

ORDINANCE NO. 2006-06-061

AN ORDINANCE ADOPTING A NEW CHAPTER 2.55 TO CREATE A DESIGN REVIEW BOARD.

WHEREAS, the City Center Master Plan recommends adoption of a design review program for development within the City Center; and

WHEREAS, the Planning and Development Commission has reviewed alternatives for administration of a design review program, including a proposal for creation of a design review board; and

WHEREAS, the Planning and Development Commission held a public hearing on February 16, 2006 and thereafter recommended establishment of a design review board; and

WHEREAS, after mailed and published notice, the City Council held a public hearing on the proposed ordinance on June 5, 2006; and

WHEREAS, the City Council has considered the recommendation of the Planning Commission, the staff report and the public comment;

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. A new chapter 2.55 of the Bellingham Municipal Code is adopted to read as follows:

2.55.010 - Created - Membership

There is created a Design Review Board with members appointed and serving in accordance with Section 7.01 of the Charter. The Board shall have the duties and responsibilities set forth in this chapter and such other duties as are set by City ordinance.

2.55.020 - Composition

- A. The Board shall consist of 5 members, all of whom shall serve without compensation. No member of the Board shall be an elected City official, or a City employee. The members shall be appointed by the Mayor and such appointment shall be confirmed by the City Council. Of the members first appointed, 1 shall be appointed for 1 year, 2 shall be appointed for 2 years, 1 shall be appointed for 3 years, 1 shall be appointed for 4 years. Thereafter, the term of office shall be 4 years for all members. Board members may be reappointed.
- B. Members of the design review board shall include design professionals, building/construction experts, and/or residents of Bellingham capable of reading and

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understanding architectural plans and knowledgeable in matters of building and design. At least three members shall be professionals from architecture, landscape architecture, urban design/planning, or similar disciplines. At least one member shall represent the community at large and not be from the above listed professions. In place of the requirements in BMC 3.08.010, Board members shall be a citizen of the United States and preference will be given to applicants who are residents of the City.

- C. Any vacancy occurring in the membership of the Board shall be filled in the same manner as the original appointment and the appointment shall be for the remainder of the unexpired term.
- D. Members may be removed by the Mayor, subject to approval by a two-thirds majority vote of the City Council, for failure to regularly attend meetings, misconduct in office or such causes as he or she shall deem sufficient. The board shall recommend removal if the absences have negatively affected the board's abilities to perform its duties. The recommendation will be forwarded to City Council. Members finding themselves unable to attend regular meetings are expected to tender their resignations.

2.55.030 Organization - Meetings – Rules


- A. The Design Review Board may make rules and regulations to carry out its responsibilities. Such rules or regulations shall be consistent with all City ordinances and other laws and statutes.
- B. The Design Review Board shall elect a chairperson and vice-chairperson from its members.
- C. The presence of a majority of the members shall constitute a quorum, provided that at least 2 of the members present shall be professionals from architecture, landscape architecture, urban design/planning, or similar disciplines.
- D. Decisions of the Board shall require the affirmative vote of at least a majority of the members present provided, 1) there is a quorum, without which the meeting shall not proceed, and 2) there is a quorum at the time the decision is made.

2.55.040 Powers and Duties


- A. The design review board shall have the responsibilities designated in the Bellingham Municipal Code. In addition, the Design Review Board shall perform such advisory functions related to design issues as designated by the Mayor or City Council.

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PASSED by the Council this 12th day of June, 2006.


Council President

APPROVED by me this 19th day of June, 2006.


Mayor

ATTEST: 
Finance Director

APPROVED AS TO FORM:

Office of the City Attorney

Published:

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