



## Part I: Code Amendments at a Glance – Uses (Chapters 19.05):

### A. What is it?

This is the chapter of the Unified Development Code (UDC) that identifies the uses that are permitted within the various zoning districts. Currently, there are two Use chapters in the Zoning Code: Chapter 5 and Chapter 19 (Metro Everett). This action would combine those two chapters into a new Chapter 5.

### B. Type of revision proposed:

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

### C. Key changes from existing code:

1. Builds the new Use Table from the Use Table in Chapter 19 for Metro Everett.
2. Includes the consolidation of multifamily, commercial mixed-use and industrial zones.

## Part II: Analysis of Code Amendments

The following analysis is organized by sections of the draft Chapter 5, Uses. Please refer to that chapter for specific text. The chapter can be found in the Rethink Zoning Library (<https://everettwa.gov/2453/Rethink-Zoning-Library>).

### 19.05.020 General Provisions

The current Zoning Code Use Table ([EMC 19.05](#)) has **134** non-residential uses and **26** residential uses (**160** total); the proposed Use Table has **82** uses listed. The Land Uses in [Chapter 5](#) of the draft Unified Development Code are based on the Metro Everett Use Chapter adopted in August 2018 ([EMC 19.19](#)), which had **70** uses listed.

Each Use now has a definition, which can be found in the draft [Chapter 4](#). The current Zoning Code did not define every Use.

### 19.05.030 Uses Allowed by Zone, Overlay, Street Type or Shorelines

This section does not change any existing standards. It should be pointed out, however, that Rethink Zoning is repealing the Clinic-Office Overlay (C-O). Some areas with a C-O Overlay designation are proposed for a change in Land Use Designation from Multifamily to Commercial Mixed-Use, while other areas might have a street designation of Residential Mixed-Use, which allows ground-floor offices but requires a residential component.

### 19.05.040 Use of Basement or Other Building Spaces in the Mixed Urban Zone

This is in the current zoning code for Metro Everett and was included in the 2006 Central Business District zoning (B-3).

#### **19.05.050 Prohibited Uses**

The current zoning code does not have a place where prohibited uses are clearly written. This is a list of some of the more impactful land uses that would be prohibited throughout the city.

#### **19.05.060 Modification of Use Regulations**

While uses cannot be modified, some of the special regulations and notes in the tables can be.

#### **19.05.065 Accessory uses, facilities and activities.**

Nothing changed from current practice

#### **19.05.067 Home occupations.**

No changes to current requirements for home occupations, located in Chapter 19.08.

#### **19.05.068 Temporary Uses**

Temporary uses are currently found in [EMC 19.41.090](#). The one change in this section is to remove the provisions for temporary homeless encampments. Those standards are found in Chapter 8 now.

#### **19.05.070 Use Table, Overview**

While there are no changes from current code, different terminology is being used for the classification of uses. The terminology now refers to uses Permitted, Administrative Use, and Conditional Use, which corresponds with Review Processes I, II, and III respectively.

#### **19.05.080 Table 5-1 (Residential Use Table)**

It is not logistically possible to identify the changes in how uses are classified since Rethink Zoning consolidates zoning districts and a new Use Table is proposed for zoning districts outside of Metro Everett. It is important for the reader to read through the new Use Tables, along with the new Zoning Maps, to identify the uses permitted in the various zones. The following would be considered the more significant changes we can identify:

- The current reference to “attached” or “detached” single-family dwellings is removed. The problem occurred with a 2-unit dwelling, which could be considered both a “duplex” and a “townhouse”.
- The definition of multifamily is proposed to change from three (3) units to five (units), so the Use Table should be read in that context.
- A new 3-tier classification system for group housing is proposed
- A new use for short-term rentals is in the Use Table, similar to what is located in Ch. 19, Metro Everett Uses
- The table has been updated to eliminate the potential for 3- to 4-unit dwellings in the R-S, R-1 and R-2 zones.
- The special regulation for group housing, temporary shelter has been updated to be consistent with 2020 legislative requirements (see Chapter 8 for further explanation).

#### **19.05.090 Table 5-2 (Commercial Use Table)**

Some additional uses were added to this table from the Use Table used in Ch. 19 for Metro Everett. Most of the added uses are automobile related to make clear where these uses are allowed.

- In Chapter 4, Definitions, the definition of “clinic” and “office” are revised. The special regulations in this table are amended to allow dentists, psychiatrists, chiropractors, physical therapists, optometrists or ophthalmologists to be on the ground floor on TOD or Pedestrian streets in Metro Everett.

The current restrictions on tattoo parlors and body piercing on TOD or Pedestrian Streets is removed.

**19.05.100 Table 5-3 (Industrial Use Table)**

No significant changes other than a large consolidation of uses into broader categories.

**19.05.110 Table 5-4 (Public, Institutional, Quasi-Public Use Table)**

Light rail station is added to the Use Table with a requirement that it is permitted only by development agreement approved by city council.

**19.05.120 Table 5-5 (Miscellaneous Use Table)**

No significant changes other than a large consolidation of uses into broader categories.

**19.05.200 Watershed Resource Management Zone**

No change from current standards.

**19.05.210 Public Parks zone**

Some areas in Rethink Zoning will continue to be zoned as Public Parks. These areas are largely around single-family neighborhoods where the city has not consolidated zones. In other parts of the city, some of the areas that are now designated as Public Parks are rezoned to a designation consistent with the surrounding property; in those circumstances, public parks can be developed with a master plan approved by city council.