

STAFF REPORT

TO: Everett Planning Commission
FROM: Karen Stewart, Environmental Planner
DATE: August 11, 2021
SUBJECT: 7500 Hardsen Road comprehensive plan amendment and rezone

OVERVIEW

This staff report addresses a private development docket application to amend the comprehensive plan land use designation from Industrial to Commercial Mixed Use and change the implementing zone from Light Industrial 2 (LI2) to Business (B) for a 1.32 acre corner parcel located at 7500 Hardsen Road. The parcel is currently developed with a gas station and convenience store ([auto fuel sales](#)).

PROPOSAL

The property owner requests an amendment to the City of Everett Comprehensive Plan Land Use Map and to the Zoning Map. The 1.32 acre site located at the intersection of 75th St SW and Hardsen Road, and is currently developed as a 7-11 convenience store with gasoline pumps. The proposal is to change the land use designation from Industrial to Commercial Mixed Use and the zoning from Light Industrial 2 to Business. The applicant has indicated a desire for the property to be designated to reflect the nature of the site which is commercial and to permit flexibility to redevelop the site for other commercial uses to support the everyday needs of employees of nearby industrial businesses.

PROCESS

This request is considered as part of the annual comprehensive plan docket process identified by project number REV V 21-002 with the required review process specified in WAC 365-196-640 and Section 15.02.090 EMC.

Public notice

Staff are maintaining a page about the multi-project comprehensive plan docket on the planning division [webpage](#). A planning commission public hearing notice was published in the Everett Herald on August 3, 2021, announcing an August 17th Planning Commission briefing and September 21st public hearing date.

Interjurisdictional Coordination

Staff provided a 60-day notice of the proposal to state agencies via the Washington State Department of Commerce on July 28, 2021.

State Environmental Policy Act

A SEPA non-project [environmental checklist](#) for the proposal was completed by the applicant and a [Determination of Non-Significance](#) was issued on August 3, 2021. Official notice was published in The Everett Herald on August 3, 2021 with a fourteen-day comment period extending until August 17, 2021.



ANALYSIS AND CRITERIA

The subject property's zoning and allowed uses were changed from C-2 heavy commercial/light industrial to LI2 Light Industrial 2 on November 24, 2020 as part of the [Rethink Zoning](#) amendments (Ord. 3774-20). The rezoning removed the characterization of commercial and industrial to industrial only. The applicant argues that this was an unintended change, and a staff review did not indicate a particular intent to exclude commercial uses on this site.

The applicant has requested the *Business* zone which is not an implementing zone for the existing comprehensive plan land use designation of *Industrial*. Accordingly, the rezone request necessitates an amendment to the comprehensive plan. The applicant has requested that the designation be changed from *Industrial* to *Commercial Mixed Use*, which accommodates the requested zone.

The proposed map amendments have been evaluated for consistency with GMA goals (RCW [36.70A.020](#)) that encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner. Furthermore, this proposal would implement or not be in conflict with the following City of Everett Comprehensive Plan policies:

Land Use Policy 2.2.4 Identify on the Land Use Map appropriate areas in which to apply commercial mixed-use land use designations. Use the following criteria as a guide to establishing zoning districts and implementing regulations.

(a) Mixed Use Commercial and Multiple Family Corridors: Areas where businesses are oriented to the shopping and service needs of the Everett community and surrounding areas of Snohomish County, and in which new development and redevelopment is encouraged to include housing and other supportive services and uses.

(b) Neighborhood Shopping: Compact shopping districts located in close proximity to residential areas, containing small scale buildings and businesses that are oriented to, and provide for, the day-to-day consumer needs of the immediately surrounding residential neighborhoods.

Industrial Land Use Policy 2.3.5 Limit the non-industrial use of industrial lands to uses that are of a type, size and number so as to be complementary to industrial activities, and that do not deplete the supply of industrial land, and do not create potential land use conflicts with industrial activities.

Economic Development Policy 7.3.11 Encourage development of community and neighborhood business centers to support surrounding residential areas.

The proposed zoning type of Business is an implementing zone for the proposed comprehensive plan land use designation of Commercial Mixed Use. The site-specific rezone intent is to provide convenience retail and dining options for employees of the surrounding industrial uses. While the proposed rezone will reduce land available for industrial uses within the city's designated manufacturing/industrial center, the proposed uses will most likely be complementary to industrial uses by supporting the everyday needs of industrial employees, and will only remove a small amount of industrial land. The proposed rezone is compatible with and mitigates any adverse impacts upon existing or anticipated land uses in the immediate vicinity that are developed as either commercial retail or light industrial. Future development will need to demonstrate compatibility with traffic flow at the adjacent intersection.

STAFF RECOMMENDATION

Staff recommends the Planning Commission hold a public hearing on the annual docket (Sept. 21, 2021) including these proposed map changes as shown in Exhibits A, A-1 and A-2. Following the public hearing, and subject to change based on testimony heard, **staff recommends approval of the map amendments.**



RECOMMENDED PLANNING COMMISSION MOTION

Approve Resolution No. 21-03 recommending approval of proposed amendments to the Comprehensive Plan Future Land Use Map and Zoning Map at 7500 Hardeson Road.

EXHIBITS

Exhibit A: Proposed Planning Commission Resolution No. 21-03

Exhibit A-1: Proposed Comprehensive Plan map amendment

Exhibit A-2: Proposed Zoning map amendment

Exhibit A-3: Comparison of uses allowed in B and LI2 zones



EXHIBIT A: Proposed Planning Commission Resolution No. 21-03



Planning Commission Resolution No. 21-03

**Recommending Approval of Proposed Amendments to the Comprehensive Plan
Future Land Use Map and Zoning Map at 7500 Hardeson Road**

WHEREAS, the Planning Commission finds the following:

1. The City of Everett adopted its first Comprehensive Plan under the Washington State Growth Management Act in 1994 and conducted a comprehensive review and update of the Plan in 2015; and
2. The Growth Management Act, codified as RCW 36.70A, generally allows for comprehensive plans to be amended on an annual basis; and
3. The City of Everett initiated its annual comprehensive plan amendment process on June 1, 2021. A timely application was filed to amend the comprehensive plan land use designation from Industrial to Commercial Mixed Use and modify the zoning from Light Industrial 2 to Business to on the southwest corner of 75th St. SW and Hardeson Road; and
4. The Planning Commission held a public hearing on the matter on _____, 2021 at which time the Commission heard staff's presentation, public comments, and considered the proposed comprehensive plan map amendment and rezone; and
5. The proposal has been properly noticed and evaluated consistent with state law and city code; and
6. City staff reviewed the proposal under provisions of the State Environmental Policy Act, completed an environmental checklist, and issued a Determination of Non-Significance on August 3, 2021; and
7. Notice of the proposed amendments to the comprehensive plan was sent to the Washington State Department of Commerce on July 28, 2021 and a letter of receipt was received the same day; and
8. The public health, safety and welfare will be provided for by these map amendments with the continuation of residential development in an area served by public facilities and services including transit; and
9. The proposed map amendments promote the best long term interest of the Everett community by providing options for convenience retail, food and beverage establishments, and services to support the everyday needs of surrounding industrial employees at a major intersection, while



EXHIBIT A: Proposed Planning Commission Resolution No. 21-03

limiting the reduction of land designated for industrial uses; and

10. The proposed map amendments were considered as part of the annual comprehensive plan docket including an analysis of potential cumulative impacts.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Planning Commission recommends approval of the proposed Comprehensive Plan Land Use Map amendment for the 1.32 acre property at 7500 Hardeson Road from Industrial to Commercial Mixed Use as depicted in Exhibit A-1.
2. The Planning Commission recommends approval of the proposed Zoning Map amendment for the property located at 7500 Hardeson Road from Light Industrial 2 to Business as shown in Exhibit A-2.

Planning Commission Chair

Date

Planning Commission Secretary

For:

Against:

Absent:

Abstain:



EXHIBIT A: Proposed Planning Commission Resolution No. 21-03

EXHIBIT A-3

Comparison of uses allowed in B and LI zones (only nonresidential uses with differences shown)

USE	B	LI1 LI2	Notes
Alcohol production, micro—e.g., microbrewery, microdistillery, microwinery	P	P ²	² See Industrial Uses. Alcohol production is allowed as a primary use without the requirement to include a restaurant, retail, or tasting room.
Automobile, light truck or RV sales or 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 two and one-half 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 one and one-half acres.
Heavy truck and equipment sales		P	
Automobile dismantling/recycling		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	¹⁰ Impound, storage and tow yards shall comply with landscaping and screening requirements of Chapter 19.39 EMC.
Entertainment and recreation—enclosed in building (e.g., theater, fitness facility)	P	P ¹²	¹² In Metro Everett on TOD or pedestrian streets...
Entertainment and recreation—not enclosed (e.g., amusement, outdoor arena)	P	A	
Food or beverage establishment	P ¹⁴	P ¹⁴ 15	¹⁴ Taverns, nightclubs and restaurants with live, amplified entertainment shall be set back a minimum of one hundred feet from any residential zone. ¹⁵ Allowed as an accessory use only.
Offices—excluding clinics, social or human service facility, community services	P	P ¹⁵	¹⁵ Allowed as an accessory use only.
Offices—clinics, social or human service facility, community services	P	A ¹⁷	¹⁷ In Metro Everett on TOD or pedestrian streets...
Retail sales and service	P ¹⁹	P ¹⁹ 20	¹⁹ On TOD or pedestrian streets... ²⁰ Permitted as an accessory use for those products produced on premises; up to but no more than seventy-five percent of goods sold may be produced off site and by other producers.
Freight terminal		P1	¹ TOD or pedestrian streets: prohibited use.
Heavy industrial, manufacturing, processing, fabrication or assembly			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.



EXHIBIT A: Proposed Planning Commission Resolution No. 21-03

USE	B	L1 L2	Notes
Heliport		C	
Light industrial, manufacturing, or assembly		P3	Alcohol production and coffee roasters: see EMC 19.13.070 . ³ TOD or pedestrian streets: prohibited use on the ground floor.
Marine terminal			
Railyard		C	
Storage yard		A1 4	¹ TOD or pedestrian streets: prohibited use. ⁴ Any composting and recycling facilities over one acre in size is subject to a conditional use permit.
Warehouse or distribution centers		P3	³ TOD or pedestrian streets: prohibited use on the ground floor.
Cemetery	A		
Government, administrative and service	P	A	
Hospitals	P	C	See EMC 19.13.120 for hospitals.
Parks, fire stations	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	P4	C1	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.
Schools (public and private)—institutions of higher education	P	A	
Schools (public and private)—elementary, middle and high schools	P	A	
Solid waste transfer station		C5	⁵ TOD or pedestrian streets: prohibited use.
Solid waste—hazardous waste treatment and storage		A5 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 station—where routes converge for transfers with more than one shelter	P	A	

