

	Atlanta, GA	Austin, TX
Planning Commission Name	Zoning Review Board	Planning Commission (Austin City Charter, Art. X § 2)
Role	Holds public hearings on applications for special use permits and proposed amendments to the zoning ordinance of the City. (A.C.O, § 6-4015)	<p>Planning Commission - To make and amend a master plan, recommend approval or disapproval of proposed zoning changes and control land subdivision within neighborhood planning areas and submit, annually, a list of recommended capital improvements. (Charter, Art. X § 4) Shall act as the Land Use Commission for property that is within 1) the boundaries of a neighborhood plan of the comprehensive plan, 2) former airport site, 3) a transit oriented development district 4) boundaries of a neighborhood plan the inclusion of which is being considered in the comprehensive plan or 5) property that abuts or is within 500 feet of the Lake Austin shoreline. (ACC § 25-1-46(D) & (F))</p> <p>Zoning and Platting Commission - Acts as the Land Use Commission for all not designated to the Planning Commission. Decisions are appealed to the district Court § 2 Design Commissions , Design Commission - staffed by professionals reviews projects 1) as requested by by the city council or 2) requiring review from either the Planning or Zoning and Platting Commissions upon request of the project sponsor or applicant. Their role is to provide advisory recommendations. (ACC §2-1-120) Residential Design and Compatibility Commission - staffed by citizens and design professionals - makes determinations on requested modifications of certain residential design standards for specific developments, appeals are made to city council (ACC §2-1-167, Chapter 25-2, Subchapter F)</p>
Membership Requirements	9 members. Six members of the board shall be nominated by the paired grouping district and at-large councilmember process. Each such member shall be a resident of one of the paired council districts represented by the councilmembers making the nomination. The remaining three members of the board shall be residents of the city no more than one of whom shall be actively engaged in the same profession of municipal planning, architecture, law or related professions. (A.C.O, § 6-4015)	<p>Planning Commission - Number of members is equal to the number of council members plus 2.</p> <p>Minimum of 2/3 of members shall be lay members not directly or indirectly connected with real estate and land development. City manager, Chair of Zoning Bd of Adjustment, Director of PW, and President of Bd of Trustees of Independent School Dist serve as ex officio members (Austin City Charter, Art. X § 2) Must Be a resident of the City but not a lobbyist (A.C.C. § 2-1-21)</p>
Professional(s) serving?	yes	yes
Terms and Limits	2 year terms (A.C.O, § 6-4015) Maximum of 4 full terms or eight consecutive years (A.C.O, § 2-1854)	2 years (Charter Art. X, § 2), may not serve more than 9 consecutive years (A.C.C. § 2-1-22 (B))
Council Member(s) serving?	no	No.
Role of Council related to Commission decisions	Reviewed by the Committee on Zoning of the City Council (A.C.O, § 6-4015)	Planning Commission is advisory to the City Council (A.C.C. § 2-1-41)

	Atlanta, GA	Austin, TX
Heritage Preservation Name	Atlanta Urban Design Commission (AUDC)	Historic Landmark Commission (ACC § 2-1-147)
Role	The commission is the city agency responsible for developing and administering the city's historic preservation and urban design activities- shall hold public hearings and make nominations to the city council for the designation of buildings, sites and districts for historic preservation; approving or disapproving applications for certificates of appropriateness for all designated buildings, sites and districts; also shall review and make written recommendation to the zoning review board and to the board of zoning adjustment on any proposed action pending before said boards regarding any building, site or district which has been designated for historic protection. (A.C.O, § 6-4043(e))	Prepare and periodically revise an inventory of the structures and areas that may be eligible for designation as historic landmarks. Prepare, review and propose amendments to the Historic Landmark Preservation Plan. Review requests to establish or remove a historic designation, after hearing makes a recommendation on an applicable zoning or rezoning application to the Land Use Commission (A.C.C. § 25-2-354)
Membership Requirements	11 members must be City residents and also fit these designations 1 real estate professional, 1 lawyer, 1 neighborhood representative, 1 land developer, 1 architect, 1 historian, 1 artist, 1 landscape architect, 1 historic preservationist, 2 architects and 1 urban planner (A.C.O, § 6-4043(b))	Members should have knowledge of and experience in the architectural, archaeological, cultural, social economic, ethnic, or political history of the City and a demonstrated interest or competence in or knowledge of historic preservation (A.C.C. § 2-1-147 (A)) Must Be a resident of the City but not a lobbyist (A.C.C. § 2-1-21)
Professional(s) serving?	yes	yes
Term and Limits	3 year terms (A.C.O, § 6-4043) Maximum of 3 full terms or 9 consecutive years (A.C.O, § 2-1854)	3 years , not serve longer than 9 consecutive years (A.C.C. § 2-1-22)
Council Member(s) serving?	Not permitted	No
Role of Council related to Commission decisions	Except when a building or district is proposed for designation (those decisions are referred to City Council), decisions are final and any appeal of a Commission decision is heard by the Superior Court of Fulton County (A.C.O, § 6-4043(e))	Advisory to the City Council (A.C.C. § 2-1-41)

	Atlanta, GA	Austin, TX
Zoning Bd of Adjustment Name	Board of Zoning Adjustment (BZA)	Board of Adjustment
Role	To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official of the executive branch in the enforcement of the Zoning Ordinance; To authorize upon appeal in specific cases such variance from the terms of the Zoning Ordinance; To hear and decide such exceptions to the terms of the Zoning Ordinance (A.C.O, § 6-4029)	Reviews requests for variance from the Zoning Code; hears appeals of zoning administrative actions; hears requests for a variances from airport zoning regulations under LGC §241.034, (ACC §2-1-111, ACC Ch. 25-2 (Zoning), §25-2-472).
Membership Requirements	5 members, must be residents. Should include municipal planners, architects, landscape architects, homebuilders, developpers, attorneys, and lay persons. (A.C.O, § 6-4022(1))	7 members - Council may appoint any number of alternate members to serve in the absense of a regular member Must Be a resident of the City but not a lobbyist (A.C.C. § 2-1-21)
Professional(s) serving?	yes	Not prohibited by ordinance.
Term and Limits	2 year terms (A.C.O, § 6-4022(1)) Maximum of 4 full terms or 8 consecutive years (A.C.O, § 2-1854)	2 years, limit 9 consecutive years (A.C.C. § 2-1-22)
Council Member(s) serving?	no	No
Role of Council related to Commission decisions	Appeals of BZA decisions are heard by the Superior Court of Fulton County (A.C.O. 16-26.007)	Advisory to the City Council (A.C.C. § 2-1-41) Final Decisions are reviewable in district court or county court (L.G.C. §211.011)

	Atlanta, GA	Austin, TX
Definition of Conflict of Interest	The member has a financial interest or personal interest in the subject matter, financial interest includes spouse and minor child	Economic Interest: any interest valued or capable of valuation in monetary terms Substantial interest in a business entity or Real Property Relationship interest- related in the first degree by consanguinity or affinity
Recusal Requirements	ETHICS CODE: "shall not vote for or against, discuss, decide, in any way participate in considering the matter or seek to influence the votes or decisions of others on such matter." (A.C.O, § 2-813) AUDC: Notify chair upon becoming aware of any potential conflict of interest in any case scheduled to come before the Commission. If the Chair finds that a conflict of interest clearly exists, the Chair shall disqualify that person from acting in the case; request the disqualified member to leave the area during any discussion of the matter which creates the conflict, and cause the Executive Director to enter the circumstances in the record and to make arrangements for alternate services as are required. (AUDC Rules of Procedure)	At each mtg - Sign an attendance sheet and id any item with which the member has a conflict of interest; verbally inform others of why a conflict exists at time of item comes up; May not participate in the vote or decision (A.C.C. § 2-1-24 & § 2-7-63, 64, 65) Texas state law, Ch. 171 of the Local Government Code (L.G.C.), requires the member to file a recusal affidavit. This must be filed with the City Clerk, before an item on which a member is recused is taken up by the board.
Leave the Room Requirement?	ZRB, BZA: No AUDC: Must leave the area where the discussion is occurring but not necessarily the room (AUDC Rules)	No - leaving could result in the lack of a quorum
Address in Professional Capacity?	ZRB, BZA: No member of the Board shall appear for, represent or advise any party in or with respect to any case pending before the Board in which such member shall sit. AUDC: No member shall prepare or present arguments or reports or attempt to influence decisions of the Commission in any case in which the Staff member has a similar interest (AUDC Rules of Procedure) (See also A.C.O. §2-808)	No - may not take part in any discussion or vote, whether on or off the dais
Special rules for sole proprietors?	Sole Proprietors are not permitted to address the Commission/Board when they have recused due to a conflict of interest (See A.C.O, § 2-808)	Member would need to find a another presenter or resign
Same rules apply to City Council/County Board	Same conflict of interest rules but not required to leave the area like the AUDC	Yes

	Chicago, IL	Cleveland, OH
Population (Mpls 382,578)	2,695,598	396,815
Planning Commission Name	Chicago Plan Commission (M.C.C. §2-120-370)	City Planning Commission (City Charter, Ch. 11 § 76)
Role	Reviews proposals involving Planned Developments, the Lakefront Protection Ordinance, Planned Manufacturing Districts , Industrial Corridors and TIF Districts. It also reviews proposed sales and acquisitions of public land as well as certain long-range community plans. (M.C.C. §2-120-390)	Responsibility for preparing plans to guide "development and improvement" of the City and its neighborhoods, and for reviewing all legislation and other matters that concern the "use or development of land." Make and adopt a general plan for the development and improvement; Recommends a capital improvement budget and a 5-year capital improvement program to the Mayor; Provides reports and recommendations on all ordinances and resolutions which affect the city plan, use or development of land, or zoning (City Charter, Ch. 11 § 76-2)
Membership Requirements	23 members: 9 who are lay citizens and ex officio the mayor, the president of the board of local improvements, the commissioner of housing and economic development, the zoning administrator, the commissioner of transportation, the chairman of the city council committee on buildings, the chairman of the city council committee on finance, the chairman of the city council committee on zoning, the chairman of the city council committee on housing, the chairman of the city council committee on traffic control and safety, the chairman of the city council committee on parks and recreation, the chairman of the city council committee on economic, capital and technology development, the general superintendent and chief executive officer of the Chicago Park District and the chairman of the board of the Chicago Transit Authority (M.C.C. §2-120-380)	7 members - one is a city council member (also 2 alternates, alternates serve when non council members are unable or have a "personal interest". When the council member can not serve, the Council President appoints a council member to serve pro tempore) (City Charter, Ch. 11 § 76)
Development Professional(s) serving?	Yes	Not mandated by Charter. Currently a realstate attorney and architect are serving.
Terms and Limits	5 year terms, no limits (M.C.C. §2-120-380)	6 years, no limits (City Charter, § 76)
Council Member(s) serving?	Yes	yes
Role of Council related to Commission decisions	Recommendations are sent to the city council	Appeals of Planning Commission decisions on development project approvals are made to the BZA. In matters of zoning map and code changes, Planning Commission is advisory to City Council, which requires a 2/3 majority to override the Commission.

	Chicago, IL	Cleveland, OH
Population (Mpls 382,578)	2,695,598	396,815
Heritage Preservation Name	Chicago Landmark Commission (M.C.C. §2-120-590)	Landmarks Commission (Cleveland Zoning Code, Ch. 161)
Role	Responsible for recommending potential landmark designations. reviews building permits for landmarks, to ensure that any proposed alterations would not negatively affect the character of the landmark (M.C.C. §2-120-610)	Responsible for conducting a continuing survey of historic properties, determining whether buildings, sites or historic districts are eligible for designation as landmarks, establishing criteria, rules and regulations for evaluating applications for certificates of appropriateness (Zoning Code, § 161.06) Reviews building and demolition permits for historic sites and districts
Membership Requirements	8 from public plus the Commissioner of Housing and Economic Development or his designee. 2-120-590 Public members shall be selected from professionals in the disciplines of history, architecture, historic architecture, planning, archaeology, real estate, historic preservation, or related fields, or shall be persons who have demonstrated special interest, knowledge, or experience in architecture, history, neighborhood preservation, or related disciplines. (M.C.C. §2-120-590)	11 members; 1 is Commissioner of Architecture, or designee, 1 is the Director of the City Planning Commission or designee, 1 owner of commercial or industrial real property; at least 1 registered architect; at least 1 historian qualified in the field of historic preservation; at least 1 licensed real estate broker; at least 1 attorney; and all shall have, to the highest extent practicable, a known interest in landmarks preservation (Zoning Code, § 161.03)
Professional(s) serving?	Yes	yes
Term and Limits	four years, no limits (M.C.C. §2-120-600)	4 year terms, no limits (Zoning Code, § 161.03);
Council Member(s) serving?	No	Yes, two
Role of Council related to Commission decisions	Some decisions are reviewed by City Council, some decisions are appealable to the Circuit Court of Cook County	Recommendations for designations are forwarded to City Council for final approval (CLC Rules, Art. V, § 7) Actions on proposed development and demolitions are not subject to Council action but can be appealed to the BZA.

	Chicago, IL	Cleveland, OH
Population (Mpls 382,578)	2,695,598	396,815
Zoning Bd of Adjustment Name	Zoning Board of Appeals (M.C.C. §17-14-0301)	Board of Zoning Appeals (BZA)(City Charter, Ch. 11 § 76-6) (Land Use Code, Ch. 329)
Role	Reviews land use issues that pertain to the Chicago Zoning Ordinance, including proposed variations from the zoning code, special uses that require review to determine compatibility with adjacent properties, and appeals of decisions made by the Zoning Administrator (M.C.C. §17-13-0100)	Responsible for hearing appeals from individuals who are requesting exceptions or variations for City Ordinances in regard to land use and building requirements or from individuals who are questioning the appropriateness of orders made by City officials. (City Charter, Ch. 11 § 76-6 (b))
Membership Requirements	5 members - majority of said members at the time of appointment shall be members of the Illinois Society of Architects, the Western Society of Engineers, the Chicago Real Estate Board, the Illinois Society of Professional Engineers, the Cook County Real Estate Board, the Building Manager's Association of Chicago, the Building Construction Employer's Association or the Chicago Building Trades Council, or shall be the incumbent of the office of commissioner of housing and economic development, city architect, superintendent of police, or corporation counsel, or shall be a citizen who has had outstanding experience in zoning administration (M.C.C. §2-116-010 & §17-14-0301)	BZA - 5 members (City Charter, Ch. 11 § 76-6 (a) & Land Use Code, § 329.01(a))
Development Professional(s) serving?	Yes	No required. Currently 1 attorney and one non-profit development professional are serving.
Term and Limits	5 years, no limit (M.C.C. §2-116-010 & §17-14-0301)	5 years (City Charter, Ch. 11 § 76-6(a))
Council Member(s) serving?	No	No
Role of Council related to Commission decisions	All decisions and findings, on appeal or upon application for a variation after a hearing, are final administrative determinations and are subject to review by a court of law. (M.C.C. §17-14-0304)	Appeals by the City or any proper party are made to the to the Common Pleas Court (Land Use Code, § 329.02(e))

	Chicago, IL	Cleveland, OH
Population (Mpls 382,578)	2,695,598	396,815
Definition of Conflict of Interest	Shall not make or participate in the making of any governmental decision with respect to any matter in which the official has any economic interest distinguishable from that of the general public. (Ethics Code 2-156-080(a)) extends to spouse, domestic partner An "economic interest" is any interest capable of being valued in monetary terms.	CLC: financially interested or been directly involved in private occupation or public service other than the CLC (CLC Rules, Art. IV, § 8) BZA: Member's impartiality might reasonably be questioned, including but not limited to: (1) a personal bias or prejudice concerning a party or a party's representative, or personal knowledge of disputed facts: (2) has an economic interest (extends to the member's spouse, parent, or child, or any other person in the member's household) (BZA Rules, § VII)
Recusal Requirements	1) Not Vote 2) Publicly disclose orally on the record or in writing prior to deliberations on the matter of a potential conflict of interest 3) remove from room for entire time deliberations are taking place (policy not ordinance) 4) shall also notify the board of ethics of such interest within 72 hours 5) Official is counted for quorum purposes (M.C.C. §2-156-080(b)(1)) plus city policy	CLC: Shall not vote (CLC Rules, Art. IV, § 8) BZA: Disqualify from hearing (BZA Rules, § VII)
Leave the Room Requirement?	Yes - (Policy not ordinance)	Policy of each board and commission that a member with a conflict leave the room.
Address in Professional Capacity?	No. "may[not] represent, or have an economic interest in the representation of, any person other than the city in any formal or informal proceeding or transaction before any city agency . . ." (2-156-090(a))	No. Per Ohio Ethics Commission: an appointed Local Public Official is prohibited from representing a client before the board or commission on which they serve. A council member is prohibited from representing a client before any city board or commission or the council. Both an appointed local public official and a council member would be premitted to address a board, commission or council if it was a personal interest. One exception is when the council is in executive session to discuss a nonpublic matter (like a lawsuit) See R.O.C. § 1.02.04(c)
Special rules for sole proprietors?	No sole proprietors on commissions; haven't had to deal with issue	Per Ohio Ethics Commission: No see above answer
Same recusal rules apply to City Council/County Board	Aldermen are not required to leave either the committee room or the full council chamber when they recuse themselves, though they often do anyway	Per Ohio Ethics Commission: No see above answer plus Commission never requires leaving the room except in the executive session situation.

	Denver // Henry, Michael - Board of Ethics	City and County of Honolulu
Population (Mpls 382,578)	600,158	City 387,170 (County 963,607)
Planning Commission Name	Denver Planning Board (R.M.C. Ch. 12, Art. II, Div. 2)	Planning Commission (Charter, §6-1505)
Role	Makes recommendations regarding planned Unit Development, mixed use zone district map amendments, zoning code amendments, Reviews and approves General Development Plans, the Denver Comprehensive Plan and its supplements, Reviews final project designs, reviews applications for designating historic districts and structures (R.M.C., Ch. 12, 30 and 59) (R.M.C. § 12-45, & Zoning Code § 12.2.2)	Make recommendations to Council to amend or adopt the General Plan, Development Plans and zoning ordinances (Charter, §6-1506)
Membership Requirements	11 members. No requirements by ordinance (R.M.C. § 12-41)	9 voting members (Charter, §6-1505) Shall reflect a gender diversity (R.O.H § 3-9.5)
Professional(s) serving?	not prohibited by law	Not prohibited by charter or ordinance, usually architects and engineers are appointed
Terms and Limits	3 years, no limits (R.M.C. § 12-41)	5 years; limit 2 consecutive full terms or 10 consecutive years whichever is greater (Charter, § 13-103)
Council Member(s) serving?	No.	No
Role of Council related to Commission decisions	Decisions are final for District Sign Plans, and certain site development plan applications. Other decisions are referred to the City Council, except for general development plans which are referred to the Development Review Commission which has final decision making authority (Zoning Code §§ 12.2.2 & 12.2.7)	Declaratory rulings are forwarded to the City Council. Judicial review is available for special use permit decisions (Rules of the Planning Commission, §§ 2-29 & 2-78)
Heritage Preservation Name	Landmark Preservation Commission (R.M.C. Ch. 30)	Oahu Historic Preservation Commission (R.O.H. § 3-10.3)
Role	To designate, preserve, enhance, and perpetuate structures or districts of architectural, historical, or geographical significance within the city (R.M.C. Ch. 30)	Among other tasks: review and recommend to the state historic preservation officer, nominations of historic properties; review all proposed projects related to historic properties and make recommendations to the planning department (R.O.H. § 3-10.7)
Membership Requirements	9 members: Residents. Desire to maintain " a balance of interests and skills in the composition" "and to the individual qualifications of the candidates, including their training, experience, knowledge or interest in any one (1) or more of the following fields: architecture; landscape architecture; history of the community; real estate; law; city planning; fine arts; general contracting; education; commerce and industry" (R.M.C. § 30-23)	9 members - demonstrated interest, competence and knowledge in historic preservation; a majority shall be professionals from among disciplines of: Architecture; History; Archaeology; Planning; Architectural history; and Hawaiian culture. Shall include an expert in architectural history, two archaeologists, a Hawaiian mythology expert and native speaker, an expert in Hawaiian culture and a Hawaiian Kahu (religious expert). Shall reflect a gender diversity (R.O.H § 3-10.3(b) & § 3-9.5)
Professional(s) serving?	yes - nearly all are development related professionals	yes
Term and Limits	3 years, no limits (R.M.C. §§ 30-22, 30-23)	5 years, limit 2 consecutive full terms or 10 consecutive years whichever is greater (Charter, § 13-103)
Council Member(s) serving?	No	No
Role of Council related to Commission decisions	The planning board may review proposed designations. LPC recommendations are forwarded to City Council for additional public hearings, if required, and final decision (R.M.C. § 30-4)	Recommendations to the planning department are reviewed by the council (R.O.H. Ch. 3, Art. 10, § 3-10.7), site nomination recommendations are sent to the State (R.O.H. Ch. 3, Art. 10, § 3-10.9)

	Denver // Henry, Michael - Board of Ethics	City and County of Honolulu
Zoning Bd of Adjustment Name	Board of Adjustment for Zoning (City Charter & Zoning Code § 12.2.6.2)	Zoning Board of Appeals (Charter, §6-1516)
Role	Sole duty is to hear and decide cases regarding the Denver Zoning Code: variances, appeals from administrative decisions, zoning permits with special exception review (Zoning Code §§ 12.2.6.1, 12.4.7, 12.4.8, 12.4.9)	Shall hear and determine appeals from the actions of the director in the administration of the zoning ordinances, including variances therefrom, subdivision ordinances and any rules and regulations adopted pursuant to either. (Charter § 6-1516)
Membership Requirements	5 members, plus 2 alternates. No requirements by ordinance (Zoning Code § 12.2.6.2)	5 members - Shall reflect gender diversity (R.O.H. §§ 3-10, 3-9.5)
Professional(s) serving?	potentially	Not prohibited by charter or ordinance, likely to have professionals appointed
Term and Limits	5 years	5 years, limit 2 consecutive full terms or 10 consecutive years whichever is greater (Charter, § 13-103)
Council Member(s) serving?	No	No
Role of Council related to Commission decisions	Decisions are final and may be appealed to District Court (Zoning Code § 12.2.6.10)	Bd decisions are either remanded to the director or final. Final decisions can be appealed to the Court. (ROH § 21-1.40; Rules of the Zoning Board of Appeals § 22-8)
Definition of Conflict of Interest	"substantial employment, contractual, or financial interest in that matter" Ethics Code 2-61(a)	Financial interest, direct or indirect, which is incompatible with the proper discharge of such person's official duties or which may tend to impair the independence of judgment in the performance of such person's official duties (Charter, § 11-102) a close personal or family relationship personal interest that may affect how the official carries out his or her city duties may create a Conflict of interest. (Ethics Commission Advisory Opinion 2008-1, Section IV.)
Recusal Requirements	Generally: " shall disclose such interest to his or her colleagues on a board or commission * * *, shall not act or vote thereon, shall refrain from attempting to influence the decisions of others in acting or voting on the matter * * *" (Ethics Code 2-61(f)) " shall not take direct official action on a matter" (Ethics Code 2-61(a)) Planning Bd: Where financial interest in any measure, shall not participate in the consideration of such measure as a board member nor vote on such measure (R.M.C. §12-44)	City Charter - full disclosure in writing to such person's appointing authority or to the council, in the case of a member of the council, and to the ethics commission, at any time such conflict becomes apparent. (Charter, § 11-103) Ethics Commission - requires recusal – that is, the board or commission member may not discuss, deliberate, vote or participate in the matter. To ensure there is no violation of the ethics laws, the member must physically absent him/herself from the meeting on the conflicted matter. (per Ethics Commission) Planning Commission - same as City Charter ZBA - 1) disclose the conflict at the start of the proceedings 2) shall not participate in the proceeding unless ZBA determines there is no conflict, or all parties agree to the members participation. (ZBA Rules of Procedure)
Leave the Room Requirement?	Not required by the Ethics Code or any other ordinance; the Ethics Bd issued an opinion strongly recommending that such a person leave the room. Bd of Adjustment: When a member of the Board is recused or is absent, the alternate member first appointed by the mayor shall act with full authority (Zoning Code §§ 12.2.6.2C)	Yes (per Ethics Commission, Advisory Opinion 2008-1, §§ V & VI)

	Denver // Henry, Michael - Board of Ethics	City and County of Honolulu
Definition of Conflict of Interest (Continued)		
Address in Professional Capacity?	Ethics Bd would discourage however "may represent [self] before a board in accord with such board's procedures, provided that the [member] does not also participate in the board's decision in [an] official capacity (Ethics Code 2-61(c)) Planning Board: "the board shall have authority to grant a hearing to such member in the capacity of or as an applicant, subject to the board's bylaws and rules and regulations governing such hearings." (R.M.C. §12-44)	No. May not represent private interests in any action or proceeding against the interests of the city or appear in behalf of private interests before any agency, except as otherwise provided by law. (Charter, § 11-102)
Special rules for sole proprietors?	Ethics Bd has stated that members "who provide professional services for a livelihood * * *should not personally or through their firms represent clients with matters before the board or commission on which they serve or, at least, limit such representation to rare occasions"	No
Same rules apply to City Council/County Board	At council meetings abstaining is sufficient as there is seldom a "hearing or discussion, so no purpose would be served by leaving the room"	No. Council members are required to the disclose the Conflict of Interest in writing before voting. They are still permitted to vote. (per Ethics Commission)

	City of Indianapolis and Marion County	City of Minneapolis
Population	City 829,718	382,578
Planning Commission Name	Metropolitan Development Commission (MDC)	City Planning Commission (City Charter, Ch. 13)
Role	Adopts and amends the comprehensive General Land Use Plan for Marion County; adopts zoning ordinances and makes decisions on some variance and all rezoning petitions; functions as the board of the Department of Metropolitan Development, approving contracts and the sale of property for redevelopment; functions as the planning and zoning commission and as a redevelopment commission with litigative authority; functions also include tax abatement, declaration of redevelopment areas, and the purchase and sale of property	Charged with long-range planning for the city and is responsible for advising the City Council on matters of development, zoning, and capital improvements. Hears and decides applications for major site plan review, land use, nonconforming uses, appeals from Zoning administrator decisions. (City Charter, Ch. 13 & M.C.O. § 525.100(b))
Membership Requirements	9 members – 4 appointed by Mayor, 3 appointed by City-County Council, 2 appointed by County Commissioners (No appointing body may appoint more than 50% of their members from one political party)	10 Members - 1 shall be the Mayor, 1 School Board member, 1 Park Board Member, 1 City Council Member, 1 representative from Henn. County, 5 citizens (City Charter, Ch. 13, §1)
Professional(s) serving?	Potentially, no prohibited by ordinance or statute	Not precluded by charter or ordinance, currently professionals serving
Terms and Limits	No Response	2 year terms; no limits (City Charter, Ch. 13, §1)
Council Member(s) serving?	No	yes
Role of Council related to Commission decisions	No Response	Only applications for rezonings, street or alley vacations, Zoning Code text amendments, and comprehensive plan amendments are forwarded to the Zoning and Planning Committee of the City Council. Decisions are final on all other items unless appealed to the City Council. (M.C.O. §§ 525.130(4))

	City of Indianapolis and Marion County	City of Minneapolis
Heritage Preservation Name	Indianapolis Historic Preservation Commission (IHPC) (IC 36-7-11.1-3)	Minneapolis Heritage Preservation Commission (M.C.O. § 599.120(a))
Role	Has design and zoning review jurisdiction in the locally designated historic districts and conservation districts; Authorized to exercise the powers of a Board of Zoning Appeals within an historic area of a historic zoning district; issues certificates of appropriateness before the approval of a variance by either: The ZBA or the IHPC exercising the powers of the BZA; Acquires and disposes of property; prepares proposed historic plans for IMDC adoption; Appoints a hearing officer to hear and determine applications for certificates of appropriateness(IC 36-7-11.1-5; Zoning Code § 730-201)	Serves as an advisory body to the City Council. Makes recommendations regarding: proposed landmark and historic district designations, applications for certificate of appropriateness and demolition of historic resources, design guidelines, acquisition of designated properties (M.C.O. § 599.120(b))
Membership Requirements	9 members – 5 appointed by Mayor - 1 shall be from the IMDC, may select 2 from list submitted by Historic Landmarks Foundation of Indiana, may select 1 from list submitted by local chapter of AIA; 4 appointed by City-County Council - 1 who is a resident of a historic area, may select 1 from list submitted by Historic Landmarks Foundation of Indiana, may select 1 from list submitted by local chapter of AIA (IC 36-7-11.1-3)	10 members, residents. Shall have demonstrated interest, knowledge, ability or expertise in historic preservation, neighborhood revitalization, archaeology, urban planning, history or architecture. 1 Mayoral representative. If available, at least: 2 registered architects, 1 licensed real estate agent or appraiser, 1 resident or owner of a landmark or property in an historic district, 1 member of the Hennepin County historical society. (M.C.O. § 599.120(c))
Professional(s) serving?	yes	Yes
Term and Limits	4 year terms, no limit (IC 36-7-11.1-3)	3 years. No limit.
Council Member(s) serving?	No	No
Role of Council related to Commission decisions	Proposed historic preservation plans are approved by the IMDC (IC 36-7-11.1-5) Appeals of Commission decisions regarding Certificates of Appropriateness and decisions acting as the ZBA are subject to judicial review (See. IC-36-7-4)	All decisions are subject to City Council approval. (See M.C.O. § 599.150)

	City of Indianapolis and Marion County	City of Minneapolis
Zoning Bd of Adjustment Name	Board of Zoning Appeals (BZA)	Zoning Board of Adjustment (M.C.O. § 525.110)
Role	Holds public hearings and makes decisions on variances of the zoning ordinances, special exceptions specifically allowed by the zoning ordinances, appeals of administrative decisions, and approval petitions for modifications of previously approved petitions	Hears and decides applications for zoning variances, appeals from the zoning administrator's orders & determinations, and applications for certificates of nonconforming use. (M.C.O. §§ 525.110(b))
Membership Requirements	5 members – 2 appointed by Mayor, 2 appointed by City-County Council, 1 appointed by MDC - no other requirements (There are 3 divisions of this board due to the large number petitions - each has 5 members)	9 members, residency req't (M.C.O. §§ 525.110(d))
Professional(s) serving?	potentially	Potentially, not prohibited by ordinance
Term and Limits	No Response	3 years, no limit (M.C.O. §§ 525.110(d))
Council Member(s) serving?	No Response	No
Role of Council related to Commission decisions	No Response	Decisions are final. City Council Hears and decides appeals from decisions (M.C.O. §§ 525.110(c) & 525.130(4))

	City of Indianapolis and Marion County	City of Minneapolis
Definition of Conflict of Interest	IHPC: owns or occupies the subject property or property located within two hundred (200) feet of it.	Present, when in the discharge of official duties, a member participates in a decision, action or transaction in which the member has a financial interest, except when that financial interest is no greater than that of another member of his/her business classification, profession or occupation. (M.C.O. § 15.40(a)) HPC: "financial or other personal interest" (HPC Bylaws, § 4.9)
Recusal Requirements	No Response	1) disclose to other members as soon as member becomes aware of conflict 2) prepare written statement on prescribed form describing matter requiring action and nature of conflict 3) distribute statement to mayor, council, affected department heads 4) file statement with City Clerk 5) remove self from participating in the action or decision
Leave the Room Requirement?	Only for the BZA members	Not currently - under consideration
Address in Professional Capacity?	No	Ethics Code does not preclude but doing so raises appearances of impropriety, Not recommended HPC & ZBA: "Member may provide factual information relating to a matter before the Commission, provided the action to be taken would not substantially affect the financial interests of the member, a person related to the member or an associated business." (HPC Bylaws, § 4.9, ZBA Bylaws, § 4.9)
Special rules for sole proprietors?	the members would need to step down, per the appropriate Rules of Procedure, and they would likely need to hire an attorney or other representative to make the presentation	No
Same rules apply to City Council/County Board	City-County Council: state that they are going to abstain from voting, but do not leave the room	Yes

	Oakland, CA	Portland, Oregon
Population (Mpls 382,578)	390,724	583,776
Planning Commission Name	City Planning Commission (also has a Residential Appeals Committee as part of the Commission for residential 1 -2 unit residential facilities)	Planning and Sustainability Commission (PSC) (P.Z.O. §33.710.040) Design Commission (P.Z.O. §33.710.050) Development Review Advisory Committee (DRAC) (P.C.C. 3.30.030) plus other advisory board/commissions
Role	The purpose of the Oakland Planning Commission is "to promote the orderly growth and development of the City through studies, decisions on development proposals, policy recommendations to the City Council, and related activities." (O.C.O. § 17.03.020) Rules on applications for Conditional Use Permits (O.C.O. § 17.134.040) major zoning variances (O.C.O. § 17.148.040) Hears appeals of Director of Planning decisions under the zoning regulations and design review. Is a final decision making body (O.C.O. §§ 17.03.040, 17.132.010, 17.148.040, 17.136.040)	PSC has specific responsibility for the stewardship, development and maintenance of the City's Comprehensive Plan, Climate Action Plan and Zoning Code. Design Commission provides leadership and expertise on urban design and architecture and on maintaining and enhancing Portland's historical and architectural heritage DRAC is a citizen advisory body, representing those with interests in the outcome of policies, budgets, regulations, and procedures that affect development review processes
Membership Requirements	Appointments shall be made in accordance with the City's affirmative action policies and reflect the geographical diversity of the City. (O.C.O. Ti. 17, § 17.03.010)	PSC - 11 members , may not hold public elective office, no more than 2 members may be engaged in the same occupation, business, trade, or profession, no more than 2 members may be individuals, or members of any partnership, or officers or employees of any corporation that engages principally in the buying, selling, leasing, or developing of real estate for profit. Design Commission - 8 members, may not hold public elective office, must include a Planning Commission member, 1 public at-large member, 1 Regional Arts and Culture Council representative, and 5 members experienced in either design, engineering, financing, construction or management of buildings, and land development. No more than 2 members may be appointed from any one of these areas of expertise. DRAC - 16 members, must provide representation of persons concerned about planning, design and development.
Professional(s) serving?	Potentially	yes
Terms and Limits	3 years - 2 term limit (O.C.O. Ti. 17, § 17.03.010)	Design Commission & PSC - 4 year terms, limit 2 full terms (P.Z.C. §33.710.030) DRAC - 3 year terms, limit 2 full terms (P.C.C. §3.30.030)
Council Member(s) serving?	No	No

	Oakland, CA	Portland, Oregon
Role of Council related to Commission decisions	When a development application requires both legislative and adjudicatory actions, the entire application shall be considered by the City Council for final action. The City Council has the authority to consider and revise as appropriate (accept, reject, or modify) the adjudicatory land use decisions of the Planning Commission, regardless of whether an appeal to the City Council is filed challenging such adjudicatory land use decisions. (O.C.O. Ti. 17, § 17.03.080) Appeals of Planning Commission decisions may be appealed to the City Council (O.C.O. Ti. 17, § 17.132.040, §§ 17.134.070, § 17.148.070, 17.136.090)	The City Council acts as a review body for land use Type III reviews which specifically need final Council action, the appeals of certain land use reviews, and for all legislative actions. Council decision cans be appealed to the State Land Use Board of Appeals (LUBA). Type II land use reviews are final but can be appealed to LUBA. (P.C.O. § 33.710.100)

	Oakland, CA	Portland, Oregon
Heritage Preservation Name	Landmarks Preservation Advisory Board	Historic Landmarks Commission (P.Z.C. § 33.710.60)
Role	Advises the City Planning Commission and the Director of Planning (O.C.O. Ti. 17, § 17.03.020 and O.C.O. Ti. 17, § 17.05.090)	Identifies and protects buildings and other properties that have historic or cultural significance or special architectural merit, provides advice on historic preservation matters, and coordinates historic preservation programs. Also actively involved in the development of design guidelines for historic design districts
Membership Requirements	7 members The members shall include at least one architect; one landscape architect or city planner; one person having extensive knowledge of Oakland history, or of relevant architectural history; and one real estate broker or other person with significant experience in the financing or management of real estate (O.C.O. §17.05.010)	7 members, none of whom may hold public elective office, must include a historian with knowledge of local history; an architectural historian; an architect; two members from the following: landscape architecture, real estate, construction, community development, urban planning, archeology, law, finance, cultural geography, cultural anthropology, or related disciplines; and two members at-large All members must have demonstrated interest, competence, or knowledge of historic preservation. No more than two members of the Commission may be in the business of buying, selling, leasing, or developing real estate for profit, or be officers of such a business.
Professional(s) serving?	yes	yes
Term and Limits	3 year terms (O.C.O. §17.05.020) Limit 2 Terms (O.C.O. §17.03.010.H.)	4 year terms. Limit 2 full terms (P.Z.C. §33.710.030)
Council Member(s) serving?	No	No
Role of Council related to Commission decisions	This Board advises the City Planning Commission (O.C.O. §17.05.090 and O.C.O. §17.03.020), Preservation recommendations go to the City Council through the planning commission (O.C.O. §17.03.020)	Type III historic Design Reviews are final decisions that can be appealed to the City Council. The Council's decision can be appealed to the State Land Use Board of Appeals (LUBA). Type II land use reviews are final but can be appealed to LUBA. (P.C.O. § 33.710.100)

	Oakland, CA	Portland, Oregon
Zoning Bd of Adjustment Name	NONE Abolished - (O.C.O. §17.03.010.B.)	Adjustment Committee (Portland City Code 33.710.070)
Role	N/A	Reviews adjustment requests to the development standards
Membership Requirements	N/A	7 members, must include 3 persons representing the public at large, 2 members in either urban design, architecture, or landscape architecture, and 2 members experienced in either engineering, financing construction, management of buildings, or land development
Professional(s) serving?	N/A	Yes
Term and Limits	N/A	4 year terms, limit 2 full terms
Council Member(s) serving?	N/A	No
Role of Council related to Commission decisions	N/A	The Council is not involved in these decisions. The Adjustment Committee's decisions are final local decisions which can be appealed to LUBA.
Definition of Conflict of Interest	No officer of the City may participate on behalf of the City in any transaction or activity in which he has a conflict of interest, as such conflict is defined by State Law (Charter, § 1200) No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest. (CA Government Code § 87100 et seq) financial interest present if it is reasonably foreseeable that the decision will have a material financial effect, distinguishable from its effect on the public generally. immediate family, certain business entities, real property source of income >\$500 , donors of gifts of \$200 or > (§ 87103)	Direct or substantial financial interest. Financial interest of official extends to interests of spouse, brother, sister, child parent and in-laws, employers, businesses. (P.Z.C. § 33.710.030 (I)) Where financial or personal interests will be specifically affected by a decision (P.C.C. 1.03.030) (See also O.R.S., Ch. 244)
Recusal Requirements	Planning Commission :(1) Publicly identify the financial interest in detail sufficient to be understood by the public, (2) Recuse himself or herself from discussing and voting on the matter, or otherwise acting in violation of Section 87100. (3) Leave the room until after the discussion, vote, and any other disposition of the matter is concluded, unless the matter has been placed on the portion of the agenda reserved for uncontested matters. (4) Notwithstanding paragraph (3), may speak on the issue during the time that the general public speaks on the issue. (CA Government Code § 87105)	Zoning Code: may not participate as a member (P.Z.C. §33.710.030 (I)) Must disclose at the meeting or hearing where the action is scheduled. Ethics Code: " the official is to withdraw from participating in the decision" and "Intervention on behalf of constituents or friends is limited to assuring fairness of procedures, clarifying policies or improving service for citizens" (PCC 1.03.030.B & D)
Leave the Room Requirement?	yes	Asked to leave the room by policy.

	Oakland, CA	Portland, Oregon
Definition of Conflict of Interest (Continued)		
Address in Professional Capacity?	At time public is permitted to speak	Yes
Special rules for sole proprietors?	No	Yes
Same rules apply to City Council/County Board	Yes.	Yes

	Seattle	St. Paul, MN
Population (Mpls 382,578)	608,660	285,058
Planning Commission Name	Seattle Planning Commission (Charter Art. XIV, sec. 3, S.M.C. § 3.64.010)	Planning Commission (St.P. C.O. Pt. III, Ti. V, Ch. 107)
Role	Advises on broad planning goals, policies and plans for the physical development of the City (Charter Art. XIV, sec. 3) Advisory only.	Serves as an advisory body to the mayor and city council on municipal planning matters; reviews and comments upon comprehensive plan recommendations, studies and amendments; prepares and recommends plans, programs and reports deemed necessary to establish an integrated program for the development, improvement, maintenance and management of parking facilities within the city; has numerous sub-committees, including a zoning committee which conducts public hearings on district boundary amendments and the various types of zoning applications (Admin. Code §§107.02, 107.03)
Membership Requirements	15 members - "broad range of opinion" residents from the neighborhoods, at least 1 architect or engineer and 1 urban planner (S.M.C. §3.64.020) and 1 designated young adult (S.M.C. §3.51)	21 Members -(Admin. Code §107.01)
Professional(s) serving?	yes	yes but no requirements
Terms and Limits	3 years, 2 term limit (S.M.C. §3.64.020)	3 year terms - limit 3 consecutive term (Admin. Code. §107.01 & Mayoral policy)
Council Member(s) serving?	No	no
Role of Council related to Commission decisions	Commission advises the Council. The Council is the final decision maker.	Decisions are final for all zoning permits except property rezonings (which go on to City Council for a final decision). All decisions can be appealed to the City Council.
Heritage Preservation Name	Landmarks Preservation Board (S.M.C. §25.12.270) (Plus 4 Historic District Boards) All are Regulatory	Heritage Preservation Commission (St.P C.O., Pt. II, Ti. IX, Chapter 73)
Role	To identify, preserve, protect, and ensure appropriate alterations to historic landmarks and districts (S.M.C. §25.12.64.020)	Serves as an advisory body to the mayor and city council on municipal heritage preservation matters; conducts a continuing survey of all areas, places, buildings, structures or similar objects in the city which the commission, on the basis of information available or presented to it, has reason to believe are or will be eligible for designation as heritage preservation sites; recommends designated heritage preservation sites in the city, except for the Capitol Area; reviews granting approval or denial of applications for exterior work permits within designated heritage preservation sites (Legis. Code §73.04)

	Seattle	St. Paul, MN
Heritage Preservation Name (Continued)		
Membership Requirements	11 members consisting of at least 2 architects, (1 of whom may be a landscape architect), 2 historians, 1 representative from the City Planning Commission, 1 structural engineer, 1 representative from the field of real estate management, and 1 representative from the field of finance. 3 additional members appointed without regard to occupation or affiliation (SMC §25.12.270) Plus 1 designated young adult (SMC §25.12.280)	Size: 13 voting members. All members shall have an interest/experience in historic preservation. If available, three members shall be registered architects and one member will be appointed by the Ramsey County Historical Society (Legis. Code §73.03)
Professional(s) serving?	yes	yes
Term and Limits	3 years, 2 term limit (S.M.C. §§25.12.280-290)	3 year terms - limit 3 consecutive term (Legis. Code §73.03 & Mayoral policy)
Council Member(s) serving?	No	no
Role of Council related to Commission decisions	When an owner disagrees with the Commission's proposed controls and incentives related to a designated property, a hearing examiner hears the matter and refers recommendations to city council (S.M.C. §§ 25.12.350-660) Appeals of alterations or significant changes decisions are made to the Hearing Examiner whose decisions are subject to judicial review (S.M.C. §§ 25.12.730-760)	Proposed historic designations, studies and reports on historic preservation matters are transmitted to the mayor and city council (Legis. Code. §73.04 -73.05); permit denials are appealable to City Council (Legis. Code §73.06)
Zoning Bd of Adjustment Name	Seattle Design Commission (SMC 3.58.010) Plus has 7 Neighborhood Design Review Boards with a total of 35 members (SMC 23.41.008)	Board of Zoning Appeals (Legis. Code §61.203)
Role	Seattle Design Commission advises the Mayor, City Council and City departments on the design of capital improvement projects as well as projects on City land, in the City right-of-way, or constructed with City dollars Advisory only (SMC 3.58.010) Neighborhood Design Review Boards reviews commercial and multifamily development that exceed a certain size threshold in certain land use zones are reviewed Advisory & regulatory (Land Use Code, Ch. 23)	Holds public hearings on 1) administrative appeals of challenges of zoning administrator decisions 2) requests for zoning variances

	Seattle	St. Paul, MN
Zoning Bd of Adjustment Name (Continued)		
Membership Requirements	<p>Seattle Design Commission: 10 members, architect(2), landscape architect (2), fine artist, engineer, urban planner, urban designer, member at large. Not limited to City or State residents (S.M.C. §3.58.010) Plus 1 designated young adult (S.M.C. §25.12.280)</p> <p>Neighborhood Design Review Boards:5 members per board: 1 each of development interests, design professionals, general community interests, local neighborhood interests (S.M.C . §23.41.008) Plus 1 designated young adult (S.M.C. §25.12.280) Must possess experience in neighborhood land use issues and demonstrate, by their experience, sensitivity in understanding the effect of design decisions on neighborhoods and the development process, a familiarity with land use processes and standards as applied in Seattle, and S.M.C. §4.16.070, no member of the Design Review Board shall have a financial or other private interest, direct or indirect, personally or through a member of his or her immediate family, in a project under review by the Design Review Board on which that member sits. (S.M.C . §23.41.008)</p>	<p>9 members consisting of: 6 regular members, 2 Alternates and 1 Planning Commission Representative.</p> <p>Residency required, cannot be official or employee of the city. (Alternate members may vote on matters only in the absence of regular member(s).) (Legis. Code §61.203(a))</p>
Professional(s) serving?	yes	Not prohibited
Term and Limits	2 years, no limits (S.M.C . §23.41.008)	Term: Three years - except for Planning Commission Representative, whose term is concurrent with their Planning Commission term. (Legis. Code §61.203(a)) limit of 3 consecutive terms limit (Mayoral Policy)
Council Member(s) serving?	No	No
Role of Council related to Commission decisions	Makes recommendation to the Director that the proposed design does or does not comply with applicable design guidelines. (S.M.C. §23.41.014) Council holds final decision making authority. (S.M.C. §23.76.004)	Decisions are final, subject to appeal to City Council (Legis. Code §61.203(c))

	Seattle	St. Paul, MN
Definition of Conflict of Interest	financial interest (direct/indirect) in the matter (incl. immediate family, household members, employers, associated businesses)	When a member's official duties require taking an action or making a decision substantially affecting the member's financial interests or those of a business with which the member is associated (Admin. Code §100.02)
Recusal Requirements	Rules depend upon whether commission is regulatory or advisory: Regulatory - Must recuse when financial interest in a matter before their board. (S.M.C. §§4.16.070.1(a) & 1(b)) Advisory - Must recuse when personal (incl immediate family) financial interest in a matter before their board. (This has the effect of imposing greater restrictions on equity-holders in an architecture firm, for example, than it does on salaried employees of an architecture firm.) If there is no financial interest, but instead the appearance of conflict – such as when one is an employee of an architecture firm, advisory board members must disclose before participating. (S.M.C. §4.16.070.6(a) & (b))	1)within 48 hours of conflict discovery, prepare a written statement describing matter and conflict nature 2)file copies iwth city clerk and chair of advisory body 3)if insufficient time, verbally advise the advisory body, file written statement within 1 week "Refrain from voting on or otherwise participating in the action of decision" (Admin. Code §100.02) Planning Commission Rules: Restrictions on voting or participation in discussion shall apply to commissioners in both final and advisory actions. Re: funding recommendation actions and related proposal review, no commissioner may participate in the decision process who is in a
Leave the Room Requirement?	Not required by Ethics Code but Ethics Officer recommends "lest they find themselves embroiled in a discussion they they shouldn't be a part of"	Strongly recommended by policy and advice of legal counsel
Address in Professional Capacity?	No, Improper use of Official Position to “[e]xcept in the course of official duties, assist any person in any matter involving the [member's] department; provided, further, that except in the course of official duties. . . . [This] shall not apply to any Covered Individual appearing on his or her own behalf on any matter, or on behalf of any business entity solely owned by the [member], if not otherwise prohibited by ordinance (S.M.C. §4.16.2(c))	No. Based on Admin, Code §100.02
Special rules for sole proprietors?	If they were the applicant, then they could represent themselves, but they can’t assist a client in a matter before their board	No. The member would need to resign in order to present to the board or commission.
Same rules apply to City Council/County Board	The regulatory conflict of interest rules apply to the City Council members.	Yes.

	Tulsa, OK	Wichita, KS
Population (Mpls 382,578)	579,999	382,368
Planning Commission Name	Tulsa Metropolitan Area Planning Commission (TMAPC) (Oklahoma Statutes, Title 19, Section 863, City Resolution 3727 and agreement 4346)	Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC)
Role	To act as a recommending body for City and County Commissioners and to consider matters relating to zoning, subdivision, lot splits, and the Comprehensive Plan.	prepare plans for the Sedgwick County area and such other area as may be of direct influence on Sedgwick County; to hold public hearings as provided by law; to act as a reviewing body for applications submitted to the State and Federal governments when required or permitted; to make and recommend policy to the Governing Bodies in areas of physical, economic and social growth; to adopt such regulations and rules as may by law be provided, such as subdivision regulations; to recommend on zoning matters; and to recommend on and provide plans for such other matters as may be of interest to the public and Governing Bodies (Bylaws, Art. II, Section 1)
Membership Requirements	11 Members: Mayor or designee, 1 Tulsa County Commissioner, 6 mayoral appointees, 3 Tulsa County appointees	14 members - 7 appointed by the County and 7 by the City. must be residents 50% must, "as nearly as practicable" be members whose business or professions are not related directly to the affairs of the board (WCO 2.12.010, 2.12.560) see also KSA Chapter 19
Professional(s) serving?	not prohibited by law	Potentially but No Response
Terms and Limits	3 years, no limits (19 Okl. St. § 863.5)	No Response
Council Member(s) serving?	No - but Mayor serves	Unlikely but No Response
Role of Council related to Commission decisions	Decisions are approved by the City Commission and/or the County Commission. (19 Okl. St. § 863.7)	No Response

	Tulsa, OK	Wichita, KS
Heritage Preservation Name	Tulsa Preservation Commission (Zoning Code, Ch. 10a, § 1052)	Historic Preservation Board (W.C.O. § 2.12.1015)
Role	Promote the educational, cultural, economic and general welfare of the public through the conservation, preservation, protection and regulation of historic resources with the City. To prepare and update an inventory of historical resources, historic preservation overlay zoning map amendments, guidelines for the certificate-of-appropriateness design review processes, to increase awareness of historic resources within the city (Zoning Code, Ch. 10a, § 1052N)	Advise the City Council on city-owned historic resources and to safeguard the architectural and cultural heritage of the city through the preservation of historic resources (W.C.O. § 2.12.1015(a))
Membership Requirements	9 voting members: Professional Group Members- 1 - Licensed architect, 1 - Urban planner / licensed landscape architect, 1 - Developer or builder, 1 - Licensed real estate broker, 1 - Architectural historian or historian; Historic Property Owner Members - 1 -Owner of a nonresidential structure that has been identified in or is located in an area identified in the Sept. 1980 Tulsa Historic Preservation Plan Report or as amended, 5 - Residents of the City of Tulsa who own property and reside in areas identified in same report. Non-voting Ex Officio Members - 1 - Member of the Arts Commission, 1 - Member of the Planning Commission (Zoning Code, Ch. 10a, § 1052B)	7 members all shall have "demonstrated special interest knowledge or training in fields closely related to historic preservation." must be residents. 50% must, "as nearly as practicable" be members whose business or professions are not related directly to the affairs of the board. Minimum of 3 members shall be preservation related professionals (W.C.O. § 2.12.1015(b), §2.12.010(6)) Also has some non-voting ex officio members from City Staff and the planning commission,
Professional(s) serving?	yes	yes
Term and Limits	3 years; no more than 3 consecutive terms (Zoning Code, Ch. 10a, § 1052D.1)	2 year terms, 8 consecutive years limit (W.C.O. §2.12.010(5), 2.12.020 (1) & 2.12.1015(c))
Council Member(s) serving?	No	No
Role of Council related to Commission decisions	Recommendations go to City Council (Zoning Code, Ch. 10a, § 1052N)	Board is advisory. Decisions and recommendations go to the City Council for approval. (W.C.O. § 2.12.1015(a))

	Tulsa, OK	Wichita, KS
Zoning Bd of Adjustment Name	Board of Adjustment (Charter, Art. I, §3.N & Zoning Code, Ch. 16 § 1600)	Board of Zoning Appeals
Role	The Board shall have the power to hear appeals from the determinations of an administrative official in enforcing this [Zoning] Code, to grant variances, and to make interpretations of the zoning map and text, in accordance with the substantive and procedural standards set forth in the Code (Zoning Code, Ch. 16 § 1601)	Review requests for variances of the specific requirements of the zoning code and appeals from the zoning administrator's interpretation of the zoning code
Membership Requirements	5 members (Zoning Code, Ch. 16 § 1600)	7 members. must be residents. 50% , "as nearly as practicable" must be members whose business or professions are not related directly to the affairs of the board (W.C.O. §2.12.010(6), 2.12.560)
Professional(s) serving?	Potentially	Potentially but No Response
Term and Limits	3 years (Zoning Code, Ch. 16 § 1600) no limits in ordinance	4 years - no more than 8 consecutive years (W.C.O. §§2.12.010(5), 2.12.560)
Council Member(s) serving?	No	No
Role of Council related to Commission decisions	Decisions are final. Appeals are to the District Court (Zoning Code, Ch. 16 § 1609)	Any person, official or governmental agency dissatisfied with any order or determination of the board may bring action in the district court of Sedgwick County (W.C.O. §2.12.610)

	Tulsa, OK	Wichita, KS
Definition of Conflict of Interest	<p>May receive some benefit, not shared by the general public, to a personal, financial or organizational interest as a result of City business (Tulsa Ethics Code, § 604)</p> <p>Some private benefit, direct or indirect, financial or otherwise (Tulsa Zoning Code § 216)</p> <p>May receive a private benefit; has an organizational interest regarding a matter; has an economic interest, directly or indirectly (TMAPC Rules of Procedure and Code of Ethics, Sec. II, B.)</p>	<p>Any matter in which the member has a substantial interest as defined by . Includes spouse's interests (K.S.A. §75-4301(a), §75- 4305; W.C.O. §2.12.010(8))</p>
Recusal Requirements	<p>Disclose the interest to theirboard or commission, not participate, shall not discuss the matter with a City official who is participating in the action other than to state his disqualification, file a written disclosure of the disqualifying interest with the City Clerk (Tulsa Ethics Code, §§ 603, 604)</p> <p>Should not be a participant in that action. declare his interest, abstain from voting on the matter, and refrain from any deliberations on the matter, should not discuss the matter with a fellow official for the purpose of influencing a decision thereon. (Tulsa Zoning Code § 216)</p> <p>Declare his interest publicly, abstain from voting on the matter, and shall refrain from any deliberations on the matter. When possible, the Planning Commissioner should leave the public hearing room. Shall not discuss the matter in any venue with any fellow TMAPC member, staff or other officials involved in decision making on the matter for the purpose of influencing a decision thereon (TMAPC Rules of Procedure and Code of Ethics, Sec. II, B.)</p>	<p>Conflict of Interest is "approved by the presiding officer, member may request permission and may be authorized to pass his vote" (W.C.O. §2.12.010(7))</p> <p>MAPC: Notify Chair, Chair shall grant permission to refrain from participation in the discussion and voting (MAPC Bylaws, Art. II, Sec. 9)</p> <p>BZA: Presiding Officer may grant permission to abstain, members granted permission to abstain shall not participate in the discussions or proceedings and shall "disassociate themselves from the Board (BZA, Rules of Procedure, Art. II, Sec. 5)</p> <p>HPB: No Response</p>
Leave the Room Requirement?	<p>TMAPC: When possible should leave the room (TMAPC Rules of Procedure and Code of Ethics, Sec. II, B.) in practice this means they leave the room.</p>	<p>Only the BZA requires "disassociating" [Does this mean leave the room?]</p>

	Tulsa, OK	Wichita, KS
Definition of Conflict of Interest (continued)		
Address in Professional Capacity?	No. See above.	MAPC: No. "Members shall not assist or represent applicants on zoning, subdivision, or vacation applications in the presence of the Commission." "Members shall not make presentations to either governing body on a quasi-judicial item prior to the resolution of that item by the governing body, unless the member has abstained from participation on that item or the member has been designated by the Commission to make a presentation" "Members may appear and speak where the member owns property or is prospective purchaser of property included in an application or owns property in the statutory notification area of an application." (MAPC Bylaws, Art. III, Sec. 10) BZA: No Response HPB: No Response
Special rules for sole proprietors?	No. See above.	No Response
Same rules apply to City Council/County Board	Yes, except no leave the room requirement. They stay at the table and abstain from voting.	No Response

National Alliance of Preservation Commission

National Alliance of Preservation Commissions Code of Ethics for Commissioners and Staff (2006)

Standards of Professional Conduct

As public servants, commissioners and staff are expected to conduct themselves in accordance with the law. These standards set forth both a baseline for such legal conduct as well as aspirational goals for ethical behavior that may require a conscientious effort to attain.

4. Commissioners and Staff should disclose all personal or financial advantages that might accrue to them, their business interests or family members either directly or indirectly from a recommendation or decision.

5. Preservation Commissioners and Staff who have an actual or apparent conflict of interest in a matter coming before them should recuse themselves entirely from deliberations and decisions.

6. Commissioners and Staff are obligated to utilize their knowledge and experience to make decisions and therefore should abstain from participating and voting only in cases of a *bona fide* conflict of interest.

Ethical Principles in Planning (as adopted May 1992) Planning process participants continuously strive to achieve high standards of integrity and proficiency so that public respect for the planning process will be maintained.

Planning Process Participants should:

2. Make public disclosure of all "personal interests" they may have regarding any decision to be made in the planning process in which they serve, or are requested to serve, as advisor or decision maker.
3. Define "personal interest" broadly to include any actual or potential benefits or advantages that they, a spouse, family member or person living in their household might directly or indirectly obtain from a planning decision;
4. Abstain completely from direct or indirect participation as an advisor or decision maker in any matter in which they have a personal interest, and leave any chamber in which such matter is under deliberation, unless their personal interest has been made a matter of public record; their employer, if any, has given approval; and the public official, public agency or court with jurisdiction to rule on ethics matters has expressly authorized their participation.

Ethics in Planning: A Toolkit for Conducting Ethics Sessions
(Revised: 7.17.2012)

8.8 A planner in private practice also sits on City Board of Zoning Adjustment. The principal in her firm has case before BZA. Does she have to recuse herself?

Yes, since the planner serves the principal in her firm, it would not be possible for her to sit in judgment over a project of her firm.

Recusal means both a public disclosure and leaving the room entirely during presentation and discussion of the case.

8.29 A member of the planning board lives adjacent to a site proposed for subdivision. A new road will be close to the member's property. She recuses herself from participation in the planning board review process but then puts on her property owner "hat" and takes strong position in public opposing the subdivision. Is that acceptable? Must a resident refrain from taking any public position?

This answer assumes that the Planning Board member holds the AICP credential. Item B(14) of the Code of Ethics states that "We shall not use the power of any office to seek or obtain a special advantage that is not ... in the public interest." In addition, the Code of Ethics at B(5) restricts public officials from accepting any advantage that may be perceived to be related to the official's office. Even if the Board member recuses herself from participation, her position as a Board member testifying against an application before the Board is a use of the power of her office that could result in a benefit to the Board member. However, the Code would not prevent her from publicly opposing the project in other settings as long as she did not claim that her membership on the Planning Board should accord her view greater weight.

**City / County // Contact
Population**

City of Minneapolis
382,578

Planning Commission Name

City Planning Commission (City Charter, Ch. 13)

Role

Charged with long-range planning for the city and is responsible for advising the City Council on matters of development, zoning, and capital improvements. Hears and decides applications for major site plan review, land use, nonconforming uses, appeals from Zoning administrator decisions. (City Charter, Ch. 13 & M.C.O. § 525.100(b))

Membership Requirements
**Development Professional(s)
serving?**
Terms and Limits

10 Members - 1 shall be the Mayor, 1 School Board member, 1 Park Board Member, 1 City Council Member, 1 representative from Henn. County, 5 citizens (City Charter, Ch. 13, §1)
Not precluded by charter or ordinance, currently professionals serving
2 year terms; no limits (City Charter, Ch. 13, §1)

Council Member(s) serving?

yes

**Role of Council related to
Commission decisions**

Only applications for rezonings, street or alley vacations, Zoning Code text amendments, and comprehensive plan amendments are forwarded to the Zoning and Planning Committee of the City Council. Decisions are final on all other items unless appealed to the City Council. (M.C.O. §§ 525.130(4))

Heritage Preservation Name

Minneapolis Heritage Preservation Commission (M.C.O. § 599.120(a))

Role

Serves as an advisory body to the City Council. Makes recommendations regarding: proposed landmark and historic district designations, applications for certificate of appropriateness and demolition of historic resources, design guidelines, acquisition of designated properties (M.C.O. § 599.120(b))

Membership Requirements	10 members, residents. Shall have demonstrated interest, knowledge, ability or expertise in historic preservation, neighborhood revitalization, archaeology, urban planning, history or architecture. 1 Mayoral representative. If available, at least: 2 registered architects, 1 licensed real estate agent or appraiser, 1 resident or owner of a landmark or property in an historic district, 1 member of the Hennepin County historical society. (M.C.O. § 599.120(c))
Development Professional(s) serving?	Yes
Term and Limits	3 years. No limit.
Council Member(s) serving?	No
Role of Council related to Commission decisions	All decisions are subject to City Council approval. (See M.C.O. § 599.150)

Zoning Bd of Adjustment Name Zoning Board of Adjustment (M.C.O. § 525.110)

Role	Hears and decides applications for zoning variances, appeals from the zoning administrator's orders & determinations, and applications for certificates of nonconforming use. (M.C.O. §§ 525.110(b))
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Membership Requirements 9 members, residency req't (M.C.O. §§ 525.110(d))

Development Professional(s) serving? Potentially, not prohibited by ordinance

Term and Limits 3 years, no limit (M.C.O. §§ 525.110(d))

Council Member(s) serving? No

Role of Council related to Commission decisions Decisions are final. City Council Hears and decides appeals from decisions (M.C.O. §§ 525.110(c) & 525.130(4))

Present, when in the discharge of official duties, a member participates in a decision, action or transaction in which the member has a financial interest, except when that financial interest is no greater than that of another member of his/her business classification, profession or occupation. (M.C.O. § 15.40(a))

Definition of Conflict of Interest HPC: "financial or other personal interest" (HPC Bylaws, § 4.9)

- 1) disclose to other members as soon as member becomes aware of conflict
- 2) prepare written statement on prescribed form describing matter requiring action and nature of conflict
- 3) distribute statement to mayor, council, affected department heads
- 4) file statement with City Clerk
- 5) remove self from participating in the action or decision

Recusal Requirements

Leave the Room Requirement? Not currently - under consideration

Ethics Code does not preclude but doing so raises appearances of impropriety, Not recommended

HPC: "Member may provide factual information relating to a matter before the Commission, provided the action to be taken would not substantially affect the financial interests of themember, a person related to the member or an assoicated business." (HPC Bylaws, § 4.9)

Address in Professional Capacity?

Special rules for sole proprietors?

Same rules apply to City Council/County Board

No

Yes

Wichita, KS

382,368

Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC)

prepare plans for the Sedgwick County area and such other area as may be of direct influence on Sedgwick County; to hold public hearings as provided by law; to act as a reviewing body for applications submitted to the State and Federal governments when required or permitted; to make and recommend policy to the Governing Bodies in areas of physical, economic and social growth; to adopt such regulations and rules as may by law be provided, such as subdivision regulations; to recommend on zoning matters; and to recommend on and provide plans for such other matters as may be of interest to the public and Governing Bodies (Bylaws, Art. II, Section 1)

14 members - 7 appointed by the County and 7 by the City. must be residents 50% must, "as nearly as practicable" be members whose business or professions are not related directly to the affairs of the board (WCO 2.12.010, 2.12.560) see also KSA 1965 Supp 19-2919 et seq

Historic Preservation Board (W.C.O. § 2.12.1015)

Advise the City Council on city-owned historic resources and to safeguard the architectural and cultural heritage of the city through the preservation of historic resources (W.C.O. § 2.12.1015(a))

7 members all shall have "demonstrated special interest knowledge or training in fields closely related to historic preservation." must be residents. 50% must, "as nearly as practicable" be members whose business or professions are not related directly to the affairs of the board. Minimum of 3 members shall be preservation related professionals (W.C.O. § 2.12.1015(b), §2.12.010(6)) Also has some non-voting ex officio members from City Staff and the planning commission,

yes

2 year terms, 8 consecutive years limit (W.C.O. §2.12.010(5), 2.12.020 (1) & 2.12.1015(c))

No

Board is advisory. Decisions and recommendations go to the City Council for approval. (W.C.O. § 2.12.1015(a))

Board of Zoning Appeals

Review requests for variances of the specific requirements of the zoning code and appeals from the zoning administrator's interpretation of the zoning code

7 members. must be residents. 50% , "as nearly as practicable" must be members whose business or professions are not related directly to the affairs of the board (W.C.O. §2.12.010(6), 2.12.560)

unclear

4 years - no more than 8 consecutive years (W.C.O. §§2.12.010(5), 2.12.560)

No

Any person, official or governmental agency dissatisfied with any order or determination of the board may bring action in the district court of Sedgwick County (W.C.O. §2.12.610)

Any matter in which the member has a substantial interest as defined by . Includes spouse's interests (K.S.A. §75-4301(a), §75-4305; W.C.O. §2.12.010(8))

Conflict of Interest is "approved by the presiding officer, member may request permission and may be authorized to pass his vote" (W.C.O. §2.12.010(7))

MAPC: Notify Chair, Chair shall grant permission to refrain from participation in the discussion and voting (MAPC Bylaws, Art. II, Sec. 9)

BZA: Presiding Officer may grant permission to abstain, members granted permission to abstain shall not participate in the discussions or proceedings and shall "disassociate themselves from the Board (BZA, Rules of Procedure, Art. II, Sec. 5)

HPB:

Only the BZA requires "disassociating" [Does this mean leave the room?"]

MAPC: No. "Members shall not assist or represent applicants on zoning, subdivision, or vacation applications in the presence of the Commission." "Members shall not make presentations to either governing body on a quasi-judicial item prior to the resolution of that item by the governing body, unless the member has abstained from participation on that item or the member has been designated by the Commission to make a presentation" "Members may appear and speak where the member owns property or is prospective purchaser of property included in an application or owns property in the statutory notification area of an application." (MAPC Bylaws, Art. III, Sec. 10)

BZA:

HPB: