

**ORDINANCE NO. 3933**

**AN ORDINANCE OF THE CITY OF MOUNT VERNON, WASHINGTON, PURSUANT TO CHAPTER 17.111 AMENDMENTS AND RECLASSIFICATIONS OF THE MOUNT VERNON MUNICIPAL CODE, REZONING A CERTAIN AREA:**

**WHEREAS**, a rezone application has been submitted to the Hearing Examiner in compliance with Chapter 17.111 of the Mount Vernon Municipal Code, and said rezone requests a classification of the below described area from the existing land use designation(s) to the requested land use designation(s); and

**WHEREAS**, all requirements provided in the Mount Vernon Municipal Code Chapters 17.111 and 14.05 for reclassification of property within the City Limits of Mount Vernon have been met; and

**WHEREAS**, the Hearing Examiner has recommended that such area be reclassified as per petitioner's request.

**NOW, THEREFORE, THE CITY COUNCIL OF MOUNT VERNON, WASHINGTON, DO ORDAIN AS FOLLOWS:**

**SECTION 1.** The City Council adopts the above listed recitals as set forth fully herein.

**SECTION 2.** The City Council adopts the Hearing Examiner's recommendations, findings of fact and conclusions of law found in the accompanying **Exhibit A**.

**SECTION 3.** The City Council adopts the below listed Findings of Fact and Conclusions of Law.

- A. The City has followed SEPA requirements and those requirements for public notification and participation outlined in MVMC Chapter 14.05.
- B. The City utilized the State Attorney General Advisory Memorandum: "Avoiding Unconstitutional Takings of Private Property" for evaluating constitutional issues, in conjunction with and to inform its review of the proposed amendments. The City has utilized the process, a process protected under Attorney-Client privilege pursuant to law including RCW 36.70A.370(4), with the City Attorney's Office, which has reviewed the Advisory Memorandum, has discussed this Memorandum, including the "warning signals" identified in the Memorandum, with decisions makers, and conducted an evaluation of all constitutional provisions potentially at issue and advised of the genuine legal risks, if any, with the adoption of the amendments to assure that the proposed regulatory or administrative actions did not result in an unconstitutional taking of private property, consistent with RCW 36.70A.370(2).
- C. On **January 14, 2026**, the City Council held a closed record public hearing to consider the subject rezone application. At this hearing Council took testimony from parties of record, reviewed the written materials provided by City staff, and listened to staff analysis respective to the application before Council.
- D. The below-described property **P137379 and P137381** be rezoned from **Public (P)** to **Multifamily Residential (R-4)**. Attached to this ordinance labeled as **Exhibit B**, is the legal description and illustrative exhibit map for the subject rezone.

PASSED AND ADOPTED THIS 14th day of January, 2026

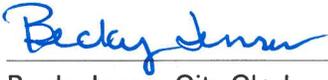
SIGNED AND APPROVED THIS \_\_\_ day of January, 2026



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Peter Donovan, Mayor

Attest:



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Becky Jesen, City Clerk

Approved as to form:



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Kevin Rogerson, City Attorney

Published January 17, 2026

**EXHIBIT A**  
**HEARING EXAMINER'S RECOMMENDATION**

**EXHIBIT B  
LEGAL DESCRIPTION AND ILLUSTRATIVE MAP:**

Lot 2 and Tract C Mount Vernon Short Plat No. PLAN25-0303, recorded under AF#202509040057.

TOGETHERWITH Tract B Mount Vernon Short Plat No. PLAN25-0303, recorded under AF#202509040057

Being a portion of the Southeast quarter of the Northwest quarter of Section 15, Township 34 North, Range 4 East, W.M.

Situate in Skagit County, Washington.

**ILLUSTRATIVE MAP**

The existing zoning designation of the subject site is Public (P). The new zoning designation is MULTIFAMILY RESIDENTIAL (R-4).

