



Planning Commission  
Meeting Minutes  
February 13, 2023 – 6:30 pm

**Call to Order:** 6:30 pm

**Roll Call**

**Commissioners Present:**

Eric Warnat, Commissioner  
Melissa Toner, Commissioner (online)  
Patrick Hosterman, Commission Chair  
Cody Davis, Commission Vice-Chair  
Justin Burns, Commissioner (online)  
Jeff Wheatley, Commissioner

**Staff Present:**

Patricia Love, Community Development Director  
Tansy Schroeder, City Planner  
Audrey Rotrock, Associate Planner

**Absent:** N/A

**Also known to be present:** Kevin Flynn

**Public Requests and Comments:**

None

**Approval of Minutes:**

The minutes from the November 14, 2022 meeting and January 9, 2023 meeting were unanimously approved.

**New Business:**

***Building Code Update***

Every three years the International Code Council (ICC) updates the International Building Code which is the standard by which all building permits are reviewed against in the United States. The State of Washington mandates that all counties, cities and towns adopt the updates by July 1 of the code cycle year.

***Wildland Urban Interface Code:***

The Wildland Urban Interface Code, while not new, was previously included in the Fire code. Now it will be a standalone code which addresses fire spread, accessibility, defensible space, and water supply for buildings constructed near wildland areas. For cities in Snohomish County:

1. This code will require some type of gutter guards on all residences; and
2. It may also require an enclosed crawlspace, which will require mechanical ventilation.

**Commissioner Questions & Comments**

- Commissioners would like more information on gutter guards and enclosed crawlspaces and what these requirements would entail for homeowners.

***International Property Maintenance Code:***

Consider adopting the International Property Maintenance Code (IPMC) which emphasizes protection of health, safety and welfare while providing code requirements that are enforceable in the diverse types of buildings that exist. Adoption of the Property Maintenance Code is optional, not mandated by the



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State, and is enforced by the City's Code Enforcement Officer. The IPMC applies to all existing structures, including residential and nonresidential property and addresses the following:

1. Administration, enforcement, and penalties associated with the code.
2. Determination and assignment of responsibility for code compliance among the owner, operator, and occupant of a property.
3. Minimum property maintenance conditions for existing structures and premises in regard to structural safety, sanitation, health, and comfort.
4. Regulating the use of existing dwelling through the establishment of occupancy limitations.
5. Maintenance of egress and fire safety, with appropriate references to the International Fire Code.

### Commissioner Questions & Comments

- After a brief discussion on the International Property Maintenance Code, the Commissioners are leaning toward adoption, but would like to see an analysis of code enforcement activities in other cities and also to learn more about the scope of coverage that this code would provide.
- The Commissioners would like to understand how the IPMC differs from the existing public nuisance code

### ***Capital Improvements Project List and Survey***

While the City Council adopts a capital budget each year, the planning and actual expenditure of funds for capital projects generally occur over a period of years. The City's plans identify the capital improvements needed to serve existing residents and maintain levels of service as new residents and businesses move into the City. The Capital Improvement Project List is a list of needed infrastructure improvements such as sidewalks, roads, trails, stormwater drainage, and other issues that impact the City. This list allows the Mayor and City Council to prioritize and budget infrastructure projects over 6-year and 20-year timeframes and is referred to as the Capital Improvement Plan (CIP).

City Staff launched a Capital Improvement Plan Questionnaire in November 2022 in order to survey the community on what parts of Stanwood need maintenance or improvements. The survey closed at the end of January. The Questionnaire was intended to help the city identify community infrastructure concerns, needs, and desires regarding roads, parks, and drainage systems.

Information gathered from this survey will be used to update the 20-year Capital Improvement Plan list that is included in the Capital Facilities Element of the Comprehensive Plan. Staff is working with each of the city departments to review the 2015 Comprehensive Plan CIP list and will remove projects that have been completed and generate a new CIP list for inclusion in the 2044 Comprehensive Plan.

The Commissioners were provided large street maps of the City and were asked to take them home. Staff requested that the Commissioners take time to think about any areas of town they feel that should be added to the Capital Improvements Project list and to mark it on their maps. There will be a discussion at the March Planning Commission meeting of improvements that the Commissioners find.



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***Stanwood Municipal Code Titles 9 and 13***

The next batch of Municipal Code Amendments is Title 9 – Public Peace, Morals, and Safety and Title 13 – Code Enforcement. These two Titles have been grouped together for review as they both address enforcement issues and have direct code correlations.

*Title 9 – Public Peace, Morals, and Safety:*

The City’s Police Chief and City Attorney have reviewed existing Title 9, Public Peace, Morals, and Safety and have provided their recommended changes to staff and the consultant. Using their recommendations, the scoping memo suggests that the Title be reorganized so that the chapters are more consistent with state law terminology. The change also adopts current state law citations, known as Revised Codes of Washington (RCW’s), as many sections refer to laws adopted in the 1940’s – 1970’s. These amendments will also bring city code up to date with recent changes in state law and state supreme court decisions in regard to use / possession of narcotics and vagrancy. This reorganization also provides room for future amendments in the code structure if the city decides to adopt its own offenses for behavior that is not covered by state law.

Other notable changes to this Title include:

- Moving *Public Nuisances and Disturbance Noises* to Title 7 to be combined with other nuisances contained in SMC 7.16. This keeps all “nuisance” sections together in one chapter.
- Adds a new chapter on *Trespass from City Facilities* that adopts a code of conduct so that people may be removed from city property if they behave dangerously, illegally or threateningly.

The Parks section is recommended to stay in Title 9 with the following questions:

Do you want to prohibit any of the following behaviors in city parks?

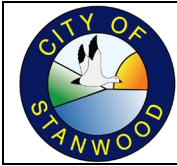
- Smoking
- Vaping
- Fireworks, with the exception of city sponsored events
- Remove or destroy park property
- Post signs, place structures, or store debris in a park
- Sale of food, drink, merchandise, or services on park property

Maintain the same civil infraction penalty of \$50?

- Make violations of this chapter a Class 3 civil infraction (\$50.00 penalty); or
- Prescribe a class of civil infraction for each type of violation (e.g., a larger penalty for littering than smoking).

Commissioner Questions & Comments on Title 9:

- The Commissioners would like to see more specific language in this Title in order to allow fundraising, for example children selling T-shirts for Little League fundraising or candy for school fundraisers, at local parks.
- The Commissioners support Title 9.



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Title 13 – Code Enforcement:

Title 13 contains the general enforcement provisions for the entire Municipal Code for non-criminal proceedings. However, it is difficult to apply to situations outside of zoning enforcement. As such staff, City Attorney, and the consultant support rewriting the entire Title while keeping the focus on the mechanisms of civil enforcement without introducing substantive rule changes in this title.

Notable Changes to this Title include:

- Rename title to civil enforcement as it applies to the entire municipal code, not just zoning.
- Reorganize into multiple chapters as noted above.
- Adds a civil infraction procedure to allow the City Code Enforcement Officer and Police Department to issue municipal civil infraction citations (tickets) for minor / reoccurring code enforcement cases.
- Maintains notice of violation process for major land use violations.
- Ensure appeal section is consistent with Hearing Examiner authority and process.

The Commissioners unanimously support Title 13.

**Old Business:**

***Economic Development Element Full Design***

Staff is working with the consultant team updating the Comprehensive Plan as part of the periodic update process currently underway. Blueline, one of the consultant firms on the project team, has been tasked with coordinating, writing, and designing the Comprehensive Plan's chapters, graphics, and overall document. Each elemental chapter will be presented for review individually and the first draft chapter ready for review is Economic Development.

Commissioner Questions & Comments

- The design is less intimidating and easy to read.
- The Commissioners unanimously support all changes made to the Economic Development Policy and full design.

**Miscellaneous Business:**

None

**Recent Council Action on Commission Items:**

- The Nonconforming Signage Emergency Ordinance was approved by City Council. Signs along 271<sup>st</sup> Street will be permitted to be replaced and/or repaired with a sign permit. To address the issue of signs previously permitted in the right-of-way, sign owners will also apply for a Right-of-Way permit.
- The Storefront Improvement Program was approved by City Council. Staff plans to have the program up and running by the end of February.



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- Municipal Code Titles 1, 2, and 4 will have their second reading at the March 9, 2023 City Council Meeting.

**Upcoming Items:**

- Comprehensive Plan – Land Use Element
- Cedarside Commons Project Update

Adjourn: 8:04 pm