## 1.0 HISTORIC PRESERVATION COMMISSION RULES OF PROCEDURE

The rules of procedure of the Commission shall be cited herein as the "Rules." For procedures not covered by the Rules, the Commission shall follow the rules set forth in the current edition of Roberts' Rules of Order. Furthermore, the Commission shall follow the relevant City of Tampa Code provisions.

## 2.0 MEMBERS, 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 of the Commission shall be Chair and Vice-Chair.

2.4 Elections. At the regular meeting of the Commission 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 (1) year, after which elections shall be held. The Commission shall elect a replacement to complete the unexpired term of any officer who resigns from such position or otherwise cannot complete the 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 of the Commission. 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 the 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 the 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 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 with any person other than staff or the attorney for the Commission prior to the deliberations on such application or appeal.

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 preparing materials for meetings, maintaining all records, preparing correspondence, preparing required reports, and obtaining experts. The Administrator shall 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 Regular Meetings. Meetings shall occur at least every other 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 of 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 when 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 that, 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 of the Commission. 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 regular 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 affirmative vote of the simple majority of the Members present at the time of 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 Agenda for the Historic Preservation Commission regular meetings shall be limited to one (1) demolition permit application and two (2) additional applications that require Commission action, or as determined appropriate by the Administrator. 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 two (2) months. Any cases continued by the Commission at the request of the applicant, for any reason, shall be continued for two (2) months.

4.11 Minutes. The staff shall keep minutes of all Commission proceedings. 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 Commission 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 of those Commission 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 Commission and a tie vote is obtained, the motion Commission's action becomes a nullity, and the matter shall be automatically carried over for consideration at the Commission's next meeting as unfinished business. Provided, however, the Commission shall hold a special meeting, if necessary, in order to take final action on an application prior to the expiration of any time limit.

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. The bonafide owner or the authorized agent of the owner of a specific piece of real property may submit an application 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 Content. Prior to being heard, applications shall be consistent with the Land Development Code.

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

6.5 Revisions. If a revision is submitted following the public notice, the request shall be continued two (2) months.

## 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 agent fails to appear, the application shall be continued for two (2) months. 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 Chairman.

7.3.2 Swearing in by the staff of all applicants, owners and witnesses.

7.3.3 Order and time allotment for the presentation shall be as provided for each application type.

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 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 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, or denying 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 presentation documents to staff at least twenty-four (24) hours prior to the public hearing.

7.3.11 Individual members of the public, when speaking during a public hearing, shall be limited to three (3) minutes each.

7.3.12 During a public hearing, 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, subject to the determination of the Administrator.

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 RECOMMENDATIONS TO CITY COUNCIL OR OTHER AGENCIES

Order and time allotment for hearing:

8.1 The staff shall briefly introduce the application.

8.2 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.

8.3 Staff shall have thirty (30) minutes to present its staff report.

8.4 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.

8.5 Members shall have an opportunity to ask questions on the application.

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

8.7 The public hearing shall be closed, and Members will have discussion.

8.8 A Member will make a motion to recommend approval or denial of an application.

## 9.0 HEARINGS ON ALL OTHER APPLICATIONS

Order and time allotment for hearing:

9.1 The staff shall briefly introduce the application.

9.2 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.

9.3 Staff shall have thirty (30) minutes to present its staff report.

9.4 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.

9.5 Members shall have an opportunity to ask questions on the application.

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

9.7 The public hearing shall be closed, and Members will have discussion.

9.8 A Member will make a motion to approve, approve with conditions, or deny the application.

**10.0 DESIGN STANDARDS.**

The procedure for recommendation to the City Council for the adoption of design standards for a new historic district and for revision of design standards for an existing historic district shall be as set forth in Article IX of the City of Tampa Code, and as follows:

10.1 New Historic District. The Commission shall notify the property owners in a new district of its intent to recommend adoption of design standards for that district and shall request comments from the owners and other interested persons. Draft standards will be available at the time the district is recommended for designation. Drafts of the proposed design standards shall be available for review.

The Commission shall hold at least one (1) public hearing to hear comments on the proposed design standards. Notice of the public hearing shall be sent to each property owner in the district, in accordance with section 27-149(b)(2)(a), and to each participating organization, in accordance with section 27-149(b)(2)(c). After receiving public comments and the applicable regulatory Commission comments on the proposed design standards at the public hearing(s), the Commission will at a regularly scheduled public hearing make a recommendation to City Council to adopt, or adopt with changes, the proposed design standards.

10.2 Existing Historic District. The Commission shall periodically review the design standards for each district. The Commission shall at the time of any major change to the design standards for the district, conduct a public hearing with notice given to the property owners within that district. Notice of the public hearing shall be sent to each property owner in the district, in accordance with section 27-149(b)(2)(a), and to each participating organization, in accordance with section 27-149(b)(2)(c). After receiving the public comments and the applicable regulatory Commission comments on the design standards at the public hearing, the Commission may at a regularly scheduled public hearing

recommend to City Council to adopt, or adopt with changes, the proposed revisions to the design standards.

Notwithstanding the above, the Commission may recommend minor changes to the design standards at any time the Commission deems appropriate after obtaining the recommendation of the applicable regulatory Commission. Minor changes are defined as any changes made to the existing design standards for the following purposes:

10.2.1 Clarification or correction of unintentional errors;

10.2.3 Implementation of changes necessitated by changes in federal, state, or local legislation; or

10.2.4 Adaptation for modern technologies.

Minor changes will be adopted by the HPC at its regular meeting after review and discussion of the proposed minor changes at a previous regular meeting. The Commission shall seek comments from all appropriate staff regarding any proposed changes (major or minor) to the design standards.

## 11.0 MISCELLANEOUS

11.1 Rule Changes. These Rules may be amended 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 of the Commission.

*Approved by a unanimous vote of the Historic Preservation Commission at its September 17, 2024, meeting.*