

**Instructions to reader:** This is a new chapter in the Unified Development Code. For a summary of the effect of this chapter from current standards, please visit the Rethink Zoning Library at <https://everettwa.gov/2453/Rethink-Zoning-Library>.

## Chapter 19.25 Land Division General Evaluation Criteria

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#### **19.25.010 Applicability and other city codes and regulations.**

All land divisions and boundary line adjustments shall be reviewed under the general evaluation criteria in this section. Other applicable codes and regulations include but are not limited to:

- City of Everett Design and Construction Standards and Specifications (DCSS)
- Title 13 Everett Municipal Code, Streets and Sidewalks
- Title 14 Everett Municipal Code, Water and Sewers
- International Fire Code, as currently adopted
- Shoreline Master Program (2019, or as updated)

#### **19.25.020 General evaluation criteria—Binding site plan and site plan approval.**

An application that complies with all of the following general evaluation criteria listed below, the requirements of chapters 19.24 - 19.27 and this title, and applicable city standards shall be approved. An application that does not comply with these criteria shall be denied by the city.

##### **A. Comprehensive Plan.**

The proposed binding site plan, site plan and other application information proposed for development shall conform to the general purposes of the comprehensive plan.

##### **B. Zoning and Unified Development Code.**

The proposed binding site plan, site plan and other required application information shall meet the requirements of the Everett Unified Development Code, except as permitted by the design and development provisions of this chapter and except as provided in Chapter 19.06.080.

##### **C. Natural Environment.**

The binding site plan, site plan and other required application information shall meet the requirements of critical area regulations of Chapter 19.37 and Chapter 19.43 of this title; and the State Environmental Policy Act, Chapter 197-11 WAC.

##### **D. Public Services.**

The proposed project shall be designed to meet the following:

1. Adequate water supply to city standards;
2. Adequate sewage disposal to city standards;
3. Appropriate surface water management to city standards;
4. Adequate fire protection and hydrants to city standards;
5. Appropriate access to city standards for or to all anticipated uses within the project;
6. Provisions for all appropriate deeds, dedications, and all other easements; and

7. Provisions made for access to and maintenance of all common facilities.

**E. Existing Public Facilities and Services.**

The proposed project shall be designed to not adversely impact the following public facilities and services:

1. Existing streets and other transportation systems;
2. Existing utilities system; and
3. Police, fire, parks, and schools.

**F. Phasing Plan.**

In lieu of requiring the completion of all public/private improvements for the entire site prior to occupancy of any structure on the site, the city may approve a phasing plan. The city may require suitable guarantees as provided in the suitable guarantee section of this chapter. The public/private improvements in each phase must be designed to stand on their own as required by the city. A phasing plan can only be approved if each city department responsible for the conditions of the permit agrees on the phased development plan. In most cases, those departments are planning and community development, public works, and fire.

**G. Previously Approved Site Plan.**

Where a development has previously received land use approval from the city and the subject property is to be divided through a binding site plan, the application shall be reviewed under this section. The project must be consistent with the previously approved site plan and all other approvals or permits issued. The review process shall be as required by Title 15 for “binding site plan with previously approved site plan.”

**19.25.030 General evaluation criteria—Boundary line adjustments.**

An application that complies with all of the general evaluation criteria listed below and the requirements of the boundary line adjustment submittal and review process of Title 15, Local Project Review Procedures, shall be approved. An application that does not comply with these criteria shall be denied by the city.

- A. The proposed boundary line adjustment shall not allow the adjustment of boundary lines which will result in the creation of any additional lot, tract, parcel, building site, or division, nor create any lot, tract, parcel, building site, or division which contains insufficient area dimension to meet the minimum requirements as specified by the Chapter 19.06 of this title for lots, tracts, parcels, or building sites;
- B. The proposed boundary line adjustment shall not allow the adjustment of boundary lines which will result in directional changes in the orientation of the lot(s), tract(s), parcel(s), or building sites, such as the changing of front yards into side or rear yards or vice versa;
- C. The proposed boundary line adjustment shall not allow the adjustment of boundary lines where the adjustment will result in an increase in the potential number of dwelling units on lots, tracts, parcels or building sites permitted;
- D. The proposed boundary line adjustment shall not allow the adjustment of boundary lines of nonconforming lots where the adjustment of the line(s) will result in making the lots, tracts, parcels or building sites more nonconforming;
- E. The proposed boundary line adjustment shall not allow boundary lines to be adjusted when the adjustment will result in the city being unable to provide adequate utilities;
- F. The proposed boundary line adjustment shall not allow boundary lines to be adjusted when the adjustment will result in inadequate frontage on a public street;
- G. The proposed boundary line adjustment shall not allow boundary lines to be adjusted where such adjustment will likely create an unusable lot, that is subject to the reasonable use process as defined in the critical area regulations in Chapter 19.37 of this title; and
- H. The proposed boundary line adjustment shall not allow a boundary line to be adjusted where the adjustment will result in a violation of a city or state code.

**19.25.040 Evaluation criteria—Subdivision, short subdivision, unit lot land division, alteration or vacation.**

An application that complies with all of the following general evaluation criteria listed below, the requirements of chapters 19.24 - 19.27 and this title, and applicable city standards shall be approved. In any such approval, the city shall make written findings that the application has made appropriate provisions in accordance with the requirements of this section. An application that does not comply with these criteria shall be denied by the city.

- A. Public Use and Interest. The proposed project and design shall promote the public use and interest in accordance with the standards established by the state, city, and chapters 19.24 - 19.27 and this title;
- B. Public Health, Safety, and General Welfare. The proposed project and design shall promote the public health, safety and general welfare in accordance with the standards established by the state, city, and chapters 19.24 - 19.27 and this title;
- C. Comprehensive Plan. The proposed project and design shall conform to the general purposes of the comprehensive plan;
- D. Unified Development Code. The proposed project and design shall meet the requirements of the Everett Unified Development Code, including but not limited to the following:
  - 1. Chapter 19.06, Lots, Setbacks and Residential Densities;
  - 2. Chapter 19.26, Land Division Development Standards or Chapter 19.27, Unit Lot Land Divisions;
  - 3. Chapter 19.30, Flood Damage Prevention
  - 4. Chapter 19.33, Streets, Sidewalks and Pedestrian Circulation;
  - 5. Chapter 19.34, Parking, Loading and Access Requirements;
  - 6. Chapter 19.35, Landscaping;
- E. Natural Environment. The proposed project and design shall meet the requirements of environmentally sensitive area regulations of the Everett Unified Development Code and EMC 19.43, Environment, and the State Environmental Policy Act, Chapter 197-11 WAC, if applicable;
- F. Drainage. The proposed project and design shall meet the requirements of the city's drainage regulations in the Stormwater Management Program (SWMP) and Design and Construction Standards and Specifications;
- G. Open Space and On-Site Recreation. The proposed project and design shall meet the requirements for open space and on-site recreation as defined in Chapters 19.09 and 19.12.210 of this title. These requirements are based on the type of use proposed and zoning designation of the property;
- H. Public Facilities. The proposed project shall be consistent with all regulations and requirements in Title 14, Title 16, and the Design and Construction Standards and Specifications, and other adopted plans and policies, including the following:
  - 1. Adequate water supply to city standards;
  - 2. Adequate sewage disposal to city standards;
  - 3. Appropriate surface water management to city standards;
  - 4. Adequate fire protection and hydrants to city standards;
  - 5. Appropriate vehicular and non-motorized access designed to meet city standards for anticipated uses within the project;
  - 6. Provisions for all appropriate deeds, dedications, and all other easements;
  - 7. Provisions made for access to and maintenance of all common facilities; and
  - 8. Transportation systems for both motorized and non-motorized travel modes, including: streets, alleys, sidewalks, transit stops, bike lanes, and safe pedestrian routes to schools and schoolgrounds. This includes connections to existing and planned facilities;
- I. Existing Public Services. The proposed project shall be designed to not adversely impact the following public services:
  - 1. Police;
  - 2. Fire;
  - 3. Parks; and
  - 4. Schools.

- J. Floodplain. The proposed project and design shall meet the requirements of the Everett Unified Development Code and flood damage prevention requirements in EMC 19.30;
- K. Landscaping Standards. The proposed project and design shall meet the landscaping standards as established in EMC 19.35.