Chapter 5

USE TABLES

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5.010 Permitted uses, prohibited uses.

Land uses which are listed in the use table of this chapter shall be permitted subject to the review process listed in the table for a specific use in a particular use zone. If a use is not listed specifically or generally in a specific zone in the use table, it shall be considered to be a prohibited use in that zone. See Section 2.080(D)(2) for information on planning director interpretations on uses which are not listed in the use tables. (Ord. 2397-99 § 36 (part), 1999: Ord. 1671-89 (part), 1989.)

5.020 Review process.

The review process that applies to a permitted use is listed in the use table for uses that are permitted in each zone. If a use listed in the use table does not have a review process listed in the box or cell for a particular zone, it shall be considered to be a prohibited use in that particular zone. The review process for permitted uses will be as set forth in Title 15, Local Project Review Procedures. The procedures that apply to each of these review processes are described in Title 15, Local Project Review Procedures. (Ord. 2538-01 § 2, 2001: Ord. 2397-99 § 36 (part), 1999: Ord. 1671-89 (part), 1989.)

5.030 Special regulations or exceptions in use tables.

In some of the boxes or cells contained in the use table are numbers inside of parentheses. These numbers indicate that there are special regulations or exceptions that apply to the specific use and/or zone corresponding with that particular box in the use table. The special regulations are, in most cases, listed on the page(s) following the use table in which the number contained in parentheses is listed. The special regulation or exception that applies to the number in the use table is identified by the same number on the following page(s). In a few instances, a special regulation listed in parentheses in an earlier page of the table is also listed on a later page of the table. In such instances, you must find the number corresponding to the special regulation on an earlier page. (Ord. 2397-99 § 36 (part), 1999: Ord. 1671-89 (part), 1989.)

5.040 Additional regulations in specific zones.

In addition to the special regulations that accompany the use tables and the development standards listed in Table No. 6.1, there are additional regulations that apply in the B-3, M-1 and M-M zones. These can be found in Chapters 22, 27, and 28, respectively, of this title. (Ord. 2397-99 § 36 (part), 1999: Ord. 1671-89 (part), 1989.)

5.050 General provisions.

Chapter 39 of this title contains general provisions that apply to a variety of uses and circumstances. (Ord. 2397-99 § 36 (part), 1999: Ord. 1671-89 (part), 1989.)

5.060 Review process and development standards for properties which are under the jurisdiction of the Everett shoreline master program.

All uses and developments proposed on properties which are also under the jurisdiction of the Everett shoreline master program shall be subject to the review processes in Title 15, Local Project Review Procedures. All such uses and developments shall be subject to the review criteria for shoreline substantial development permits, variances, conditional use permits and revisions in Title 15, Local Project Review Procedures. In addition, all uses and developments in shoreline jurisdiction shall be subject to the development standards and special regulations of this title and the shoreline master program; provided however, that when a conflict exists between the regulations of the shoreline master program and those of this title, the regulations of the shoreline master program shall take precedence over those of this title. (Ord. 2538-01 § 3, 2001: Ord. 2397-99 § 36 (part), 1999: Ord. 1671-89 (part), 1989.)

5.070 Overlay zones.

In addition to the use zones listed in the use tables of this chapter, there may be overlay zones affecting a particular property which contain specific regulations which are not listed in the use tables of this chapter or in the development standards table of Chapter 6 of this title. To determine if overlay zone regulations affect your property, check a current copy of the Everett Zoning Map to see if the zoning symbol for the area on the map in which your property is located includes one of the following suffixes:

"C," "O," and "C-O" – Clinic, Office, and Clinic-Office Overlay Zone, see Chapter 16.

"PD" – Planned Development Overlay Zone, see Chapter 29.

"RFFD," "UFFD" – Floodplain Overlay Districts, see Chapter 30.

"D" – Design Overlay Zone, see Chapter 31.

"PRD" – Planned Residential Overlay Zone, see Chapter 32.

"H" – Historic Overlay Zone, see Chapter 33.

"I" – Institutional Overlay Zone, see Chapter 33B.

"S" – Shoreline Overlay Zone, see Chapter 33D.

If your property is in an overlay zone, refer to the applicable chapter listed above to see what additional regulations may apply to the property. (Ord. 2706-03 § 9, 2003: Ord. 2397-99 § 36 (part), 1999: Ord. 1671-89 (part), 1989.)

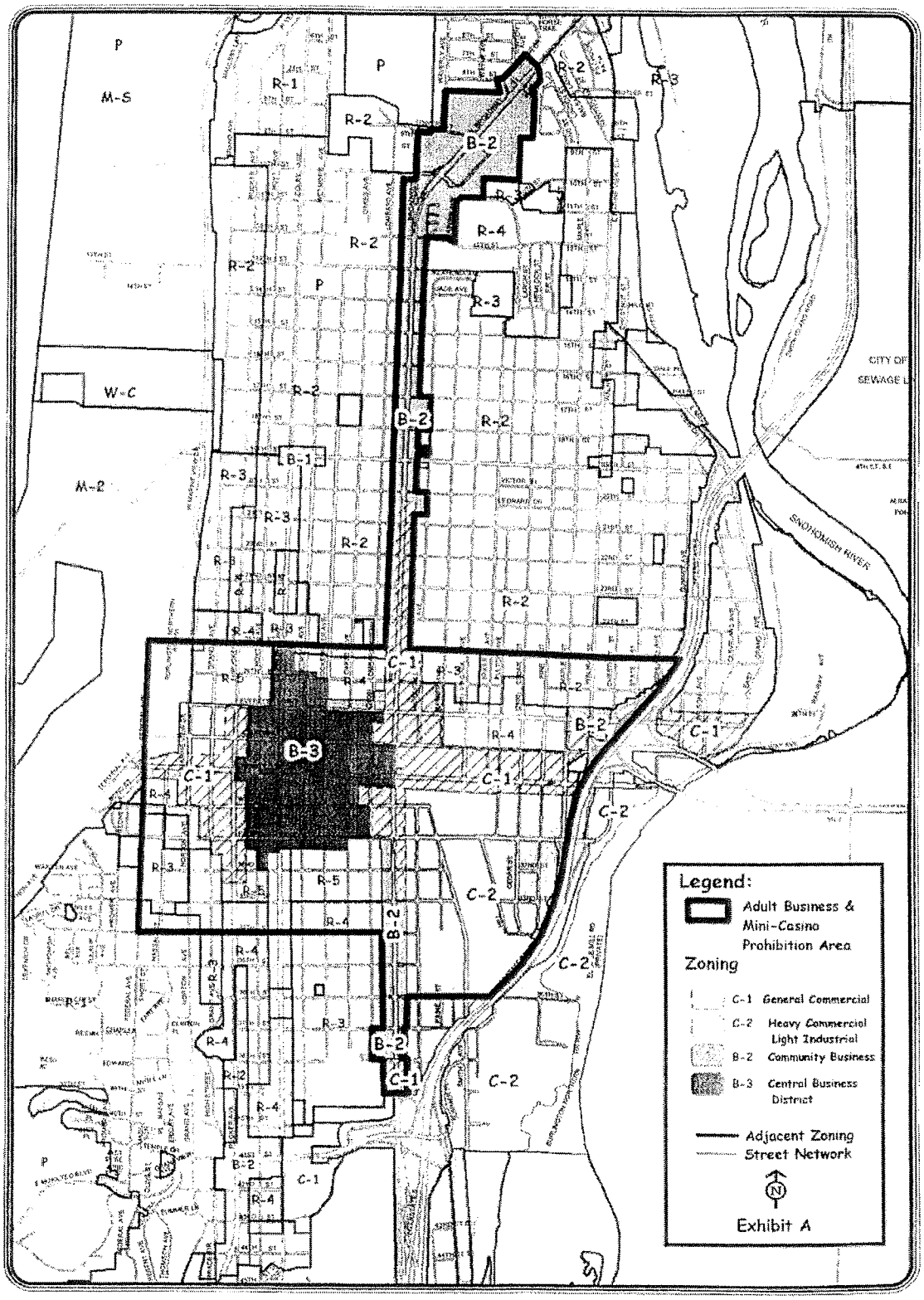
5.080 "Park" zone and "watershed resource management" zone.

The following zones apply to certain properties owned by the city of Everett:

A. Park Zone. The park zone applies to city-owned park lands. See Chapter 33A for the regulations which apply to properties in the park zone.

B. Watershed Resource Management Zone. The watershed resource management zone applies to city-owned lands located in the city's Chaplain watershed property. See Chapter 30A for the regulations which apply to properties in the watershed resource management zone. (Ord. 2397-99 § 36 (part), 1999: Ord. 1671-89 (part), 1989.)

5.090 Map number 5.1—Adult business and mini-casino prohibition area.



(Ord. 2711-03 § 3, 2003)

Table 5.1 Residential uses.

ZONE / USE	A-1	R-S	R-1	R-2	R-1(A) R-2(A)	R-3(L)	R-3	R-4 R-5	B-1	B-2 B-2(B)	B-3	C-1 C-1R	C-2	C-2ES	W-C	M-S	M-M	M-1	M-2
Accessory dwelling unit (21)	I(1)	I(1)	I(1)	I(1)	I(1)														
Adult family home	I	I	I	I	I	I	I	I	I	I	I	I							
Assisted living facility						I	I	I		I	I	I							
Boarding or rooming	I(2)	I(2)	I(2)	I(2)	I(2)	I(2)	I(2)	I(2)	I(2)	I(2)		I(2)							
Boardinghouse or roominghouse						I(3)	I(3)	I(3)		I(3)		I(3)							
Caretaker, watchman's quarters (4)													I	I	I	I	I	I	I
Congregate care facility							I	I		I	I	I							
Convalescent or nursing home							I	I		I	I	I							
Dwelling, single-family detached	I	I(5)	I(5)	I(5)	I(5)	I(5)	I(5)	I(5)	I(5)	I(5)		I(5)			I(5)(24)				
Dwelling, single-family attached		III(6)	III(6)	III(6)	I(7)	I(7)	I(7)	I(7)		I(7)		I(7)			I(7)(24)				
Dwelling, two-family (duplex) (21)			I(8)	I(9)	I(9)	I(9)	I(9)	I(9)	I(9)	I(9)		I(9)			I(9)(24)				
Dwelling, rear yard infill				I(25)			I(25)	I(25)	I(25)	I(25)		I(25)							
Dwelling, cottage housing							I(26)	I(26)											
Dwelling, multiple-family						I(7)	I(7)	I(7)(20)	I(10)	I(7)	I(7)	I(7)	I(11)		I(7)(24)				
Dwelling, live/work									I(23)	I(23)	I(23)	I(23)		I(22)	I(23)(24)				
Group home, Class I.A	I	I	I	I	I	I	I	I	I	I	I	I							
Group home, Class I.B	I					I	I	I	I	I	I	I							
Group home, Class I.C						I	I	I		I	I	I							
Group home, Class II.A, II.B, II.C											III(13)	III(13)							
Home occupation	I(14)	I(14)	I(14)	I(14)	I(14)	I(14)	I(14)	I(14)	I(14)	I(14)	I(14)	I(14)	I(14)	I(14)					
Senior citizen housing						I(7)	I(7)	I(7)	I(7)	I(7)	I(7)	I(7)	I(11)		I(7)(24)				
Manufactured home (15)	I	I	I	I	I	I	I	I	I	I		I							
Mobile home park (16)		III	III	III	III	II	II												
Secure community transition facility (19)																	III(19)	III(19)	III(19)
Temporary shelter home		III(17)	III(17)	III(17)	III(17)	III(17)	III(18)	III(18)		III(18)		III(18)							

SPECIAL REGULATIONS FOR ZONING CODE TABLE #5.1

(1) See Section 39.020.D for regulations pertaining to accessory dwelling units.

(2) Rental of rooms for lodging is limited to two persons in any single-family dwelling. See Section 39.060 for additional standards.

(3) The number of boarding rooms shall not exceed the number of dwelling units allowed by the density standards of the zone in which the property is located. See Section 39.060 for additional standards.

(4) While the P (public park) and WRM (watershed resource management) zones are not listed in this table, a caretaker's quarters is the only residential use permitted in either zone. See Chapter 33A for regulations for the P zone. See Chapter 30A for regulations for the WRM zone.

(5) Except in the core residential area, see Section 7.010 for development standards for single-family dwellings on lots smaller than five thousand square feet. See Section 7.020 for regulations on accessory buildings. See Chapter 33G of this title for standards that apply to single-family dwellings in the core residential area.

(6) Allowed only through the cluster alternative for subdividing, as provided by Section 39.130.E.

(7) All residential development must comply with the applicable development standards and guidelines, which may include standards in the B-3 zone (Chapter 22), core residential area (Chapter 33G), multiple-family design standards (Chapter 15), and/or any applicable overlay design standards and guidelines. Multiple-family development standards of Chapter 15 and multiple-family design guidelines established by city council Resolution No. 4618 shall apply to single-family attached dwelling developments and multiple-family dwelling developments containing three or more dwelling units.

(8) Allowed in the R-1 zone only when each dwelling unit may be owner-occupied, as provided through zero lot line subdivision, condominium, or residential binding site plan. Minimum lot area for each dwelling may be less than six thousand square feet; provided, that twelve thousand square feet is provided for both dwelling units. Shall comply with Section 7.010. See Section 7.020 for regulations on accessory buildings.

(9) Except in the core residential area, duplexes in any zone and on any sized lot shall comply with Section 7.010. See Section 7.020 for regulations on accessory buildings. The minimum lot area for a duplex in the R-2 zone is seven thousand five hundred square feet. See Chapter 33G of this title for standards that apply to duplexes in the core residential area.

(10) Permitted only in mixed-use development in which:

(a) At least twenty-five percent of the total gross floor area is on the same lot; or

(b) Ninety percent of the street frontage of the ground floor is used for a permitted nonresidential use.

Special Regulation (7) also applies to multiple-family dwelling developments in this zone.

(11) Permitted in this zone only in the area indicated by map number 15-1. Special Regulation (7) also applies to multiple-family dwelling developments in this zone.

(12) Reserved.

(13) See Section 39.105 for regulations for jails, Class II group homes, and correctional facilities.

(14) See Section 41.080 for regulations on home occupations.

(15) See definition of "manufactured home." A designated manufactured home is allowed in any zone which allows a single-family detached dwelling provided it is on a permanent foundation, is connected to all utilities required by applicable construction codes, and meets all other requirements of this code pertaining to single-family dwellings. Mobile homes that do not meet this standard may only be allowed in an approved mobile home park.

(16) See Title 17 of the Everett Municipal Code for regulations for mobile home parks.

(17) Permitted only when an accessory use to an existing church facility, and subject to the evaluation criteria of Section 41.150.C.

(18) This use shall be subject to the evaluation criteria of Section 41.150.C.

(19) See Section 41.150.D.3 for regulations on secure community transition facilities.

(20) At that R-4 zone location noted as Lots 11, 12, 13, 14 and 15, on the east side of Wetmore Avenue in the 3900 block, known in part as the Climax Land Division, 1st Everett Addition, shall be limited to a maximum height of forty-five feet as required by code provisions for the area.

(21) Accessory dwelling units and duplexes are not permitted on lots within easement access short subdivisions, except for existing duplexes as provided under Chapter 18.28 of this code.

(22) See Chapter 25 for regulations for live/work units in the C-2ES zone.

(23) See Section 39.125 for regulations for live/work units.

Special regulations are not applicable in the Everett Riverfront District.

(24) Prohibited on the Mukilteo tank farm property, except that residential uses are permitted only in mixed-use commercial-residential buildings in which no dwellings are located on the ground floor of the building.

(25) Permitted in the R-2A and core residential areas.

(26) Permitted in the core residential areas only. (Ord. 3072-08 § 3, 2008: Ord. 3002-07 § 2, 2007: Ord. 2923-06 § 1, 2006; Ord. 2854-05 § 5, 2005: Ord. 2720-03 § 1, 2003; Ord. 2704-03 § 2, 2003; Ord. 2657-02 §§ 8, 9, 10, 17, 2002; Ord. 2639 § 2, 2002; Ord. 2397-99 § 36 (part), 1999: Ord. 1671-89 (part), 1989.)

Table 5.2 Nonresidential uses.

USE / ZONE	A-1	R-S R-2	R-1	R-1(A) R-2(A)	R-3(L)	R-3	R-4 R-5	B-1	B-2	B-2(B)	B-3 (66)	C-1	C-1R	C-2	C-2ES (60)	W-C	M-S	M-M	M-1	M-2
AGRICULTURAL USES																				
Agriculture industries	III																			
Farm, dairy, horticulture	I																			
Greenhouse, nursery	I								I			I		I	I			I	I	I
BUSINESS/COMMERCIAL																				
Appliance sales, service									I		I	I	I	I	I	I(54)				I
Barber/beauty shop							I(1)	I	I	I	I	I	I	I	I	I(54)		I	I	I
Broadcast studio								I(52)	I(52)	I(52)	I(52)	I(52)	I(52)	I(52)	I(52)			I(52)	I(52)	I(52)
Business park									I(2)	I(2)		I(2)	I(2)	I	I	I(2) (54)		I	I	I
Building materials sales												I(23)		I(23)	I(61)					I(23)
Carpet store									I		I	I	I	I	I	I(54)				I
Consumer services									I(23)			I(23)	I(23)	I(23)	I(61)					I(23)
Dry cleaner, retail								I	I		I	I	I	I	I	I(54)		I	I	I
Equipment rental									I(3)			I(3)		I(3)	I(61)					I(3)
Farmers' market									I		I	I		I	I(61)	I	I			I
Financial institution								I(4)	I(5)	I(5)	I(6)	I(5)	I(5)	I(5)	I(6)	I(4) (54)		I(5)	I(5)	I(5)
Food bank									I		I(66)	I		I	I			I	I	I
Funeral parlor/mortuary									I	I	I	I	I	I	I			I	I	
Furniture store									I		I	I	I	I	I(61)	I(54)				I
Government administrative offices							II(7)		I	I	I	I	I	I	I	I(54)		I	I	I
Home occupation	I(8)	I(8)	I(8)	I(8)	I(8)	I(8)	I(8)	I(8)	I(8)	I(8)	I(8)	I(8)	I(8)			I(8)				
Kennel/pet boarding	I								I(9)			I(9)		I(9)	I(9)					I(9)
Laundromat								I	I		I	I	I	I	I	I(54)	I			I
Offices						I(10)	I(10)	I	I	I	I	I	I	I	I	I(54)		I	I	I
Open-air market											I					I				
Personal services								I	I		I(66)	I	I	I	I	I(54)		I	I	I
Printing, duplication									I	I	I	I	I	I	I	I(54)		I	I	I
Retail, adult								I(59)	I(59)			I(59)	I(59)	I(59)		I(59)	I(59)	I(59)	I(59)	I(59)
Retail, indoor								I	I		I(66)	I	I	I	I	I	I(11)	I(11)	I(11)	I
Retail, outdoor									I(3)			I(3)		I(3)		I(3)				I(3)
Self-serve storage facility									I(23)			I(23)		I(23)				I(23)	I(23)	I(23)
Shopping center								I	I			I	I	I	I(61)	I(54)				I
Veterinary clinic									I(12)	I(12)	I(12)	I(12)	I(12)	I(12)	I(12)					I(12)
EATING AND BEVERAGE																				
Bakery, retail							I(13)	I(13)	I(13)		I(13)	I(13)	I(13)	I	I	I(13)		I	I	I

ZONE / USE	A-1	R-S R-2	R-1	R-1(A) R-2(A)	R-3(L)	R-3	R-4 R-5	B-1	B-2	B-2(B)	B-3 (66)	C-1	C-1R	C-2	C-2ES (60)	W-C	M-S	M-M	M-1	M-2
Brewery, micro-									I(14)		I(14)	I(14)	I(14)	I	I	I	I	I	I	I
Espresso stand									I(15)			I(15)	I(15)	I(15)	I(63)	I(15)				I(15)
Restaurant							I(16)	I(16)	I(16)	I(16)	I(16)	I(16)	I(16)	I(16)	I(16)	I(16)	I(16)	I(16)	I(16)	I(16)
Tavern									I(17)		I(17)	I(17)	I(17)	I(17)	I(17)	I(17) (54)				I(17)
ENTERTAINMENT USES																				
Adult use businesses									I(18)		I(18)	I(18)	I(18)	I(18)				I(18)	I(18)	I(18)
Art gallery								I	I	I	I	I		I	I	I				I
Artist studio								I	I	I	I	I		I	I	I				
Bingo hall									I		I	I		I	I			I	I	I
Casino, mini-									I(17a)			I(17a)	I(17a)	I(17a)						I(17a)
Convention, exhibition center											I(66)	I		I	I	I(54)			I	I
Library								I	I	I	I	I		I	I	I		I	I	I
Museum									I	I	I	I		I	I	I	I	I	I	I
Nightclub									I(17)		I(17) (66)	I(17)	I(17)	I(17)	I(17)	I(17) (54)				I(17)
Private club, fraternal organization									I	I	I(66)	I		I	I					I
Theater or theater complex									I		I	I	I	I	I	I(54)				I
Video game arcade									I		I(66)	I		I	I	I(54)				I
INDUSTRIAL USES																				
Aircraft assembly																				I
Bakery, wholesale												I(57)		I	I(62)			I	I	I
Bottling plant												I(57)		I	I(62)			I	I	I
Brewery, distillery, winery												I(19)(57)		I(19)	I(19)			I(19)	I(19)	I(19)
Bulk fuel sales, storage												I(20)(57)		I(20)			I(21)			I(20)
Cabinet shop												I(57)		I	I(62)		I	I	I	I
Dry cleaning, laundry plant												I(57)		I	I(62)			I	I	I
Electronic instruments manufacture												I		I	I(62)			I	I	I
Food products processing	III(22)											I(22)(57)		I(22)	I(22)(62)		I(22)	I(22)	I(22)	I(22)
Heavy manufacturing																	I(21)			I
Light manufacturing												I(57)		I	I(62)		I(21)	I	I	I
Outdoor storage of bulk materials or large equipment												I(23)(57)		I(23)			I(24)	I(25)	I(26)	I(23)
Research, testing labs									I	I		I	I	I	I(62)	I(55)	I	I	I	I
Warehouse, wholesale distribution												I(57)		I	I(62)		I(27)	I	I	I
Welding, fabrication or machine shop												I(57)		I	I(62)		I	I	I	I

USE / ZONE	A-1	R-S R-2	R-1	R-1(A) R-2(A)	R-3(L)	R-3	R-4 R-5	B-1	B-2	B-2(B)	B-3 (66)	C-1	C-1R	C-2	C-2ES (60)	W-C	M-S	M-M	M-1	M-2
LODGING																				
Bed and breakfast house	III(28)	III(28)	III(28)	III(28)	III(28)	I(28)	I(28)	III(28)	I(28)	III(28)	I(28)	I(28)	I(28)			I(54)				
Hotel, motel									I		I	I	I	I	I	I		I	I	I
MEDICAL USES																				
Blood or plasma donation									I	I	I(66)	I	I	I	I			I	I	I
Clinic						I(29)	I(29)	I	I	I	I	I	I	I	I	I(29) (54)		I	I	I
Medical-related activities						I(29)	I(29)	I	I	I	I	I	I	I	I	I(29) (54)		I	I	I
Opiate substitution treatment facility												I(56)								
RECREATIONAL USES																				
Bowling alley									I		I	I	I	I	I	I(54)				I
Health and fitness club									I		I	I	I	I	I	I		I	I	I
Marinas																I	I			I
Miniature golf									I			I	I	I	I					I
Outdoor recreation, commercial	III(30)								I			I	I	I	I	I	I	I	I	I
Outdoor recreation, public	II(30)	II(30)	II(30)	II(30)	II(30)	II(30)	II(30)	II(30)	I	I	I	I	I	I	I	I	I	I	I	I
Skating rink									I		I	I	I	I	I	I(54)				I
SPECIAL PROPERTY USES	See Section 41.150.C for general evaluation criteria, and Section 41.150.D for specific use criteria																			
Aircraft landing facilities		III(32)		III(32)														III	III	III
Church	III(33)	III(33)	III(33)	III(33)	III(33)	III(33)	III(33)	III	I	I	I(66)	I	I	I	I	III(54)	III	I	I	I
Crematorium			III(34)				III(34)		I		I	I		I	I			I	I	I
Daycare, commercial	III	III(30)	III(30)	III(30)	III(30)	III(30)	III(30)	III(30)	I	I	I	I	I	I	I	I		I	I	I
Daycare, family home	I	I	I	I	I	I	I	I	I	I	I	I	I			I				
Detoxification center, drug rehabilitation									III(30)	III(30)		I		I				I	I	I
Heavy industrial uses:																				
Aggregates extraction, related manufacturing activity																			III(35)	
Batch plant																	III(36)		III(35)	III(36)
Blast furnace																				III(36)
Drop forge																				III(36)
Power generation plant																				III(36)
Hospital		III(37)	III(37)	III(37)	III(37)	III(37)	III(37)		II(37)	II(37)	II(37)	II(37)	II(37)	I	I			I	I	I
Jail/correctional facility											III(38)	III(38)								
Park, public	II	III	III	III	III	III	III	III	I	I	I	I	I	I	I	I	I	I	I	I
Public service uses, buildings	III	III	III	III	III	III	III	III	I	III	I	I	I	I	I	I	I	I(58)	I	I

Table 5.2

ZONE / USE	A-1	R-S R-2	R-1	R-1(A) R-2(A)	R-3(L)	R-3	R-4 R-5	B-1	B-2	B-2(B)	B-3 (66)	C-1	C-1R	C-2	C-2ES (60)	W-C	M-S	M-M	M-1	M-2
Schools:																				
College, university		III(39)	III(39)	III(39)	III(39)	III(39)	III(39)		I	I	I	I	I	I	I	I		I	I	I
Preschool to grade 12		III(39)	III(39)	III(39)	III(39)	III(39)	III(39)	III(39)	I	I	I	I	I	I	I	I(54)	I	I	I	
Private instruction (art, music, dance)								I	I	I	I	I	I	I	I	I		I	I	I
Vocational training									I	I	I	I	I	I	I	I	I	I	I	I
Social service facility								III	I	I	I(66)	I	I	I	I			I	I	I
Special aviation use																		VA	VA	VA
Utilities:																				
Above ground utility and communications facility, major	III(40)	III(40)	III(40)	III(40)	III(40)	III(40)	III(40)	III(40)	II(40)	III(40)	II(40)	II(40)	II(40)	II(40)	II(40)	III(40) (54)	III(40)	II(40)	II(40)	II(40)
Above ground utility and communications facility, minor	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Below ground utilities	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I
Recycling/composting														II(41)	II(61)(62)					II(41)
Solid waste transfer station														III(36)				III(36)		III(36)
Wastewater treatment plant	III(36)																			III(36)
TRANSPORTATION USES																				
Parking, commercial									I		I(42) (66)	I	I	I	I			I	I	I
Parking, commuter		I(43)	I(43)	I(43)	I(43)	I(43)	I(43)		I			I	I	I	I			I	I	I
Passenger terminals									I		I	I	I	I	I	I	I	I	I	I
Railroad yard																				I
Shipping, marine																	I			I
Shipping, trucking terminal														I			I	I	I	I
Transit station, and supportive and incidental uses					III(44)	III(44)	III(44)	III(44)	I	II(44)	I	I	I	I	I	I	I	I	I	I
Transportation facilities of statewide significance	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)	II(53)
VEHICLE RELATED USES																				
Auto, small truck, boat, motorcycle, recreational vehicle:															I(61)(62) (64)					
Boat building, storage, repair														I(45)	I(61)(64)	I(54) (67)	I			I(45)
Body repair, painting									I(45)			I(45)	I(45)	I(45)	I(61)(64)					I(45)
Dismantling (indoor only)														I(46)	I(61)(64)					I(46)
Impound, storage, tow yard														I(47)	I(61)(64)					I(47)
Maintenance, service (light)									I(45)			I(45)	I(45)	I(45)	I(64)			I(48)	I(48)	I(45)
Maintenance, service (heavy)									I(45)			I(45)	I(45)	I(45)	I(61)(64)			I(48)	I(48)	I(45)

USE / ZONE	A-1	R-S R-2	R-1	R-1(A) R-2(A)	R-3(L)	R-3	R-4 R-5	B-1	B-2	B-2(B)	B-3 (66)	C-1	C-1R	C-2	C-2ES (60)	W-C	M-S	M-M	M-1	M-2
Sales or rental									I(49)			I(49)			I(65)	I(50) (54)	I(50)			
Service (gasoline) station								I(45)	I(45)			I(45)	I(45)	I(45)				I(48)	I(48)	I(45)
Washing, auto or self-serve									I(51)			I(51)	I(51)	I(51)	I(61)					I(51)
Truck, large (over 24,000 pounds):																				
Body repair, painting														I(45)	I(61)(64)					I(45)
Dismantling (indoor only)														I(46)	I(61)(64)					I(46)
Fuel sales												I		I						I
Maintenance, repair														I	I(61)(64)					I
Sales or rental														I	I(65)					I
Storage, impound, tow yard														I(47)	I(61)					I(47)
Washing														I(51)	I(61)					I(51)

SPECIAL REGULATIONS FOR ZONING CODE TABLE #5.2

(1) Permitted only in mixed-use buildings in which:
(a) Business is oriented to immediately surrounding neighborhood.
(b) At least sixty-five percent of the gross floor area is used for multiple-family dwellings.
(c) The maximum gross floor area devoted to an individual nonresidential use is four thousand square feet.
(d) No additional curb cuts are permitted for the nonresidential use(s).

(2) Warehouses are permitted only as an accessory use to an office use. The floor area of warehouse space shall not exceed the floor area of office space. No industrial uses are permitted in this zone.

(3) See Section 41.100 for regulations for outdoor uses, activities and storage.

(4) Drive-up teller stations are not permitted.

(5) Drive-up teller stations are not permitted within fifty feet of residentially zoned lots; except that in the M-1 zone, drive-up teller stations are not permitted within seventy-five feet of residentially zoned lots. In any zone, drive-up teller stations shall only be allowed where permitted by the traffic engineer. In the M-M and M-1 zones, financial institutions are permitted only in a multitenant building.

(6) Drive-up teller stations are not permitted unless access is from the alley, and shall only be allowed where permitted by the traffic engineer.

(7) Permitted only in the R-4 C-O and R-5 C-O zones in accordance with the requirements of Section 16.040.

(8) See Section 41.080 for regulations on home occupations.

(9) Permitted only within enclosed buildings from which the sound of barking dogs is not audible on lots where residential use is permitted.

(10) (a) Office uses are not permitted in the R-3(L) zone, and are permitted in the R-3 zone only as provided in paragraph (b) of this Special Regulation (10).

(b) Office Uses on Colby Avenue in R-3 and R-4 Zones. Offices are permitted as a stand-alone use only on corner lots in those portions of the R-3 and R-4 zones that front on Colby Avenue, between 19th Street and 25th Street, subject to the following requirements:

(1) Office uses may only be established in existing single-family dwellings or in existing nonconforming buildings. Existing buildings may not be removed and replaced with new office buildings.

(2) For existing single-family dwellings that are converted to office uses, the building shall maintain the appearance of a single-family dwelling. Any additions or remodeling shall not increase the gross floor area of the existing building by more than twenty-five percent.

(3) Off-street parking shall be located to the rear of the building and may take access only from the alley, except where an existing parking area takes access from the street.

(4) Wall signs are limited to one per building, and a maximum area of sixteen square feet. Freestanding signs are limited to one per building, a maximum height of five feet, a maximum area of sixteen square feet, and shall be set back ten feet from the front or side lot lines. Internally illuminated signs are prohibited.

(c) Except as provided by paragraph (b) or (d) of this Special Regulation (10), office uses are permitted in the R-4 or R-5 zones only in mixed-use buildings in which at least fifty percent of the gross floor area is used for two or more dwellings. Chapter 15 of this title, and the multiple-family design guidelines, shall apply to mixed-use office-residential developments with three or more dwelling units.

(d) When the property is located in the O or C-O overlay zone, the provisions of Chapter 16 of this title shall apply.

(11) Permitted as an accessory use for those products produced on premises; up to but no more than twenty percent of goods sold may be produced off-site and by other producers.

(12) Outside runs or other outside facilities for animals are not permitted. Buildings shall be constructed so noise from this use is not audible on residentially zoned lots.

(13) Bakeries in this zone may devote up to fifty percent of their gross floor area to the production of bakery products for wholesale distribution. In the R-4 and R-5 zones, bakeries are permitted only in mixed-use buildings in which:
(a) Business is oriented to immediately surrounding neighborhood.
(b) At least sixty-five percent of the gross floor area is used for multiple-family dwellings.
(c) The maximum gross floor area devoted to an individual nonresidential use is four thousand square feet.

(d) No additional curb cuts are permitted for the nonresidential use(s).

(14) Not more than fifty percent of the total floor area may be used for brewery production.

(15) The following regulations apply only to espresso stands which are contained in a structure, and which can serve customers who remain in their vehicles by means of a drive-up window. Mobile espresso vehicles are not subject to these regulations. Espresso retail uses not able to serve customers who remain in their vehicles shall be regulated as "restaurants."

(a) Drive-up espresso stands shall be located so as not to remove or obstruct required off-street parking for other uses on the same lot or an adjoining lot.

(b) One off-street parking space shall be provided for each employee working at any given time.

(c) Street frontage landscaping shall be provided in accordance with the zone in which the property is located.

(d) Holding lanes shall provide sufficient room on-site for three vehicles for each service lane without obstructing required off-street parking areas for other uses on the lot or an adjoining lot.

(e) The building shall be set back a minimum of ten feet from required street frontage landscaping when a drive lane is proposed on the street side of the structure, and fifty feet from any residentially zoned property.

(f) Signs shall be permitted as provided for the zone in which the property is located.

(16) The following regulations shall apply to restaurants:

(a) In the R-4 and R-5 zones, restaurants are permitted only in mixed-use buildings in which:

(1) Business is oriented to immediately surrounding neighborhood.

(2) At least sixty-five percent of the gross floor area is used for multiple-family dwellings.

(3) The maximum gross floor area devoted to an individual nonresidential use is four thousand square feet.

(4) No additional curb cuts are permitted for the nonresidential use(s).

(5) The sale of alcoholic beverages is prohibited.

(b) Sale of alcoholic beverages other than beer or wine is prohibited in the B-1 zone. Establishments selling beer and/or wine in the B-1 zone shall derive not more than twenty-five percent of their gross sales volume from alcoholic beverages.

(c) Restaurants with drive-up windows are not permitted in the B-1, B-2(B), B-3, W-C, M-S, M-M, or M-1 zones.

(d) In the M-M and M-1 zones, restaurants are permitted only in multiple-tenant buildings in which nonrestaurant uses occupy at least seventy-five percent of the gross floor area of the total building.

(1) In the B-2(B) zone, restaurants may be contained in and exclusively occupy freestanding structures which take up to, but no more than, sixty-six percent of the total gross floor area of the building(s) on the site where they are located. A site plan for the entire site shall be approved when a restaurant is proposed. Said plan shall show all uses, locations and landscaping.

(2) Where freestanding restaurants are sited in the B-2(B) zone in conjunction with office building(s) either at the same time or not, and when the affected site abuts residentially zoned lots, the outside wall(s) of the office building(s) shall be placed as near to the residentially zoned lots as applicable provisions of this code allow. The restaurant use shall be located next to the street and/or away from residentially zoned lots.

(3) Where one or the other permitted use is not to be constructed under the provisions of a permit application, the remaining "vacant" portion, where the future use will be located, shall be provided with Type IV "stabilizing" landscaping. That portion of the perimeter landscaping abutting residentially zoned lots, where they occur, shall be Type III landscaping of the appropriate category. In all cases, site-obscuring fencing, not including chain link, shall be used when abutting residentially zoned lots.

(e) Restaurants with dancing or live entertainment are not permitted in the B-1 or B-2(B) zone.

(f) A restaurant with live music and/or dancing is not permitted within one hundred feet of lots located in residential zones.

(g) Restaurants with drive-up service windows shall meet the following standards:

(1) Drive-up service windows shall not be located less than fifty feet from lots located in residential zones.

(2) Drive-up order placing stations shall be located not less than one hundred feet from lots located in residential zones.

(3) There shall be one outdoor waste receptacle provided for each eight parking spaces.

(4) Holding lanes for drive-up order placing stations shall provide room for a minimum of eight vehicles and shall be located a minimum of one hundred feet from lots located in residential zones.

(5) Delivery and loading areas shall be located so as not to interfere with drive-up window traffic or off-street parking areas.

(17) A tavern or night club with live music and/or dancing is not permitted within one hundred feet of lots located in residential zones. Adult cabarets as defined in the zoning code shall not be permitted within the area defined in Map 5.1.

(17a) The following regulations shall apply to mini-casinos:

(a) The space devoted to gambling and gaming activity and support services (i.e., security) shall not be more than eight thousand square feet. Other incidental uses such as restaurant or nightclub uses shall not be restricted by the eight thousand square feet limitation if no gambling or gaming activity occurs within such space.

(b) It shall be located in:

(1) A freestanding building; or

(2) A unit in a larger development; provided, that the mini-casino is separated from all other uses by a lobby or similar open space or common area from adjacent units in the development, and that there are no other mini-casinos located within six hundred feet of the exterior walls of the building in which the mini-casino is located.

(c) Mini-casinos shall not be permitted in the C-1R zoned area located east of Colby Avenue, north of 44th Street and south of 40th Street. Mini-casinos are also not permitted within the area defined in Map 5.1 of Chapter 5.

(18) See Section 39.025 for regulations pertaining to adult use businesses.

(19) Breweries and wineries shall be prohibited within three hundred fifty feet of lots located in residential zones and schools unless an air quality study completed by a qualified expert shows the use will not result in significant odor impacts in the residential school area.

(20) See Section 41.100 for regulations for outdoor use, storage and activities.

(21) Permitted only for water-dependent industrial uses.

(22) Fish cleaning is permitted only in the M-S zone, or in the M-2 zone on lots located in areas under the jurisdiction of the shoreline master program.

(23) See Section 41.100 for regulations pertaining to outdoor storage.

(24) Permitted only as an accessory use to a permitted use. See Section 41.100 for regulations pertaining to outdoor storage.

(25) Permitted only as an accessory use to a permitted use. See Section 28.020.C for regulations on outdoor storage in the M-M zone.

(26) Permitted only as an accessory use to a permitted use. See Section 27.020.D for regulations on outdoor storage in the M-1 zone.

(27) Permitted only as an accessory use to a permitted use.

(28) Within the A-1, R-S, R-1, R-2, B-1 and B-2(B) zones, bed and breakfast houses shall be permitted only in homes individually listed on the National, State or Everett Historical Register. Homes within historic districts which are not individually listed on the National, State or Everett Historical Register are not eligible to become bed and breakfast houses. See Section 39.050 for additional regulations pertaining to bed and breakfast houses.

(29) Clinic uses and medical-related activities are permitted in the R-3, R-4 or R-5 zones only as provided in paragraph (a), (b) or (c) of this Special Regulation (29). Clinic uses and medical-related activities are permitted in the W-C zone only as provided in paragraph (d) of this Special Regulation (29).

(a) Clinic Uses and Medical-Related Activities on Colby Avenue in R-3 and R-4 Zones. Clinics, offices or medical-related activities are permitted as a stand-alone use only on corner lots in those portions of the R-3 and R-4 zones that front on Colby Avenue, between 19th Street and 25th Street, subject to the following requirements:

(1) Clinic uses and medical-related activities may only be established in existing single-family dwellings or in existing nonconforming buildings. Existing buildings may not be removed and replaced with new clinic or medical-related activity buildings.

(2) For existing single-family dwellings that are converted to clinic uses or medical-related activities, the building shall maintain the appearance of a single-family dwelling. Any additions or remodeling shall not increase the gross floor area of the existing building by more than twenty-five percent.

(3) Off-street parking shall be located to the rear of the building and may take access only from the alley, except where an existing parking area takes access from the street.

(4) Wall signs are limited to one per building, and a maximum area of sixteen square feet. Freestanding signs are limited to one per building, a maximum height of five feet, a maximum area of sixteen square feet, and shall be set back ten feet from the front or side lot lines. Internally illuminated signs are prohibited.

(b) Except as provided by paragraph (a) or (c) of this Special Regulation (29), clinic uses or medical-related activities are permitted in the R-3, R-4 or R5 zones only in mixed-use buildings in which at least fifty percent of the gross floor area is used for two or more dwellings. Chapter 15 of this title, and the multiple-family design guidelines, shall apply to mixed-use clinic-medical-residential developments with three or more dwelling units.

(c) When the property is located in the C or C-O overlay zone, the provisions of Chapter 16 of this title shall apply.

(d) Clinics and pharmacies are permitted. Other medical-related activities are permitted only in conjunction with clinic use. Ambulance dispatch centers are not permitted in the W-C zone.

(30) If property is zoned P (public park), refer to Chapter 33A. If property is not zoned P, refer to Section 41.150.C and D for additional regulations.

(31) *Repealed by Ord. 2657-02.*

(32) Emergency airlift landing may be permitted only at existing hospitals, subject to Review Process IIIA. See Section 41.150.D.1.c for special regulations pertaining to this use.

(33) See Section 41.150.C for general evaluation criteria, and Section 41.150.D.2.b for special regulations pertaining to this use.

(34) Permitted only as an accessory use to existing cemetery or mortuary.

(35) See Section 27.040 for regulations applicable to "aggregates extraction, related manufacturing activity" in the M-1 zone.

(36) See Section 41.150.C for general evaluation criteria.

(37) See Section 41.150.D.2.c for specific criteria to be used to evaluate this use.

(38) See Section 39.105 for regulations for jails, Class II group homes, and correctional facilities.

(39) See Section 41.150.D.2.a for regulations pertaining to school facilities.

(40) See Section 41.150.D.1.b for regulations pertaining to above ground utility and communications facilities.

(41) See Section 41.100 for regulations for outdoor uses, activities and storage.

(42) See Section 22.020.D for development standards for parking lots in the B-3 zone.

(43) Allowed only in church parking lots in this zone.

(44) See Section 41.150.C for general evaluation criteria.

(45) Vehicle service and repair businesses shall comply with the following requirements:

(a) All vehicle maintenance work shall be performed in an enclosed building when located within one hundred fifty feet of lots located in residential zones. The garage doors of the building may not face toward the residentially zoned properties.

(b) Vehicles being serviced shall not be parked on public right-of-way.

(c) Inoperable vehicles, used or discarded tires and vehicle parts shall be screened from view by a solid sight-obscuring fence and landscaping as required by Section 41.100.

(46) Wrecking and dismantling yards (outdoor storage) are prohibited. Indoor dismantling shall also comply with Special Regulation (45).

(47) Shall comply with the landscaping and screening requirements of Section 41.100.

(48) Permitted only in a multiple-tenant building or development. Shall comply with the requirements of Special Regulation (45).

(49) Permitted only on Broadway, Evergreen Way, Rucker Avenue and a portion of Everett Mall Way with the following conditions:

(a) The minimum lot area/size would be one hundred eight thousand nine hundred square feet or 2.5 acres for vehicle sales and related/supportive uses.

(b) Vehicle sales would be allowed on Everett Mall Way from Evergreen Way on the west and First Place West on the east.

(c) Parking and landscaping standards would be current standards, except an upgrade on the 100th Street frontage where Type II landscaping would be required.

(d) At least twenty-five percent of the vehicle sales shall be new car sales.

(e) Mitigation measures would be applied to restrict noise including the prohibition of exterior speakers for music and/or announcements.

(50) Boat sales and rental only. No auto or truck sales permitted in this zone.

(51) Vehicle washing facilities are not permitted within fifty feet of residentially zoned lots.

(52) Broadcast studio antenna facilities must comply with Section 41.150.D.1.b.

(53) A Review Process I land use decision is required for projects that are categorically exempt under SEPA. A Review Process III land use decision is required for projects in shoreline jurisdiction with a project area greater than one acre.

(54) Prohibited on the Mukilteo tank farm property, except that ATM machines and boat rentals are permitted; and residential uses are permitted in mixed-use commercial-residential buildings in which no dwellings are located on the ground floor of the building.

(55) Water-dependent governmental and educational scientific research and testing facilities are permitted on the Mukilteo tank farm property.

(56) Permitted only in the C-1 zone areas located south of SR 526, and in the two existing hospital facilities currently located in Everett or hospital facilities, as defined in this title, that may be established in the future. Only one opiate substitution treatment facility may be established in the city under this provision as a permitted use using Review Process I. In order for any subsequent opiate substitution treatment facility to be established in the city, the city must first adopt an essential public facilities siting ordinance implementing the interlocal agreement to implement common siting process for essential public facilities, include opiate substitution treatment facilities as essential public facilities under said ordinance, and must comply with said ordinance as well as all other applicable regulations.

(57) This C-2 zone use is allowed only in that C-1 zoned area bounded by East Marine View Drive to the west, Hayes Street to the north and the M-2 zone to the east and south.

(58) Includes school bus parking, maintenance, washing and other related activities associated with a school bus facility when located in the M-M zoned area generally bounded by Seaway Boulevard to the west; 75th Street S.W. to the north; Hardeson Road to the east; and SR-526 to the south.

(59) See Section 39.024 for regulations pertaining to adult retail businesses.

(60) See special regulations and design standards for the C-2ES (Everett Station Area) zone in Chapter 25.

(61) Outdoor sales and outdoor storage, including vehicle storage, are prohibited; provided, that seasonal outdoor farmer's markets are permitted.

(62) Industrial uses with outside fabrication, processing and/or storage are prohibited.

(63) Espresso stands shall be oriented to pedestrians. Drive-up windows are prohibited.

(64) Vehicle service and repair businesses shall comply with the following requirements:

(a) All vehicle maintenance work shall be performed in an enclosed building.

(b) Vehicles being serviced shall not be parked on public right-of-way.

(c) Outdoor storage of inoperable vehicles, used or discarded tires and vehicle parts is prohibited.

(65) Rental only. Outdoor storage of equipment and large trucks is prohibited.

(66) Parking lots are not permitted in areas designated as retail streets by Map 22-2, unless located behind the building. The following uses, whether specifically listed or not in Table 5.2, shall be prohibited on the ground floor in areas designated as retail streets by Map 22-2: Food banks, tattoo parlors, blood or plasma donor centers, body piercing, churches, pawnshops, secondhand stores, places of assembly, teen clubs, private clubs, fraternal organizations, social service facilities.

(67) Boat building and repair are permitted in buildings no larger than forty thousand square feet of gross floor area, and shall comply with the following requirements:

(a) Boat building and repair shall not be located within one hundred feet of residential uses. Boat building or repair businesses that regularly finish metal and/or use fiberglass resin and varnish as a primary part of their manufacturing activities shall be prohibited within three hundred feet of residential areas unless an air quality study completed by a qualified expert shows the use will not result in odors in the residential area.

(b) All boat building and repair activities shall be performed within an enclosed building.

(c) Outdoor storage areas and display areas shall be limited to ten thousand square feet total, and outdoor storage areas shall be screened by landscaping as required by Section 41.100. (Ord. 3002-07 § 3, 2007: Ord. 2923-06 § 2, 2006; Ord. 2854-05 § 6, 2005: Ord. 2836-05 § 1, 2005; Ord. 2747-04 § 1, 2004; Ord. 2735-03 § 1, 2003; Ord. 2711-03 §§ 4, 5, 2003; Ord. 2708-03 § 4, 2003; Ord. 2706-03 §§ 10, 11, 2003; Ord. 2674-02 § 1, 2002; Ord. 2657-02 §§ 11—16, 18—21, 2002; Ord. 2566-01 § 1, 2001; Ord. 2556-01 §§ 2, 3, 2001; Ord. 2538-01 §§ 4, 73, 2001; Ord. 2525-01 § 2, 2001; Ord. 2445-00 § 2, 2000; Ord. 2397-99 § 36 (part), 1999: Ord. 1671-89 (part), 1989.)