

**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 19.31 Institutional Overlay Zone

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#### 19.31.010 Purpose.

The purpose of the institutional zone is to allow for various institutional land uses with special needs and impacts to be located in the Everett community in a manner which is compatible with surrounding land uses through a master plan review process which requires public involvement and provides predictability to the institution and the public.

#### 19.31.020 Permitted uses.

- A. **Uses Established Through Institutional Overlay Zone Master Plan.** The institutional zone is intended to allow for the establishment, expansion, and revision of institutional uses including, but not limited to, colleges, schools, hospitals, government facilities, and social services located in use zones where such uses are not already listed as permitted uses. Such uses and closely related uses ancillary to the principal institutional use shall be established through the master plan review process.
- B. **Use Permitted in Underlying Use Zone.** For any parcel of land not owned by the institution that sponsored an institutional overlay zone master plan, but located within an approved master plan, the uses permitted shall be those allowed by the underlying use zone.

#### 19.31.030 Review process.

The institutional zone shall be established only in conjunction with a master plan which generally specifies the parameters for development of the property. The institutional zone and master plan shall be reviewed using the review process described in Title 15, Local Project Review Procedures. Either the sponsoring institution or the city may initiate the establishment of an institutional overlay zone.

- A. As part of the master plan for the institution, the following factors shall be addressed:
  - 1. Permitted uses and ancillary uses;
  - 2. Permitted intensity of development, which shall consider
    - a. Gross floor area of development,
    - b. Maximum building height,
    - c. Minimum building setbacks,
    - d. Maximum lot coverage,
    - e. Minimum and maximum number of off-street parking spaces,
    - f. Aesthetic considerations related to building bulk, architectural compatibility, light and glare, urban design, landscaping, street trees, solar access and shadow impacts;

3. Traffic impacts, adequacy of access to the site and within the site, on-street parking impacts and limitations, other traffic-related improvements;
  4. Other ordinance requirements including, but not limited to, drainage, noise, environmental impacts, and other requirements of local, state and federal laws;
  5. Phasing of development within the institutional zone.
- B. Prior to the formal filing of an application for an institutional overlay zone, the sponsoring institution or the city, whichever initiated the establishment of the institutional overlay zone, shall hold public meetings to discuss the proposal and address the concerns of the affected area residents and property owners. The master plan shall reflect the various concerns raised through the public input process.
- C. Upon filing of a valid rezone application and completion of the required environmental review process, the planning commission shall review the proposed master plan, rezone, and any required amendments to the Everett general plan at public workshops and at least one public hearing at which the planning commission shall make a decision regarding the proposed institutional overlay zone. The planning commission may approve, disapprove, or modify the proposed master plan. The decision of the planning commission shall take the form of a recommendation to the city council, who shall make the final decision.

**19.31.040 Standards for the formation of the institutional zone.**

- A. Formation. The minimum area which may be included within an institutional zone shall be five acres, measured to the center of abutting city street rights-of-way.
- B. Additions. The addition of contiguous property to an existing institutional zone shall have no minimum required area.
- C. Property Ownership. An institutional overlay may consist of multiple parcels, some of which are owned by an institution and others under separate ownership.

**19.31.050 Development standards.**

- A. Development standards for the individual institutional zone shall be established as part of the master plan approval process. The city shall establish standards for the following:
  1. Building height;
  2. Setbacks (front, sides, rear, and, if desired, from specified uses or properties);
  3. Lot coverage;
  4. Landscaping;
  5. Signs;
  6. Off-street parking;
  7. Other standards determined by the city to be necessary to ensure land use compatibility with other uses in the surrounding area.
- B. The city shall consider the following in determining the standards for a particular institutional zone in a specific location:
  1. The institution’s compatibility with surrounding uses, especially related to:
    - a. Public safety,
    - b. Site access, on-site circulation and off-street parking,
    - c. Architectural design of buildings and harmonious use of materials,
    - d. Landscaping and buffering of buildings, parking, loading and storage areas,
    - e. Light and shadow impacts,
    - f. Generation of nuisance irritants such as noise, smoke, dust, odor, glare, vibration or other undesirable impacts,
    - g. Number, size and location of signs;
  2. The unique characteristics of the subject property;
  3. The unique characteristics of the proposed use(s);

4. The arrangement of buildings and open spaces as they relate to each other within the institutional campus;
  5. Visual impact of the institution on the surrounding area;
  6. Public improvements proposed in connection with the institution; and
  7. The public benefit provided by the institution.
- C. For parcels of land located within an institutional overlay zone approved master plan, but not owned by the institution that sponsored the master plan, the property shall be developed under the standards of the underlying zoning.

**19.31.060 Effect of approval.**

The approval by the city council of a master plan for an institutional zone shall have the effect of a general guide for future development within the institutional zone. The approved master plan shall remain binding upon the sponsoring institution and the city. The review of an individual phase or of the entire development as well as the review of any revision or change shall be in accordance with the review processes described in Title 15, Local Project Review Procedures.