

**ARCHITECTURAL REVIEW COMMISSION  
RULES OF PROCEDURE  
ADOPTED February 8, 2016**

1 **1.0 COMMISSION NAME; CITATION**  
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3 **1.1** The name of this Commission is the City of Tampa Architectural Review  
4 Commission, hereinafter referred to as the “Commission.”  
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6 **1.2** The rules of procedure of the Commission shall be cited as the “Rules.”  
7 For procedures not covered by the Rules, the Commission shall follow the  
8 rules set forth in the current edition of Robert’s Rules of Order, except that  
9 the Robert’s Rules of Order that allow reconsideration and rescission of  
10 motions granting or denying applications shall not apply.  
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12 **2.0 MEMBERS; OFFICERS; ELECTIONS; TERMS OF OFFICERS; DUTIES**  
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14 **2.1 Members.** The Commission shall consist of seven (7) members appointed  
15 by the Mayor and City Council. The composition and terms of which are  
16 set forth in City of Tampa Code Section 27-112.  
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18 **2.2 Alternate Members.** Two alternate members shall be appointed as  
19 provided in City of Tampa Code, Section 27-112. Alternate members  
20 shall sit only when a member is unable to attend a meeting of the  
21 Commission.  
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23 **2.3 Officers.** Officers of the Commission shall be Chair and Vice-Chair.  
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25 **2.4 Elections.** At the first regularly scheduled meeting in April, Commission  
26 members shall make nominations for the election of Chair and Vice-Chair.  
27 A majority vote of the Commission members present shall elect the two  
28 officers.  
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30 **2.5 Terms of Officers.** The Chair and Vice-Chair shall hold office for a  
31 period of one year. The Commission shall elect a replacement to complete  
32 the unexpired term of any officer who resigns from such position or  
33 otherwise cannot complete his or her term of office.  
34

35 **2.6 Duties of Officers.** The Chair shall preside at all meetings of the  
36 Commission. If the Chair is absent, the Vice-Chair shall preside at the  
37 meeting.  
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39 **2.7 Chair Pro Tem.** In the event both the Chair and Vice-Chair are absent, a  
40 Chair Pro Tem shall be elected at that hearing, and shall preside at the  
41 meeting until such time as the Chair or Vice-Chair presents himself or  
42 herself.  
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44 **2.8 Applications, Appeals, or Recommendations Involving Member.** In  
45 accordance with applicable Florida Statutes

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(Chapter 112) and City of Tampa Code (Chapter 2, Art. VIII), no Commission member shall appear before the Commission on behalf of any person other than himself or herself.

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

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

**2.10 Familiarity with laws.** Each member of the Commission shall be thoroughly familiar with all statutes, laws, codes and Rules relating to the Commission.

**3.0 ADMINISTRATOR; COMMISSION ATTORNEY**

**3.1 Administrator.** The Administrator shall have the duties as described in City of Tampa Code Chapter 27-112(e).

**3.2 Commission Attorney.** The City Attorney's office shall provide the legal advisor to the Commission.

**4.0 MEETINGS; CONDUCT OF MEETING**

**4.1 Scheduling of regular meetings.** The Commission shall meet at least once a month at a regularly scheduled time. Additional meetings may be called by the Chair or upon the request of four (4) Commission members.

**4.2 Workshop.** A workshop shall be held for the purpose of informing the Commission on a special matter of concern but not on any specific application, appeal, or recommendation.

No official action by the Commission may be taken during the workshop.

**4.3 Designation of another meeting place.** In the event that it is impossible or impractical to meet in the Council Chambers, the Chair 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 City Clerk.

**4.4 Cancellation of meetings.** Prior to a meeting, whenever it is determined that there is no business for the Commission or that there are not members

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1 available to establish a quorum, the Chair may dispense with a regular  
2 meeting by giving notice to all the members not less than twenty-four  
3 hours prior to the time set for the meeting.  
4

5 **4.5 Quorum.** A quorum shall consist of four (4) members of the  
6 Commission.  
7

8 No meeting shall commence or continue unless a quorum is present. After  
9 a reasonable period of time has elapsed and a quorum is not present, all  
10 remaining matters on the agenda shall be rescheduled for the next meeting.  
11

12 **4.6 Order of Business.** The order of business shall be by Agenda. Changes  
13 to the Agenda may be made by motion and affirmative vote of the  
14 majority of the members present at the hearing.  
15

16 **4.7 Agenda.** The Agenda for each regular meeting shall be limited to seven  
17 (7) new applications and no more than three (3) previously continued  
18 applications.  
19

20 **4.8 Minutes.** The staff shall keep minutes of all Commission proceedings.  
21 The minutes shall show the vote of each member on each question, or if a  
22 member is absent or fails to vote because of potential conflict of interest,  
23 indication of such fact. The minutes of each meeting shall be filed in the  
24 Architectural Review and Historic Preservation office and shall be public  
25 record.  
26

27 **4.9 Reading and Amending of Minutes.** Minutes from the previous  
28 Commission meeting need not be read unless the reading is requested.  
29

30 **5.0 VOTING AND ABSTENTION**  
31

32 **5.1 Votes Required as to Certain Measures.** A simple majority vote of  
33 those Commission members present shall be required for approval and  
34 denial of applications, appeals, and recommendations. The person acting  
35 as Chair at the meeting may vote on any motion.  
36

37 **5.2 Tie Vote.** When a matter is considered by the Commission and a tie vote  
38 is obtained, the Commission's action becomes a nullity, and the matter  
39 shall be automatically carried over for consideration at the Commission's  
40 next meeting as unfinished business.  
41

42 **5.3 Abstention.** In accordance with applicable Florida Statutes (Chapter 112)  
43 and City of Tampa Code (Chapter 2, Sec. 2-519.), any Commission  
44 member who has a conflict of interest due to a "special private gain" must  
45 abstain and file any required documents.

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2 **6.0 APPLICATIONS AND RECOMMENDATIONS, GENERAL**  
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4 **6.1 Applicants.** Only the bona fide owner or authorized agent of the owner,  
5 of a specific piece of real property may apply for a Certificate of  
6 Appropriateness, Ad Valorem Tax Exemption, or variance.  
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8 **6.2 Form of Applications.** Applications to the Commission shall be made in  
9 the form prescribed by the City of Tampa.  
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12 **7.0 HEARINGS ON APPLICATIONS AND RECOMMENDATIONS,**  
13 **GENERAL**  
14

15 **7.1 Appearance by Applicant.** The applicant or his or her authorized agent  
16 shall appear in support of the application at the public hearing. If the  
17 applicant or authorized agent fails to appear, the Commission may allow  
18 the application to be carried over to the next available Agenda.  
19

20 **7.2 Who May be Heard.** Any interested person, firm, or corporation may  
21 appear in person, or by agent or attorney.  
22

23 **7.3 Hearing Procedures, General:**  
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25 **7.3.1** Call to order by the Chair.  
26

27 **7.3.2** Swearing in of all persons who will be testifying and/or presenting  
28 evidence to the Commission.  
29

30 **7.3.3** Order and time allotment for the presentation shall be as provided  
31 for each application type. In the event more than one application is  
32 filed and heard in the same evening, (i.e., a variance application  
33 and a certificate of appropriateness application), the time limits  
34 shall be the greatest amount of time allowed for one of the  
35 applications.  
36

37 **7.3.4** The time limitations for speaking or presentations may be waived  
38 by a majority vote of the Commission members present for good  
39 cause shown.  
40

41 **7.3.5** The Commission may question witnesses as it feels necessary.  
42 The Commission Attorney may question witnesses to assist the  
43 Commission.  
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45 **7.3.6** The Chair may call to order any person before the Commission

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1                   who is deemed out of order. Such a person who fails to comply  
2                   with said request shall be asked to leave by the Chair. The Chair  
3                   may request security assistance as may be required.  
4

5                   **7.3.7** Voting may be postponed only if necessary to allow the  
6                   Commission to obtain additional evidence before making a  
7                   decision. The Commission shall state what additional testimony is  
8                   needed and the matter will be continued, unless otherwise  
9                   specified, to the next available Agenda.

10  
11                   **7.3.8** The Commission shall orally issue an order granting or denying the  
12                   application. If the application is denied, the Commission shall  
13                   state the applicable portions of the City of Tampa Code as the basis  
14                   for the denial of the application. Said order shall be reduced to  
15                   writing and furnished to the applicant.

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17                   **7.4 Effect of Approval.** The Architectural Review and Historic Preservation  
18                   office shall transmit a letter to the applicant describing the nature of the  
19                   application approved, or the recommendation made by the Commission.  
20                   The effective date of approval shall be the date of the public hearing at  
21                   which the approval was issued.

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23                   **7.5 Effect of Denial.** The Architectural Review and Historic Preservation  
24                   office shall transmit a letter to the applicant describing the nature of the  
25                   application denied, or the basis for the recommendation of denial. The  
26                   letter shall state the applicable portions of the City of Tampa Code as the  
27                   basis for the denial of the application or the recommendation of denial.  
28                   The effective date of the denial shall be the date of the public hearing at  
29                   which the denial was reached. Denial of a Certificate of Appropriateness  
30                   or a variance application shall preclude acceptance and consideration of  
31                   any application substantially the same as the original application for a  
32                   period of twelve (12) months from the date of such denial, except as  
33                   provided in Chapter 27, Section 27-114(g) and 27-115(g) of the City of  
34                   Tampa Code.

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36                   **7.6 Review.** Any review of a Commission decision shall be in accordance  
37                   with Chapter 27 of the City of Tampa Code.

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39                   **8.0 HEARINGS ON CERTIFICATE OF APPROPRIATENESS**  
40                   **APPLICATIONS**

41  
42                   **8.1** Order and time allotment for hearing.

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44                   (1) The staff will briefly introduce the application.

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- (2) Applicants appearing before the Commission will 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 ten (10) minutes to present its staff report.
- (4) Interested persons then be given an opportunity to speak in support of, or in opposition to, the application before the Commission. Interested persons shall be limited to three (3) minutes each.
- (5) The Commission will have an opportunity to ask questions on the application.
- (6) The applicant will have five (5) minutes for final rebuttal.
- (7) The Commission will have discussion.
- (8) The Commission will make a motion to approve, approve with conditions, deny the application, or continue the application.

**9.0 HEARINGS ON VARIANCE APPLICATIONS**

**9.1 Order and time allotment for hearing.**

- (1) The staff will briefly introduce the application.
- (2) Applicants appearing before the Commission will 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 before the Commission. Interested persons shall be limited to three (3) minutes each.
- (4) The Commission will have an opportunity to ask questions on the application.
- (5) The applicant will have five (5) minutes for final rebuttal.
- (6) The Commission will have discussion.



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- 1 (4) Interested persons will then be given an opportunity to speak in  
2 support of, or in opposition to, the application before the  
3 Commission. Interested persons shall be limited to three (3)  
4 minutes each.  
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6 (5) The Commission will have an opportunity to ask questions on the  
7 application.  
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9 (6) The applicant will have five (5) minutes for final rebuttal.  
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11 (7) The Commission will have discussion.  
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13 (8) The Commission will make a motion to recommend approval,  
14 approval with conditions, denial of the application, or continue the  
15 application.  
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18 **12.0 MISCELLANEOUS**

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20 **12.1** Rule Changes. These Rules may be altered in a manner not  
21 inconsistent with the City of Tampa Code during a regular meeting by the  
22 affirmative vote of at least four (4) members of the Commission.  
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