



Part I: Code Amendments at a Glance – Definitions (Chapters 19.04):

A. What is it?

The current chapter on Definitions ([EMC 19.04](#)) will be repealed and replaced. However, most definitions currently used in the Zoning Code remain unchanged. Changes to existing definitions are detailed below. This is primarily a reorganization of existing definitions in order to make it more reader-friendly.

B. Type of revision drafted:

- Minor revision to an existing chapter(s)
- Rewrite of existing chapter
- New chapter

C. Key changes from existing code:

The first key change is a reorganization of the existing chapter in order to make finding definitions easier for the reader. The current chapter is divided into four basic groupings; the new chapter is organized into twelve groupings, with flood hazard management definitions within its own chapter (30).

Current Code (EMC 19.04, Definitions)	Draft Code (EMC 19.04, Definitions)
Zoning Code definitions, specific	GENERAL DEFINITIONS
Floodplain overlay zone definitions	LOT, BUILDING, AND STRUCTURE DEFINITIONS
Critical areas definitions	MEASUREMENT DEFINITIONS
Sign definitions	USE DEFINITIONS, RESIDENTIAL
	USE DEFINITIONS, COMMERCIAL
	USE DEFINITIONS, INDUSTRIAL
	USE DEFINITIONS, PUBLIC-INSTITUTIONAL-QUASI-PUBLIC
	USE DEFINITIONS, MISCELLANEOUS
	USE DEFINITIONS, OTHER
	CRITICAL AREAS DEFINITIONS
	SIGN DEFINITIONS
	HISTORIC RESOURCE DEFINITIONS
	FLOOD HAZARD MANAGEMENT (Located in Ch. 30)

The intended benefit of the reorganization is to find definitions by topic, rather than scrolling through. For example, code definitions for how things are measured are found in one section, such as “density” or “grade”.

D. Definition Changes (general and measurement)

The following are definitions which are revised from current definitions:

“Base elevation” means the average elevation of the approved topography of a parcel at the midpoint on each of the four sides of the smallest rectangle which will enclose the proposed structure, excluding all eaves and decks. The approved topography of a parcel is the natural topography of a parcel or the

topographic conditions approved by the city prior to January 1, 1988, or as approved by a subdivision, short subdivision, binding site plan, shoreline substantial development permit, ~~filling and grading permit,~~ or SEPA environmental review issued after January 1, 1988. On any lot exhibiting evidence of an unapproved fill, a soils analysis may be required to determine the approved topography. An approved bench mark will establish the relative elevation of the four points used to establish the base elevation.

“Comprehensive plan” means the city of Everett comprehensive plan, ~~including any subarea plans,~~ adopted pursuant to Chapter 36.70A RCW.

“Porch” means a ~~covered-roofed~~ shelter, ~~usually open at the sides,~~ projecting from the ~~face entrance-~~of a building ~~and used to protect the entrance to a building;~~ a carport is not considered a porch.

“Railyardway facilities” means a ~~complex series of railroad tracks for the assembly, storing, sorting, maintenance, or loading and unloading, of railroad cars and locomotives. Railyards have many tracks in parallel for keeping rolling stock stored off the mainline, so that they do not obstruct the flow of traffic.~~ facility for the transfer of freight by rail, including but not limited to freight rail yards, rail or train/locomotive maintenance buildings, plus accessory buildings and uses.

“Water-dependent” ~~has the same meaning as set forth in Chapter 8 of the Everett Shoreline Master Program. means requiring the use of surface water that would be essential to fulfill the purpose of the proposed project.~~

“Water-dependent use” ~~has the same meaning as set forth in Chapter 8 of the Everett Shoreline Master Program. means a use which is dependent upon a location on or adjacent to the shoreline to be successful, and without such location cannot exist, including but not limited to deepwater shipping terminals, marinas and accessory uses, boat launches, fishing piers, commercial fishing terminals, marine construction businesses, barge loading terminals, and similar industrial, commercial or recreational uses.~~

“Water-related uses” ~~has the same meaning as set forth in Chapter 8 of the Everett Shoreline Master Program. means uses that are not water dependent but are enhanced by a location on or adjacent to the shoreline, including but not limited to recreational trails, restaurants, marine-related retail or service businesses, resort hotels, boat sales and service, fish markets, public parks, and similar industrial, commercial or recreational uses.~~

The following terms are not currently defined in the Zoning Code.

“Binding site plan” means a drawing to a scale specified by local ordinance which: (a) Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the local government body having authority to approve the site plan; and (c) contains provisions making any development be in conformity with the site plan.

“Metro Everett” means the regionally designated growth center for Snohomish County identified in Chapter 2 of the Everett Comprehensive Plan.

“Outdoor storage of bulk materials” means the holding or stockpiling on land of material and/or products in a bulk form or in bulk containers, including but not limited to aggregate, topsoil, powder,

grain, stone, bricks, wood chips, metal, building materials, parts, pallets, utility piping, used materials, and metal. Bulk materials may include products for sale, materials used in manufacturing activities, inoperable equipment or vehicles, and recycled materials.

“Street-facing dwelling unit façade”, means a ground or first floor of a dwelling unit façade facing, and within thirty (30) feet, of a front or side-street lot line on a public street.

“Structured Parking” means a structure in which vehicle parking is accommodated on multiple stories or floors.

E. Use Definitions

All the Uses in the new Rethink Zoning [Chapter 5, Uses](#), have a definition for each use; the current zoning code does not define every use. Chapter 5 is a streamlined chapter based on Metro Everett Uses ([EMC 19.19](#)). As a result, the various Use definitions, while based on current definitions, should be read as if new. The following are called out as they are amendments to current Use definitions.

1. Clinic and office. Changes to the definition of “clinic” and “office” are drafted in conjunction with changes to limits on ground floor clinics in Chapter 5. A broader definition of clinic is proposed (see below), but in Chapter 5, the restrictions for clinics in Metro Everett on TOD or Pedestrian streets is eased to allow dentists, psychiatrists, chiropractors, physical therapists, optomotrists and ophthalmologists. from the definition of clinic and put them into the category of office. When additional restrictions on ground-floor clinics were imposed in 2018, it included these uses which don’t cause the same impact as a medical clinic facility, in staff’s opinion.

“Clinic” means a building or portion of a building ~~designed and used for the medical, dental or surgical diagnosis or treatment of patients under the care of doctors. containing an office or offices of medical doctors and other members of the medical profession which provide facilities and services for outpatient care, diagnosis, treatment, and observation of individuals suffering from illness, injury or other conditions requiring medical, surgical or therapeutic services. This definition does not include facilities providing patient beds for overnight care. See also “medical-related activities.”~~

“Office” means a building or portion thereof which is used for general business, and nonprofit administrative purposes not involving manufacturing, sale of inventory or provision of services involving manual skills or mechanical processes. Not included in the category of office are those businesses and occupations defined by this title as clinics, ~~medical-related activities,~~ government administrative offices or uses such as private clubs ~~or fraternal organizations.~~

2. Dwellings. Some changes in the definition of dwellings are drafted. The definition of multiple-family, or multifamily, changes from three (3) units to five (5) units. This is intended to assist with residential development standards for smaller infill units in single-family neighborhoods, ensuring that the standards are written to address single-family areas and not multifamily.

Another amendment to the definition of accessory dwelling unit (ADU) is the result of 2020 legislative changes ([ESSB 6617](#)) to the Growth Management Act.

The draft changes to micro-housing makes clear that it is a larger multifamily building where

these units would be located. The change is intended to avoid a loophole in off-street parking requirements for smaller projects.

“Dwelling, multiple-family” means a building(s) or portion of a building arranged or designed to be occupied by ~~three-five~~ or more families living independently of each other, including more than one duplex on a single lot or development site, triplexes, fourplexes, apartment buildings, permanent supportive housing and stacked dwelling units. Two or more duplexes, or one duplex and a single-family dwelling, on a single lot or development site is considered a multifamily dwelling.

“Dwelling unit, accessory,” or “ADU,” means a ~~secondary~~ dwelling unit located on the same lot as a single-family ~~dwelling-housing unit, duplex, triplex, or townhome, that is designed, arranged, occupied or intended to be occupied by not more than one family as living accommodations independent from the accommodations for the principal dwelling unit.~~

1. ~~An “attached” accessory dwelling unit means an accessory dwelling unit is attached to or located within or attached to a principal single-family dwelling-housing unit, duplex, triplex or townhome.~~

1-2. A “detached” accessory dwelling unit (DADU) ~~means an accessory dwelling unit that consists partly or entirely of a building that is separate and is detached from a single-family housing unit, duplex, triplex or townhome.~~ ~~the principal dwelling unit.~~

“Dwelling unit, micro-housing” or ***“small efficiency dwelling unit”*** means a single, independent, residential dwelling unit ~~within a multifamily building of no less than 24 units and~~ consisting of one habitable room (excluding kitchen, bath, closets, storage areas, and built-ins). These units have a living room floor area two hundred twenty square feet or less, or a total gross unit size three hundred twenty square feet or less.

3. **Group Housing.** The existing definitions for group housing are outdated and not consistent with state licensing provisions. A tiering of group housing is proposed that is based on the number of people served.

“Group housing, Category 1” means a state-licensed residential care facility designed to serve as the primary residence for up to six (6) individuals and two resident staff, which has shared living quarters without separate bathroom and/or kitchen facilities for each unit.

“Group housing, Category 2” means a state-licensed residential care facility designed to serve as the primary residence for seven (7) to sixteen (16) individuals and resident staff, which has shared living quarters without separate bathroom and/or kitchen facilities for each unit.

“Group housing, Category 3” means a state-licensed extended care facility, including an assisted living facility, congregate care facility, nursing or convalescent home, and any other group housing serving more than sixteen (16) individuals.

4. **Temporary Shelter.** The existing definition of homeless encampment is inconsistent with new state law ([ESHB 1754](#)). A new definition is drafted that covers a variety of temporary shelters.

“Homeless encampment” means a group of homeless persons temporarily residing out of doors on a site with services such as shelter, food and sanitation, provided by a sponsor and supervised by a managing agency.

“Temporary shelter home” means a facility providing temporary housing for victims of domestic violence, the homeless, or other persons in need of temporary housing. Temporary shelter homes may also provide support services to assist residents become self-sufficient or make the transition to their own housing. This term does not include Class I or Class II group homes.

“Group housing, Temporary Shelter” means a shelter providing temporary housing accommodations (90 days or less) that includes a sponsor and managing agency, the primary purpose of which is to provide temporary shelter for people experiencing homelessness in general or for specific populations of the homeless, or temporary shelter for people experiencing domestic violence. In addition to shelters which provide shelter for up to 90 days, temporary shelters may also include temporary building encampments, temporary safe parking areas, temporary outdoor encampments or vehicle resident safe parking for the homeless, and temporary tiny house encampments.

F. Historic Resource Definitions

The new Rethink Zoning [Chapter 28, Historic Resources](#) integrates standards currently located in [EMC 2.96, Historic Resources](#) into the consolidated chapter for development activity. Definitions are moved from EMC 2.96 into Chapter 28.

Some terms used within Chapter 28 are not currently defined in the city’s municipal code, such as “contributing structure”. This term is used specifically in the development regulations; having a definition for contributing structure is important. The definition drafted is used in the context of historic resource protections throughout the United States.

“Contributing structure” means a building that was constructed more than fifty years ago which retains the original style and architectural qualities that contribute to the historic character of the neighborhood.