



DETERMINATION OF NON-SIGNIFICANCE & NOTICE OF PUBLIC HEARINGS – PROPOSED CODE AMENDMENTS

DESCRIPTION OF PROPOSED ACTION: The City of Mount Vernon is considering code amendments to the below-described chapters of the Mount Vernon Municipal Code (MVMC):

- **Amendment to Zoning Code (MVMC Chapter 17.102, Nonconforming Buildings or Uses & 14.05 Procedures):** Amending the current nonconforming building or uses chapter to distinguish between easier and more complex projects that would expand, enlarge, or construct an existing nonconforming building or use. The proposed code amendments create a process that includes options for less complex projects that results in quicker and less expensive permits.

Specifically, the amendments:

- Revise the code to include a Type II administrative process for the most common and least complex projects. Notification would be limited to adjacent and abutting properties.
- Revise the code to process the more complex projects as Type III processes. Type III processes require an open record public hearing before the Hearing Examiner who makes the final decision. This amendment would result in removing the requirement for City Council approval for any nonconforming structure or use permit.

City File Number: CA23-0197

- **Amendments to Zoning and Design Review Board Code (MVMC 17.70 Design Review, 14.05 Procedures, & 2.61 Design Review Board):** Amending the Municipal Code to eliminate the Design Review Board. To accomplish this, amendments to Mount Vernon Municipal Code (MVMC) Chapter 17.70 (Design Review) and MVMC 2.61 (Design Review Board) are required. The proposal would retain the design standards of MVMC 17.70.030 and delete the design review board from the code. The DS Director will make design review decisions as a Type 1 determination – except for instances of consolidated review.

City File Number: CA23-0198

LOCATION: This is a non-project action that would apply city-wide.

APPLICANT & LEAD AGENCY: City of Mount Vernon, Development Services Department

The lead agency for this proposal has determined that the proposed amendments will not have a probable adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request.

PUBLIC HEARINGS: Public hearings to consider the above-described proposed changes to the referenced MVMC sections are scheduled before the Mount Vernon Planning Commission at 6 p.m. on **Tuesday, August 15, 2023**; and anticipated before the City Council at 7 p.m. on **Wednesday, September**

27, 2023. The public hearings will be held at the Police and Court Campus located at 1805 Continental Place, Mount Vernon.

Environmental Determination Comment Process: Comments on the environmental determination must be received in writing on or before 4:30 PM **August 11, 2023** (14 days from the date of issuance). Comments received within the 14 days will be reviewed and considered by the Development Services Department. Those persons wishing to submit comments will receive a response from the Responsible Official prior to the end of the SEPA appeal period.

Environmental Determination Appeal Process: Appeals of the environmental determination must be filed in writing on or before 4:30 PM **August 21, 2023** (10 days following the 14 day comment period).

Appeals must be filed in writing together with the required \$100.00 application fee with: Hearing Examiner, City of Mount Vernon, 910 Cleveland Ave, Mount Vernon, WA 98273. Appeals to the Examiner are governed by City of Mount Vernon Municipal Code Section 15.06.215. Additional information regarding the appeal process may be obtained from the City of Mount Vernon Development Services Department, (306) 336-6214.

CONTACT PERSON: Marianne Manville-Ailles, Senior Planner
Development Services Department
910 Cleveland Avenue
Mount Vernon WA 98273
Telephone - 360-336-6214

The application and supporting documentation are available for review upon request. Copies will be provided upon request at the cost of reproduction. If you wish to comment on the proposed amendments, you may provide verbal or written comment at the public hearings. **PUBLIC COMMENTS ARE NOT ACCEPTED BY THE DEPARTMENT THROUGH EMAIL.**

Comments should be as specific as possible and those submitting comments are required to comply with the following:

- All comments must include: (1) your full name, (2) your mailing address, and (3) the name of the proposal you are commenting on.
- If you wish to submit comments electronically you must upload your comments into the city's online permit portal because comments are NOT accepted via email. To upload comments into the City's permit portal navigate to: <https://ci-mountvernon-wa.smartgovcommunity.com/Public/Home>, once on this page you must create a user account by clicking "Sign Up" located at the upper right corner of the webpage. Once you have created and verified your user account log into the system and click on "Go" in the My Portal box, and then on the next page that appears click on "Apply" in the Apply Online box. On the new page that appears under Step 1 select "Public Comments" and on Step 2 select "Public Comments for Land Use Permits"
- Comments submitted on paper are required to be mailed or delivered to the Development Services Department at the address listed above.

Comments not meeting the requirements of this section are considered as not being received by the city.

Any person may comment on the application, receive notice and request a copy of the decision once it is made. To receive additional information regarding this project contact the Development Services Department and ask to become a party of record.

City staff has created a page on the City's permit portal where the site plans, technical reports, and other pertinent information can be viewed by following these directions: navigate to: <https://ci-mountvernon-wa.smartgovcommunity.com/Public/Home> once on this webpage click on the brown "GO" link under the heading "PUBLIC NOTICES". Type in the project number identified in this notice into the search bar near the top of the screen. Click on the project number listed below the search bar when it appears.

SEPA RESPONSIBLE OFFICIAL: Rebecca Lowell, Principal Planner (signature on file)

ISSUED AND PUBLISHED: July 28, 2023

SENT TO: CORPS OF ENGINEERS, WA AGRICULTURE, DAHP, WA COMMERCE, WA CORRECTIONS, WA EFSEC, WDFW, WA HEALTH, DNR, STATE PARKS, PARKS COMMISSION, PSP, PSRC, WA DOT, DOE, DSHS, NW CLEAN AIR, SKAT, COUNTY PDS, COUNTY ASSESSOR, DIKE AND DRAINAGE DISTRICT, SCOG, PORT OF SKAGIT, MVSD, SVC, SKAGIT COOP, SWINOMISH, UPPER SKAGIT, SAMISH, SAUK-SUIATTLE, TULALIP, AND STILLAGUAMISH TRIBES, SKAGIT PUD, PSE, FRONTIER, CNG AND COMCAST