

Instructions to reader: This chapter replaces the current Use Tables chapter in the Zoning Code ([EMC 19.05](#)). For a summary of the effect of the changes, please visit the Rethink Zoning Library at <https://everettwa.gov/2453/Rethink-Zoning-Library>.

Chapter 19.05 Uses

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19.05.010 Purpose and Applicability.

The purpose of this chapter is to establish the uses generally permitted in each zone which are compatible with the purpose of the zone and other uses allowed within the zone. All uses and structures proposed on properties within Everett shall be subject to the permitted uses and other requirements of this chapter.

19.05.020 General Provisions.

- A. Land uses which are listed in Tables 5-1 through 5-5 of this chapter shall be permitted subject to the review process listed in the table for a specific use in a particular zone. If a use is not listed, please refer to Section 19.05.070(B) regarding unlisted uses.
- B. Any one or more land uses identified as being allowed within a particular zone may be established on any parcel within that zone, subject to the planning permit required for the use, and compliance with all other applicable requirements of the city of Everett.
- C. Where a project is proposed for development with two or more of the land uses listed in the use table, the overall project shall be subject to the highest review process (e.g. III is higher than II) for any of the proposed uses.
- D. Land uses may be subject to specific use standards set forth in EMC 19.13.
- E. Land uses are subject to height (EMC 19.22), setback (EMC 19.06) and/or other requirements in this title.
- F. Accessory Uses. See EMC 19.05.065 for accessory use standards.

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

A. Overview

Except for lands covered by water and subject to the Everett Shoreline Master Program, all property within the city is located within a zoning district set forth in Map 3-1 (EMC 19.03) and shown in Tables 5-1 through 5-5. In addition to being located within a zoning district, a property may also be located within a zoning overlay. A use that is allowed in Tables 5-1 through 5-5 may be further restricted based on whether the property fronts on a designated street type.

B. Zoning Districts

1. The land uses listed in Tables 5-1 through 5-5 determine whether a use is allowed in a zoning district. See EMC 19.03 for the city's zoning districts map. The zoning districts are located along the horizontal header row, and the uses allowed in the zoning districts are located on the vertical column of Tables 5-1 through 5-5.
2. The Watershed Resource Management zone (not shown in Tables 5-1 through 5-5) applies to city-owned lands located in the city's Chaplain watershed property. See 19.05.200 for the requirements which apply to properties in the Watershed Resource Management zone.
3. The Parks and Open Space zone (not shown in Tables 5-1 through 5-5) applies to city-owned public parks and open space property, in addition to additional public property developed as public parks or managed as open space. See 19.05.210 for the requirements which apply to properties in the Parks and Open Space zone.

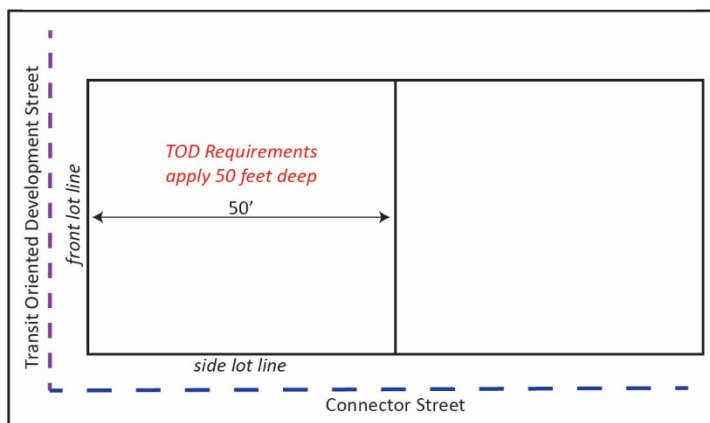
C. Zoning Overlays

1. If a property is located within an overlay zone, it may provide for additional restrictions or exceptions that might apply to the property. Overlay standards may be found in Tables 5-1 through 5-5 or within specific sections as further outlined below.
2. For Historic Overlay zones, see EMC 19.28.
3. For Airport, Port and Navy Compatibility area, see EMC 19.17.
4. For Planned Development Overlays, see EMC 19.29.
5. For Institutional Overlays, see EMC 19.31.

D. Street Type Designations

1. Certain streets within Everett have one of four (4) street types designated: transit-oriented development ("TOD") street, pedestrian street, connector street and residential mixed-use corridor. See EMC 19.33 for Street Type Map.
2. A use that is allowed in Tables 5-1 through 5-5 may be further restricted based on whether the property fronts on a designated street type. The restriction based on street type designation could apply to the entire property or to ground floor uses.
3. Corner Lots. For corner lots with more than one street type designation, the most restrictive street type designation applies to that portion of the lot measured 50 feet in depth from the lot line adjoining the designation. See Figure 1 for how to apply this requirement.

Figure 1: Corner Lots



E. Shorelines of the State

1. All uses, developments and activities proposed on properties under the

jurisdiction of the Everett Shoreline Master Program, in addition to being subject to the requirements of this title, shall be subject to the procedures and review criteria for shoreline substantial development permits, variances, and conditional use permits in EMC 15.03.

2. All uses, developments and activities in shoreline jurisdiction shall be subject to the development standards and special regulations of this title and the requirements of the Shoreline Master Program, except as follows:
 - a. When a conflict exists between the Shoreline Master Program and this title, the Shoreline Master Program shall take precedence over this title.
 - b. Zoning districts shown on Map 3-1 do not include areas waterward of the ordinary high water mark (OHWM). These areas will be subject to the Everett Shoreline Master program restrictions on uses, developments and activities.

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

A. Purpose

The purpose of this section is to allow basements or other spaces in buildings existing in the Mixed Urban (MU) zone, as of the effective date of this ordinance, to be considered for uses that are not otherwise permitted, but which, if properly designed and managed, would not create unacceptable impacts on surrounding properties or the area in general. Other spaces, in addition to basements in existing buildings that, due to their location or configuration are not readily usable for permitted uses, as determined by the planning director, may be considered using the process described herein. This process differs from the unlisted use process listed in Section 19.05.070(B) in that uses that are not specifically authorized in the MU zone may be considered using the process described herein.

B. Review Process

1. Any request to allow a use that is not otherwise permitted in the MU zone, as provided by this section, shall be reviewed using Review Process II.
2. Review Criteria. The following criteria shall be used as the basis for approving, denying, or conditionally approving a request to allow the use of a basement space, or other space as provided herein, for a use not otherwise permitted in the MU zone.
 - a. Traffic generated by the proposed use.
 - b. Noise generated by the proposed use.
 - c. Impacts from odor, vibration, dust or other nuisances.
 - d. Aesthetic character and quality of the proposed use.
 - e. Public safety impacts.
 - f. Compliance with building and fire codes.
 - g. Hours of the day of proposed use or activity.
 - h. Proposed management and operational procedures to minimize and mitigate potential impacts.
 - i. Other factors not specified herein that would create a conflict with the uses that are permitted in the MU zone.
3. Action. Any proposal that gives the outward appearance of a use or activity that is incompatible with the intent and purpose of the MU zone shall be denied. The city shall retain the right to revoke a permit issued under this section for a use that fails to comply with any conditions of approval of said permit, or which operates in a manner inconsistent with representations made in the application, pursuant to Chapter 1.20.

19.05.050 Prohibited Uses.

If Tables 5-1 through 5-5 does not indicate a specific review process for a specific use and zone, the use shall not be permitted in that zone. The following uses are prohibited anywhere within the city of Everett:

- A. Aggregates extraction
- B. The disassembly, dismantling, or storage of more than five (5) wrecked vehicles as defined in RCW 46.80.010(6) at any one time unless completely contained within an enclosed building
- C. Manufacture of explosives
- D. Stockyards, slaughterhouses, or rendering plants
- E. Petroleum refineries
- ~~F. Fertilizer manufacture~~
- ~~G.F. Sanitary landfills~~
- ~~H. Waste to energy facilities~~

19.05.060 Modification of Use Regulations.

A. Use Regulations that May be Modified

An applicant may propose, and the planning director may allow, deny or condition using Review Process II, a modification of the special regulations and notes in Tables 5-1 through 5-5 in this chapter.

B. Evaluation Criteria

1. Any proposal to modify use regulations shall not undermine the intent of the standards. The planning director shall not approve a request for modification unless the proposal provides architectural and urban design elements equivalent or superior to what would likely result from compliance with the use regulations which are proposed to be modified.
2. The planning director shall consider the criteria set forth in EMC 15.03.060 in making a decision.

19.05.065 Accessory uses, facilities and activities.

A. General.

Accessory uses, facilities and activities normally associated with a use listed as a permitted use in a zone are permitted as part of that permitted use on the same lot as the principal structure. The accessory use, facility or activity must be clearly secondary to the permitted use. The primary use or activity shall be established before or concurrent with the accessory use of activity. For home occupations as an accessory to a residential use, see EMC 19.08.120.

B. Authority of the Planning Director.

The planning director is specifically authorized to determine if a particular accessory use, facility or activity is normally associated with a particular permitted use and if a particular accessory use, facility or activity is clearly secondary to the permitted use.

C. Exceptions and Limitations.

This title establishes specific limitations and regulations for some accessory uses and facilities for some uses in some zones. Where applicable, those specific regulations supersede the general statement of subsection A of this section.

19.05.067 Home occupations.

Home occupations are permitted in any residential zone provided the home occupations comply with EMC 19.08.120.

19.05.068 Temporary Uses.

A. User Guide.

This section establishes a mechanism whereby the city may, on a short-term basis, permit a use to be conducted that would not otherwise be allowed in the zone in which it is located. This section is intended to permit certain inherently temporary uses, such as community festivals and fresh vegetable stands, that would not be allowed in the zone in which they are proposed, but which, if limited in time and strictly controlled, may be in the best interest of the Everett community.

B. Process for Deciding Upon a Proposed Temporary Use.

The city will use the review process as described in EMC 15.02, Local Project Review Procedures, to review and decide upon an application for a temporary use permit.

C. Application Information.

The applicant shall provide the following information to the planning department:

1. A completed application on the form provided by the planning department, along with all information requested in that form;
2. An irrevocable, signed and notarized statement granting the city permission to summarily abate the temporary use and all physical evidence of that use if it is not removed by the applicant within the period specified as part of the permit, and agreeing to reimburse the city for any expenses incurred by the city in abating the temporary use; and
3. Written permission from the owner of the property upon which the temporary use is proposed to be located authorizing the proponent to use the subject property for the stated purposes and time period.

D. Criteria for Granting a Temporary Use Permit.

The city may grant a temporary use permit only if it finds that:

1. The proposed temporary use will not be materially detrimental to the public welfare, or injurious to the property or improvements in the immediate vicinity; and
2. The proposed temporary use is compatible in terms of location, access, traffic, noise, nuisance, dust control and hours of operation with existing land uses in the immediate vicinity; and
3. The proposed temporary use is not otherwise allowable in the zone in which it is proposed.

E. Dimensional Requirements and Development and Performance Standards.

The city shall establish dimensional requirements and development and performance standards as part of the approval of each temporary use permit. The city will use the nature of the proposed use and character of the surrounding area as guides in establishing these requirements and standards.

F. Frequency and Duration of Temporary Use.

The city may not grant a temporary use permit to the same user for the same use more frequently than once in every three-hundred-sixty-five-day period. The city may only grant a temporary use permit for a specified period of time, not to exceed sixty days except as otherwise provided in this section. The temporary use permit shall specify a date by which the use shall be terminated.

G. Removal of a Temporary Use.

The city shall designate, as part of the temporary use permit, a period following the expiration of the permit within which the temporary use must be terminated and all physical evidence of the use must be removed by the applicant. If the temporary use and all physical evidence of the use are not removed within the time specified, it will constitute a violation of this title. Further, the city is authorized to abate the temporary use in accordance with subsection (C)(2) of this section.

H. Exception to Permit Requirement.

1. Garage Sales. Garage sales shall be limited to two (2) events per year with a maximum duration not to exceed four (4) days per event.

2. Commercial and Industrial Zones. The following temporary uses, when located in commercial and industrial zones for not longer than the time periods specified below, are exempt from the permit requirements of this section:
 - a. Not to exceed forty-five (45) days:
 - i. Christmas tree lots;
 - b. Not to exceed ten (10) consecutive days:
 - i. Amusement rides;
 - ii. Carnivals and circuses;
 - iii. Parking lot sales which are ancillary to the indoor sale of the same goods and services.

I. Prohibited on Public Right-of-Way.

See EMC 13.30.010 for permit requirements to use public right-of-way.

J. Temporary outdoor encampments, safe parking areas or tiny home communities.

1. See EMC 19.08.200 regarding standards for temporary outdoor encampments, safe parking areas or tiny home communities.
2. See EMC 15.02.140 regarding notice requirements, review process and appeal procedures for temporary outdoor encampments, safe parking areas or tiny home communities are subject to the following.

19.05.070 Use Table, Overview.

A. General.

Land uses which are listed in Tables 5-1 through 5-5 of this chapter shall be permitted subject to the review process listed in the table for a specific use in a particular zone. If Tables 5-1 through 5-5 do not indicate a specific review process for a specific use and zone, the use shall not be permitted in that zone. If a use is not listed, please refer to subsection B below regarding unlisted uses. See EMC 19.33 for Street Type designations.

B. Unlisted Uses

1. Similar in nature **and** impact. If a use is not listed but is similar in nature and impact to a use that is listed in Tables 5-1 through 5-5, the planning director may interpret and classify the use (see subsection E below) as permitted and proceed with review in accordance with the review process criteria outlined in EMC 15.03.0302.
2. Not similar in nature **or** impact. If a use is not listed and cannot be interpreted as similar in nature or similar in impact to a use that is listed in Tables 5-1 through 5-5, the use is deemed prohibited.

C. Special use restrictions or exceptions

In some of the cells contained in Tables 5-1 through 5-5 are special regulations and endnotes. These special regulations and endnotes indicate that there are additional requirements or exceptions that apply to the specific use and/or zone corresponding with that particular cell in Tables 5-1 through 5-5. The special regulations are, in most cases, listed on the page(s) following Tables 5-1 through 5-5 in which the number is listed or provide reference to special regulations contained within the applicable other chapters of this code.

D. Administrative Use and Conditional Use Permit Criteria

Criteria for the evaluation of Administrative Use and Conditional Use Permits assigned in Tables 5-1 through 5-5 are set forth in EMC 15.03.

E. Classification of Uses

Land uses in Tables 5-1 through 5-5 are classified in one of four categories:

Key	Review Process
P = Permitted	Review Process I (REV I)
A = Administrative Use – subject to public notice and discretionary approval	Review Process II (REV II)
C = Conditional Use Permit – subject to hearing and discretionary approval	Review Process III (REV III)

Key	Review Process
Cell empty = Prohibited Use	Prohibited

19.05.080 Table 5-1 (Residential Use Table).

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
RESIDENTIAL USES													
Bed and breakfast houses	C ¹¹	C ¹¹	C ¹¹	C	P	P	P	P	P			A	See EMC 19.08.140 ¹¹ Within the R-S, R-1 and R-2 zones, bed and breakfast houses shall be permitted only in homes individually listed on the National, State or Everett Historical Register. Homes within historic districts which are not individually listed on the National, State or Everett Historical Register are not eligible to become bed and breakfast houses.
Dormitory					A	P		P ¹	P ¹				¹ <u>TOD Streets</u> : Residential use on the ground floor cannot exceed 25% of the street frontage of the block.
Dwelling unit, accessory	P	P	P	P	P	P ⁵	P	P		P		P	See 19.08.100 Accessory Dwelling Units ⁵ If attached to a single-family (1-unit) dwelling, allowed only on property within a historic overlay zone.
Dwelling, 1-unit	P	P	P	P	P ²	P ²						P	² Allowed only on property within a historic overlay zone.
Dwelling, 2-units	C ⁴	P ³	P ³	P	P	P ²	P					P	See 19.08.030-.040 Townhouse and Duplex Standards <u>in single-family zones and 19.09 for all other zones.</u> ² Allowed only on property within a historic overlay zone. ³ See EMC 19.08 for limitations on 2-unit dwellings in the R-1 and R-2 zones. ⁴ Allowed only through the unit lot process for subdividing, as provided by EMC 19.27.

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
Dwelling, 3- to 4 units				P	P	P	p ¹	p ¹	p ¹	A ⁶			See Section 19.08.030-.040 Townhouse and Duplex Standards in single-family zones and 19.09 for all other zones. ¹ TOD Streets : Residential use on the ground floor cannot exceed 25% of the street frontage of the block. ⁶ Prohibited in the LI2 zone and allowed in the LI1 zone only within Metro Everett. If on a TOD Street, residential use on the ground floor cannot exceed 25% of the street frontage of the block.
Dwelling, multiple family					P	P	p ¹	p ¹	p ¹	p ⁶			See 19.09 for multifamily development standards ¹ TOD Streets : Residential use on the ground floor cannot exceed 25% of the street frontage of the block. ⁶ Prohibited in the LI2 zone and allowed in the LI1 zone only within Metro Everett. If on a TOD Street, residential use on the ground floor cannot exceed 25% of the street frontage of the block.
Dwelling, micro-housing						P	A ¹	p ¹	p ¹	p ⁶			¹ TOD Streets : Residential use on the ground floor cannot exceed 25% of the street frontage of the block. ⁶ Prohibited in the LI2 zone and allowed in the LI1 zone only within Metro Everett. If on a TOD Street, residential use on the ground floor cannot exceed 25% of the street frontage of the block.
Dwelling, cottage housing					P		P						See 19.08.070 Cottage Housing
Family home (day care or adult)	P	P	P	P	P	P	p ¹	p ¹	p ¹	p ⁷		P	¹ TOD Streets : Residential use on the ground floor cannot exceed 25% of the street frontage of the block.

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
													⁷ Permitted only within an existing dwelling unit.
Group housing, Category 1	P	P	P	P	P	P	P ¹	P ¹	P ¹	P ⁷			¹ <u>TOD Streets</u> : Residential use on the ground floor cannot exceed 25% of the street frontage of the block. ⁷ Permitted only within an existing dwelling unit.
Group housing, Category 2					P	P	P ¹	P ¹	P ¹	P ⁷			¹ <u>TOD Streets</u> : Residential use on the ground floor cannot exceed 25% of the street frontage of the block. ⁷ Permitted only within an existing dwelling unit.
Group housing, Category 3					A	P	A ⁸	P ⁸	P ⁸	A ⁸			⁸ <u>TOD or Pedestrian Streets</u> : Prohibited use on the ground floor.
Group housing, Temporary Shelter – shelters which accommodate 12 or fewer persons	<u>9</u>	<u>9</u>	<u>9</u>	<u>9</u>	<u>CA⁹₁₀</u>	<u>CP⁹₁₀</u>	<u>CA⁹₁₀</u>	<u>CP^{8 9}₁₀</u>	<u>CA⁹₁₀</u>	<u>A^{8 9}₁₀</u>	<u>A^{9 10}</u>	<u>A⁹₁₀</u>	See EMC 19.08.200 ⁸ <u>TOD or Pedestrian Streets</u> : Prohibited use on the ground floor. ⁹ Pursuant to RCW 35.21.915, a religious organization may host the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings, subject to the conditions set forth in EMC 19.08.200 and an Administrative Use Permit (REV II). ¹⁰ Buildings which provide shelter for persons experiencing domestic violence are allowed as a Permitted Use without a requirement for notice to adjacent property owners.
Group housing, Temporary Shelter	<u>9</u>	<u>9</u>	<u>9</u>	<u>9</u>	<u>C⁹A</u>	<u>C⁹A</u>	<u>CA⁹</u>	<u>A^{8 9}</u>	<u>A⁹</u>	<u>A^{8 9}</u>	<u>A⁹</u>	<u>C⁹</u>	See EMC 19.08.200

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
– shelters which accommodate more than 12 persons													<p>⁸ <u>TOD or Pedestrian Streets</u>: Prohibited use on the ground floor.</p> <p>⁹ Pursuant to RCW 35.21.915, a religious organization may host the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings, subject to the conditions set forth in EMC 19.08.200 and an Administrative Use Permit (REV II).</p>
Live/work unit							P	P	P	P	A		<p>See EMC 19.08.125 for Live/work unit requirements</p> <p>See “Uses, accessory to permitted principal uses including home occupations” for residential zones</p>
Manufactured/mobile/ RV Park or Tiny Home Community													<p>The entry of manufactured homes, park models, recreational vehicles or tiny homes in an approved manufactured housing community is allowed.</p> <p>See EMC 19.08.210</p>
Rooming house					A	P	A ⁸	P ⁸	P ⁸	A ⁷		P	<p><u>The number of rooms allowed in a rooming house shall not exceed the number of dwelling units allowed by the density standards of the zone in which the property is located; in the event the zone does not have density standards, then the density limits in the comprehensive plan shall be used.</u></p> <p>⁷ Permitted only within an existing dwelling unit.</p> <p>⁸ <u>TOD or Pedestrian Streets</u>: Prohibited use on the ground floor.</p>

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
Secure community transition facility										C	C		
Short-term rentals	P	P	P	P	P	P	P	P	P			P	See EMC 19.13.150 for short-term rental requirements

- ¹ TOD Streets: Residential use on the ground floor cannot exceed 25% of the street frontage of the block.
- ² Allowed only on property within a historic overlay zone.
- ³ See EMC 19.08 for limitations on 2-unit dwellings in the R-1 and R-2 zones.
- ⁴ Allowed only through the unit lot process for subdividing, as provided by EMC 19.27.
- ⁵ If attached to a single-family (1-unit) dwelling, allowed only on property within a historic overlay zone.
- ⁶ Prohibited in the LI2 zone and allowed in the LI1 zone only within Metro Everett. If on a TOD Street, residential use on the ground floor cannot exceed 25% of the street frontage of the block.
- ⁷ Permitted only within an existing dwelling unit.
- ⁸ TOD or Pedestrian Streets: Prohibited use on the ground floor.
- ⁹ Pursuant to RCW 35.21.915, a religious organization may host the homeless on property owned or controlled by the religious organization whether within buildings located on the property or elsewhere on the property outside of buildings, subject to the conditions set forth in EMC 19.13.200 and an Administrative Use Permit (REV II).
- ¹⁰ Buildings which provide shelter for persons experiencing domestic violence are allowed as a Permitted Use without a requirement for notice to adjacent property owners.
- ¹¹ Within the R-S, R-1 and R-2 zones, bed and breakfast houses shall be permitted only in homes individually listed on the National, State or Everett Historical Register. Homes within historic districts which are not individually listed on the National, State or Everett Historical Register are not eligible to become bed and breakfast houses. See EMC 19.08.140 for additional regulations pertaining to bed and breakfast houses.

19.05.090 Table 5-2 (Commercial Use Table).

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
COMMERCIAL USES	(See EMC 19.39.060, Performance Regulations-General regarding requirements to prevent nuisance impacts.)												

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
Alcohol production, micro - e.g., micro-brewery, micro-distillery, micro-winery						A ¹	A	P	P	P ²	P ²	P	See EMC 19.13.070 ¹ Permitted only on designated Residential Mixed-Use Corridor or TOD streets. The use must be located on the ground floor of a residential mixed-use development with no less than 50% of the gross floor area used for single-family or multifamily residential uses. ² See Industrial Uses. Alcohol production is allowed as a primary use without the requirement to include a restaurant, retail, or tasting room.
Automobile drive-through facility								P ³	P ³	P ³			See Chapter 19.13.095 for regulations concerning drive-through facilities. ³ In Metro Everett, permitted only in the areas indicated on Map 13-2
Auto fuel sales								P ⁴	A ⁴	P ⁴	P		⁴ TOD or Pedestrian Streets: Prohibited use
Automobile, light truck or RV sales or rental; equipment sales and rental								P ⁵		P ⁷			⁵ In the B zone, permitted only on Broadway, Evergreen Way, Rucker Avenue, and on Everett Mall Way with the following condition: on Everett Mall Way, minimum lot area for vehicle sales and related/supportive uses is 2.5 acres. ⁷ Not permitted in the LI1 zone, and in the LI2 zone, only automobile rental is permitted on Airport Road where the minimum lot area for vehicle rental and related/supportive uses is 1.5 acres.
<u>Equipment sales and rental</u>								<u>P</u>	<u>A</u>	<u>P</u>	<u>P</u>		
Heavy truck and equipment sales										P	<u>P</u>		

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
Automobile and truck service, light; body repair and painting								P ⁴	P ⁴	P ⁴ 8	P ⁸		See EMC 19.13.140 for Light automobile and truck service, body repair and painting ⁴ TOD or Pedestrian Streets: Prohibited use ⁸ In the LI-1, LI-2 and HI zones, <u>light</u> vehicle servicing is permitted only in multiple-tenant building or development.
Automobile and truck service, heavy											P ⁸		⁸ In the LI-1, LI-2 and HI zones, vehicle servicing is permitted only in multiple-tenant building or development.
Automobile dismantling/recycling										P ⁹	P ⁹		⁹ Permitted only in the LI1 and HI zones when completely contained within an enclosed building.
Impound, storage yard, tow yard										P ¹⁰	P ¹⁰		¹⁰ Impound, storage and tow yards shall comply with landscaping and screening requirements of chapter 19.39.
Casino, mini								P ¹¹		P ¹¹			See EMC 19.13.170 ¹¹ Mini-casinos are also not permitted within the area defined in Map 13-1.
Convention center								P	P	P			
Day care center, commercial	C	C	C	C	A	P	P	P	P	P	P		
Entertainment and recreation - enclosed in building (e.g., theater, fitness facility)						A ¹	P	P	P ¹²	P ¹²			¹ Permitted only on designated Residential Mixed-Use Corridor or TOD streets. The use must be located on the ground floor of a residential mixed-use development with no less than 50% of the gross floor area used for single-family or multifamily residential uses. ¹² In Metro Everett on TOD or Pedestrian streets: private clubs are a prohibited use on the ground floor.

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
Entertainment and recreation - not enclosed (e.g., amusement, outdoor arena)								P	C	A	P	C	
Food or beverage establishment						A ¹ 13	P ¹⁴	P ¹⁴	P ¹⁴	P ¹⁴ 15	P ¹⁴		<p>¹ Permitted only on designated Residential Mixed-Use Corridor or TOD streets. The use must be located on the ground floor of a residential mixed-use development with no less than 50% of the gross floor area used for single-family or multifamily residential uses.</p> <p>¹³ Taverns, nightclubs and restaurants with live entertainment prohibited.</p> <p>¹⁴ Taverns, nightclubs and restaurants with live, amplified entertainment shall be set back a minimum of 100 feet from any residential zone.</p> <p>¹⁵ Allowed as an accessory use only.</p>
Lodging - hotels, motels								P	P	P			
Offices - excluding clinics, social or human service facility, community services						A ¹	P	P	P	P ¹⁵	P ¹⁵		<p>¹ Permitted only on designated Residential Mixed-Use Corridor or TOD streets. The use must be located on the ground floor of a residential mixed-use development with no less than 50% of the gross floor area used for single-family or multifamily residential uses.</p> <p>¹⁵ Allowed as an accessory use only.</p>
Offices - clinics, social or human service facility, community services						<u>A¹</u>	P ¹⁶	P	P ¹⁷	A ¹⁷			<p>¹⁶ NB zone: permitted to occupy a maximum of 50% of the gross floor area.</p> <p>¹⁷ In Metro Everett on TOD or Pedestrian streets: Clinics, social or human service facilities, or community services are a prohibited use on the ground floor, provided,</p>

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
													<p>however, that the following are not considered clinics for the purpose of this restriction: dentists, psychiatrists, chiropractors, physical therapists, optometrists or ophthalmologists.</p> <p>a) Government public health agency uses providing clinical services shall be deemed to be a permitted use on the ground floor within the MU or LI1/LI2 zone.</p> <p>b) Health events on a property within the MU or LI1/LI2 zones providing clinical health services to the general public, not exceeding three days in duration and occurring not more than once every 90 days, shall be exempt from the prohibition of clinics on the ground floor.</p>
Parking, commercial - applicable if principal use								P	p ¹⁸	p ¹⁸		P	¹⁸ In Metro Everett, surface parking lots prohibited as a principal use.
Retail sales and service						A ¹ 19	p ¹⁹	p ¹⁹	p ¹⁹	p ¹⁹ 20		p ²⁰	<p>¹ Permitted only on designated Residential Mixed-Use Corridor or TOD streets. The use must be located on the ground floor of a residential mixed-use development with no less than 50% of the gross floor area used for single-family or multifamily residential uses.</p> <p>¹⁹ On TOD or Pedestrian Streets: Tattoo parlors, body piercing, pawnshops, secondhand stores, thrift stores, and junk stores are a prohibited use on the ground floor.</p> <p>²⁰ Permitted as an accessory use for those products produced on premises; up to but no more than twenty-seventy-five percent</p>

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
													(20 75%) of goods sold may be produced off site and by other producers.
Storage, commercial - enclosed in building (e.g., mini-storage)								P	A ²¹	P ²¹	<u>P</u>		²¹ <u>TOD or Pedestrian Streets</u> : Prohibited use on the ground floor.
Storage, commercial - not enclosed in building (e.g., boat or RV storage)								P ⁴		P ⁴	P		⁴ TOD or Pedestrian Streets: Prohibited use
Veterinary clinic or animal day care - limited to small animal							P ²³	P	P ²²	P ²²			Outside runs or other outside facilities for animals are not permitted. Buildings shall be constructed so noise from this use is not audible on residentially zoned lots. ²² In Metro Everett only on TOD or Pedestrian streets: Prohibited use on the ground floor. ²³ Limited to not more than twenty animals in the Neighborhood Business zone.
Veterinary clinic or commercial kennels - large animal or commercial kennels								A		A ²²		A	Buildings and outside runs shall be placed and constructed so noise from this use is not audible on residentially zoned lots. ²² In Metro Everett only on TOD or Pedestrian streets: Prohibited use on the ground floor.

- ¹ Permitted only on designated Residential Mixed-Use Corridor or TOD streets. The use must be located on the ground floor of a residential mixed-use development with no less than 50% of the gross floor area used for single-family or multifamily residential uses.
- ² See Industrial Uses. Alcohol production is allowed as a primary use where alcohol without the requirement to include a restaurant, retail, or tasting room.
- ³ In Metro Everett, permitted only in the areas indicated on Map 13-2
- ⁴ TOD or Pedestrian Streets: Prohibited use

- ⁵ In the B zone, permitted only on Broadway, Evergreen Way, Rucker Avenue, and on Everett Mall Way with the following condition: on Everett Mall Way, minimum lot area for vehicle sales and related/supportive uses is 2.5 acres.
- ⁶ Reserved
- ⁷ Not permitted in the LI1 zone, and in the LI2 zone, only automobile rental is permitted on Airport Road where the minimum lot area for vehicle rental and related/supportive uses is 1.5 acres.
- ⁸ In the ~~LI-1, LI-2 and~~ HI zones, light vehicle servicing is permitted only in multiple-tenant building or development.
- ⁹ Permitted only in the LI1 and HI zones when completely contained within and enclosed building.
- ¹⁰ Impound, storage and tow yards shall comply with landscaping and screening requirements of chapter 19.39.
- ¹¹ Mini-casinos are also not permitted within the area defined in Map 13-1.
- ¹² In Metro Everett on TOD or Pedestrian streets: private clubs are a prohibited use on the ground floor.
- ¹³ Taverns, nightclubs and restaurants with live entertainment prohibited.
- ¹⁴ Taverns, nightclubs and restaurants with live, amplified entertainment shall be set back a minimum of 100 feet from any residential zone.
- ¹⁵ Allowed as an accessory use only.
- ¹⁶ NB zone: permitted to occupy a maximum of 50% of the gross floor area.
- ¹⁷ In Metro Everett on TOD or Pedestrian streets: Clinics, social or human service facilities, or community services are a prohibited use on the ground floor, provided, however, that the following are not considered clinics for the purpose of this restriction: dentists, psychiatrists, chiropractors, physical therapists, optometrists or ophthalmologists.
- a) Government public health agency uses providing clinical services shall be deemed to be a permitted use on the ground floor within the MU or LI1/LI2 zone.
- b) Health events on a property within the MU or LI1/LI2 zones providing clinical health services to the general public, not exceeding three days in duration and occurring not more than once every 90 days, shall be exempt from the prohibition of clinics on the ground floor.
- ¹⁸ In Metro Everett, surface parking lots prohibited as a principal use.
- ¹⁹ On TOD or Pedestrian Streets: ~~Tattoo parlors, body piercing, pawnshops,~~ secondhand stores, thrift stores, and junk stores are a prohibited use on the ground floor.
- ²⁰ Permitted as an accessory use for those products produced on premises; up to but no more than twenty-seventy-five percent (~~2075~~%) of goods sold may be produced off site and by other producers.
- ²¹ TOD or Pedestrian Streets: Prohibited use on the ground floor.
- ²² In Metro Everett only on TOD or Pedestrian streets: Prohibited use on the ground floor.
- ²³ Limited to not more than twenty animals in the Neighborhood Business zone.

19.05.100 Table 5-3 (Industrial Use Table).

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
(See EMC 19.39.060, Performance Regulations-General regarding requirements to prevent nuisance impacts. See EMC 19.12.200 and 19.12.210 for building and additional standards applicable to the LI2 and HI zones.)													
Freight terminal										P ¹	P		¹ TOD or Pedestrian Streets: Prohibited use.
Heavy industrial, manufacturing, processing, fabrication or assembly											p ²		² The following facilities are subject to a Conditional Use Permit: a) batch plant; b) blast furnace; c) drop forge; and d) power generation plant.
Heliport									C	C	A		
Light industrial, manufacturing, or assembly									C ³	P ³	P		Alcohol production and coffee roasters: see EMC 19.13.070 ³ <u>TOD or Pedestrian Streets</u> : Prohibited use on the ground floor.
Marine terminal											P		
Rail <u>yard way</u> facilities										C	CA		
Storage yard										A ¹⁴	P ⁴		¹ TOD or Pedestrian Streets: Prohibited use. ⁴ <u>Any composting and recycling facilities over one (1) acre in size is subject to a Conditional Use Permit.</u>
Warehouse or distribution centers										P ³	P		³ <u>TOD or Pedestrian Streets</u> : Prohibited use on the ground floor.

¹ TOD or Pedestrian Streets: Prohibited use.

² The following facilities are subject to a Conditional Use Permit: a) batch plant; b) blast furnace; c) drop forge; and d) power generation plant.

³ TOD or Pedestrian Streets: Prohibited use on the ground floor.

⁴ Any composting and recycling facilities over one (1) acre in size is subject to a Conditional Use Permit.

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

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
PUBLIC, INSTITUTIONAL AND QUASI-PUBLIC USES													
Cemetery	C	C	C	C	C			A				C	
Community garden	P	P	P	P	P	P	P	P	P	P	P	P	
Food bank							A	P	A ¹	P ¹	P		¹ In Metro Everett on TOD or Pedestrian streets: Prohibited use on the ground floor.
Government - limited public service (e.g., public works yards, vehicle storage, etc.)					C ²	C ²		P ²	C ²	P	P		² <u>TOD or Pedestrian Streets</u> : Public works yards or vehicle storage prohibited use.
Government, administrative and service					C	C	P	P	P	A	A		
Government, correctional facility									C				See EMC 19.13.130 for Jails and Correctional Facilities
Hospitals	C	C	C	C	C	C	C	P	A	C			See EMC 19.13.120 for Hospitals
Light rail station								P ³	P ³	P ³	P ³		³ Permitted only by development agreement with approval by city council.
Parks, fire stations	P	P	P	P	P	P	P	P	P	P	P	P	Permitted use if park master plan or capital facility plan approved by Everett city council, otherwise an Administrative Use
Religious facility and places of worship	C	C	C	C	C	C ⁴	A ⁴	P ⁴	P ¹	C ¹			See EMC 19.13.080 for Churches, Religious Facility and Places of Worship ¹ In Metro Everett on TOD or Pedestrian streets: Prohibited use on the ground floor.

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
													⁴ <u>TOD or Pedestrian Streets</u> : Prohibited use on the ground floor.
Schools (public and private) - institutions of higher education			C	C	C	C	P	P	P	A			
Schools (public and private) - elementary, middle and high schools	C	C	A	A	A	A	P	P	P	A			
Solid waste transfer station										C ⁵	A C		⁵ TOD or Pedestrian Streets: Prohibited use.
Solid waste - hazardous waste treatment and storage										A ^{5,6}	A ⁶		⁵ TOD or Pedestrian Streets: Prohibited use. ⁶ <u>Any hazardous waste treatment and storage facility over one (1) acre in size is subject to a Conditional Use Permit.</u>
Transit and bicycle facilities - single bus stop with or without shelter - bike rack/repair station	P	P	P	P	P	P	P	P	P	P	P	P	
Transit station - where routes converge for transfers with more than one shelter					C	A	A	P	A	A	A		

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
Transportation facilities of statewide significance	C	C	C	C	C	C	A	A	A	A	A	A	
Utilities—minor above ground facilities	P	P	P	P	P	P	P	P	P	P	P	P	See EMC 19.13.020, Above Ground Utility and Communications Facilities
Utilities—major above ground facilities	A	A	A	A	A	A	A	P	P	P	P	P	See EMC 19.13.020, Above Ground Utility and Communications Facilities

¹ In Metro Everett only on TOD or Pedestrian streets: Prohibited use on the ground floor.

² TOD or Pedestrian Streets: Public works yards or vehicle storage prohibited use.

³ Permitted by development agreement with approval by city council.

⁴ TOD or Pedestrian Streets: Prohibited use on the ground floor.

⁵ TOD or Pedestrian Streets: Prohibited use.

⁶ Any hazardous waste treatment and storage facility over one (1) acre in size is subject to a Conditional Use Permit.

19.05.120 Table 5-5 (Miscellaneous Use Table).

USE	R-S	R-1	R-2	R-2A	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
MISCELLANEOUS USES													
Adaptive Reuse of Nonresidential Buildings	A	A	A	A	P	P	P	P	P	P	P		See EMC 19.13.030
Adult retail								P		P	P		See EMC 19.13.040 Adult retail business
Adult use business								P		P	P		See EMC 19.13.050 Adult use business
Agriculture, industrial										A ¹	A	A	¹ <u>TOD Streets</u> : Prohibited use on the ground floor.
Agriculture, farming or farm use												P	
Agriculture, greenhouse or nursery							A	P		P ²	P	P	² TOD or Pedestrian Streets: Prohibited use.
Assembly, community center	A	A	A	A	P	P	P	P	P	P	A	P	
Clubs <u>or</u> , lodges (<u>private</u>), <u>or</u> similar uses	€	€	€	C	C	A	P	P	P	A		P	
Marijuana - producer or processor										A	A		
Marijuana - retail								P	P	P			
Marina								P	P	P	P	P	

¹ TOD Streets: Prohibited use on the ground floor.

² TOD or Pedestrian Streets: Prohibited use.

³ TOD or Pedestrian Streets: Private clubs are a prohibited use on the ground floor.

19.05.200 Watershed Resource Management Zone.

A. Permitted Uses

The following land uses and uses customarily incidental thereto are permitted within the WRM zone:

1. Public water supply management and conservation, including storage, treatment, pumping, and residual solids management;
2. Hydro-electric power generation;
3. Forestry management;
4. Biosolids application;
5. Public recreation, where allowed;
6. Wildlife habitat management;
7. Uses incidental to the above listed uses.

B. Review Process

All permitted uses are allowed as permitted Use subject to Review Process I as set forth in EMC 15.02.

C. Development standards

All uses within the WRM zone shall be subject to the policies and requirements of applicable management plans adopted by the Everett city council, the policies and regulations of the Shoreline Master Program, if applicable, and the Everett comprehensive plan. The standards applicable to any structures or improvements to be built or installed on the property shall be as needed to accomplish the purpose of such structures or improvements; provided, that said improvements are compatible with city council adopted land use and management plans for the property, and with other adjoining properties. All uses shall comply with requirements for protection of critical areas set forth in EMC 19.37, where applicable.

19.05.210 ~~Public Parks and Open Space A~~Zone.

A. Permitted Uses

1. Public park development uses include any park and recreational activity, including active and passive outdoor recreational activities, trails, open space, cultural activities, park buildings and structures, concessionaires, general park operations and maintenance activities, ranger's or caretaker's quarters, other compatible public uses and structures, and uses customarily incidental thereto, and are permitted in accordance with the provisions of Title 15, Local Project Review Procedures.
2. Transportation facilities of statewide significance through a review process II land use decision, except that a review process I land use decision is required for projects that are categorically exempt under SEPA and a review process III land use decision is required for projects in shoreline jurisdiction with a project area greater than one acre.

B. Development Standards

1. Park and open space development ~~land uses~~ shall comply with the ~~development~~ standards of Chapter 19.37 and the Everett Shoreline Master Program, where applicable.
2. ~~Additional development standards for city-owned~~ park uses shall be determined on a case-by-case basis by the parks department and approved by the park commission through the review processes described herein.
- ~~2-3. Development standards for non-city-owned park and open space is subject to Review Process II set forth in Title 15, Local Project Review Procedures. A master site plan can be approved pursuant to this process.~~

C. Other Review Processes

~~Public p~~Park development on property not zoned "public park and open space" is subject to the review process and development standards in Tables 5-1 through 5-5 of this chapter.