1.0 ARCHITECTURAL REVIEW COMMISSION RULES OF PROCEDURE

The Rules of Procedure for the Architectural Review Commission ("Commission") shall be cited herein as the "Rules." For procedures not covered by the Rules, the Commission shall follow the current edition of Robert's Rules of Order, except that the Robert's Rules of Order that allow reconsideration and rescission of motions granting or denying applications shall not apply. Furthermore, the Commission shall follow the relevant City of Tampa Code provisions.

2.0 OFFICERS AND DUTIES

2.1 Members. The Commission shall consist of seven (7) Members appointed by the Mayor and City Council, the composition and terms of which are provided in City of Tampa Code.

2.2 Alternate Members. Two (2) alternate Members shall be appointed as provided in City of Tampa Code. Alternate Members shall sit only when a member is unable to attend a meeting.

2.3 Officers. Officers shall be Chair and Vice-Chair.

2.4 Elections. At the first regularly scheduled meeting in April, Members shall make nominations for the election of Chair and Vice-Chair. A majority vote of the Members present shall elect the two officers. The election shall be conducted by Staff.

2.5 Terms of Officers. The Chair and Vice-Chair shall hold office for a period of one year. Members shall elect a replacement to complete the unexpired term of any officer who resigns from such position or otherwise cannot complete his or her term of office. A majority vote of the Members present shall elect the replacement officers.

2.6 Duties of Officers. The Chair shall preside at all meetings. If the Chair is absent, the Vice-Chair shall preside at the meeting.

2.7 Chair Pro Tem. In the event both the Chair and Vice-Chair are absent, a Chair Pro Tem shall be elected at that meeting and shall preside at the meeting until such time as the Chair or Vice-Chair arrives. A majority vote of the Members present shall elect the Chair Pro Tem.

2.8 Applications or Appeals Involving Member. In accordance with applicable Florida Statutes (Chapter 112) and City of Tampa Code (Chapter 2, Article VIII), no Member shall appear before the Board/Commission on behalf of any person other than himself or herself.

2.9 Impartiality required. No Member shall, in any manner, discuss any application or appeal~~s~~ with any person other than staff or the Commission Attorney prior to the deliberations on such application or appeal.

Members shall not express individual opinions on any application or appeal with any persons prior to the determination of that application or appeal, except in accordance with these Rules.

2.10 Familiarity with laws. Each Member shall be thoroughly familiar with all statutes, laws, codes, and Rules of Procedure relevant to his or her Commission.

3.0 ADMINISTRATOR; COMMISSION ATTORNEY

3.1 Administrator. The Administrator, or designee, shall be responsible for developing the Agenda, supervising the preparation of the materials for meetings, the maintenance of all records and the preparation of correspondence. The Administrator shall also be responsible for noticing meetings and workshops.

3.2 Department. As used herein and unless otherwise specified, "department" shall refer to that City of Tampa department responsible for planning and development, and administration of the Land Development Code.

3.3 Commission Attorney. The City Legal Department shall provide the legal advisor to the Commission.

4.0 MEETINGS; CONDUCT OF MEETING

4.1 Scheduling of regular meetings. Meetings shall occur at least once a month at a regularly scheduled time. Additional meetings may be called by the Chair or upon the request of a simple majority of the Members.

4.2 Workshop. A workshop shall be held for the purpose of informing the Members on any special matters of concern, but not on any specific application or appeal. No official action may be taken by the Members during a workshop.

4.3 Cancellation of meetings. Prior to any meeting, whenever there is no business, the Chair may cancel the meeting by directing the Administrator to give notice to all the Members not less than twenty-four hours prior to the time set for the meeting.

4.4 Public hearings that are postponed due to a declared local state of emergency. Where a local state of emergency is declared and a meeting is postponed as a result of the local state of emergency, items on the agenda that are set for a public hearing during the local state of emergency will be automatically

continued to a time and date certain, which, for purposes of continued items, will be the next regularly scheduled meeting of the Commission.

4.5 Designation of another meeting place. In the event that it is impossible or impractical to meet in the Council Chambers, the Administrator may designate another meeting place in the City of Tampa. Notice of such designation shall be posted at the entrance to the Council Chambers or with the Office of the Clerk.

4.6 Quorum. A quorum shall consist of four (4) Members. No meeting shall commence or continue unless a quorum is present. After a reasonable period of time has elapsed and a quorum is not present, all remaining matters on the agenda shall be rescheduled for the next meeting without the need for readvertisement, unless otherwise required in accordance with the City of Tampa Code or these Rules.

4.7 Order of Business. The order of business shall be by Agenda. Changes to the Agenda may be made by motion and an affirmative vote of the simple majority of the Members present at the meeting. Applications may be continued by motion and affirmative vote of the majority of the Members present at the meeting.

4.8 Agenda. The Agendas for each regular Architectural Review Commission meeting cycle shall be limited to seven (7) new applications and no more than three (3) previously continued applications. Applications that are out of order to be heard, including mis-noticed applications, will be rescheduled by staff.

4.9 Deadline. The Commission shall approve or deny a complete application within one hundred eighty (180) days. The Commission may, for good cause shown, extend this period a maximum of thirty (30) days. Further extension of time may be granted by the Commission, only upon finding of extenuating circumstance(s). Any application that has not been set for a public hearing within one hundred eighty (180) days of submittal to the Administrator shall be deemed withdrawn, unless the scheduling delay is a result of administrative error.

4.10 Continuances. If the applicant fails to appear at the scheduled public meeting, the application shall be continued for sixty (60) days.

4.11 Minutes. Staff shall keep minutes of all public meetings. The minutes shall show the vote of each member on each motion, or if a member is absent or fails to vote because of a conflict of interest, indication of such fact. The minutes of each meeting shall be filed with the Department and shall be public record. Minutes of each meeting shall be approved by the Commission at the next public meeting.

4.12 Reading and Amending of Minutes. Minutes from the previous meeting need not be read unless the reading is requested.

5.0 VOTING AND ABSTENTION

5.1 Votes Required as to Certain Measures. A simple majority vote of those Members present shall be sufficient to conduct routine business or to deny any application.

5.2 Tie Vote. When a matter is considered by the Members and a tie vote is obtained, the motion fails and the application shall be denied.

5.3 Abstention. In accordance with applicable Florida Statutes (Chapter 112) and City of Tampa Code (Chapter 2, Article VIII), any member who has a conflict of interest due to a "special private gain or loss" must abstain and file any required documents. In accordance with Florida Statutes Section 286.012, a member may abstain from voting in a quasi-judicial proceeding, if the abstention is to assure a fair proceeding free from potential bias or prejudice.

6.0 APPLICATIONS, GENERAL

6.1 Applicants. Only the bona fide owner or authorized agent of the owner of a specific piece of real property may apply for an action before the Commission.

6.2 Form of Applications. Applications shall be made in the form prescribed by the City of Tampa.

6.3 Site plans. Prior to being heard, applications shall be consistent with the Land Development Code and at a minimum include a legible, scaled site plan that accurately reflects all development on the property and shows the dimensions from all property lines, wetlands, and trees (if applicable). All trees within 20’ of the property shall be shown. A survey that accurately reflects conditions on the property is required for all variance requests for existing conditions, including for work done without permits.

6.4 Revisions to applications. Any submitted application may be revised by the applicant prior to notice being provided in accordance Section 27-149 of the City Code of Ordinances.

6.5 Revisions to site plans. Any revised site plan may be revised by the applicant prior to Notice being provided in accordance with Section 27-149 149 of the City Code of Ordinances.

7.0 HEARINGS ON APPLICATIONS

7.1 Appearance by Applicant. The applicant or authorized agent shall appear in support of the application at the public hearing. If the applicant or authorized agent fails to appear, the application shall be continued for sixty (60) days. If the applicant or the authorized agent fails to appear at the second hearing, the application shall be denied.

7.2 Who May be Heard. The applicant and the public may appear in person, or by agent or attorney.

7.3 Hearing Procedures, General.

7.3.1 Call to order by the Chair.

7.3.2 Swearing in of all persons who will be testifying and/or presenting evidence to the Members.

7.3.3 Order and time allotment for the presentation shall be as provided for each application type. In the event more than one application is filed and heard in the same evening, (i.e., a variance application and a certificate of appropriateness application), the applicant or authorized agent shall have ten (10) minutes for a variance presentation and thirty (30) minutes for a Certificate of Appropriateness presentation for a total of forty (40) minutes.

7.3.4 The time limitations for speaking or presentations may be waived by a majority vote of the Members present for good cause shown.

7.3.5 Members may question witnesses as deemed necessary. The attorney for the Board/Commission may question witnesses to provide assistance to Members.

7.3.6 The Chair may call to order any person who is deemed out of order. Such a person who fails to comply with said request shall be asked to leave by the Chair. The Chair may request security assistance as may be required.

7.3.7 Voting may be postponed only if necessary to allow Members to obtain additional evidence before making a decision, upon a vote of the majority of Members present. Members shall state what additional evidence is needed and the matter will be continued, unless otherwise specified, to the next available Agenda.

7.3.8 Members shall orally issue an order approving, approving with conditions, denying, or continuing the application. If the application is denied, Members shall state the applicable portions of the City of Tampa

Code as the basis for the denial of the application. Said order shall be reduced to writing and include written findings supporting the decision. Written orders shall be furnished to the applicant.

7.3.9 Members shall make a motion, at the end of the Agenda, to accept all documents related to any application into the record, including the photo presentation.

7.3.10 The applicant or authorized agent shall submit all documents to staff at least twenty-four (24) hours prior to the public hearing.

7.3.11 During a public meeting, individual Members of the public, provided they are present in the audience, may designate a representative spokesperson to speak on their behalf at that public hearing and thereby relinquish their time to that spokesperson. Thereafter, they may not be heard on the agenda item for which designation was made. Such designation shall be made by signing a speaker waiver form. The representative spokesperson shall be allowed to speak for one (1) minute for each such designation up to a maximum of ten (10) minutes.

7.4 Effect of Approval. The Department shall provide a letter to the applicant describing the nature of the application approved, or the recommendation made by the Members. The effective date of approval shall be the date of the letter provided by the Department.

7.5 Effect of Denial. The Department shall provide a letter to the applicant describing the nature of the application denied, or the basis for the recommendation of denial. The letter shall state the applicable portions of the City of Tampa Code as the basis for the denial of the application, or the recommendation of denial. The effective date of the denial shall be the date of the letter provided by the Department. Denial of an application shall preclude acceptance and consideration of any application substantially the same as the original application for a period of twelve (12) months from the date of such denial, except as provided in Chapter 27 of the City of Tampa Code.

7.6 Review. Any review of a Commission decision shall be in accordance with City of Tampa Code Section 27-61.

8.0 HEARINGS ON CERTIFICATE OF APPROPRIATENESS APPLICATIONS

Order and time allotment for hearing:

(1) The staff shall briefly introduce the application.

(2) Applicants shall have the right to give testimony, and to present witnesses and documentation. Applicants shall be limited to thirty (30) minutes for their presentation.

(3) Staff shall have fifteen (15) minutes to present its staff report.

(4) Interested persons will then be given an opportunity to speak in support of or in opposition to the application. Interested persons shall be limited to three (3) minutes each.

(5) Members shall have an opportunity to ask questions on the application.

(6) The applicant will have five (5) minutes for final rebuttal.

(7) Public hearing shall be closed, and Members will have discussion.

(8) A Member will make a motion to approve, approve with conditions, deny, or continue the application. If applicable, the applicant may be asked to confirm their understanding of the conditions.

9.0 HEARINGS ON VARIANCE APPLICATIONS

Order and time allotment for hearing:

(1) The staff shall briefly introduce the application.

(2) Applicants shall have the right to give testimony and to present witnesses and documentation. Applicants shall be limited to ten (10) minutes for their presentation.

(3) Interested persons will then be given an opportunity to speak in support of or in opposition to the application. Interested persons shall be limited to three (3) minutes each.

(4) Members shall have an opportunity to ask questions on the application.

(5) The applicant will have five (5) minutes for final rebuttal.

(6) Public hearing shall be closed, and Members will have discussion.

(7) A Member will make a motion to approve, approve with conditions, deny the application, or continue the application. If applicable, the applicant may be asked to confirm their understanding of the conditions.

10.0 HEARINGS ON AD VALOREM TAX APPLICATIONS

Order and time allotment for hearing:

(1) The staff shall briefly introduce the application.

(2) Applicants shall have the right to give testimony and to present witnesses and documentation. Applicants shall be limited to fifteen (15) minutes for their presentation.

(3) Staff shall have fifteen (15) minutes to present its staff report.

(4) Interested persons will then be given an opportunity to speak in support of or in opposition to the application. Interested persons shall be limited to three (3) minutes each.

(5) Members shall have an opportunity to ask questions on the application.

(6) The applicant will have five (5) minutes for final rebuttal.

(7) Public hearing shall be closed, and Members will have discussion.

(8) A Member will make a motion to recommend approval, approval with conditions, denial, or to continue the application. If applicable, the applicant may be asked to confirm their understanding of the conditions.

11.0 HEARINGS ON RECOMMENDATIONS TO CITY COUNCIL

Order and time allotment for hearing:

(1) The staff shall briefly introduce the application.

(2) Applicants shall have the right to give testimony, and to present witnesses and documentation. Applicants shall be limited to thirty (30) minutes for their presentation.

(3) Staff shall have fifteen (15) minutes to present its staff report.

(4) Interested persons will then be given an opportunity to speak in support of or in opposition to the application. Interested persons shall be limited to three (3) minutes each.

(5) Members shall have an opportunity to ask questions on the application.

(6) The applicant will have five (5) minutes for final rebuttal.

(7) Public hearing shall be closed, and Members will have discussion.

(8) A Member will make a motion to recommend approval, approval with conditions, denial, or to continue the application. If applicable, the applicant may be asked to confirm their understanding of the conditions.

12.0 MISCELLANEOUS

12.1 **Rule Changes**. These Rules may be altered in a manner not inconsistent with the City of Tampa Code during a regular meeting by the affirmative vote of at least four (4) Members.

Approved by a unanimous vote of the Architectural Review Commission at its December 4, 2023, meeting.