO COMPREHENSIVE PLANNING AND LAND USE AND AMENDING THE LAND USE POLICIES PLAN (COMPREHENSIVE PLAN) ORDINANCE 2346 AS AMENDED.

Whereas, the City Council has received from the Kirkland Planning Commission a recommendation to amend certain portions of the Land Use Policies Plan (Comprehensive Plan) for the City, Ordinance 2346 as amended, all as set forth in that certain report and recommendation of the Planning Commission dated December 12, 1984 and bearing Kirkland Department of Planning and Community Development File No. IV-84-68; and

Whereas, prior to making said recommendation the Planning Commission, following notice thereof as required by RCW 35A.63.070, held on November 1, 1984 and December 6, 1984, public hearings on the amendment proposals and considered the comments received at said hearings; and

Whereas, pursuant to the State Environmental Policies Act, the City Council has reviewed and concurs with the final declaration of non-significance (including supporting environmental documents) issued by the responsible official pursuant to WAC 197-11-340 and WAC 197-11-390; and

Whereas, in regular public meeting the City Council considered the report and recommendation of the Planning Commission, now, therefore,

Be it ordained by the City Council of the City of Kirkland as follows:

Section 1. Text amended: The following specific portions of the text appearing on the identified pages of the Land Use Policies Plan, Ordinance 2346 as amended, be and they hereby are amended as set forth in Exhibits 1 and 2 attached to this ordinance and by this reference incorporated herein.

Section 2. If any section, subsection, sentence, clause, phrase, part or portion of this ordinance, including those parts adopted by reference, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. To the extent that the subject matter of this ordinance is subject to the disapproval jurisdiction of the Houghton Community Council as created by Ordinance 2001, said plan shall become effective within the Houghton community either upon approval of the Houghton Community Council, or upon failure of said community council to disapprove this ordinance within 60 days of its passage.

Section 4. Except as provided in Section 3, this ordinance shall be in full force and effect five days from and after its passage by the City Council and publication or posting as required by law.

Passed by majority vote of the Kirkland City Council in regular, open meeting this 17th day of December 19 84.

Signed in authentication thereof this 17th day of December, 1984.

Donna Cooper  
MAYOR

ATTEST:

Tom P. Anderson  
Director of Administration & Finance  
(ex officio City Clerk)

APPROVED AS TO FORM:

Rayh 25th  
City Attorney

CERTIFICATION OF POSTING

I hereby certify under penalty of perjury that the foregoing ordinance was posted on the 18th day of December, 19 84 in accordance with the provisions of RCW 35A.12.160 and City of Kirkland Ordinance No. 2600.

Janice Perry  
Clerk

8631B/244A/DE:br

## INTRODUCTION

## THE CHANGING PLANNING CONTEXT

Since the last Comprehensive Plans for the cities of Kirkland and Houghton were adopted in the early 1960's, many new developments including new houses, apartments and businesses have changed Kirkland's character. A steadily increasing population has created a demand for additional public services and facilities including parks, utilities and roadways. Population in the Kirkland Planning Area, has increased dramatically since 1970 and may ultimately increase to over 90,000. This expected population growth in the future will cause additional demands for all types of urban services and facilities .

During the 1960's and 1970's, public concern about social economic, and physical impacts of new development has resulted in the enactment of significant new legislation. This legislation has strongly influenced decision-making affecting the City's growth. Questions about growth and related costs and benefits have been raised and concerns about limitations on energy and other resources have emerged.

These statewide considerations led to local concerns regarding new development. These concerns can be summarized, as follows:

- (1) Some people want to maintain their single family neighborhoods, but others want to sell or develop their property for more profitable uses such as apartments, offices and businesses.
- (2) Some people want the City to limit the expansion of commercial and industrial uses, but other people feel the City needs the additional revenues from expanded business activities.
- (3) Some people want to protect many of Kirkland's natural features such as steep slopes, Juanita Slough and Yarrow Bay wetlands, but other people want to develop these areas.
- (4) Some people want improved automobile access in and around Kirkland, but other people want to keep traffic out of their neighborhoods.
- (5) Some people feel there is a need for more parks and open space, but other people say there are enough.
- (6) Some people think that public costs associated with new development may be high, but other people think the benefits outweigh the costs.

## THE EVOLUTION OF THE PRESENT PLANNING EFFORT

Based on a growing awareness of these concerns, and recognition that the old Comprehensive Plans were not always providing effective guidance for major development actions, the City Council adopted Resolution 2249 in 1974 (see appendix 1). Resolution 2249 provided additional time for the City to examine development problems by delaying specific classes of development actions, including rezones, development on steep slopes and other precedent-setting actions. This resolution was an interim measure to slow development as the City considered revision of the old Comprehensive Plans.

The next step was to begin formulating a Planning Program to address future development. In 1975, the City Council recognized these changing conditions when they initiated the comprehensive planning project, and adopted Resolution 2292 (see Appendix 1). The following declarations were made in Resolution 2292:

- (1) The City Council finds that the present land use plans (the comprehensive plans for the former cities of Houghton and Kirkland) which indicate public land use policy are no longer adequate to provide guidance for future decision making and land use management;
- (2) The City Council further finds that such plans are not related to clearly established goals and objectives for community development, nor is there present consensus or understanding about the consequences of development actions based on such plans;
- (3) The City Council directs that all segments of the City, including the City Council, its advisory bodies and the administration, work together toward the identification and establishment of goals and policies consistent with the environmental mandate contained in the State Environmental Policy Act, and with the currently held values of the community in order that a new land use plan may be prepared and adopted for the entire consolidated City of Kirkland.

The City Council continued in this Resolution with an array of guidelines establishing a "flavor" for an updated Plan. These guidelines are summarized as follows:

1. Maintain Kirkland's predominantly single family character, while recognizing possible community benefit from some higher intensity land uses;
2. Balance public revenues and expenditures to allow for moderate growth that will pay for itself;
3. Minimize conflicts between differing land uses;
4. Maintain natural features (open spaces, hillsides, wetlands, streams and natural vegetation) to the greatest extent possible;
5. Encourage economic activities in designated areas and encourage revitalization of the Central Business District;
6. Locate new housing in areas where public facilities exist and maintain and rehabilitate older residential areas;
7. Relate public facilities and services (roadways and utilities) to land use;
8. Devote adequate space for parks, recreation and other open spaces.

In 1975, the City Council established an advisory Land Use Policies Plan Commission to prepare a Plan setting the future direction for land uses. Underlying the planning effort was the intention to shape the future of the community "by deliberation, not default". The Commission was composed of the nine Planning Commissioners plus three additional members. The Land Use Policy Plan Commission met, almost weekly, beginning February, 1975, to review the Goals, Policies and Neighborhood Plans. In addition, public meetings to review the Goals, Policies and Neighborhood Plans were held in March and June 1975 and June 1976. Public Hearings on the Land Use Policies Plan were held in January/February 1977 and April 1977. The Land Use Policies Plan was adopted by the City Council in May 1977 via Ordinance 2346 (Ordinance 2346 is included in Appendix 7).

#### THE SELECTION OF A GROWTH STRATEGY

The Land Use Policy Plan Commission considered how emerging land use and development concerns might guide a plan for future growth. The concepts of limited, moderate or unlimited growth options were reviewed. While each of these growth options were seen to have positive and negative features, the question was

raised whether one strategy could provide an overall guide. A growth strategy would provide a city-wide approach for balancing the desire to preserve natural features and open space with the increasing demand for housing, economic development and public facilities. These factors would then be applied to smaller study areas or "neighborhoods" and could be used to determine their effects on the total living environment.

Three general growth options were considered. At one extreme, growth would be extremely limited and Kirkland would remain much the same as it is today. At the other extreme, growth could be unlimited and determined almost entirely by economic influences. Between these two extremes, growth could be managed or controlled to afford some flexibility for shaping a desirable future.

The managed growth option was selected and expressed in the following ways:

Natural Elements: The type and density of development would be limited in unstable slope areas, wetlands, streams and other areas identified as having natural constraints.

Open Space: In addition to parks, open space would be integrated into new development and/or maintained to visually separate noncompatible land uses.

Economic Activities: Economic development would be encouraged in specified areas provided that development standards are met and that public benefits exceed public costs resulting from such development.

Living Environment: Dwelling unit type and permitted residential densities would be established. Emphasis would be on a wide range of techniques to accomplish efficient and reasonable utilization of land and existing housing, such as housing rehabilitation, site planning requirements and density transfers.

Public Services and Facilities: The City would plan utilities, roads and other public facilities according to desired growth patterns.

A more detailed discussion of the growth issue is provided in Appendix 2.

Prior to the formulation of the Land Use Policies Plan, legal implications of State legislative requirements and recent court decisions pertaining to land use planning were researched. The research indicated that the City could plan to manage future growth, addressing physical, social and economic concerns,

associated with public health, safety and welfare. A copy of this research paper, by the City Attorney, can be found in Appendix 3.

#### THE EVOLUTION AND ORGANIZATION OF THE LAND USE POLICIES PLAN

When formulating a comprehensive set of policies, the Land Use Policy Plan Commission considered problems associated with development. These problems, such as conflicts between residential and industrial areas, public costs generated by population growth, the locations of economic activity, and residential area preservation and protection were factors in formulating Goal and Policy statements. Each Goal represents a general planning ideal which is expressed by more detailed and action oriented policies. The Goal and Policy statements were written and reviewed in the general categories of community, natural environment, living environment, economic activities, open space/parks and public services/facilities. These Goals and Policies establish the general direction for future development in the Kirkland area.

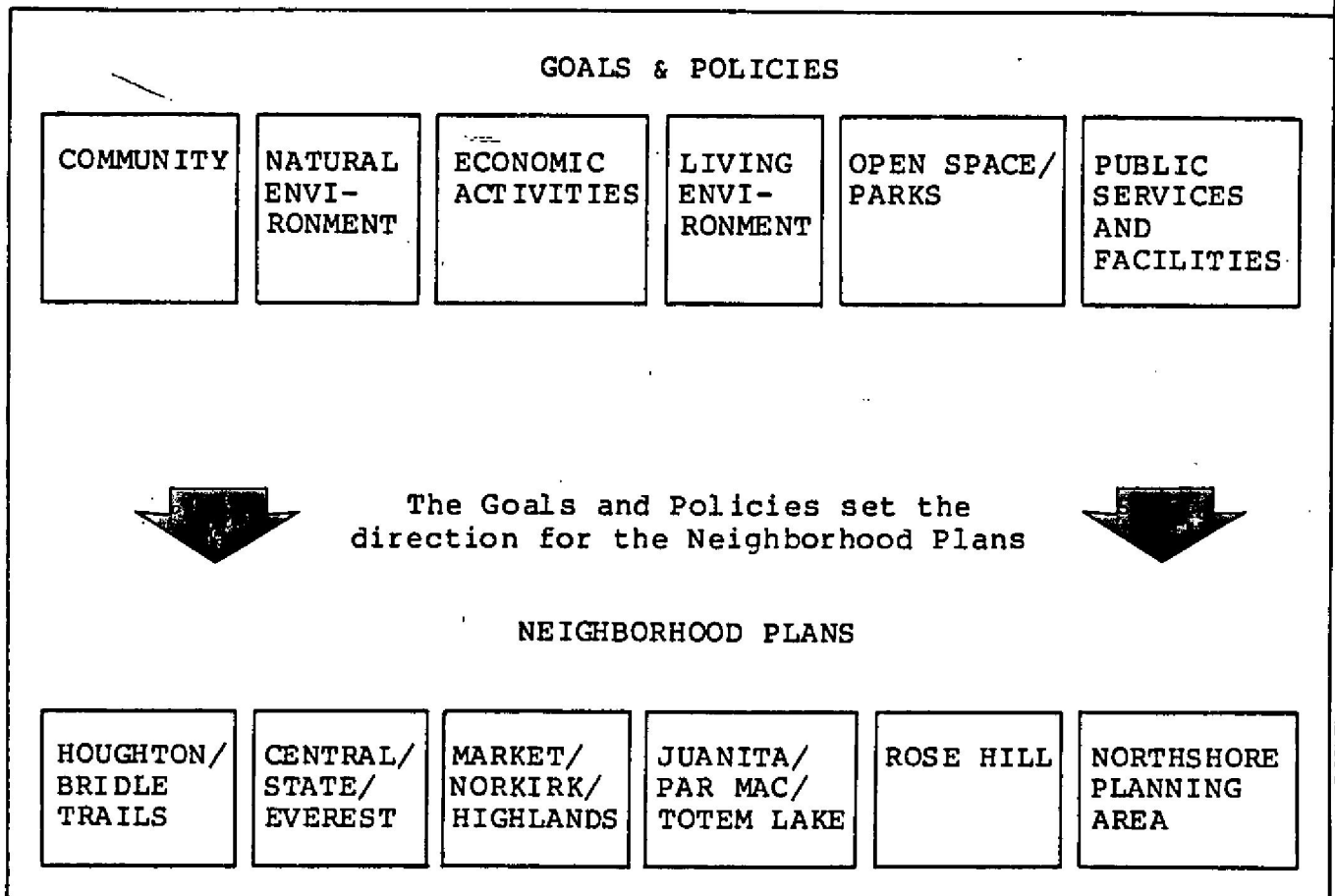
Since adoption of the Land Use Policies Plan in May 1977, individual Plan amendments have been made as part of an on-going process to keep the Plan current. Over time, the Plan was amended with greater frequency. In 1984, the City Council with the recommendation of the Planning Commission directed that the Land Use Policies Plan be comprehensively reviewed.

The Land Use Policies Plan also includes Neighborhood Plans. These Neighborhood Plans are an application of the planning direction set in the Goals and Policies to a specific geographic area. The relationship of the Goals and Policies to the Neighborhood Plans is illustrated in Figure 1.

These Plans are also a reflection of localized conditions such as existing zoning, development, utilities, roadways and natural features. The Neighborhood Plans provide a way to relate the Policy statements to identified portions of the City and describe how development codes could be modified to implement the Plan.

The City has been divided into five neighborhoods based on identifiable areas and usually bounded by major roadways. These neighborhoods are not considered traditional self-contained living, shopping and employment units but areas with similar characteristics which could be analyzed and reviewed by not only the Land Use Policy Plan Commission but the residents as well. These five neighborhoods are: Houghton/Bridle Trails; Central/State/Everest; Market/Norkirk/Highlands; Juanita/Par Mac/Totem Lake; and Rose Hill (see Figure 2).

FIGURE 1: OUTLINE OF THE LAND USE POLICIES PLAN



The adopted SHORELINE MASTER PROGRAM, FIRE STATION LOCATION PLAN and PARK AND OPEN SPACE PLAN will be included by reference as part of the LAND USE POLICIES PLAN.





FIGURE

**2 THE CITY & ITS NEIGHBORHOODS**

In addition to the five City neighborhoods, the Land Use Policies Plan is intended to apply, where appropriate, to the Kirkland Planning Area. The City is looking beyond its corporate limits and planning for possible growth factors affecting the greater Kirkland area. The Kirkland Planning Area is generally bounded on the north by NE 145th Street; on the east by 132nd Avenue NE; on the south by Bridle Trails State Park and State Sign Route 520; and on the west by Lake Washington. For ease in review, the northern portion of this area is defined as the Northshore Planning Area and the unincorporated lands to the east of the City are within the Rose Hill Neighborhood.

The following intentions concerning the format of the Land Use Policies Plan should be understood by the reader:

- (1) Associated with each Goal and Policy is discussion which provides information about the Goal or Policy as well as additional interpretive material. The Goal or Policy and associated discussion are to be read as a unit. Words with a specific meaning in the Plan are defined in Appendix 6.
- (2) The Neighborhood Plans are based on the Goal and Policy statements. If there is no specific direction for a proposed development action in a Neighborhood Plan, the reader should review the Goals and Policies for direction.
- (3) Each Neighborhood Plan contains a set of maps describing land use, natural elements, open space/parks, vehicular circulation, urban design and other information requiring graphic representation. These maps are to be considered a visual interpretation of the Goals, Policies and Neighborhood Plan narratives. However, where there is discrepancy between the maps and the narrative, the narrative will provide more explicit direction.
- (4) The Goals, Policies and Neighborhood Plans will require updating on a periodic basis. The Plan should be updated as specific policies and development standards lose their relevancy to changing City or neighborhood conditions. As the Plan is amended, zoning and other development regulations will require modification to reflect the appropriate Goals, Policies or development standards.

COMMUNITY  
GOALS AND POLICIES

DISCUSSION

COMMUNITY

Goal 1:

To manage growth in such a way as to maintain Kirkland as a balanced community with a unique identity.

Kirkland has long been a residential community. The desire to maintain quality residential areas is a widely held value. This Goal supports maintenance of Kirkland as a residential community. However, as Kirkland has grown it has also become a desirable place to do business, and since the 1960's, has experienced a surge of multi-family development. Single family residential areas, business activities and multi-family development along with many parks, schools and other public facilities have all shaped Kirkland as we know it today. It is the maintenance and balance of all uses which creates the overall character and quality of the City.

Policy 1.1

Kirkland's single family residential character should be maintained and enhanced with a diverse mix of compatible land uses and development.

This policy states that single family uses should continue as an important element in the residential character of Kirkland. Business activities and multi-family residences should also contribute to the future form of the City, but in a way that enhances the livability of the community.

Policy 1.2

Community growth should be managed in such a way that overall public benefits exceed public costs.

During Kirkland's early years, when most of the land area was undeveloped, there was comparatively little need for elaborate controls on land use. A broad range of developments could occur without seriously affecting other uses.

COMMUNITY

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## GOALS AND POLICIES

## DISCUSSION

However, as Kirkland's population increased and development continued, an incremental approach toward the development of land became inefficient and inequitable. Today, community growth should be managed in such a way as to avoid conflicting land use decisions; unnecessary public and private sector costs; limiting future opportunities for desirable land uses; or creating conditions that are detrimental to public health, safety or welfare.

URBAN DESIGNGoal 2:

To recognize urban design principles which promote quality development and reinforce the City's identity, and implement these principles in the design of both public and private development.

Kirkland is fortunate to have a quality that most newer communities lack: a strong identity based on a unique physical setting and development pattern.

The Land Use Policies Plan has recognized many urban design principles, such as gateways, views, scenic corridors, historic sites, building scale, man-made and natural landmarks, and pedestrian linkages.

Urban design recognizes that a city's physical setting and man-made patterns collectively form the visual character of a place and the meaning it's citizens attach to it. The product of successful urban design is a "sense of place". Its successful practice protects those features which give character and assures that new development will respect and reflect existing character. By making urban design principles explicit in the Land Use Policies Plan and applying them consistently new development can be shaped to enhance Kirkland's "sense of place".

## POLICIES

## DISCUSSION

Policy 2.1

New development should provide features which contribute to a unifying visual framework for the City.

Unifying features, such as the consistent use of street landscaping, lighting and furniture, and continuity of development character and scale help to create a coherent visual structure. The greater the City's overall visual coherence and organization, the more understandable and pleasing the community image. Kirkland is fortunate that many of these unifying features already exist or have begun to be put in place. The City should strive to develop new unifying features and build upon existing ones.

Policy 2.2

Development should reinforce and visually accentuate natural landforms.

Building forms which emphasize natural landforms clarify city and neighborhood topography and help present a harmonious and pleasing community image. Development that complements topographic form also provides greater opportunities for uninterrupted views.

Policy 2.3

Existing visual, functional, physical and perceptual links to Lake Washington should be maintained and new links created.

Kirkland is extremely fortunate to be located along the shores of Lake Washington. The Lake not only provides valuable recreational and scenic opportunities, it is also the City's principle source of identity. Therefore, every effort should be made to develop new visual, perceptual, functional and physical links to Lake Washington and preserve links that already exist.

## POLICIES

## DISCUSSION

Policy 2.4

Scenic views and view corridors should be created and preserved.

Views that enable one to see the City, Lake Washington, Seattle, and the Olympics, occasionally in one glance, are valuable not only for their beauty, but the sense of orientation they provide. Almost every area in Kirkland has streets which create a corridor framing such views. Views can be easily lost or impaired and it is almost impossible to create new ones.

Policy 2.5

Gateways to Kirkland by land and water should present a quality image that reflects the City's unique identity.

The City's gateways, which are the primary entrances delivering people into and out of Kirkland by land and water, serve several important functions which contribute to a person's visual impressions and understanding of the community. Gateways serve to: (1) introduce travelers to the community; (2) provide the transition from "outside" to "inside" the City; and (3) inform the traveler about the nature of the community. Gateways can communicate the City's origins and history, economic base, physical form and relation to the natural setting. Therefore, it is important that the gateways to Kirkland present a quality image that realistically reflects Kirkland's unique characteristics.

Policy 2.6

Sign systems that effectively present public information and equitably regulate private information while protecting Kirkland's visual character should be developed and implemented.

Signs present needed information about public facilities such as bus and bicycle routes, municipal parking lots and City offices, as well as inform the public about private establishments. Sign systems that guide and regulate the presentation of information should allow for the basic underlying difference between public and private signs. The primary function of public signs is to present

## POLICIES

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information about the location and quality of public facilities and services. The primary function of private signs is to identify a business and a secondary function is to advertise a good or service.

Policy 2.6a

A standardized graphic sign system which presents public information in a clear and concise fashion should be developed and implemented.

A sign system which structures the presentation of public information should consist of a standardized graphic system of signs serving two functions. First, they should present information in a clear and concise manner. Second, they should enhance the visual landscape and contribute positively to the image of the community.



International symbols may be used for public signing

Policy 2.6b

A sign system that permits businesses adequate visibility while preserving Kirkland's visual character should be developed and implemented.

Private business signs may be larger and more visually prominent than public information signs, yet their placement and design should also respect the community's visual character and identity. By their nature, such signs are prominent in the landscape and thus merit special attention by both business and local government.



## POLICIES

## DISCUSSION

Signs that are incorporated into the development contribute to a coherent visual whole and should receive as much design and budgetary consideration as the other site development components. Signs that are out of scale, project beyond other development components, are visually unconnected to structures or the site, and appear temporary or visually chaotic should be prohibited. Existing signs that exhibit these characteristics should be eliminated. Regulations for both existing and proposed signs should be consistently and uniformly applied to provide equity and protect the community's visual character and identity.

Policy 2.7

Land use and urban form should be regulated according to unique characteristics that define identifiable districts within the City.

There are many factors which influence the type and degree of development regulation. Such factors include environmental considerations (topography, drainage, vegetation, open space and soils/geology); the adequacy of existing utility service; the character of surrounding development; the long-term commitment of resources; and the impact on the local economy. Different combinations of these factors help form the special characteristics that describe identifiable districts in Kirkland. Development should be regulated according to a district's unique character. This policy promotes the preservation of existing development and the design of complementary new development that contributes to a district's character.

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## DISCUSSION

Policy 2.7a

Districts with uniform development characteristics should be established and preserved where continuity and consistency of development character is desirable.

Traditionally, development regulations have attempted to avert conflict by segregating development types into districts with relatively uniform development characteristics. In many areas of Kirkland, this approach appears to be a reasonable and effective method for regulating development.

Policy 2.7b

Special districts should be created in areas where a combination of different development types is desirable. Performance standards should be formulated for each special district to insure compatibility among development types, and to enhance the unique characteristics of the district.

In other portions of Kirkland, it may be possible and desirable to have several different types of development located relatively close to each other. Such a blending of development types could help reduce the apparent dependency on the automobile, and provide greater opportunities for innovative development. However, this type of diversity in development must be carefully regulated according to specific performance standards to insure compatibility among development types, and preserve and enhance the district's unique characteristics.

Policy 2.8

Public capital projects should implement the urban design principles expressed in the Land Use Policies Plan.

The use of public rights-of-way and City owned property for capital projects offers an excellent opportunity to realize urban design objectives in highly visible projects. It also enables the City to lead by example.

## GOALS AND POLICIES

## DISCUSSION

Policy 2.9

Urban design principles expressed by the Goals and Policies should be translated to neighborhood specific urban design standards where appropriate in the Land Use Policies Plan.

The primary purpose of the Land Use Policies Plan is to establish both city-wide and neighborhood specific land use patterns and development standards. The land use patterns and development standards described in each Neighborhood Plan are based on the Goal and Policy statements. Urban design principles articulated in the Goals and Policies of the Plan are based on an inventory of the City's urban design attributes. These urban design principles should be translated to neighborhood specific urban design standards where appropriate.

HISTORYGoal 3:

To preserve and enhance Kirkland's historic identity.

Kirkland is fortunate to have a quality that new communities lack - a long history and remaining artifacts of earlier times. This not only provides interest, but a feeling of historical continuity and a sense of place as well. These are important values deserving of protection and enhancement.

Policy 3.1

Structures that deserve protection and enhancement should be identified.

Although age is an important factor in determining a structure's historical significance, other factors, such as architecture, location and relationship to notable persons or events of the past are also important. With its adoption in 1977, the Land Use Policies Plan recognized the significance of a number of historic structures, including the Peter Kirk and Sears buildings on Market Street, the old ferry clock near Lake Street, the Nettleton house on State Street, and the Marsh, Shumway and Kirtley houses

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along Lake Washington Boulevard. Two other historic structures, the French and Sutthoff houses, were recently moved near the southern end of Lake Washington Boulevard. Other historic structures are located throughout the City.

Policy 3.2

Incentives to promote historic preservation should be established.

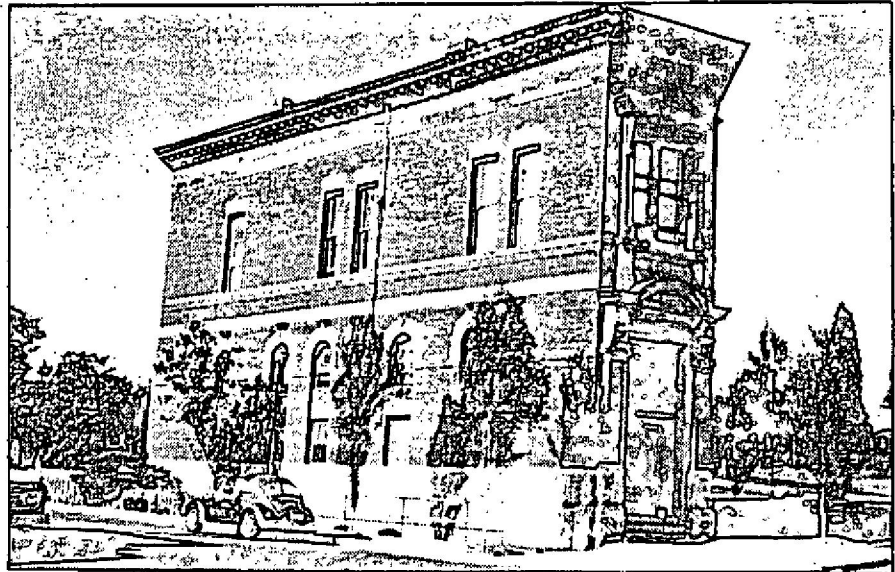
Restoration and maintenance of historic structures can be a costly undertaking that may not be economical under normal circumstances. Governmental regulations can contribute to this situation by establishing strict building and zoning requirements. In many cases, these requirements cannot be met by older structures without altering historic features or incurring substantial expenses for reconstruction. Eliminating or reducing requirements could provide a powerful incentive for preservation. Allowing a greater than usual range of uses within historic structures would be a particularly effective incentive.

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Care must be taken, however, to ensure that uses within and improvements to historic structures are compatible with the surrounding neighborhood. Non-residential uses in the middle of a single family residential area, for example, would probably be inappropriate, while historic structures located on arterial streets, at neighborhood boundaries, or near other non-residential uses may be suitable for such uses.

(This photo will be replaced with a new one.)



Renovated Joshua Sears Building

## GOALS AND POLICIES

### Policy 3.3

Alteration of historic structures should be limited to maintain the integrity of significant historic features.

## DISCUSSION

Although the use of incentives to promote historic preservation is preferred, it also may be necessary to regulate the alteration of historic structures to ensure that their historic features are maintained. Regulations, however, should be reserved for those structures specifically designated by the City Council.

## ENERGY

### Goal 4:

To promote the efficient use and conservation of energy and resources in the location, design and maintenance of new development.

The City should encourage efficient use of remaining land resources. The City should also promote the design and maintenance of new development that demonstrates efficient use of resources other than land and all forms of energy. City-wide coordination of development may also permit savings in fuel consumption by creating opportunities for more efficient methods of transportation. These opportunities include convenient pedestrian/bicycle trails, enhanced transit service, and shorter automobile travel distances.

### Policy 4.1

Public and private development should be designed to: minimize the consumption of energy and resources; reduce the amount of impervious surfaces, utilities, and other support facilities; and increase usable open space.

Innovative site designs provide another means of increasing the efficiency of resource utilization. Typically, a cluster development requires fewer miles of roads and utility lines than conventional "cookie cutter" subdivision patterns. Furthermore, clustered developments provide open space in usable aggregates, rather than distributing such spaces inefficiently as side yards and setbacks in conventional subdivisions.

## GOALS AND POLICIES

## DISCUSSION

Policy 4.2

Land use patterns should be established which reduce the demand for transportation, utilities and other support facilities.

Innovative designs and development standards for public facilities and utilities also provide ways to increase efficiency in the use of energy and resources. For example, reduced street widths and the reuse of public buildings where appropriate are both methods for reducing resource and energy consumption.

A community's overall land use pattern can have a significant impact on automobile travel distances, the demand for transportation and utility services, and other support facilities. A land use pattern which minimizes these impacts should be promoted without altering desirable neighborhood characteristics.

IMPLEMENTATION AND COORDINATIONGoal 5:

To provide a rational and equitable basis for planning, managing and regulating community growth.

The intent of the Goals and Policies of the Land Use Policies Plan is to establish a rational and equitable basis for dealing with increasingly complex land use issues. Various restrictions on development may be necessary in order to protect and promote the legitimate public interest in land use.

Policy 5.1

The Land Use Policies Plan should be evaluated and updated periodically to insure that the concepts contained in the Plan continue to provide proper guidance for subsequent land use planning, management and regulations.

The Land Use Policies Plan attempts to address issues covering a five to ten-year time span. The development of a community, however, is a dynamic process. Unforeseen events may make portions of this document obsolete or inappropriate. In order to maintain the viability and usefulness of this document, the Land Use Policies Plan should be evaluated and amended periodically to provide guidance in

## POLICIES

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Policy 5.2

Existing codes, ordinances, and other regulations should be regularly reviewed to insure conformity with the Goals and Policies contained in the Land Use Policies Plan. The Plan is to be utilized in the decision-making process when reviewing development actions.

land use matters. Change should be considered for logical geographic areas and not on a site-by-site basis.

Specific land use decisions are governed by the zoning Ordinance, Subdivision Ordinance, Building Codes, and other City regulations. These land use regulations must be consistent with the Goals and Policies in the Land Use Policies Plan. It is anticipated that land use regulations will be modified occasionally in response to short-term changes within the community. These modifications must conform with the spirit and intent of this document.

Policy 5.3

An opportunity should be provided for effective public participation in updating the Land Use Policies Plan.

Public participation in updating the Land Use Policies Plan is a necessity if the Plan is to be useful and responsive to citizen concerns. Participation can follow the conventional format of public hearings or more innovative formats such as workshops, advisory committees, task forces, and community-sponsored meetings. Effective participation is also valuable in building citizens' confidence that they have a voice in determining the policies that help govern land use decisions within Kirkland.

Policy 5.4

Development along Lake Washington's shoreline should be consistent with the goals, policies, and use regulations contained in the Shoreline Master Program.

Lake Washington's shoreline provides a unique amenity for the City. Increasing demands for shoreline uses are likely to surpass Kirkland's remaining supply of undeveloped and underdeveloped shoreline land. Kirkland's Shoreline Master Program outlines priorities and limitations for development along Lake



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Washington. The intent of this Policy is to acknowledge the interrelationship between the Land Use Policies Plan and the Shoreline Master Program, which has been formulated pursuant to the Shoreline Management Act of 1971.

Policy 5.5

Developers and all governmental entities should be required to provide adequate and accurate information regarding economic, social, environmental and physical impacts generated by proposed development.

The development of one parcel of land is not a totally independent action. Such development may have a direct effect on neighboring lands, or may have indirect effects on traffic patterns, economic development, natural systems, or the demand for public services and facilities. These issues should be considered prior to decisions on proposed developments. It should be the developer's responsibility to provide adequate and accurate information regarding such potential impacts. In cases where a governmental entity is proposing development, the governmental unit must also meet these requirements and responsibilities. The costs for providing this information, such as environmental assessments or impact statements, is to be borne by the developer. The City, when requiring such information, may select an independent consultant to undertake such actions. However, it is the responsibility of the City to assure that the content and breadth of the information is adequate. The procedures for implementing this Policy should conform to adopted guidelines of the State Environment Policy Act.

## POLICIES

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Policy 5.6

Working with King County the Goals and Policies and other relevant portions of the Land Use Policies Plan should be implemented within the Kirkland Planning Area.

The Goals and Policies, as well as other relevant portions of the Land Use Policies Plan, are considered as the basic development guidelines for the Kirkland Planning Area. The Planning Area is bounded by N.E. 145th Street on the north, 132nd Avenue N.E. on the east, Bridle Trails Park and SR 520 on the south and Lake Washington on the west.

The Planning Area has been recognized as a logical area for planning purposes by the King County Boundary Review Board. The Land Use Policies Plan contains standards that should be used to direct future development activity for this area, particularly those portions likely to be annexed.

Policy 5.7

Kirkland's land use policies and regulations should be communicated to the King County Assessor's Office in order to insure that assessment decisions do not conflict with land use decisions.

Land use regulations can influence the value and development potential of private property. As a result, land use regulations may also affect property taxes. In order to foster equitable taxation of property, Kirkland should inform the King County Assessor of local land use practices which have a bearing on property values and development potentials.

Policy 5.8

Planning and development decisions should be coordinated with governmental agencies having jurisdictional or other direct interest in land use matters.

In many cases, land use decisions within one jurisdiction may have an effect on other governmental agencies and jurisdictions. For example, a large-scale development in Kirkland may be of direct concern to neighboring communities, the School District, Water District, Fire District, Hospital District, Sewer District and other affected public agencies. On the other hand, a large-scale development in a neighboring jurisdiction may have impacts which would be of direct concern to Kirkland. In cases where

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development involves lakes, streams, or wetlands there may be additional concern from the Army Corps of Engineers, the Department of Ecology, the Environmental Protection Agency, and other affected state and federal agencies.

Policy 5.9

Kirkland, King County and other local jurisdictions should work cooperatively to resolve regional issues which affect the management of growth within the Kirkland Planning Area.

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Regional land use issues affecting the Kirkland Planning Area, King County and other local jurisdictions should be resolved collectively. Regional issues, such as population and employment growth, transportation, utilities, drainage, water quality, open space, recreation and urban design can be resolved most effectively through cooperative action between Kirkland, King County and other local jurisdictions.

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NATURAL ENVIRONMENT

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## NATURAL ENVIRONMENT INTRODUCTION

Land should be viewed as a finite resource to be carefully planned and managed. This does not imply that land in urban areas should be maintained forever in an entirely natural state. It suggests that the use of land should reflect inherent natural characteristics. Development should be located and designed so that it will not have significant adverse effects on the natural environment.

Much of the land in Kirkland is well suited for a variety of land uses. In natural constraints areas (areas with natural hazards, amenities or utilitarian functions) reasonable limitations on development may be needed to avert possible risks to life and property, and damage to the natural environment.

By evaluating natural features and systems prior to making basic land use decisions, it is also possible to reduce potential risks to life and property. For example, landsliding is a natural hazard which may be accelerated by development on or near steep slopes. Another common occurrence is uneven settlement in wetland areas. Based on environmental analysis, development could be designed and located in ways which reduce the likelihood of damage due to natural hazards. Risks to life and property could be reduced, and problems and costs associated with the rehabilitation of disrupted areas could be minimized by reasonable limitations on development.

Many hazards in natural constraint areas may be provoked or aggravated by development, especially as the concentration of development increases. Figures 5 and 6 broadly identify those areas which may pose potential problems for development. More detailed information about landforms, geology, soils, vegetation, climate, and hydrology for the Kirkland Planning Area can be found in a 1970 report entitled Land: Natural Elements.

Natural features and systems, including landforms, wetlands, streams, lakes, ground water, vegetation and open space are inherently valuable to the community because they provide irreplaceable amenities and perform vital utilitarian functions. Natural landforms and vegetation, for example, provide valuable community amenities. Natural landforms form the visual foundation of the City, and therefore, are an important aspect of the City's form and identity. Vegetation accentuates natural topography, provides a sense of visual unity and helps define community districts and neighborhoods. Vegetation also performs important utilitarian functions by stabilizing hill-sides, reducing erosion and intercepting rainfall before it becomes surface runoff.

In the past, those portions of Kirkland that possess unique natural features or perform utilitarian functions were passed over for land more suitable for development. With approximately two thirds of the City's total land area developed, these areas have become attractive to developers. Development may occur in these areas, but the environmental impacts of development must be minimized to the greatest extent possible. Such impacts include the disruption of subsurface drainage, loss of unique areas of vegetation, damage to fish and wildlife habitat and significant alteration of the natural landscape.

The following considerations stem from the impact of development on the natural environment:

- A. Recent legislative and judicial actions place responsibility on the City to create workable decision-making and administrative procedures for evaluating development impacts and alternatives.
- B. As growth has occurred in the community, many areas with potential natural hazards were bypassed for land more suitable for development. As the suitable areas were committed to use, the hazardous areas became more susceptible to development.
- C. Developers have also found it desirable to construct buildings in areas with natural amenities and utilitarian functions, for example slopes with views, areas of extensive vegetation, wetlands, open space, and areas adjacent to streams. In many cases these areas also possess natural hazards.
- D. Since development is expanding into natural constraint areas, additional analysis of environmental impacts has become necessary on a case-by-case basis. A more comprehensive approach to this matter could reduce administrative costs associated with case-by-case impact analyses.
- E. Poorly planned urbanization often creates a dramatic increase in the total volume and velocity of surface runoff. Expensive capital improvements are often necessary to control urban drainage.
- F. Public expenditures are sometimes required to "mop up" after flooding, landsliding, and other natural mishaps. In some cases, the damages are of natural origin and cannot be avoided. Many times damage could be reduced by reasonable controls on development.
- G. There may be hidden costs to individuals who develop or purchase property without knowing about problems associated with potentially hazardous features such as slippage, poor drainage, or irregular settlement.

The Goals and Policies in this section emphasize regulatory methods for dealing with development in natural constraint areas. Development in such areas should conform to standards which are more strict than the standards which apply in areas where natural constraints do not exist.

In cases where development is permitted in natural constraint areas, such developments should be designed in harmony with the natural environment. In other words, development should strive to respect natural processes and features rather than "overcome" natural constraints. This approach attempts to protect the public health, safety, and welfare by averting potential problems associated with development.

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NATURAL ENVIRONMENT  
GOALS AND POLICIES

DISCUSSION

ENVIRONMENTAL QUALITY

GOAL 1

To recognize the significant role natural features and systems play in determining environmental quality.

The quality of the natural environment is an extremely important issue to many community residents. Not only is environmental quality important to basic health and safety, it also contributes to the overall image people develop about their community. The status of Kirkland's natural features and systems plays a significant role in determining the City's environmental quality.

Policy 1.1

Environmental quality should be maintained or improved by insuring that land uses conform to applicable standards dealing with air quality, water quality, noise levels, and other measures of environmental quality.

Urban land uses should be managed to insure a high standard of environmental quality. Careful management would prevent adverse impacts to environmental quality such as air pollution, water pollution, noise pollution, solid waste disposal, or other forms of environmental degradation. The intent of this Policy is to insure that land use decisions in Kirkland conform to established standards of environmental quality.

Policy 1.2

Development in natural constraint areas should be regulated to insure environmental quality and avoid unnecessary public and private costs.

Development in natural constraint areas has an impact on environmental quality and may generate needless public and private costs. Development in natural hazard areas may create unnecessary costs associated with landslides, flooding, uneven settlement, erosion, disrupted sub-



## GOALS AND POLICIES

## DISCUSSION

surface drainage, and other natural hazards. Public and private costs are also incurred from development in areas with natural amenities and utilitarian functions that damage significant habitats, unique landforms, special areas of vegetation, scenic open space, water quality, natural hydrology and significant cultural sites. The purpose of this Policy is to regulate and in some cases restrict development activity to insure a high standard of environmental quality, and prevent undue costs to surrounding property owners and the City.

NATURAL AMENITY AND  
UTILITARIAN FUNCTION

Goal 2:

To maintain and enhance the aesthetic, biological, cultural, and utilitarian characteristics of the natural environment.

The natural environment provides many valuable amenities to the City, such as community identity, scenic landscape, biologically significant habitat for fish and wildlife, and unique areas of vegetation. Cultural experiences, including educational opportunities and possible anthropological discoveries are also provided by the natural environment. In addition to amenities, the natural environment performs a variety of utilitarian functions. Surface and groundwater transport, storage and filtering are vital utilitarian characteristics of the natural environment.

## POLICIES

## DISCUSSION

Policy 2.1

Natural landforms, vegetation, scenic areas and open space which contribute to the City's identity and visually define the community, its neighborhoods and districts should be preserved or rehabilitated.

Natural landforms such as hills, ridges and valleys are valuable because they provide topographic variety, visually define districts and neighborhoods, and give form and identity to the City. Open space and areas of natural vegetation are valuable because they accentuate natural topography, define the edges of districts and neighborhoods, provide a unifying framework and natural contrast to the City's streets, buildings and structures. Vegetation also furnishes food and habitat for fish and wildlife populations, particularly in shoreline, wetland and many watercourse areas.

Several areas within Kirkland contain unique natural features including significant stands of trees and natural vegetation, unique landforms, scenic open space and vistas. In many cases, development activities including structures or facilities designed to correct other environmental problems, may damage these natural amenity areas. Wherever possible, unique natural features should be preserved or rehabilitated. Should areas with unique natural features be incorporated into new development or rehabilitated, great care should be taken to insure these areas are not damaged or adversely altered. The intent of this Policy is not to prohibit development, but to regulate development activities so that they do not destroy the inherent values of the natural landscape.

## POLICIES

## DISCUSSION

Policy 2.2

Natural features and systems that are biologically significant or provide significant habitat should be preserved, rehabilitated or enhanced.

Many watercourses, wetlands, small bodies of water and other natural amenity areas within Kirkland are biologically significant or provide significant habitat for fish and wildlife populations. Development occurring in these natural amenity areas may cause biological damage. Therefore, when development occurs, every effort should be made to preserve, rehabilitate or enhance biologically significant areas. Should biologically significant areas be incorporated into proposed development, rehabilitated or enhanced, great care should be taken to prevent disruption of significant habitats. This policy's intent is to regulate, and in some cases prohibit development activities to prevent destruction of significant natural habitat.

Policy 2.3

Areas of recognized educational or anthropological significance should be identified, and development should be regulated to prevent damage to these areas.

Natural areas and systems in Kirkland also provide opportunities for educational experiences and possible anthropological discoveries. Should an area contain a significant anthropological discovery or educational opportunity, every effort should be made to make this cultural asset accessible to the community without damaging the area. Whenever possible, natural amenity areas possessing significant cultural assets should be preserved or incorporated into new development. The intent of this Policy is to regulate development activity to prevent damage to these natural amenity areas.

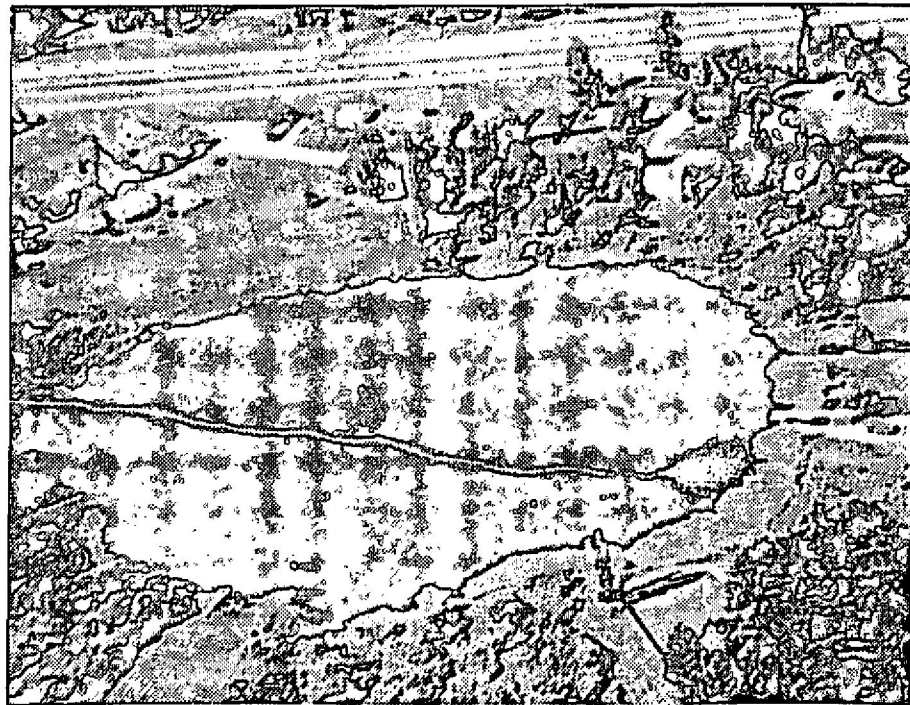
## POLICIES

## DISCUSSION

Policy 2.4

The functional integrity of watercourses, groundwater, wetlands and small bodies of water should be maintained or improved by regulating land surface modifications and other development activity.

Wetlands, watercourses, groundwater and small bodies of water provide storage and transport functions for surface runoff following periods of rainfall. These areas also act as traps for sediment and other materials carried in the water. Indiscriminate modifications to wetlands, watercourses, small bodies of water, subsurface drainage, or associated natural areas could disrupt these functions and cause problems for surrounding property owners or water users. Such problems include flooding; water quality degradation; sedimentation or erosion. Land surface modifications and other development activity should be regulated to avoid the above problems. Regulation may result in strict limitations on development activity.



Forbes Lake from the Air

## GOALS AND POLICIES

## DISCUSSION

NATURAL HAZARDSGoal 3:

To protect life and property from floods, landslides, erosion, uneven settlement, and other hazards caused by disturbing the natural environment.

Landslides, flooding, severe erosion, uneven settlement, and other hazards caused by disturbing the natural environment may pose significant risks to life and property. It is the intent of this Goal and associated Policies to identify and minimize the risks to life and property posed by development in natural hazard areas.

Policy 3.1

Development should be managed according to the severity of natural hazards in order to reduce risks, and minimize damage to life and property.

The intent of this Policy is to limit development activities which may create risks to life and property resulting from landslides, flooding, severe erosion, uneven settlement, and other natural or development-induced hazards. Risks also include potential damage to public facilities and utilities. Figure 3 generally outlines those portions of Kirkland that pose, or may pose, risks to life and property. Other areas may also present risks to life and property.

This policy emphasizes a regulatory approach to development in natural hazard areas. Development should be regulated according to the severity of natural hazards with the possibility of strict limitations on the scale and location of proposed development. In some cases, individual development proposals may be feasible in natural hazard areas. However, the proliferation of such development may aggravate potential natural hazards.

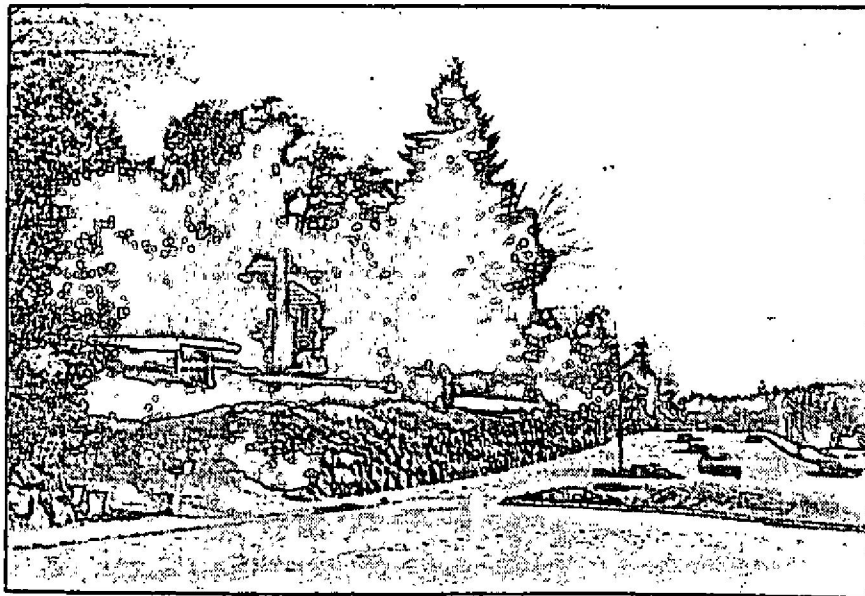
## POLICIES

## DISCUSSION

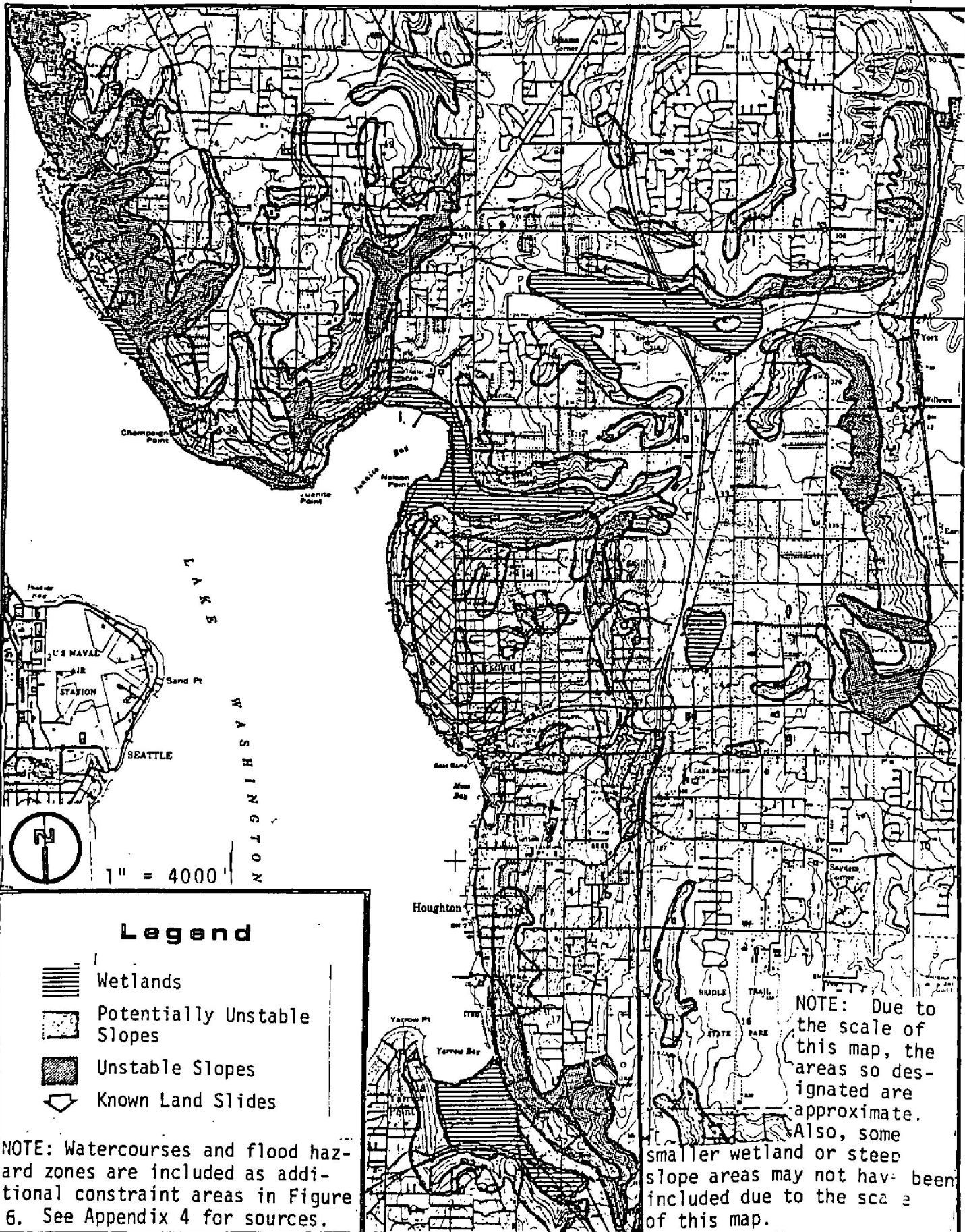
Policy 3.1a

Development should be regulated: (1) on unstable and potentially unstable slopes; (2) in and adjacent to watercourses and wetlands; (3) in areas where uneven settlement could occur; and (4) in other areas where resulting damage to life and property is possible (see Figures 3 and 4).





Geologic and soils information indicate that landslides are highly probable in some steep slope areas, regardless of development activity. These areas have been designated as "unstable slopes" in Figure 3. Damage resulting from landslides may include loss of life and property, disruptions to utility systems, or blockage of transportation corridors. For these reasons, development should be regulated in areas where landslides are likely. In some cases, regulation may result in severe limitations to the scale and placement of development.



*View of the Houghton Slope*



### Legend

-  Wetlands
-  Potentially Unstable Slopes
-  Unstable Slopes
-  Known Land Slides

NOTE: Watercourses and flood hazard zones are included as additional constraint areas in Figure 6. See Appendix 4 for sources.

NOTE: Due to the scale of this map, the areas so designated are approximate. Also, some smaller wetland or steep slope areas may not have been included due to the scale of this map.

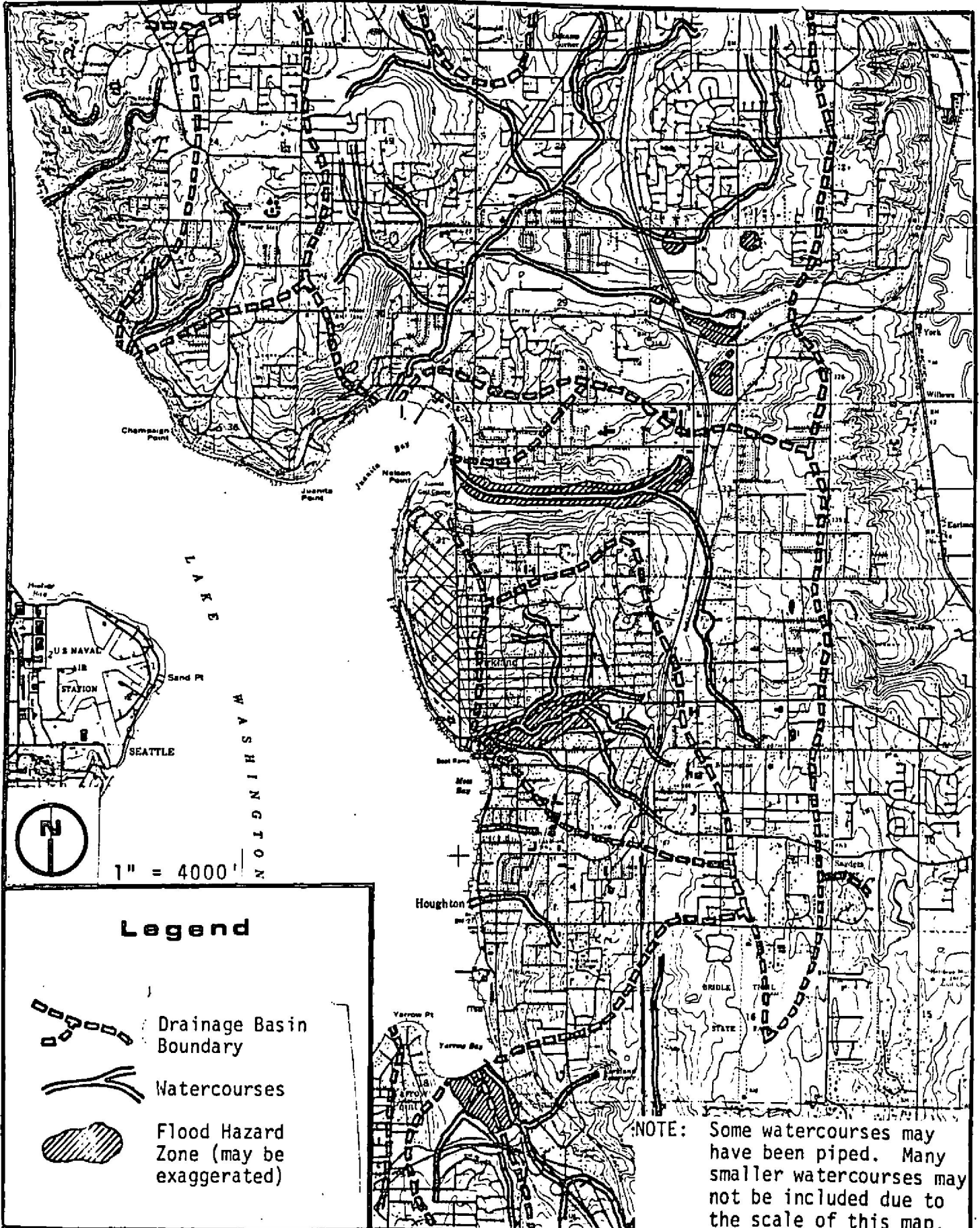


FIGURE 4

# DRAINAGE BASINS AND WATERCOURSES



## POLICIES

## DISCUSSION

Structures located near large watercourses may be subject to flooding, may alter the natural drainage pattern, or cause water quality degradation. New development should be regulated with the possibility of severe limitations on the scale and placement of structures in identified flood hazard areas. Furthermore, natural drainage patterns should be protected by requiring that structures be set back from the high water line of all watercourses. The purpose of this setback is to preserve watercourses, their banks and associated vegetation. It should be recognized that irreversible development commitments have been made in certain flood hazard areas, for example the Central Business District, and that strict flood zone regulations would be impractical in such cases.

According to recent earthquake hazard evaluation studies of the Puget Sound area, possible damage to structures on some unstable slopes or wetland areas can be caused by low intensity tremors. This is especially true when hillsides composed of clay and/or organic materials are saturated with water. Slopes with grades of 15 per cent or steeper are also subject to seismic hazards. Low intensity earth tremors could cause liquefaction and damage development in wetland areas composed of organic or alluvial materials. In hillside and wetland areas described above, structures and supporting facilities should be regulated and designed to minimize hazards associated with earthquakes.

## POLICIES

## DISCUSSION

Watercourses, wetlands and unstable slopes can impact adjacent property with flooding, erosion, siltation, landslides and other hazards created by disturbing the natural environment. Considering these associated impacts, it is important to manage hillsides and drainage systems as a functional unit reflecting natural hazards, associated impacts and other factors.

Uneven settlement, causing possible structural failure), may result if development occurs in wetland areas that are incapable of adequately supporting the weight load. Uneven settlement may disrupt gas, water or sewer lines, thereby creating additional hazards. In some cases, these problems can be mitigated by appropriate design and construction techniques, however, such techniques are usually quite costly.

Some natural hazard areas may be naturally stable if left undeveloped. Development activities in or adjacent to such areas may provoke environmental problems. For example, landslides may be provoked by grading operations, land clearing, irrigation, or the load characteristics of buildings on hillsides. Similarly, drainage or uneven settlement problems may be induced by development activities in wetland areas or adjacent to small watercourses. In these potentially unstable areas, development should be regulated to minimize the likelihood of damage. Regulation may result in severe limitations to the scale and placement of development. Regulation could take the form of site design requirements, structural standards, erosion control measures, vegetation removal plans, reduced

## POLICIES

## DISCUSSION

densities or other measures to prevent risk to life and property.

This policy should not be construed to prohibit the routing of utility trunk lines through steep slope areas or wetlands to service areas beyond. Utility trunk lines may be routed through these areas provided that (1) no other reasonable route exists; (2) no tie-ins are made to the trunk line at a later date; (3) the area is restored to a state approximating its original condition; and (4) all environmental constraints are taken into account in the design and construction of such lines.

Policy 3.2

Land surface modifications that would create unnecessary erosion, undermine the support of nearby land, or unnecessarily scar the landscape should be restricted.

Natural processes transcend the artificial boundaries of property ownership and City limits. Land surface modifications at one site may create problems for owners of nearby land. The intent of this Policy is to prevent land surface modifications which undermine, weaken, or deprive of support other land in the vicinity. Furthermore, such modifications should not induce changes in surface or subsurface drainage that would adversely impact lands in the affected drainage basin.

## GOALS AND POLICIES

## DISCUSSION

Policy 3.2a

Land surface modifications in natural hazard areas should be limited to the smallest extent necessary for reasonable development.

Problems associated with erosion, sedimentation, drainage, landslides or other adverse impacts caused by disturbing the natural environment can be created or aggravated by land surface modifications in natural hazards areas. Such problems can be reduced or avoided by limiting land surface modifications to the smallest extent necessary for reasonable site development. The maintenance of adequate vegetation is especially important in reducing erosion, stabilizing hillsides, and drainage control.

Policy 3.2b

Existing vegetation should be preserved to the greatest extent feasible. In cases where development necessitates the removal of vegetation, a comparable amount of landscaping should be required to replace trees, shrubs, and ground cover removed during development.

Vegetation plays an important role in reducing erosion, stabilizing hillsides and stream banks, and intercepting rainfall that would otherwise become surface runoff. For these reasons, unnecessary removal or destruction of vegetation should not be allowed. In cases where development necessitates the removal of vegetation, every effort should be made to replant appropriate and adequate vegetation as soon as possible.

IMPLEMENTATIONGoal 4:

To require special development procedures for development in natural constraint areas.

Although risks to life and property or damage to unique natural features are encountered in the development of natural constraint areas, the type and degree of risk or damage may vary from site to site. Due to these highly variable conditions, some degree of interpretation is needed in the decision-making process.

## POLICIES

## DISCUSSION

Policy 4.1a

Developers should be required to provide site-specific environmental information to identify possible on and off-site problems and methods for mitigating undesirable impacts.

In natural constraint areas, the burden of proof should be on developers to demonstrate that proposed development activities will not pose hazards to life or property, or damage unique natural features and systems. An environmental assessment for development in natural constraint areas would include geologic, soils, anthropologic, biologic, topographic, hydrologic and other relevant data to assess if the proposed development activity significantly affects the quality of the environment. Although natural constraint areas have been emphasized, this Policy does not preclude the need for environmental review or other special review procedures of development in non-constraint areas. The procedures for implementing this Policy should conform to adopted guidelines of the State Environmental Policy Act.

Policy 4.2

Information concerning natural hazards and associated regulations should be available to property owners and prospective property owners.

In order to provide a degree of consumer protection, information regarding potential natural hazards should be available to property owners and prospective property owners. Regulations associated with development in natural hazard areas should also be available to the public.

## POLICIES

## DISCUSSION

Policy 4.3

The City should be indemnified from damages resulting from development in natural constraint areas.

Developers should be held accountable for the accuracy and validity of environmental information submitted to the City. Furthermore, a waiver of damages and an indemnity agreement should be required which releases the City from all liability for damages caused by development-induced changes to the natural environment. Such arrangements between the developer and the City should be made prior to the issuance of a building permit.

Policy 4.4

Fundamental land use decisions should be made prior to the initiation of land surface modifications. With few exceptions, a building permit should be required prior to the issuance of a grading permit.

In the past, land was sometimes cleared, graded, or modified without any indication of the forthcoming type of development. In some cases, development did not ensue because of financial problems, denial of permits or other reasons. Such unnecessary modifications to the landscape are unsightly, and may lead to erosion or drainage problems. The intent of this Policy is to insure that land modifications are directly related to approved development proposals. In a few cases, there may be legitimate reasons for granting a grading permit in the absence of subsequent development, for example park improvements, rehabilitation of streams and wetlands, or landslide protection measures.

## POLICIES

Policy 4.5

Site restoration should be required if land surface modification violates adopted policy or development does not ensue within a reasonable period of time.

Policy 4.6

Commercial or governmental extraction of natural resources should be prohibited unless such operations are incidental to and necessary for other types of approved site development, and do not damage the natural environment.

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## DISCUSSION

Land surface modifications that violate the intent of the Goals and Policies should be corrected through site restoration. Developers should be required to restore the affected sites to a state which approximates the conditions that existed prior to the unwarranted modification. At the very least, developers should be required to restore the site to a safe condition and revegetate areas where vegetation has been removed. To implement this Policy, a bond may be required in conjunction with the issuance of a grading permit.

Kirkland has relatively few resource deposits of commercial significance, except for the possibility of peat and gravel. In the few cases where peat or gravel extraction may be profitable, removal of these materials is not desirable because: (1) residential development has already occurred in the area; or (2) extraction would have significant adverse effects on the natural environment.

Past experience indicates that extraction operations near residential neighborhoods interfere with the rights of residents to enjoy the clean, quiet privacy of their homes. This Policy does not prohibit owners of resource deposits from profitably using their land. Rather, it restricts owners of such land to uses which are compatible with desired community interests, and would not cause damage to the natural environment. This Policy is also intended to prohibit the creation of borrow pits.

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