



ORDINANCE NO. 3976-23

An ORDINANCE Relating to Maximum Building Heights for Schools, AMENDING Chapter 19.22 EMC Building and Structure Heights.

WHEREAS,

- A.** Under the regional geography of VISION 2050, the City of Everett is expected to plan for and accommodate 20% of the population of Snohomish County through 2050; and
- B.** The Washington State Office of Financial Management 2022 Growth Management Act Forecast, Medium Series, predicts a net increase of 29,800 people aged 5 to 19 between 2022 and 2050 in Snohomish County; and
- C.** Everett's proportional share of that forecast growth in school-aged population is 5,900 additional school-aged people in the city by 2050, which would represent an increase of 31%; and
- D.** Most school properties within the city of Everett are limited to 28' maximum building height; and
- E.** It would be difficult, costly, and inefficient, or simply impossible, to accommodate the anticipated increase in school enrollment within Everett without a height increase allowance for multistory school buildings; and
- F.** The Everett School District and Mukilteo School District submitted comments to the city during the Rethink Zoning process, but were advised that increasing maximum height limits was outside the scope of that project; and
- G.** The Planning Commission reviewed the amendments contained in this ordinance, including holding a briefing on September 20, 2023, and a public hearing on October 3, 2023, and
- H.** The Planning Commission, after hearing from the public and deliberating, voted to approve Resolution 23-03 on October 3, 2023, recommending the city council approve the amendments contained in this ordinance; and
- I.** City staff reviewed the proposal under provisions of the State Environmental Policy Act, completed an environmental checklist, and issued a Determination of Nonsignificance on September 11, 2023; and
- J.** Notice of the proposed amendments to the development regulations was sent to the Washington State Department of Commerce on September 8, 2023 and a letter of receipt was received the same day; and

- K. This ordinance is consistent with and supportive of goals, policies, and implementation strategies in the Everett Comprehensive Plan, including:
1. Objective LU-2.2 Provide sufficient land and development standards to allow the community to grow in a desirable manner.
 2. Objective LU-2.3 Establish land use patterns that encourage the efficient utilization of land, energy resources, transportation facilities, public infrastructure, and the economic provision of public services, and that further the goals of the other elements of the comprehensive plan.
 3. Policy LU-2.5.2 The City shall coordinate with ... school districts ... to assure an adequate supply of open space lands to be used for active recreation purposes, passive aesthetic values, and to serve as either focal points for or buffers between land uses, neighborhoods, and communities.
 4. Objective 6.1.1 Capital facilities in the city of Everett shall be provided to maintain existing services and to accommodate the projected growth over the next twenty years in a timely and efficient manner.
 5. Objective 6.4.1 All capital facilities expansion and construction shall consider the environment and ways to minimize impacts to it in siting, construction and use.
- L. The City Council considered the factors in EMC 15.03.300 in reviewing the proposed development regulation amendments in this ordinance; and
- M. The City Council finds that the proposed amendments to the city's development regulations (unified development code) contained in this ordinance are consistent with the Everett comprehensive plan, bear a substantial relation to public health, safety and welfare, and promotes the best long-term interests of the Everett community.
- A. On 11/1/2023, the Everett City Council held a public hearing, after proper notice, and considered public comment and the entire record related to the code amendment contained in this ordinance.

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1. Subsection EMC 19.04.080 "Institution of higher education" is hereby amended as follows, with strikeout text deleted and underlined text added:

"Schools (public and private) – Institutions of higher education" means public or private vocational and trade schools, academies, colleges, and universities, including classrooms, administrative offices, cafeteria, athletic facilities, dormitories, and off-street parking areas.

Section 2. Subsection EMC 19.04.080 "School" is hereby amended as follows, with strikeout text deleted and underlined text added:

"Schools (public and private) – elementary, middle and high schools" means a public or private facility that provides teaching or learning. Typical uses include elementary, junior and senior

high schools and related uses, except as otherwise specifically defined in this code. ~~“School” does not include a childcare facility, preschool, day care, or an institution of higher education as defined in this chapter.~~

Section 3. EMC 19.05.110 Table 5-4 is hereby amended as follows as shown in Exhibit 1, with strikeout text deleted and underlined text added:

Section 4. Section EMC 19.13.180 is hereby amended as follows, with strikeout text deleted and underlined text added:

19.13.180 Schools.

~~A.~~ This section applies to public and private elementary and secondary schools, colleges, universities and public vocational education centers; it does not apply to private training schools such as beauty schools, business colleges or technical training facilities, which shall be treated as commercial uses by this title.

~~B.~~ A. Elementary and middle schools may be located on local or arterial streets. High schools shall be located adjacent to or within four hundred feet of collector or arterial streets.

~~C.~~ B. Structures shall be located a minimum of twenty-five feet from ~~adjacent~~ residentially zoned properties. ~~Buildings over twenty-five feet in height shall have an additional setback of one foot for each foot over twenty-five feet in height.~~

C. Schools may exceed the maximum building height in Chapter 19.22 EMC when considered under an administrative use permit or conditional use permit.

D. Temporary classrooms of any size and accessory structures smaller than one thousand square feet shall be reviewed using Review Process I.

Section 5. The following is provided for reference and may not be complete:

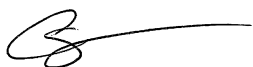
EMC Amended/Repealed by this Ordinance	Ordinance History of EMC Amended/Repealed by this Ordinance
EMC 19.04.080	Ord. 3774-20 § 5 (Exh. 3), 2020
EMC 19.05.110	Ord. 3774-20 § 5 (Exh. 3), 2020 Ord. 3895-22 § 14 (Exh. 3), 2022
EMC 19.13.180	Ord. 3774-20 § 5 (Exh. 3), 2020.

Section 6. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers, and any internal references.

Section 7. The City Council hereby declares that should any section, paragraph, sentence, clause or phrase of this ordinance be declared invalid for any reason, it is the intent of the City Council that it would have passed all portions of this ordinance independent of the elimination of any such portion as may be declared invalid.

Section 8. The enactment of this Ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this Ordinance.

Section 9. It is expressly the purpose of this Ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Ordinance. It is the specific intent of this Ordinance that no provision or any term used in this Ordinance is intended to impose any duty whatsoever upon the City or any of its officers or employees. Nothing contained in this Ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this Ordinance by its officers, employees or agents.



Cassie Franklin, Mayor

ATTEST:



City Clerk

PASSED: 11/1/2023

VALID: 11/02/2023

PUBLISHED: 11/4/2023

EFFECTIVE DATE: 11/17/2023

EXHIBIT 1

19.05.110 Table 5-4 (public, institutional, quasi-public use table).

USE	R-S	R-1	R-2	R-2(A)	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 TOD or pedestrian streets: 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.



USE	R-S	R-1	R-2	R-2(A)	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
PUBLIC, INSTITUTIONAL AND QUASI-PUBLIC USES													
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 facilities and places of worship. ¹ In Metro Everett on TOD or pedestrian streets: prohibited use on the ground floor. ⁴ TOD or pedestrian streets: prohibited use on the ground floor.
Social Services	P ⁸	P ⁸	P ⁸	P ⁸	P ⁸	A ⁷	P ⁹	P	P ¹⁰	A ¹⁰			⁷ 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. ⁸ Permitted only as an accessory use in permanent supportive housing facilities, transitional housing facilities, and shelters hosted by a religious organization pursuant to RCW 35.21.915. Services provided on-site shall be limited to residents of the shelter or housing. ⁹ May occupy a maximum of fifty percent of the gross floor area.



USE	R-S	R-1	R-2	R-2(A)	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
PUBLIC, INSTITUTIONAL AND QUASI-PUBLIC USES													
													¹⁰ In Metro Everett on TOD or pedestrian streets: prohibited on the ground floor except as an accessory use to emergency housing, indoor emergency shelters, and outdoor emergency shelters.
Schools (public and private)—institutions of higher education			C	C	C	C	P	P	P	A			<u>See EMC 19.13.180, Schools.</u>
Schools (public and private)—elementary, middle and high schools	C	C	A	A	A	A	P	P	P	A			<u>See EMC 19.13.180, Schools.</u>
Solid waste transfer station										C ⁵	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 Any hazardous waste treatment and storage facility over one acre in size is subject to a conditional use permit.
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					C	A	A	P	A	A	A		



USE	R-S	R-1	R-2	R-2(A)	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG	SPECIAL REGULATIONS
PUBLIC, INSTITUTIONAL AND QUASI-PUBLIC USES													
transfers with more than one shelter													
Transportation facilities of statewide significance	C	C	C	C	C	C	A	A	A	A	A	A	
Utilities—minor aboveground facilities	P	P	P	P	P	P	P	P	P	P	P	P	See EMC 19.13.020 , Aboveground utility and communications facilities.
Utilities—major aboveground facilities	A	A	A	A	A	A	A	P	P	P	P	P	See EMC 19.13.020 , Aboveground 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 acre in size is subject to a conditional use permit.

⁷ 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.

⁸ Social services permitted as an accessory use in permanent supportive housing facilities, transitional housing facilities, and shelters hosted by a religious organization pursuant to RCW 35.21.915. Services provided on-site shall be limited to residents of the shelter or housing.

⁹ May occupy a maximum of fifty percent of the gross floor area.

¹⁰ In Metro Everett on TOD or pedestrian streets: prohibited on the ground floor except as an accessory use to emergency housing, indoor emergency shelters, and outdoor emergency shelters.





PLANNING COMMISSION RESOLUTION NO. 23-03

A Resolution Recommending that the City Council Adopt Amendments Related to Maximum Building Heights for Schools, AMENDING Chapter 19.22 EMC Building and Structure Heights.

WHEREAS, THE PLANNING COMMISSION FINDS THE FOLLOWING:

- A.** Under the regional geography of VISION 2050, the City of Everett is expected to plan for and accommodate 20% of the population of Snohomish County through 2050; and
- B.** The Washington State Office of Financial Management 2022 Growth Management Act Forecast, Medium Series, predicts a net increase of 33,200 people aged 5 to 19 between 2020 and 2050 in Snohomish County; and
- C.** Everett's proportional share of that forecast growth in school-aged population is 6,600 additional school-aged people in the city by 2050, which would represent an increase of 35%; and
- D.** Most school properties within the city of Everett are limited to 28' maximum building height; and
- E.** It would be difficult, costly, and inefficient, or simply impossible, to accommodate the anticipated increase in school enrollment within Everett without a height increase allowance for multistory school buildings; and
- F.** The Everett School District and Mukilteo School District submitted comments to the city during the Rethink Zoning process, but were advised that increasing maximum height limits was outside the scope of that project; and
- G.** The Planning Commission reviewed the amendments contained in this ordinance, including holding briefings on September 20, 2023 and a public hearing on October 3, 2023, and
- H.** The Planning Commission, after hearing from the public and deliberating, voted to approve Resolution 23-03 on October 3, 2023, recommending the city council approve the amendments contained in this ordinance; and
- I.** City staff reviewed the proposal under provisions of the State Environmental Policy Act, completed an environmental checklist, and issued a Determination of Nonsignificance on September 11, 2023; and
- J.** Notice of the proposed amendments to the development regulations was sent to the Washington State Department of Commerce on September 8, 2023 and a letter of receipt was received the same day; and

K. This ordinance is consistent with and supportive of goals, policies, and implementation strategies in the Everett Comprehensive Plan, including:

1. Objective LU-2.2 Provide sufficient land and development standards to allow the community to grow in a desirable manner.
 2. Objective LU-2.3 Establish land use patterns that encourage the efficient utilization of land, energy resources, transportation facilities, public infrastructure, and the economic provision of public services, and that further the goals of the other elements of the comprehensive plan.
 3. Policy LU-2.5.2 The City shall coordinate with ... school districts ... to assure an adequate supply of open space lands to be used for active recreation purposes, passive aesthetic values, and to serve as either focal points for or buffers between land uses, neighborhoods, and communities.
 4. Objective 6.1.1 Capital facilities in the city of Everett shall be provided to maintain existing services and to accommodate the projected growth over the next twenty years in a timely and efficient manner.
 5. Objective 6.4.1 All capital facilities expansion and construction shall consider the environment and ways to minimize impacts to it in siting, construction and use.
- L. The Planning Commission considered the factors in EMC 15.03.300 in reviewing the proposed development regulation amendments in this ordinance; and
- M. The Planning Commission finds that the proposed amendments to the city's development regulations (unified development code) contained in this ordinance are consistent with the Everett comprehensive plan, bear a substantial relation to public health, safety and welfare, and promotes the best long-term interests of the Everett community.

NOW, THEREFORE, THE PLANNING COMMISSION RECOMMENDS THE FOLLOWING:

The Planning Commission recommends that the City Council adopt the code amendments attached hereto as Exhibit A and incorporated herein as if fully set forth.



Planning Commission Vice Chair



Planning Commission Secretary

Dated: October 3, 2023



For: Commissioner Lark, Commissioner Sullivan, Commissioner Ballard, Commissioner Finch, Commissioner Yanasak, Commissioner Zelinski, and Acting Chair Adkins

Against: None

Absent: Chair Chatters

Abstain: None

EXHIBIT A: PROPOSED AMENDMENTS

EMC	Revision
19.04 Definitions	<p><u>"Schools (public and private) – Institutions of higher education"</u> means public or private vocational and trade schools, academies, colleges, and universities, including classrooms, administrative offices, cafeteria, athletic facilities, dormitories, and off-street parking areas.</p> <p><u>"Schools (public and private) – elementary, middle and high schools"</u> means a public or private facility that provides teaching or learning. Typical uses include elementary, junior and senior high schools and related uses, except as otherwise specifically defined in this code.</p> <p>"School" does not include a childcare facility, preschool, day care, or an institution of higher education as defined in this chapter.</p>
19.13.180 Schools	<p>A. This section applies to public and private elementary and secondary schools, colleges, universities and public vocational education centers; it does not apply to private training schools such as beauty schools, business colleges or technical training facilities, which shall be treated as commercial uses by this title.</p> <p>B. <u>A.</u> Elementary and middle schools may be located on local or arterial streets. High schools shall be located adjacent to or within four hundred feet of collector or arterial streets.</p> <p>C. <u>B.</u> Structures shall be located a minimum of twenty-five feet from adjacent residentially zoned properties. Buildings over twenty-five feet in height shall have an additional setback of one foot for each foot over twenty-five feet in height.</p> <p><u>C.</u> Schools may exceed the maximum building height in Chapter 19.22 EMC when considered under an administrative use permit or conditional use permit.</p> <p>D. Temporary classrooms of any size and accessory structures smaller than one thousand square feet shall be reviewed using Review Process I.</p>

STAFF MEMORANDUM

TO: Everett City Council
FROM: Yorik Stevens-Wajda, AICP, Planning Director
DATE: October 9, 2023
MEETING DATE: October 17, 2023
SUBJECT: School Heights Proposed Code Amendments

INTRODUCTION

Under the regional growth strategy of [VISION 2050](#), the City of Everett is expected to plan for and accommodate 20% of the population of Snohomish County through 2050. The Washington State Office of Financial Management [2022 Growth Management Act Forecast](#), Medium Series, predicts a net increase of 29,800 people aged 5 to 19 between 2022 and 2050 in Snohomish County.

Everett could see **4,000-6,600 additional school age children by 2050**. The lower number uses the city's existing share of county youth – Everett has 12% of the county's 5-19 yr olds. The higher number uses a 20% share, which is the share of overall population to Everett in the regional growth strategy.

At 115-173 gross square feet per student (OSPI median for elementary, middle, and high schools, [page 2](#)), that growth in school-age population could require **520,000-870,000 additional square feet of school space (public and private) in the next three decades**.

Many school properties within the city of Everett are limited to 28' maximum building height, and it would be difficult, costly, and inefficient, or simply impossible, to accommodate the anticipated increase in school enrollment within Everett without a height increase allowance for multistory school buildings. The Everett School District and Mukilteo School District submitted comments to the city during the 2019-2020 Rethink Zoning process but were advised that height limits for schools was outside the scope of that project.

BACKGROUND

The city regulates K-12 school development through the use matrix (EMC [19.05.110](#)), the zoning and building height maps (see the city's [map gallery](#)), and specific use standards of EMC [19.13.180](#).

Definition

"School" means a public or private facility that provides teaching or learning. Typical uses include elementary, junior and senior high schools and related uses, except as otherwise specifically defined in this code. "School" does not include a childcare facility, preschool, day care, or an institution of higher education as defined in this chapter. (EMC [19.04.080](#))



Zones and Review Process

USE	R-S	R-1	R-2	R-2(A)	UR3	UR4	NB	B	MU	LI1 LI2	HI	AG
Schools (public and private)— elementary, middle and high schools	C	C	A	A	A	A	P	P	P	A		

Schools are allowed in all zones except Heavy Industrial and Agriculture, but the review process varies by zone. In the R-S and R-1 zones, a conditional use permit is required. In the R-2, R-2(A), UR3, UR4, and LI zones, an administrative use permit is required. Schools are a permitted use in the MU, B, and NB zones.

Administrative use permit

Administrative use permits are planning director decisions ([Review Process II](#)), which may include conditions, after public notice (includes posting notices on the site and mailing to property owners within 150'). The decision, including any conditions, is made after a review of a proposal against criteria in EMC [15.02.070](#):

1. Compatibility of proposed structures and improvements with surrounding properties, including the size, height, location, setback and arrangements of all proposed buildings and facilities, especially as they relate to light and shadow impacts on more sensitive land uses and less intensive zones.
2. The landscaping, buffering and screening of buildings, parking, loading and storage areas, especially as they relate to more sensitive land uses.
3. The generation of nuisance irritants such as noise, smoke, dust, odor, glare, visual blight or other undesirable impacts.

Conditional use permit

Conditional use permits are hearing examiner decisions ([Review Process IIIA](#)), which may include conditions, after public notice (including posting notices on the site and mailing to property owners within 500') and an open public hearing in front of the hearing examiner. The decision, including any conditions, is made after a review of a proposal against criteria in EMC [15.03.120](#):

1. The adequacy of utilities, public facilities and services required to serve a proposed use.
2. The impact of traffic generated by the proposed use on the surrounding area, pedestrian circulation and public safety; and the ability of the proponent to mitigate such potential impacts.
3. Compatibility of proposed structures and improvements with surrounding properties, including the size, height, location, setback and arrangements of all proposed buildings and facilities, especially as they relate to light and shadow impacts on more sensitive land uses and less intensive zones.
4. The landscaping, buffering and screening of buildings, parking, loading and storage areas, especially as they relate to more sensitive land uses.
5. The generation of nuisance irritants such as noise, smoke, dust, odor, glare, visual blight or other undesirable impacts.
6. Compliance with the provisions of Title 19 and other city, state and federal regulations.

Specific use standards for schools

EMC 19.13.180 provides the following specific use standards for schools:

- A. This section applies to public and private elementary and secondary schools, colleges, universities and public vocational education centers; it does not apply to private training schools such as beauty schools, business colleges or technical training facilities, which shall be treated as commercial uses by this title.
- B. Elementary and middle schools may be located on local or arterial streets. High schools shall be located adjacent to or within four hundred feet of collector or arterial streets.
- C. Structures shall be located a minimum of twenty-five feet from adjacent residentially zoned properties. Buildings over twenty-five feet in height shall have an additional setback of one foot for each foot over twenty-five feet in height.
- D. Temporary classrooms of any size and accessory structures smaller than one thousand square feet shall be reviewed using Review Process I.

Schools in Everett

Schools in Everett are provided by [Everett School District](#), [Mukilteo School District](#), and private school providers. There are 22 public K-12 schools or school properties in Everett and four private K-12 schools. 18 schools are in zones that are limited to buildings no more than 28' high.

Name	Public?	Type	Address	Zone	Max Height
Aces High School	Public	High	9700 HOLLY DR	R-S	28'
Cascade High School	Public	High	909 E CASINO RD	R-1	28'
Challenger Elementary School	Public	Elementary	9401 SHARON DR	R-S	28'
Eisenhower Middle School	Public	Middle	2500 100TH ST SE	R-1	28'
Emerson Elementary School	Public	Elementary	8702 7TH AVE	R-1	28'
Everett Christian School	Private	Primary	2229 CEDAR ST	R-2	28'
Everett High School	Public	High	2331 HOYT AVE	UR4	4 floors
Evergreen Middle School	Public	Middle	7621 BEVERLY LN	R-1	28'
Explorer Middle	Public	Middle	9401 SHARON DR	R-S	28'
Forest Park Adventist Christian School	Private	Primary	4132 FEDERAL AVE	P	28'
Garfield Elementary School	Public	Elementary	2215 PINE ST	R-2	28'
Hawthorne Elementary School	Public	Elementary	1110 POPLAR ST	UR4	4-6 floors
Horizon Elementary School	Public	Elementary	222 W CASINO RD	UR4	4-6 floors
Immaculate Conception School	Public	Primary	2508 HOYT AVE	UR4	6-8 floors/ 4 floors
Jackson Elementary School	Public	Elementary	3700 FEDERAL AVE	R-1	28'
Monroe Elementary	Public	Elementary	10901 27TH AVE SE	R-1	28'
Lowell Elementary School	Public	Elementary	5010 VIEW DR	R-1	28'
Madison Elementary School	Public	Elementary	616 PECKS DR	R-2	28'
Mary Magdalene Elementary School	Private	Elementary	8717 7TH AVE SE	R-1	28'
North Middle School	Public	Middle	2514 RAINIER AVE	UR4	3 floors/ 4 floors/ 5 floors
Northshore Christian Academy	Private	Primary	5700 23RD DR W	LI2	10 floors
Norton Field	Public	Property	N/A	R-1	28'
Sequoia High School	Public	High	3500 RUCKER AVE SE	UR3	3 floors
Silver Lake Elementary	Public	Elementary	12815 BOTHELL WAY SE	R-2	28'
View Ridge Elementary School	Public	Elementary	50TH ST	R-1	28'
Whittier Elementary School	Public	Elementary	916 OAKES AVE	R-2	28'



PROPOSAL

The proposal would allow new and remodeled schools to exceed the underlying height limit on the city's [Building & Structure Height map](#), subject to approval of the project using an administrative use permit or conditional use permit. The proposal also removes a requirement for buildings over twenty-five feet in height to have an additional setback of one foot for each foot over twenty-five feet in height.

The proposal also includes housekeeping amendments to separate the definitions for K-12 schools and higher education to align with how the uses are listed in the use matrix and adds a reference to the specific use standards in EMC 19.13 to the use matrix so those are not missed by the reader.

Proposed amendments to EMC 19.13.180 – Schools

- A. This section applies to public and private elementary and secondary schools, colleges, universities and public vocational education centers; it does not apply to private training schools such as beauty schools, business colleges or technical training facilities, which shall be treated as commercial uses by this title.
- B. A. Elementary and middle schools may be located on local or arterial streets. High schools shall be located adjacent to or within four hundred feet of collector or arterial streets.
- C. B. Structures shall be located a minimum of twenty-five feet from adjacent residentially zoned properties. ~~Buildings over twenty-five feet in height shall have an additional setback of one foot for each foot over twenty-five feet in height.~~
- C. Schools may exceed the maximum building height in Chapter 19.22 EMC when considered under an administrative use permit or conditional use permit.
- D. Temporary classrooms of any size and accessory structures smaller than one thousand square feet shall be reviewed using Review Process I.

Proposed amendments to EMC 19.04.080 – Definitions

- “Schools (public and private) – Institutions of higher education” means public or private vocational and trade schools, academies, colleges, and universities, including classrooms, administrative offices, cafeteria, athletic facilities, dormitories, and off-street parking areas.
- “Schools (public and private) – elementary, middle and high schools” means a public or private facility that provides teaching or learning. Typical uses include elementary, junior and senior high schools and related uses, except as otherwise specifically defined in this code. “School” does not include a childcare facility, preschool, day care, or an institution of higher education as defined in this chapter.

PUBLIC NOTICE AND COMMENTS

This is a legislative amendment to the development regulations. The planning department has circulated notice of the proposal via the following methods:

- Planning department [webpage](#)
- [Planning commission](#) agenda mailing list
- Neighborhood association mailing list
- State Environmental Policy Act mailing list
- Publishing notice of planning commission and city council public hearings in the Everett Herald

As of the writing of this memo, the department has received one comment letter from the two school districts serving Everett in support of the proposal. All comments received will be posted to the department's [Active Code Amendments](#) webpage.



ENVIRONMENTAL REVIEW

The planning director issued a Determination of Non significance under the [State Environmental Policy act](#) on September 11, 2023. A copy of the determination, and the environmental checklist on which it is based, is available on the [planning department webpage](#) under [active code amendments](#).

EXHIBITS

Exhibit A – Map of Schools in Everett



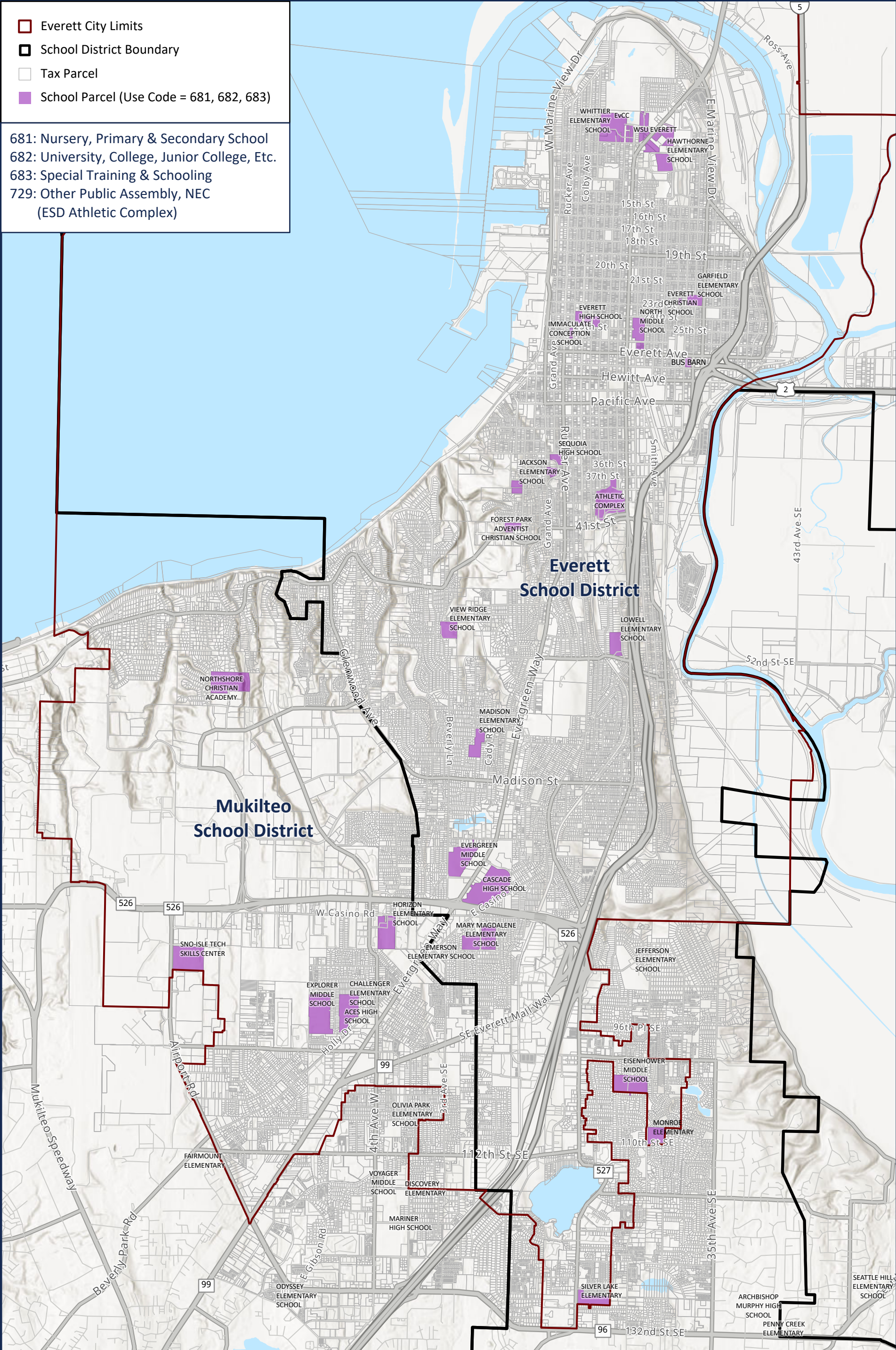
Exhibit A: Schools in Everett

Public & Private School Parcels



- Everett City Limits
- School District Boundary
- Tax Parcel
- School Parcel (Use Code = 681, 682, 683)

681: Nursery, Primary & Secondary School
682: University, College, Junior College, Etc.
683: Special Training & Schooling
729: Other Public Assembly, NEC
(ESD Athletic Complex)



Ordinance No. 3976-23

Final Audit Report

2023-11-02

Created:	2023-11-02
By:	Marista Jorve (mjorve@everettwa.gov)
Status:	Signed
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