



CITY OF KIRKLAND
Planning and Building Department
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MEMORANDUM

To: Kurt Triplett, City Manager

From: Adam Weinstein, AICP, Planning and Building Director
Denise Russell, Planning Supervisor

Date: July 2, 2024

Subject: **Approval of Code Amendments Related to Goat Hill Development Moratorium, File No. CAM24-00115**

RECOMMENDATION:

Staff recommends the City Council adopts Ordinance 4879 to amend the Kirkland Zoning Code (KZC) to ensure that development on Goat Hill is reduced and regulated in a way that responds to the substantial access and environmental constraints on the hill. This Ordinance has been recommended for approval by the Planning Commission.

EXECUTIVE SUMMARY:

- Council should adopt Ordinance 4879 to amend the KZC.
- This memo is a summary of proposed code amendments in response to Council's adoption of the Goat Hill Development Moratorium on February 6, 2024, and approval of staff's proposed scope of work for the six-month moratorium study on April 2, 2024.
- The proposed code amendments (**Exhibit A**) are intended to help reduce development impacts on Goat Hill, and further preserve sensitive environmental areas and fragile infrastructure. Staff believes that eliminating the ability to build detached accessory dwelling units, cottages, carriage units, and two/three-unit homes, as well as reducing the allowed size of structures and associated lot coverage, will increase the health, safety and welfare of current and future residents of Goat Hill.
- This memo also includes a white paper with information about potential next steps should Council direct staff to initiate a Road Improvement District to collect funding for infrastructure and access improvements on Goat Hill, along with next steps regarding the exploration of alternative emergency aid vehicles to serve the hill.

BACKGROUND:

Goat Hill Area

On February 6, 2024, City Council adopted an emergency moratorium on the issuance of permits for new dwelling units on Goat Hill, a neighborhood with significant physical and environmental constraints. The purpose of the moratorium is to temporarily halt the development of new dwelling units to allow the City time to evaluate the life, health and safety concerns posed by such development and consider adoption of regulations to mitigate or minimize those concerns.

Development on Goat Hill presents many challenges, including the fact that development generates extra traffic—both immediate construction-related traffic *and* the resulting traffic from additional dwelling units—that is exacerbated by the area's physical constraints. At the same

time, due to code and policy requirements, some construction projects are required to proportionally correct infrastructure deficiencies in Goat Hill, such as by widening roadway frontages and installing modern stormwater systems. Thus, ultimately, the City hopes to benefit the road and drainage system on Goat Hill through incremental improvements required by new development. Thus, the City does not want to halt development on Goat Hill, it wants to responsibly manage development in this unique area.

Although some other areas of Kirkland exhibit similar access constraints, Goat Hill is unique due to its combination of steep topography, limited access, and heightened stormwater and geologic concerns. To date, the City has sought to address these constraints in several ways, including the following:

- the adoption of new City-wide geologic hazard regulations in 2018 that require the preparation of peer-reviewed geologic studies for projects in landslide hazard and/or seismic areas;
- implementing special construction traffic requirements for development projects on Goat Hill;
- purchase of private land for preservation as open space;
- the construction of stormwater management infrastructure to handle runoff and surface water, including a \$3.2 million project initiated in 2019, with construction of phase II starting in April 2024, intended to improve stormwater drainage and slope stability on sections of Goat Hill by slowing and collecting stormwater; and
- the adoption of new threshold levels for Categorical Exemptions issued pursuant to the State Environmental Policy Act (SEPA) in 2022 that require environmental review for projects resulting in the development of five or more dwelling units on Goat Hill. In the rest of the City, environmental review is not required for residential projects unless the development proposes 21 or more dwelling units.

Even considering these previous attempts to mitigate the impacts of development on Goat Hill, serious concerns continue to exist about the ability of Goat Hill to accommodate additional development – including development authorized by the City’s middle housing regulations and new State legislation requiring cities to accommodate increased housing densities.

Moratorium Scope of Work

On April 2, 2024, the City Council held a public hearing on the moratorium and adopted a scope of work for study that included the following tasks:

- Research code amendments to reduce development allowances on Goat Hill in light of the area’s serious physical constraints, including eliminating or reducing allowances for Accessory Dwelling Units (ADUs), cottages, duplexes, and triplexes. Also research possible square footage maximums for new residential units to further reduce adverse development impacts.
- Explore implementation of a road improvement district to allow financing of roadway improvements to benefit Goat Hill.
- Research construction metering to reduce impacts of construction on Goat Hill. This could include metering projects so only a certain number can be constructed within a given time.

- Consider further construction regulations and potentially expanding special construction requirements, such as further limiting hours of construction, requiring special reporting, and possibly increasing right-of-way improvement requirements for new development to better align with the actual impacts of new development in this unique area.
- Consider alternative policies regarding land clearing to avoid construction projects sitting for long periods of time without being developed.
- Explore ways to provide better emergency vehicle access to the furthest reaches of Goat Hill and improve emergency aid and fire department response times.

Of the items listed above, staff recommends not to pursue construction metering on Goat Hill. While construction metering could reduce concurrent construction traffic, we believe it could pose onerous and expensive administrative/monitoring challenges and could cause serious construction schedule delays.

Public Meetings

As noted above, Council adopted the Goat Hill Development Moratorium on February 6, 2024. Council then held a public hearing on April 2, 2024, to finalize the scope of work and reaffirm the moratorium via Ordinance O-4875¹. Several members of the public provided testimony of their experience living on Goat Hill. Comments from Council included a desire to include additional permit fees, the need to assess the structural integrity of roads, desire to establish a complaint line for residents, and a concern that this location is inappropriate for multi-family housing. There was also interest in exploring consolidated package delivery drop-off locations for Goat Hill. While this may help limit truck traffic in the neighborhood, staff found that it cannot be achieved through regulatory measures. Staff is open to working with the community should they be interested in establishing this on their own, though there did not seem to be a high level of support for the idea from Goat Hill residents.

On May 23, 2024, staff provided information to the Planning Commission (PC) covering the reasoning behind the moratorium, status, study topics, and preliminary code amendment ideas².

On June 13, 2024, the PC held a public hearing on the proposed code amendments and heard testimony from community members and developers³. Public comments related primarily to the desire for road improvements in the near term for safety of residents. The Commissioners asked questions and made comments relating to emergency access, the Public Works bonding process, flood area ratio (FAR) regulations, and the idea that multi-family housing is not practical in this specific area. PC unanimously recommended approval of the code amendments to City Council.

Public Outreach

Staff has conducted outreach to local community members, as well as to the development community and other interested stakeholders. A website was created to house information about the moratorium, notice of upcoming meetings, links to other documents and resources, and an email listserv sign-up option for community members to receive project and meeting updates. Staff also posted a large public notice sign at Juanita Beach Park, mailed a notice of the project to Goat Hill property owners, advertised the project on social media, the City's development listserv (comprising property developers and associated design and engineering

¹April 2, 2024 City Council Memo: https://www.kirklandwa.gov/files/sharedassets/public/v/1/city-council/agenda-documents/2024/april-2-2024/6a_public-hearings.pdf

²May 23, 2024, Memo to Planning Commission: <https://kirklandwa.primegov.com/api/compilemeetingattachmenthistory/historyattachment/?historyId=d409df06-617a-4f76-97c8-52fbc193f77b>

³June 13, 2024, Memo to Planning Commission: <https://kirklandwa.primegov.com/api/compilemeetingattachmenthistory/historyattachment/?historyId=8cf85308-4731-4691-af52-c41c6545e2d1>

professionals), and presented amendment concepts directly to the Master Builders Association of King and Snohomish County (MBAKS).

Additionally, staff held two virtual meetings for interested community members, one on March 22, 2024, and the second on May 8, 2024, to review the moratorium, receive feedback, and present details about the proposed code amendments.

Representatives from Montebanc Management LLC (the owner of the site formerly known as the Wu Property, located at the top of Goat Hill adjacent to Juanita Heights Park) also submitted written comments related to concerns that proposed code amendments will decrease property values, increase nonconformances, and hinder opportunities to construct a new access road to NE 124 Street. All public comments received by the City are available on the project website⁴.

DISCUSSION/ANALYSIS:

This section describes proposed changes to both the KZC and adopted City policies to address development constraints on Goat Hill.

Development Regulations

The majority of Goat Hill is zoned Low Density Residential (RSA 4). There are several parcels within the Goat Hill boundary along the eastern entrance zoned Medium and High Density Residential (RMA 3.6 and RMA 1.8), most of which are developed with multi-family residential uses. Since these parcels are at the bottom of the hill, do not make a substantial contribution to traffic uphill, and provide needed multi-family zoning capacity, staff is focusing proposed development regulation changes only on those parcels zoned RSA 4.

Staff proposes to create a new overlay zone chapter in the Zoning Code to house all development regulations specific to Goat Hill (see zoning map in **Attachment 1**). The goal of the code changes is to protect Goat Hill's challenging environment and safeguard the health and safety of its current and future residents. With these goals in mind, staff is proposing to utilize available regulatory tools like lot coverage, floor area ratio (FAR), and density to reduce development impacts as outlined in the table on the following pages.

⁴<https://www.kirklandwa.gov/Government/Departments/Planning-and-Building/Planning-Projects/Goat-Hill-Development-Moratorium>

Proposed Development Regulation Changes

	Existing	Proposed	Rationale
Lot Coverage	50%	40%	This modest reduction in lot coverage would be expected to help preserve existing vegetation/ landforms and aid stormwater infiltration.
Floor Area Ratio	50%	40%	This modest reduction in allowed FAR would incrementally reduce development impacts, along with the transport of construction material up the hill.
Middle Housing (Cottages, Carriage, and Two/Three Unit Homes)	Allowed pursuant to KZC Chapter 113	Not permitted	On Goat Hill (which is located at a distance from services and transit), prohibiting middle housing development could reduce the number of new households moving to the area and associated traffic.
Detached ADUs	Allowed pursuant to KZC Chapter 115.07 and 115.08: <ul style="list-style-type: none"> - Two 1,200 square foot ADUs per single family dwelling (either one attached and one detached, or two of either type) 	Not permitted	Because detached ADUs can be sold independently, prohibiting this housing type could reduce the number of new households moving to the area and associated traffic.
Attached ADUs	Allowed pursuant to KZC Chapter 115.07 and 115.08: <ul style="list-style-type: none"> - Two 1,200 square foot ADUs per single family dwelling (either one attached and one detached, or two of either type) - Off-street parking only required on lots with more than one ADU, unless on-street parking is available within 600 feet, or the property is located within one-half mile of transit. 	One 1,200 square foot ADU allowed per single family dwelling. One off-street parking space required.	Retaining the ability to construct one attached ADU is intended to provide some flexibility for multi-generational households and other potential traffic-reducing household structures (e.g., live-in childcare). The new provision for on-site parking would help ensure that there is on-site car storage in an area where there is little or no on-street parking capacity.

Proposed Development Regulation Changes

	Existing	Proposed	Rationale
Nonconformances	<p>Governed by KZC Chapter 162:</p> <ul style="list-style-type: none"> - Must maintain lot coverage and FAR as allowed by zone. - Land use cases: Expansion or modification allowed without a land use permit if gross floor area is expanded by less than 10%, or change is determined to not have a significant impact. - Building permits: Conformance required if structural changes are proposed to nonconforming portions, and the cost of the change exceeds 50% of the replacement cost of the improvement. <p>If within a buffer and/or critical area, KZC Chapter 90.185 applies.</p>	Same as existing.	<p>Many existing homes on Goat Hill are constructed to the maximum 50% lot coverage and FAR allowances. Existing regulations regarding nonconforming structures provide sufficient allowance for small expansions, therefore staff believes no changes are needed with the new regulations.</p>

As noted previously, the City has undertaken several efforts over the years to improve conditions on Goat Hill related to geotechnical hazards, drainage, construction traffic, right of way improvements, and overall environmental impacts analyzed under SEPA. While this significant investment has helped alleviate some concerns, insufficient vehicular access continues to be a major issue, especially as it relates to emergency response and options for residents to bypass the hairpin turns that are often blocked by large trucks or other vehicles.

A fundamental objective addressed in these proposed code amendments is a potential reduction in traffic from future development. While more density could be accommodated on Goat Hill if it contained better roadway infrastructure, such as wider/less-steep roads, and additional access points to outside the neighborhood, that infrastructure does not currently exist and the geologic and limited area available for right-of-way improvements make it unlikely to ever come into existence. Alternatively, even if some improvements could be made, such as developing additional access roads, the ability to construct them is an expensive and difficult undertaking, with potentially challenging community trade-offs (e.g., allowing roadways to be built that impact existing parks and/or finding adjacent residential property owners willing to sell access easements to a developer across their already-developed private properties).

Staff has attempted to balance these concerns by proposing a reasonable reduction in development allowances, aimed at reducing the overall number of vehicles accessing the neighborhood.

Existing Regulations

Zoning currently applicable to Goat Hill generally allows the following maximum development:

Single Family – Any legal lot can have a single family residence, in addition to up to two 1,200 square foot ADUs. The lot can be covered up to 50% of the total lot size with hard surfaces, and structures can have a 50% floor area ratio based on the lot size.

Cottages, Carriage Units, and Two/Three Unit Homes – These types of units can be constructed at twice the base density. The median lot size in Goat Hill is 6,581 square feet, which would yield two cottage units, and each cottage unit would be allowed one attached ADU, for a total of four allowed units per lot. Applied to one of the larger vacant parcels on Goat Hill, which is 78,259 square feet, a developer could construct a maximum of 14 cottages and 14 ADUs. While environmental constraints may reduce the number of units a developer could actually build, assuming perfect conditions, 28 units could potentially be built on this lot.

There are approximately 45 vacant parcels in the Goat Hill area – if all vacant properties were developed to the maximum density allowed utilizing KZC Chapter 113, the area would be so densely populated that the existing road infrastructure would not be able to support it. For these reasons, staff believes that access constraints in Goat Hill would be most effectively addressed by reducing allowed density consistent with the geographic constraints of the area, in conjunction with analysis and potential implementation of a road improvement district.

Lot coverage and FAR are tools to not only reduce the size of buildings constructed on lots with high landslide hazard areas, but also to reduce the paved area of lots; this will reduce runoff and provide an opportunity for better stormwater treatment via vegetation or other methods. Lots on Goat Hill vary in size – the smallest lot is 1,794 square feet, and the largest is 155,000 square feet. Approximately 35 parcels are around 5,500 square feet, and several are in the range of 12-15,000 square feet. The median size is 6,581 square feet. Under current regulations, this yields a maximum lot coverage and FAR of 3,290 square feet. Under the proposed development regulations, lot coverage and FAR could not exceed 2,632 square feet. The vacant parcels on Goat Hill range widely in size, the smallest of which is approximately 2,200 square feet. Staff understands that new, more stringent lot coverage and FAR standards would result in more

compact housing; however, the reduced size allows more options for stormwater treatment, landscaping, and other slope protection practices.

Development Fees

To better reflect the effort it takes City staff to review and inspect development projects on Goat Hill, staff also propose to increase permit fees for grading permits and building permits on Goat Hill. An increase in fees can be accomplished through an administrative process. Currently, a portion of the permit fees goes to plan review, while the rest goes towards inspections, and the total fee amount is based on the valuation of the proposed improvement⁵. An additional 5% surcharge will help cover extra Public Works inspections required for many Goat Hill projects, and additional review by planners required as a result of special development regulations. Public Works Development staff also fields numerous calls from residents on Goat Hill when roads are blocked or there are maintenance issues. An increase in fees will further support the response provided to residents.

Revised Policies Regarding Land Clearing

Staff is cognizant of projects that have initiated the land clearing process, only to languish without being developed due to circumstances such as lack of funding or difficult construction, particularly in areas with steep slopes like Goat Hill. Special requirements in Public Works Policy G-12, related to erosion control, include providing a \$50,000 performance bond to remedy erosion control issues at the site, if left unaddressed by a developer for a certain amount of time. Revisions are proposed to Policy G-12 (see **Attachment 2**) related to the performance bond, including specifications that \$50,000 is the minimum amount required, along with more detail about what the bond covers, and how long it is effective. Performance bonds could also be used to repair damaged or failing retaining walls on Goat Hill, if needed. Additional changes to performance bond requirements City-wide are being contemplated by the Public Works Department. These changes would require future revisions to the Kirkland Municipal Code and are not included in this packet.

Revisions to Policy G-12 also include updates to the erosion control requirements. Staff is adding a provision that “any area to remain unworked for more than 30 days shall be revegetated using a seed mix containing native groundcover and wildflowers” unless winter weather makes vegetation establishment infeasible. In that case, plastic covering may be used, but must be removed and replaced with native groundcover and wildflower seed mix at the end of winter or as instructed by the Public Works Inspector. This change will help alleviate concerns about construction sites lingering in an unimproved state, contributing to both runoff and aesthetic concerns. This policy is also being considered City-wide, but for purposes of the moratorium, would only be implemented on Goat Hill at this time.

The revised Policy G-12 also includes a requirement to have a geotechnical consultant or engineer inspect the construction progress of retaining walls in the rights-of-way, along with the final retaining wall, and provide a written assessment to the Public Works Department to ensure that walls are structurally sound and developed to best engineering standards. Finally, to promote better traffic control, the policy includes a note that construction traffic should not block or impede traffic unless sanctioned by an approved traffic control plan.

⁵ In the last 10 years, the average cost of a building permit for a new single-family home on Goat Hill was \$24,786 (from initial application to final inspection).

White Paper – Road Improvement District

Staff has provided a White Paper in **Attachment 3** detailing additional information about the establishment of a Road Improvement District, exploration of alternative emergency access routes, and possible procurement of alternative emergency aid vehicles for Goat Hill.

Code Amendment Process and Criteria

Pursuant to KZC 160.60 and KZC 135.25, the City may amend the text of the Zoning Code only if it finds that:

1. The proposed amendment is consistent with the applicable provisions of the Comprehensive Plan; and
2. The proposed amendment bears a substantial relation to public health, safety, or welfare; and
3. The proposed amendment is in the best interest of the residents of Kirkland; and
4. When applicable, the proposed amendment is consistent with the Shoreline Management Act and the City's adopted shoreline master program.

The proposed Zoning Code amendments are consistent with the Comprehensive Plan, bear a substantial relation to public health, safety, or welfare, and are in the best interest of the residents of Kirkland because they are intended to reduce impacts to sensitive resources and maintain a safe environment for the Goat Hill community.

State Environmental Policy Act (SEPA)

To fulfill environmental review requirements, the proposed code amendments require the City to issue a SEPA addendum to the City of Kirkland 2015 Comprehensive Plan Update Draft and Final Environmental Impact Statement. The SEPA addendum (File SEP24-00309) was issued on June 17, 2024.

NEXT STEPS:

Council should consider adoption of Ordinance O-4879. If the ordinance is not adopted, Council should consider extending the Goat Hill Development Moratorium beyond August 6, 2024, to allow staff additional time to propose alternative amendments.

Council should review the White Paper regarding the Road Improvement District and other infrastructure analysis.

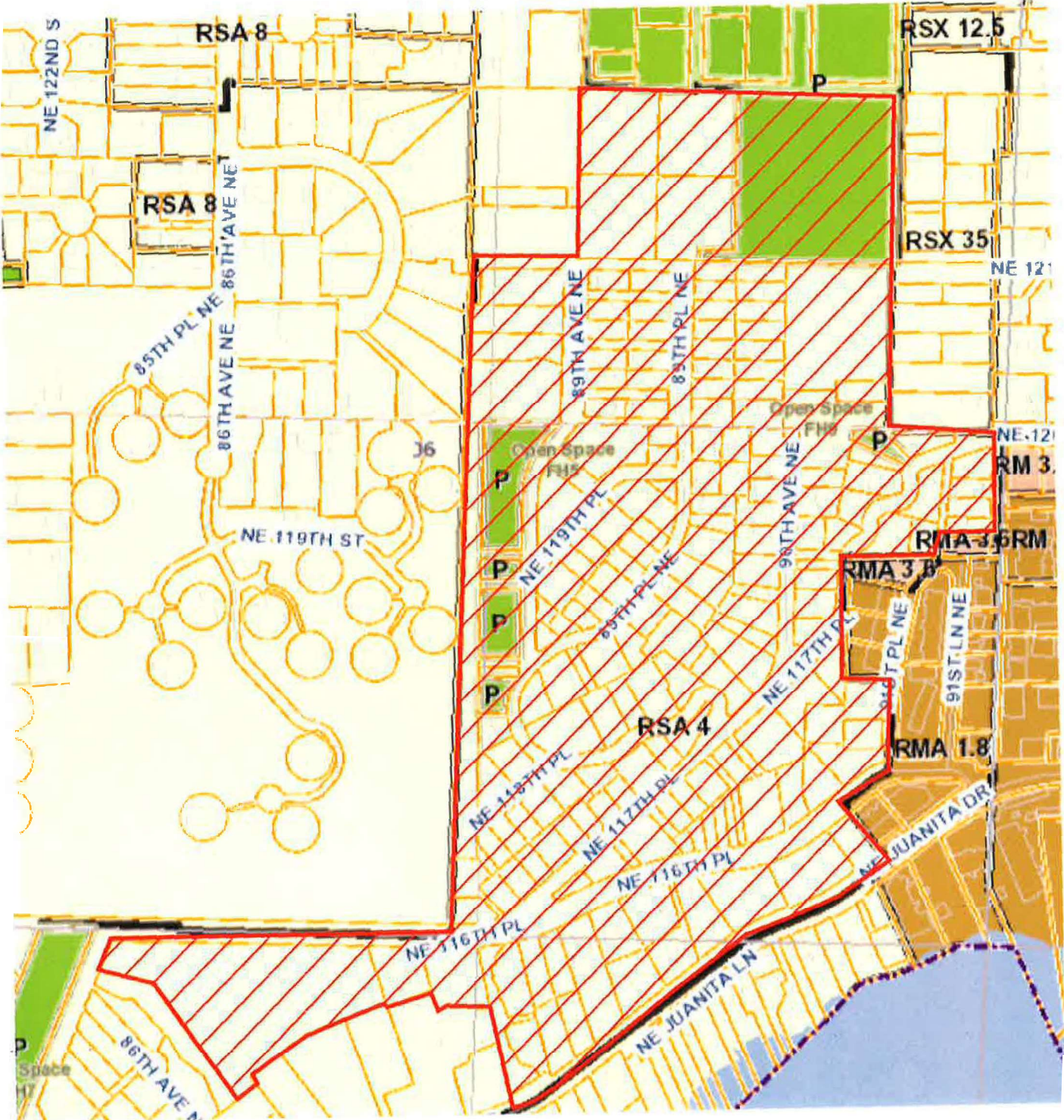
ATTACHMENTS:

Attachment 1 – Goat Hill Overlay Zoning Map
Attachment 2 – Revised Public Works Policy G-12
Attachment 3 – White Paper on a Road Improvement District and Emergency Access Study on Goat Hill

ENCLOSURES:

Ordinance O-4879
Exhibit A – Proposed Code Amendments
Publication Summary

Attachment 1 -Goat Hill Overlay Zoning Map



CITY OF KIRKLAND

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**DEPARTMENT OF PUBLIC WORKS
PRE-APPROVED PLANS POLICY****Policy G-12: GOAT HILL – SPECIAL CONSTRUCTION REQUIREMENTS**

The Goat Hill area (“Goat Hill”) poses some unique challenges for construction activity because of its topography, narrow roadways, and limited access. This policy establishes special guidelines and procedures for development and construction activity in Goat Hill to address those conditions.

Frontage Improvements:

The Zoning Code (KZC 110) requires new single-family home projects to construct frontage improvements along the abutting right-of-way: Type A curb, 4.5 ft. planter with street trees 30 ft. on-center, 5 ft. sidewalk, and widening the pavement width to 20 ft. But in Goat Hill, its steep topography coupled with narrow street widths makes the construction of these code-required improvements ~~difficult~~ infeasible. Further, KZC 110.70 allows the City to grant a modification to the improvements if unusual topographic or physical conditions preclude the construction of the improvements as required. Therefore, in Goat Hill, frontage improvements shall consist of widening the abutting street to 20 ft. in width only.

Construction Requirements:

~~Construction Projects On Goat Hill Shall Comply With The Following:~~ Projects on Goat Hill shall comply with the following Construction Requirements:

- **Pre-Construction Meeting:** The Owner/General Contractor (O/GC) for the project shall set up a pre-construction meeting prior to start of any work. Public Works staff will meet with the O/GC and their Utility Contractor to review the construction requirements of this policy: project sequencing, traffic control, work hours, and erosion control for the site.
- **Project Sequence:** Frontage improvements (street widening) shall be completed prior to start of the foundation work for the new home. The final lift of pavement may be placed at the end of the project after all utilities are installed to ensure a smooth mat of pavement free of utility patches.
- **Traffic Control:** The O/GC and/or Utility Contractor shall provide a Traffic Control Plan for each phase of work: frontage improvements, utility work, construction material deliveries, and other work as may be needed. Emphasis: Do not block / impede the movement of traffic unless the activity is sanctioned by a traffic control plan. Be mindful of garbage collection day and of morning / evening commute hours.
- **Work Hours:** Generally, standard work hours per the KZC apply to projects in Goat Hill. However, different work hours apply to the following activities: work related to the right-of-way, construction equipment delivery, construction material delivery, or any activity that might impede traffic or access to or within Goat Hill. For the aforementioned, work hours shall be limited to 9:00 a.m. to 3:00 p.m. Monday through Friday, and prohibited on weekends and federal holidays.
- **Erosion Control:** Erosion control for the site shall comply with all established City of Kirkland policies and procedures. In addition, the O/GC shall appoint a site CECSL as a single point of contact for addressing erosion control issues with City staff., ~~and shall provide~~

~~a performance bond in the amount of \$50,000 to remedy unaddressed erosion control issues at the site, if needed. The performance bond shall remain in effect until the project is complete and given a final by all Departments. Any area to remain unworked for more than 30 days shall be revegetated using a seed mix containing native groundcover and wildflower to stabilize the exposed area, unless the Public Works Inspector determines that winter weather makes vegetation establishment infeasible. If infeasible, then plastic covering may be used, but the plastic must be removed and replaced with seed or sod at the end of winter (April) or as instructed by the Public Works Inspector.~~

- **Geotechnical Consultant:** The O/GC shall retain a geotechnical consultant to provide monthly reports to the City's Construction Inspector addressing erosion control and site stability. Any recommendations by the geotechnical engineer shall be implemented. If constructing a retaining wall in the right-of-way, the geotechnical consultant or P.E. shall inspect the construction progress and final product and provide a written assessment to the Public Works Inspector.
- **Special Goat Hill Performance Bond:** Due to the high-risk nature of building on Goat Hill, the O/GC shall post a performance bond in the amount specified by the Public Works Department (\$50,000 minimum) to remedy any unforeseen issues associated with (but not limited to) site stabilization, stormwater management, and/or erosion control. The bond amount will be added to the standard right-of-way restoration performance bond. Public Works reserves the right to call the bond to remedy any/all onsite and offsite issues in connection with the project. The performance bond shall remain in effect until the project is complete and given a Final Inspection by all Departments.



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White Paper on a Road Improvement District and Emergency Access Study on Goat Hill

Date: June 28, 2024

**Authors: Adam Weinstein, Planning & Building Director; and Denise
Russell, Planning Supervisor**

INTRODUCTION

This White Paper is intended to provide additional information about establishment of a Road Improvement District (including exploration of new emergency access routes) and procurement and use of alternative emergency aid vehicles on Goat Hill, including policy considerations and next steps. These additional concepts could be advanced by the City at some date in the future, in conjunction with additional community outreach, and are intended to supplement the code and policy amendments (presented to Council for consideration of adoption on July 16, 2024) that are intended to mitigate the impacts of future development on Goat Hill.

ROAD IMPROVEMENT DISTRICT

A Road Improvement District (RID) could be explored for Goat Hill to generate new revenue to finance roadway and transportation improvements that primarily benefit the residents of Goat Hill. The City has made significant investments in Goat Hill over the last several years, including a major surface water infrastructure project (currently under construction) costing in excess of \$3 million, purchase of open space, and investment in new policies and administrative standards (e.g., special construction requirements for Goat Hill) that are intended to address and mitigate some of the physical/environmental challenges on the hill. Nevertheless, a key piece of the solution to the existing access challenges on Goat Hill is new emergency (and potentially general vehicle) access on and off the hill, as there are only two existing vehicular access points to the neighborhood, both at the bottom of the hill. Establishing new access on and off Goat Hill would likely be a very expensive project for either a private developer (building such access as part of a development project) or the City, due to the steep topography, heavy tree cover, and critical areas that characterize Goat Hill. An RID could help generate a study to ascertain the most effective solutions to access, in addition to revenue to help finance the improvements.

RIDs are a subset of State-authorized Local Improvement Districts (LIDs), which are a means of financing capital improvements that primarily benefit property owners within a specific geographic area. Generally, RIDs are formed by a local government and must be approved by the benefitting property owners. New roadway infrastructure is financed in part or in whole over time through special assessments on benefitting properties. Under an RID, the local government sells bonds to investors to pay for roadway improvements and the bonds are paid back via annual assessments on benefitting property owners.

Kirkland has had historical experience with LIDs. One notable example is the surface parking lot at Lake/Central, which was acquired by the City when the neighboring property owners participated in an LID to generate the funds for the City to acquire the property for the purpose of providing public parking for patrons and visitors to the Downtown area.

PROS AND CONS OF RIDs

RIDs can be useful for filling gaps in infrastructure in geographically-constrained places like Goat Hill, and can help generate revenue for infrastructure projects that may not otherwise be available. A major benefit of RIDs is that they generate long-term financing at relatively good interest rates, sometimes making infrastructure projects more feasible. However, RIDs can be expensive to administer; depending on how they are designed, they may impose a cost burden on the benefitting property owners, particularly ones with lower incomes (i.e., they are not automatically progressive); depending on how much development happens in the future and the identified assessment, it may take a significant amount of time for funds to be raised to pay back the debt for infrastructure improvements, particularly for expensive improvements; and RID projects may be expensive to administer compared to other types of projects.

State law authorizes deferrals of assessments to address the potentially regressive nature of special assessments. These include:

- Indefinite deferral of assessments for qualified senior citizens and people with disabilities;
- Deferrals of up to 4 years for “economically disadvantaged” property owners; and
- Other options, such as where development rights are purchased from one property and transferred to another (under this option, the sending property would not pay the assessment, or would pay a reduced assessment).

STEPS TO TAKE TO ESTABLISH AN RID

Following is a summary of steps the City and Goat Hill community would need to undertake to establish an RID.

1. **GETTING STARTED.** Requests for an LID can come from community members, developers, and/or the local government itself. A key initial start-up task, after ascertaining whether an RID is a good solution for Goat Hill, would be to engage with Goat Hill property owners and residents to discuss the project, evaluate levels of support, and respond to questions. In addition, because of the significant project management investments associated with establishing and operating a RID, the City would need to appoint a project manager to oversee the project, even at the start-up phase. Many other departments, including Finance & Administration, the City Attorney’s Office, and Public Works, would also need to be involved. In addition, civil engineering, property appraisal, financing, outside legal counsel, and other outside experts would need to be consulted to provide more information about forming an RID and its costs.
2. **IDENTIFY AREA PROJECTS.** An initial step is to identify the projects that should be included in the RID and paid for by a special assessment. The Citywide connections map currently includes two potential new pedestrian routes off Goat Hill – one to the west and one to the north (through Juanita Heights Park). These

connections could be identified as fundable projects. The City could also undertake a comprehensive study of new access improvements on Goat Hill that could include:

- a. New emergency access and/or general access routes on/off Goat Hill (there are options to the east, off of 98th Avenue NE, but these connections could be very difficult to establish because they would require dedication of private open space in the Finn Hill Meadows area, currently managed by a Homeowners Association); and
- b. Improvements to existing roadways (e.g., new retaining walls, reductions in the grade of roadways to make them less steep, guardrails, and associated signage).

Any identified projects should undergo preliminary design and cost assessment. This study would likely be performed by an outside consultant and paid for by the City.

3. **ESTABLISH ASSESSMENT METHODS AND DURATION.** A key step is for the City to identify how properties within the RID should be assessed to fund the improvements. Key principles in ascertaining the assessment methods are: 1) the per-parcel assessment must not exceed the benefit of the investment to that parcel; and 2) properties not benefitted by the improvements may not be assessed. The City must also identify the duration of the assessment (including whether there is a one-time charge or charges in installments). The City Council has significant leeway in determining the appropriate assessment method, but there are two general approaches (one relatively easy and one more complex):
 - a. **MATHEMATICAL** – under which there is a simple mathematical formula applied to varying physical attributes of a property (e.g., number of housing units, linear frontage of the property, size of property, distance from the improvements).
 - b. **SPECIAL BENEFIT ANALYSIS** – under which a special appraiser calculates the value of each property with and without the identified improvements and the difference is the special benefit; the total cost of the RID projects is then divided by the special benefit to yield a ratio that determines the assessment for each property.
4. **FORMING AN RID. AN RID CAN BE FORMED IN TWO WAYS:**
 - a. **RESOLUTION OF INTENT METHOD** – under which the City Council would adopt a resolution declaring its intent to establishing an RID and indicating the boundaries of the RID, and establishing a date for a public hearing to gather community feedback on the matter. The RID could then be adopted by ordinance. Under this method, property owners have a 30-day protest period after City Council adopts the ordinance forming the RID. If the City Council receives protests from property owners who would pay 60 percent or more of the total cost of the improvements, the RID would be dissolved (if not, the RID would stand).
 - b. **PETITION METHOD** – under which the property owners in Goat Hill would submit a petition to the City Council, which must be signed by a majority of the property owners within the RID area. The City Council then establishes a date for the hearing and may adopt an ordinance creating the RID.

5. **ADMINISTERING THE RID.** Within 15 days of the City's adoption of the ordinance forming the RID, the project manager of the district files with the City's Finance & Administration Department basic information about the RID, including the district's boundaries and preliminary assessment roll showing the properties to be assessed. The Finance & Administration Department would then post the preliminary assessment roll against the properties that would pay for the road improvements.
6. **DESIGN AND CONSTRUCT THE PROJECTS.** After the RID is established, City staff and any consultants would finalize the project designs, obtain permits and any needed right-of-way, and bid the projects. In addition, the City would issue debt at this point to pay for the improvements. Interim financing, such as interfund loans, may be required to undertake initial activities. If project costs (and needed assessments) increase at any point in the process, affected property owners within the RID should be contacted immediately. Then, over a period of time, the roadway improvements would be constructed.
7. **IMPLEMENT ASSESSMENTS.** There are a number of steps that are taken to implement the assessments, including: estimating final financing costs; subtracting out grants and City contributions from the overall project cost; creation of a final assessment roll; and holding another public hearing. At the final assessment roll hearing, the City Council acts as a judge in weighing data from City staff/consultant and property owners on the appropriateness of the assessment for each property. The City Council can amend the final assessment roll as it sees fit, but inclusion of new properties or increases in assessments for already-included properties require a new notice and hearing. Creating an RID may take up to a couple years.

ALTERNATIVE FIRE AND EMS EMERGENCY VEHICLES

A critical concern on Goat Hill, with its winding, steep, and narrow roads, is the difficulty that emergency aid (medical service and fire) vehicles may have in accessing the hill, especially towards the top. Currently, all new houses on Goat Hill are required to be fire-sprinklered, which reduces the risk of catastrophic fires. However, wildland fires, especially towards the top of the hill where there is a significant amount of forested open space, continue to be a potential threat. In addition, aid vehicles are also subject to blockage by construction or other vehicles, which sometimes have difficulty navigating Goat Hill's roads and get stuck in ditches or on switchbacks.

Other cities and countries have successfully used alternate aid and fire response vehicles to navigate environments with narrow streets and dense populations. In some European and Asian cities, motorcycles are used as a first-response vehicle for emergency service, with the arriving paramedic assessing the need for follow-up ambulance service. Miami and Austin have also piloted motorcycles for emergency aid use. Many European cities use sprinter-style vans, instead of larger ambulances, to quickly provide emergency medical service in dense urban places. In Copenhagen, small ladder trucks are used to navigate narrow streets and provide service to multi-story buildings. Closer to Kirkland, in Redmond, specialized, low-clearance fire trucks have been designed and purchased that can navigate the parking garages on the Microsoft campus. Additionally, Mercer Island Fire Department operates a mini-pumper fire truck to provide access to hard-to-reach locations.

The Kirkland Fire Department currently has no plans to purchase and use alternate aid vehicles for Goat Hill, but exploration of such an option could provide faster emergency service to the hill (and potentially other, more urban parts of Kirkland). Planning & Building staff met with the Fire Department's Deputy Fire Chief and Chief Administrative Officer to discuss potential next steps if the City desires to explore purchasing alternative aid vehicles to be used on Goat Hill (and potentially other difficult-to-access parts of Kirkland). It should also be noted that the Draft Public Services Element of the Comprehensive Plan has a policy that would support exploration of alternative aid vehicles.

1. *Evaluate existing conditions.* A more granular understanding of existing roadway pinch points on Goat Hill could help inform the type and design of new aid vehicles that could be used.
2. *Evaluate best practices in region.* As noted above, a neighboring Fire Department in the City of Redmond uses alternative fire vehicles to navigate low-clearance parking garages on the Microsoft Campus. Before considering the purchase of new vehicles, the Fire Department would want to contact other agencies in the region and the U.S. which have used alternative vehicles to ascertain their experience.
3. *Integration with Fire Response Plan.* Once potential new aid vehicles have been identified, the Fire Department would explore whether these vehicles are consistent with the Fire Response Plan. Questions to be answered include:
 - a. Would additional staff training be necessary?
 - b. Would existing staffing (and staffing redundancies) be adequate to staff the new vehicles?
 - c. Would existing Fire Station storage be adequate?
 - d. Could new vehicles be stored closer to or on Goat Hill to speed response times?
4. *Identify new equipment needs and funding.* When new alternative equipment is funded, the Fire Department would also ensure that existing emergency aid and fire services are not impacted. The Fire Department would also explore whether the new equipment could be funded creatively, such as through a partnership with a Goat Hill organization (such as a Homeowners Association), or special impact fees.

NEXT STEPS

The projects outlined in this White Paper could be pursued as part of a future City Work Program if desired by City Council.