

# Patrick J. Schneider

MEMBER



## SEATTLE

T 206.447.2905

F 206.749.1915

[pat.schneider@foster.com](mailto:pat.schneider@foster.com)

## SERVICES

Land Use, Planning & Zoning

Eminent Domain & Inverse Condemnation

Environmental & Natural Resources

Environmental Litigation Infrastructure

Municipal Government Ports

## PRACTICE OVERVIEW

Pat has more than 35 years of experience representing clients in large and complex entitlement matters and related litigation. He regularly advises on land use entitlement and litigation strategy for clients across the firm, including developers of downtown office and mixed-use towers, multi-family housing, commercial and industrial projects and forest land owners, among others.

Prior to entering private practice in 1997, Pat was the lead land use attorney for the City of Seattle, and before that was a senior land use attorney for King County. He helped draft the Land Use Petition Act and reforms to both the Growth Management Act and the State Environmental Policy Act.

## REPRESENTATIVE WORK

- Represented Wright Runstad & Company in obtaining and defending a Master Use Permit entitling a one-million-square-foot mixed-use development in downtown Seattle. The project includes three levels of retail, a 12-story hotel, 750,000 square feet of office space and more than 200 residential units.
- Represented the University of Washington in obtaining the approvals needed for the new Bill & Melinda Gates Center for Computer Science & Engineering. This entitlement process required litigation against the City of Seattle and local landmarks preservation groups.
- Successfully represented a residential developer in litigation to invalidate an onerous provision of Seattle’s Design Review ordinance.
- Represented Sound Transit in multiple matters, including:
  - + Obtained and defended permits for the East Link light rail system across the I-90 Bridge despite attempted suspension of the project by a host city.
  - + Obtained permits for East Link in Bellevue through the Mercer Slough Nature Park, including defending an appeal to the Shorelines Hearings Board.
  - + Obtained and defended project permits for the Capitol Hill, Husky Stadium, U District, and Roosevelt light rail stations.

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- Represented a port district in obtaining an \$8 million jury verdict against a county for tortious abuse of the county's regulatory authority during the permitting process for a gravel mine.
- Advises private real estate developers across the Puget Sound region on entitlement and land use strategy.
- Participates in efforts by the Association of Washington Business to reform state and local regulatory processes.

## RECOGNITION

- *Chambers USA* Leading Individual, Real Estate Law: Zoning/Land Use, 2018-Present
- Washington Super Lawyers list, 2000-2019
- Association of Washington Business, Heavy Lifter Award, 2013
- 2010 Top Lawyer, *Seattle Metropolitan* magazine
- National Merit Scholar Martindale-Hubbell AV rating

## ACTIVITIES

- Association of Washington Business Land Use Committee, Current Chair
- King County Landmarks & Heritage Commission
  - + Chair, 2004-2005
  - + Member, 1998-2005
- Environmental and Land Use Section, Washington State Bar Association
  - + Chair, 1996-1997
  - + Executive Committee Member, 1992-1998

## PUBLICATIONS

- [“Seattle's Inclusionary Zoning Scheme May Face Challenges,”](#) Law360, April 2019
- [“Seattle City Council Approves Upzones in Urban Villages Citywide, in Exchange for Mandatory Housing Affordability,”](#) Co-Author, Foster Pepper News, March 2019
- “Regional Real Estate Practice Guide: Washington,” Author, Chambers USA: Regional Real Estate guide, 2018
- [“Ecology Requires Unprecedented Global SEPA Analysis,”](#) Co-Author, Foster Pepper News, August 2013
- [“U.S. Supreme Court Decision Expands Scope of Takings Clause,”](#) Co-Author, Foster Pepper News, June 2013
- [“Department of Ecology Adopts SEPA Rule Amendments, Effective January 28, 2013, Increasing the Levels of Certain Categorical Exemptions, as Required by 2012 Legislation,”](#) Co-Author, Foster Pepper News, January 2013
- [“Foster Pepper Attorneys Dick Settle and Pat Schneider Appointed to Advise State on Increasing SEPA Exemptions and Revising Checklist,”](#) Co-Author, Foster Pepper News, August 2012
- [“Governor Acts on Bill Amending Environmental and Natural Resource Laws,”](#) Co-Author, Foster Pepper News, May 2012
- [“Legislature Amends Important Environmental and Natural Resource Laws,”](#) Co-Author, Foster Pepper News, April 2012
- [“Supreme Court Sheds Light on Perils of Appealing a County's Refusal to Amend its Comprehensive Plan,”](#) Co-Author, Foster Pepper News, March 2012
- [“Court Clarifies SEPA Planned Action Provision that Expedites Sustainable Communities,”](#) Co-Author, Foster Pepper News, February 2011
- “Overview of the Land Use Petition Act,” University of Washington CLE, 2000-2002
- “Washington's Vested Rights Doctrine,” University of Washington CLE, 2000

- “Subdivisions,” Land Use & Environmental Law: A Checklist Approach to the Fundamentals, Washington State Bar Association, February 1998
- “Overview of the Law of Takings,” Law Seminars International, November 1997
- “1995 Regulatory Reform Legislation,” Washington State Association of Municipal Attorneys, Annual Fall Conference, October 1995
- “Growth Management Act, Regulatory Reform and Initiative 164,” Washington State Bar Association CLE, September 1995
- “The New Frontier of Takings Law and What It Means to You,” University of Washington CLE
- “Land Use Litigation: The Government’s Perspective,” March 1995
- “Vested Rights and Substantive Due Process/Takings Challenges to Land Use Regulation,” Washington State Bar Association’s Annual Convention, September 1991

## PRESENTATIONS

- [“Recent Developments: Land Use,”](#) Speaker, Foster Pepper 2017 Real Estate/Land Use Briefing: Essential Industry Updates, November 2017
- [“Recent Developments in Land Use Law,”](#) Speaker, 15<sup>th</sup> Annual CLE Bootcamp, The Seminar Group, December 2016
- [“Land Use Hot Topics,”](#) Speaker, Foster Pepper 2016 Real Estate/Land Use Briefing: Essential Industry Updates, November 2016
- [“Recent Developments in Land Use Law,”](#) Speaker, 14<sup>th</sup> Annual CLE Bootcamp, The Seminar Group, December 2015
- [“Land Use Hot Topics,”](#) Speaker, Foster Pepper 2015 Land Use/Real Estate Briefing: Essential Industry Updates, October 2015
- “Divergent NEPA and SEPA EIS Scopes for Proposed Coal Terminals: Implications beyond Coal and Oil,” Speaker, 12th Annual SEPA & NEPA Seminar, January 2015
- [“Impact Fees, Linkage Fees and Capacity Charges,”](#) Speaker, Foster Pepper 2014 Land Use/Real Estate Briefing: New Regulatory Developments and their Impact on the Future of Land Use and Real Estate, November 2014
- “Recent Developments in Land Use Law,” 12th Annual CLE Bootcamp, December 2013
- “The Role of State and Local Government in the Approval Process for Energy Export Projects,” Speaker, Energy Exports in the Northwest: The Public Policy and Legal Issues at Play and their Likely Outcomes, October 2013
- [“Shoreline Master Program Updates: What Effect on Shoreline Properties?”](#) Presenter, 2012 Land Use & Environmental Seminar, October 2012
- “Perspectives on Whether SEPA/NEPA Impede Job Creation,” Speaker, The Ninth Annual Advanced One-Day Workshop on Washington’s SEPA & NEPA, January 2012
- “Recent Developments in Land Use Law,” Speaker, 10th Annual Washington CLE Bootcamp, December 2011
- “How Greenhouse Gases and Climate Change are Impacting Entitlements,” Speaker, Land Use/Environmental Group Seminar, May 2011
- “The New Project Killer? Greenhouse Emissions and SEPA,” Speaker, Washington State Association of Municipal Attorneys Spring Conference, April 2011
- “SEPA and Climate Change Impacts,” Speaker, The Eighth Annual Advanced One-Day Workshop on SEPA & NEPA: The Latest on Compliance from Developing Proposals Through Judicial Review, January 2011
- “Recent Developments in Land Use Law,” Speaker, 9th Annual Washington CLE Bootcamp, December 2010
- “Land Use Case Law and Legislative Update,” Speaker, 2010 Real Estate & Land Use Seminar, April 2010
- “Issues in the 2010 Legislative Session,” Speaker, 11th Annual Conference on Land Use in Washington, April 2010

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- “Administrative Appeals and Judicial Review Under SEPA: What Has Been Working Best for Project Opponent and Proponents?” Speaker, Eighth Annual Advanced One-Day Workshop on Washington’s State Environmental Policy Act (SEPA), January 2010
- “Recent Land Use Cases and Legislation,” Speaker, 2009 Real Estate & Land Use Seminar, April 2009
- “Administrative Appeals and Judicial Review under SEPA,” Speaker, SEPA & NEPA: The latest on Compliance from Developing Proposals Through Judicial Review, January 2009
- “Inclusionary Zoning: How Far Can Jurisdictions Go Under State Law?” Speaker, Incentive Zoning, June 2008
- “2007 Land Use Legislative Update,” Speaker, Hot Issues in Real Estate and Land Use Development, March 2007
- “Land Use Petition Act-Nuts & Bolts,” Speaker, Law Seminars International, April 2006
- “Administrative Appeals and Judicial Review,” Speaker, SEPA/NEPA Workshop, Law Seminars International, January 2006

## EXPERIENCE

- Foster Pepper PLLC, Member, 2002-Present
- Stoel Rives LLP, 1997-2002
- Seattle City Attorney’s Office, Director, Land Use Section, 1990-1997
- King County Prosecutor’s Office
  - + Senior Deputy Prosecuting Attorney, 1987-1990
  - + Deputy Prosecuting Attorney, 1981-1986

## BAR ADMISSIONS

- Washington
- 9th Circuit U.S. Court of Appeals

## EDUCATION

- J.D., University of Washington School of Law (with honors)
- Graduate Study, Emory University
- B.A., Macalester College (Phi Beta Kappa)