



## Part I: Code Amendments at a Glance – Legal Effect and Applicability (Chapters 19.02):

### A. What is it?

This is primarily a reorganization of existing code provisions. The one new addition is 19.02.100, Repeal of Contract Rezones.

### B. Type of revision drafted:

- Minor revision to an existing chapter(s)
- Major rewrite and relocation of existing chapter
- New chapter

### C. Key changes from existing code:

The key addition in this chapter is the repeal of contract rezones or concomitant agreements (“contract rezones”). Contract rezones are agreements between property owners and government which allow the use of property subject to restrictions other than those applicable to other land in that zoning district. Until 1995, Washington State did not have express authority for contract rezones, but the delegation of that authority to local governments was approved by Washington courts dating back to 1967.

Everett has used contract rezones dating back until at least 1976. When the state legislature passed the Local Project Review Act in 1995, most of the contract rezones were now considered development agreements and subject to the requirements of [RCW 36.70B.170](#).

Other forms of contract agreements include “planned residential developments”, “planned developments”, “master plans” and “institutional overlays”.

In the draft 19.02.100, a list of contract rezones and development agreements are proposed to be repealed. The impact to staff of having to research and do site-specific zoning is significant. However, the contract rezones and development agreements proposed to be repealed are no longer necessary as new zoning standards now implement the conditions of the rezone, or conditions have been met during development and are no longer needed.

There will remain a set of contract rezones and development agreements that the city will implement. In addition, development agreements continue to be a tool that the city has in the Unified Development Code, so additional agreements will be in place in the future.

Property owners with the contract rezones or development agreements proposed to be repealed will be notified of this proposed change.

For a report on the contract rezones proposed to be repealed, click [here](#). For a report on the contract rezones proposed to be retained, click [here](#).

#### D. Conversion Table

The following table identifies where the requirements in Chapter 2 can currently be found in the Municipal Code.

<b>Regulation</b>	<b>Draft Code Citation</b>	<b>Where found in current code</b>
Time of Effect	19.02.010	<a href="#">19.02.010</a>
Applicability	19.02.020	<a href="#">19.02.040</a>
Benefits	19.02.030	<a href="#">19.02.050</a>
Limitations	19.02.040	<a href="#">19.02.060</a>
Relationship to other regulations and requirements	19.02.050	<a href="#">19.02.070</a>
Land use	19.02.060	<a href="#">19.02.080</a>
Design review	19.02.070	<a href="#">19.02.090</a>
Repeal of contract rezones	19.02.100	New section