

ORDINANCE NO. 2016-12-045

AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON, REGARDING PLANNING COMMISSION MEMBERSHIP, AMENDING SECTION 2.42.020 OF THE BELLINGHAM MUNICIPAL CODE

WHEREAS, Section 2.42.020 of the Bellingham Municipal Code establishes membership rules for the City's Planning and Development Commission ("Commission"); and

WHEREAS, ensuring the legitimacy of governmental processes is an essential function of local governments; and

WHEREAS, eliminating the potential for group bias on the Commission is necessary to ensure both the accuracy of, and community trust in, recommendations made by the Commission; and

WHEREAS, the potential for group bias on a commission that is dominated by a particular segment of the community is a well-documented concern that has been addressed by other state and local governments, including the State of Oregon and the City of Seattle; and

WHEREAS, adopting membership rules that prevent such domination by a particular segment can help eliminate the potential for group bias on the Commission; and

WHEREAS, a broad cross-section of backgrounds and perspectives of the membership will benefit the process and the outcomes which, in turn, will benefit the general public and members of the directly affected industries.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BELLINGHAM DOES HEREBY ORDAIN THAT:

Section 1: Bellingham Municipal Code Section 2.42.020 - Membership is hereby amended as follows:

A. [No change.]

B. [No change.]

C. The membership of the commission, should, to the extent practical, reflect a broad range of opinion, experience and expertise with the objective of providing sound advice representative of the citizenry. To achieve that purpose, the membership of the commission should, to the extent practical, include residents from different neighborhoods within the City, citizens of underrepresented and diverse communities, and citizens active in neighborhood or community affairs.

D. No more than three voting members of the commission may engage principally in the buying, selling, developing, construction of, or investment in real estate for profit as

individuals or be members of any partnership, or officers or employees of any corporation, that engages principally in the buying, selling, developing, construction of, or investment in real estate for profit. This paragraph also applies to professionals, consultants, and advisors for whom a majority of clients and customers engage principally in the buying, selling, developing, construction of, or investment in real estate for profit. The limitation of this paragraph includes, but is not limited to: real estate investors (land and real property), realtors, real estate developers, development and environmental consultants, architects, appraisers, construction contractors, and landscapers. This limitation also applies to those who actively engaged in any of these activities or occupations within the last five years.

E. No more than two members shall be engaged in the same kind of occupation, business, trade or profession.

F. The desired composition and limitations regarding membership set forth in subsections C, D, and E, above, are for the purpose of the mayor appointing and city council confirming members. Subsections C, D, and E shall not provide a basis for challenging any activity of the commission in the execution of its powers or duties.

Section 2: This ordinance shall become effective on April 1, 2017.

PASSED by the Council this 12th day of December, 2016.



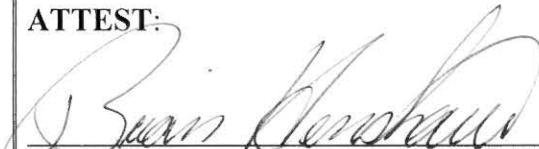
Council President

APPROVED by me this 16th day of Dec., 2016



Mayor

ATTEST:



Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

Published:

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