

## ULI Technical Assistance Panel Recommendations

Snohomish County Urban Centers Zoning Analysis

2010



Snohomish County, Washington



## ULI Seattle

The Urban Land Institute provides leadership in the responsible use of land and in creating and sustaining thriving communities worldwide. ULI Seattle, a district council of the Urban Land Institute, carries forth that mission as the preeminent real estate forum in the Puget Sound region, facilitating the open exchange of ideas, information and experiences among local, national and international industry leaders and policy makers.

*Our mission is to:*

- Build a regional vision of the Puget Sound area that embraces and acts upon quality growth principles.
- Encourage the collaboration among all domains – public and private – of the real estate industry.
- Build consensus among industry and public leaders who influence land use, transportation, environmental, and economic development policies.

## Snohomish County

Snohomish County is located on Puget Sound, between Skagit County to the north and King County (and Seattle) to the south. Covering 2,090 square miles, it is the 13th largest county in total land area in Washington.

Snohomish County's varied topography ranges from saltwater beaches, rolling hills and rich river bottom farmlands in the west to dense forest and alpine wilderness in the mountainous east. Sixty-eight percent of the county land area is forest land, 18% is rural, 9% is urban/city and 5% is agricultural.

Since 2000, the county's population has grown from 606,024 to 711,100 residents, making it one of the fastest-growing in the state, ranking third in overall population after King and Pierce Counties.

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## ULI Technical Assistance Panel Recommendations Snohomish County Urban Centers Zoning Analysis

### INTRODUCTION

Snohomish County has experienced very rapid growth in the past two decades, and faces increasing challenges with traffic and transportation management, environmental protection and general livability.

The County has designated seven areas within its boundaries as Urban Centers. The County Council is deliberating on legislation that would create new zones for these areas, prioritizing uses that are appropriate for pedestrians and transit-oriented development.

Related legislation would adopt development regulations that include height limits and density requirements, with a bonus incentive program. A framework for administrative review of projects within the urban centers is under consideration. A total of 28 related amendments are involved.

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*“They’re hitting the wall, wondering what kind of quality of life they can have in the future.”*

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In 2001, the County launched an Urban Centers Demonstration Program to test new approaches to development. The goals of the program included achieving a more urban mix of uses and a variety of pedestrian amenities, along with greater densities. In addition to more generous floor area ratios, incentive for developers to participate in the program included flexibility with regard to street setbacks and parking. This program sunsetted in November of 2009.

With 13 projects completed under the program, the County has had moderate success in testing its goals. These projects, along with requests to apply for permits under the program in areas outside the intended boundaries, reveal pent-up demand for more dense development, along with willingness to work with the permitting jurisdiction to achieve transit-oriented development goals.



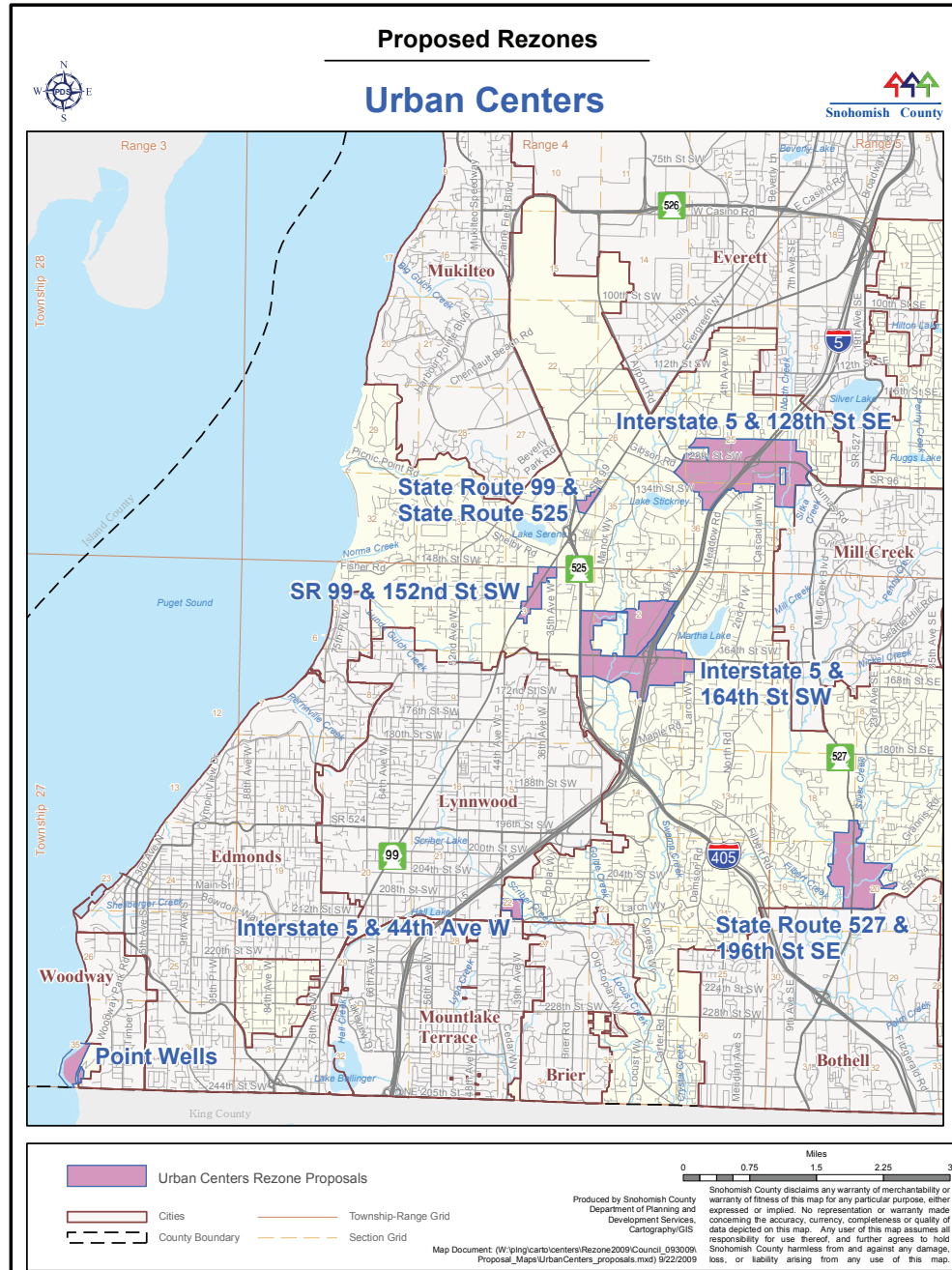
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*“The trajectory has similarities to other areas.”*

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One unintended result of this program is that one project within its boundaries was lost because a neighboring city annexed the area, and the site was subsequently downzoned. Officials have taken note that if the County intends to continue promoting high-density mixed-use development, coordination with cities is essential.

The County has held a series of public meetings to discuss plans for the Urban Centers. The County has worked to make sure that there has been sufficient opportunity for input by the public and neighboring cities. As the legislative process continues, the County is committed to creating a permitting process for developers that is not unnecessarily complex or burdensome.



Map of Snohomish County and proposed zoning areas.

*“Cities have resisted their share of growth, and Counties have accepted the burden.”*

County leadership is to be commended for looking ahead to high-density, high-quality transit-oriented development coupled with more complete, more pedestrian-friendly neighborhoods. This planning trajectory is shared by other communities grappling with growth challenges, both inside the region and elsewhere.

This report is intended to offer observations about the nature of that trajectory inside Snohomish County, as well as suggestions for next steps appropriate to the County and its designated urban centers.

## GENERAL APPROACH

The current “max flex” regulatory environment will tend to replicate an overwhelmingly automobile-oriented pattern of development, amorphous growth, and eventual gridlock. It is not a framework for urban development.

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*“These urban centers are all going to be different—they are not all going to develop in the same way.”*

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*Mill Creek Town Center*

While the County is refining its regulatory and incentive tools and investment priorities to encourage development that is compatible with Urban Centers, the following may be helpful:

- Be mindful of regional transit and development patterns, both within and outside of Snohomish County. Transportation planning is increasingly regional, and the County should play a prominent role in determining the type and routing of transit.
- Capitalize on the southwest County’s location. It is the nexus of potential smart, sustainable development.
- Consider different typologies for urban development. Urban villages or master planned developments could be important in getting the County to the next stage.

- While the County’s priorities should be clear, zoning should be flexible enough to respond to development partners.
- Design review can help to achieve County goals while giving developers a large measure of flexibility.
- The County can be active in economic development, and also work with developers to set standards for transit-oriented development and attract further investment. Private partners can play an important role in achieving multiple goals for Urban Centers.

New height and density regulations and incentives, as currently proposed, will need refinement to respond to opportunities in each center.

The following points derived from experience and also from direct observation of plan areas, should guide leaders in the County as they refine zoning to support and encourage pedestrian-friendly, transit-oriented development:

- Plan to concentrate resources to create a defining sense of arrival and civic presence or development catalyst in each urban center. When economic conditions improve, investment might take the form of a community college, library, community center, or another public asset that County residents name as a priority.



*“Coordination with cities is essential.”*

- Avoid abrupt transitions in the zoning envelopes between parcels at the edges of the plan areas. Overlays should provide for gradation of building height and intensity of uses from center to edge. This will help to preclude challenges from County residents and conflict with nearby municipalities.

- Address each urban center differently, and synthesize where the opportunities

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*“Boots-on-the-ground planning is basic.  
One size does not fit all.”*

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are for each area. This requires a high level of presence and involvement in the community.

- Encourage station-area plan overlays for each urban center. This provides a framework for further analysis of the unique characteristics of each one. This kind of planning and analysis can also support the County’s particular choice of locations for light rail stations.

#### TRANSIT-ORIENTED DEVELOPMENT STRATEGIES

Quality transit service to the Urban Centers is a priority. Most of this service will be by bus in the short term, including Swift, Snohomish County’s bus rapid transit system. Within the next few decades, transit will include light rail.

Standards and incentives should promote successful transit-oriented development. They should also improve the number and quality of options for mobility, including pedestrian, bicycle and bus as well as automobile transportation.

Specific suggestions for achieving multiple transit-oriented development goals in-

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*“We are in a market that loves  
parking.”*

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clude:



*Redmond Town Center*

- Consider making strategic investments in public infrastructure (roads, utilities, shared parking garages, etc.).

- Remember that if transit is to drive development, it must be high-quality—fast, reliable, predictable, and comfortable. It should be emphasized that the County can play a leadership role in establishing coordinated locations for transit routes and station areas.
- Reward the pedestrian, not the car. Station areas should prioritize pedestrian and bicycle circulation. Incentivize wider sidewalks.
- Pay close attention to walking radii. Based on experience, that will mean  $\frac{1}{4}$  mile for bus transit. For true rapid transit, the distance people will walk grows to about  $\frac{1}{2}$  mile, but only if that  $\frac{1}{2}$  mile is safe and pleasant.
- Every station area needs to have a parking strategy that is incremental. At first, parking ratios will be high. Over time, infill development can replace temporary parking areas.
- Business and improvement districts can allow property owners to self-fund for pedestrian and bicycle amenities.

## GUIDING DENSITY

County officials have well-founded concerns about specific floor area ratio (FAR) provisions in urban centers and their relationships to height limits and other design requirements. In general, the optimum FAR allowances would seem to be higher than those presently under review, with these important considerations:

- Retail can work at a low density (e.g., .25 FAR) to encourage market-driven high-density development surrounding it. Mill Creek provides an example, in which small-scale retail construction has been a catalyst for more dense residential development around it. This principle allows greater flexibility and market-sensitivity in providing incentives for potential retail developers.

- Placing parking in clusters, either phased surface or structured, is an important transition tool for pedestrian-oriented town centers within a larger automobile-dependent area. Parking can be shared for multiple developments.
- There should be no FAR bonus for health clubs, for the primary reason that they do not activate the street in the same way that retail and more traditional



services do. They tend to have high parking needs, although the peak demand can synchronize well with other commercial uses.

- Street level commercial could be exempt from FAR calculation as a way to encourage retail.
- Incentives for sustainable design and construction can and should be adapted to current trends and baseline market assumptions. For instance, there probably should be no bonus for LEED or Built Green certification, because many of the elements of these programs are now readily achievable with little additional cost and are understood by the market. The incentive system should reward specific innovations and investments; these may include green roofs (where appropriate), energy generation and district energy sharing.
- Above-grade structured parking needs to be shielded with another use so it does not dominate the streetfront.
- Affordable housing should be considered as an option for FAR bonus.

Experience has shown that it is counterproductive to prescribe a specific mix of uses within urban centers. Guidelines should ensure a mix of uses, but the precise mix should be driven by the market as well as the location and its evolving fabric.

## STRUCTURING THE APPROVAL PROCESS

The County is committed to creating a permitting process that supports the goals of Urban Centers but is not unnecessarily complex or burdensome. Pursuant to this overall objective, the County is weighing the relative advantages and risks of making project approval an administrative decision by the Planning Director or a quasi-judicial decision made by the Hearing Examiner.

The quasi-judicial decision allows for more transparent, formalized public input. The advantage of the administrative decision is that it is speedy and efficient. The disadvantage is that it is more likely to be appealed, with expensive consequences for proponent and County alike. In general, an administrative decision may leave key constituents and stakeholders feeling disenfranchised because they do not have an opportunity to provide input.

The design review process typically works within an administrative framework, bringing a board recommendation to bear upon the decision. A design review board — comprised of citizens representing different constituencies and land use expertise — would issue recommendations regarding the ultimate approval decision.

The County should consider and possibly implement a tailored design review process. This kind of program has been blamed for stymieing development by lengthening the approval process. On the positive side, design review can:

- Provide a symbol of government transparency and the only opportunity for public input in determining the course of a project.
- Help to refine potential projects and increase public support and acceptance.
- Provide welcome flexibility in design for proponents and their architects.
- Reduce the layers of prescriptive regulation and bureaucratic paperwork in approvals.

- Reduce unintended consequences in a zoning overlay, along with their negative impacts.
- Facilitate the learning process in creating Urban Centers, by applying new regulations based upon changing goals for development.

It is important to remember that design review only touches half of the approval process. Environmental review under the State Environmental Policy Act (SEPA) would be handled by County staff. A planned action Environmental Impact Statement (EIS) could minimize individual permit appeals and delay.

## CONCLUSION

As Snohomish County refines its regulatory tools and investment priorities to encourage development of Urban Centers, it is providing leadership that could be critical to the future of the entire region. Getting there will require a substantial amount of interplay with adjoining counties, particularly King.

With clear goals, the Urban Centers Development Ordinances and subsequent legislation will guide and encourage responsible public spending, smart private investment and sustainable development both in the near term and long term. It should be flexible enough to adapt the County's priorities to development opportunities and development partners as they arise.

Effective tools for easing the transition from an almost entirely automobile dependent pattern of development to one that honors the pedestrian scale will be important. The County's goals and proactive approach to transit-oriented-development and Urban Centers will benefit residents for generations.

## ULI Seattle Technical Assistance Panel **Professional Biographies**

- **Kathryn Armstrong, VOKA Inc., Panel Chair** With 20 years in the real estate industry, Ms. Armstrong has a broad range of experience managing the design and development of a variety of projects. Her work includes high-rise and mid-rise multi-family residential, town centers and planned communities, urban infill, golf course, and commercial office and retail. Ms. Armstrong is a skilled leader, and understands the economics and market forces inherent in every project. She focuses on meeting the financial objectives while creating a positive impact on the community. At every phase of a project, Ms. Armstrong uses her creativity and expertise to add value and achieve the optimum results. Ms. Armstrong holds a Master of Science in Real Estate from MIT and a Bachelor of Architecture, with distinction, from the University of Minnesota. She has held senior positions with architecture, finance and development companies in Boston, Washington, DC, and Seattle. Most recently, she was Vice President, Major Projects, for Intracorp Real Estate in Seattle. She served for four years as the developer representative on the Queen Anne/Magnolia Design Review Board in Seattle.
- **Grace Crunican, Panelist** Grace Crunican is a transportation consultant living in Seattle, WA. For the past eight years she was the Director of the Department of Transportation for the City of Seattle. Her previous posts include serving as Director of the Oregon Department of Transportation, Deputy Administrator for the Federal Transportation Administration, director of the Surface Transportation Policy project and Deputy of the City of Portland, Office of Transportation.
- **Vlad Oustimovitch, VOKA Inc., Panelist** Originally trained as an architect and urban designer, Mr. Oustimovitch gained a reputation as an innovative master planner. In the late 1980's he was hired by CMC Heartland Partners in Chicago to serve as Director of Planning and Design, and has managed development ever since. Since moving to Seattle 12 years ago, he has been involved in several highly successful projects, including the HOPE VI redevelopment of NewHolly, where he served as the project manager with Popkin Development. He briefly worked as Seattle Housing Authority Program Manager for High Point helping assemble the development team and formulate the basic master plan, before leaving to manage the development of the first building at High Point under his own practice, VOKA Inc. Mr. Oustimovitch holds a professional degree in architecture from the University of Toronto and a graduate degree in planning and urban design from Harvard, and maintains his architectural license. Mr. Oustimovitch is involved in a number of professional and community organizations. He was president of the Southwest District Council, representing a coalition of 15 community groups, chair of the Southwest Design Review Board, and currently serves on the Alaskan Way Advisory Stakeholders Committee.
- **Matt Roewe, Via Architecture, Panelist** Mr. Roewe is a visionary architect and urban designer who combines great design conceptualization skills with collaborative and innovative thinking. Mr. Roewe is currently a city council appointed member of the Seattle Planning Commission and a board member for Capitol Hill Housing. He is also the former chair of the South Lake Union/Queen Anne Design Review Board.
- **Pete Stone, Stone Real Estate Advisors, Panelist** As a real estate investment professional with more than 20 years of experience, Mr. Stone has a broad variety of experience across the United States with a background in acquisitions, joint ventures and asset management. Most recently, Mr. Stone was with ING Clarion Partners, a large institutional real estate advisory firm, where he was responsible for opportunistic transactions in the western US, and structured joint ventures with many leading developers and operators. While with ING, Mr. Stone was involved in over \$2 billion in closed transactions for a variety of product types, including office, industrial, retail, and multifamily. Prior to joining ING, he worked in New York as an asset manager for Sumitomo Life overseeing office and hotel investments after beginning his career with Arthur Andersen. Pete has an MBA in Finance from NYU and a BS in Hotel Administration from Cornell University. He is also a Certified Public Accountant.
- **Chuck Wolfe, Charles R. Wolfe, Attorney at Law, Panelist** Charles R. Wolfe brings to clients 24 years of experience in environmental and land use law, innovative land use regulatory tools and sustainable development techniques. Mr. Wolfe has held significant leadership positions in both the legal and planning professions. He currently represents municipalities and private parties on redevelopment, environmental and land use permitting and property remediation issues in several venues in the Puget Sound area and statewide. He was previously a partner and chair of the Environmental Practice Group at Foster Pepper PLLC in Seattle and is an Affiliate Associate Professor in the College of Built Environments at the University of Washington. Mr. Wolfe is a frequent speaker and author on a variety of environmental and land use issues.

## Summary of Panel Recommendations

- Think regionally when thinking transportation.
- Snohomish County should work with transit authorities for system implementation.
- Consider different typologies for urban development.
- Keep zoning flexible.
- Address needs and opinions of each community at different urban centers.
- Plan centers and their development around market of each location.
- Basic requirements for transit are fast, reliable, predictable and comfortable.
- Reward the pedestrian, not the car.
- Plan parking for phasing out over time.
- Allow retail to work at a low FAR to encourage market-driven high-density development in the surround areas.
- Green building should be an expectation; look to push the envelope here.



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