# BY-LAWS OF THE
# TALLAHASSEE-LEON COUNTY ARCHITECTURAL REVIEW BOARD
# CITY OF TALLAHASSEE
# LEON COUNTY, FLORIDA

## ARTICLE I - NAME AND AUTHORIZATION

### A. NAME

The name of the Committee shall be the Tallahassee-Leon County Architectural Review Board, herein after referred to as the "ARB".

### B. AUTHORIZATION

The ARB exists by the authority of the Tallahassee City Commission under Section 8.6, Chapter 27, City of Tallahassee Code of Ordinances, Ordinance No. 93-0-0025, As Amended, and Leon County Board of County Commissioners under Section 10-853, Leon County Code of Laws, As Amended, and may be modified or abolished by action of the City and/or County Commissions.

## ARTICLE II - PURPOSE AND FUNCTION

### A. PURPOSE

The purpose of the ARB is to preserve the distinctive character of the historical areas and other specific structures and landmarks identified by the City or County Commissions. To accomplish this purpose, the ARB shall approve, disapprove, or require modification to plans for buildings to be erected, constructed, altered, renovated, moved or razed, as they apply to the Historic Preservation Overlay Zoning District. It may also assist the Planning Commission in determining areas suitable for the location into the Overlay Zoning District.

### B. FUNCTION

The functions of the ARB shall be to:

1. Review and make recommendations on the listing of properties on the Local Register of Historic Places;

2. Review changes, except for routine maintenance, to the exterior of properties zoned HPO, and issue or deny Certificates of Appropriateness;

3. When necessary to protect the character of property in the HPO, grant a variance in accordance with the provisions stipulated in the applicable City or County ordinance; and

4. On behalf of the City of Tallahassee and Leon County, administer the federal Certified Local Government program for historic preservation.

C. REPORTING

1. The Historic Preservation Officer or his/her designee shall complete and submit all reports as required by the Federal Certified Local Government (CLG) program.

2. The Historic Preservation Officer or his/her designee shall complete and submit an annual report to the City and County reporting on the activities and actions of the ARB. This report shall be submitted in November of each year for the previous October 1 - September 31 fiscal year.

**ARTICLE III - MEMBERSHIP**

A. MEMBERS

The ARB shall be comprised of ten members appointed by the City and County Commissions. ARB members will be selected based on their qualifications and willingness to serve. Members will be selected without regard to race, creed, national origin, age, sex or the presence of a disability. As much as possible, the ARB will be made up of an equitable representation of community residents based on race and sex according to the demographic ratio of the community. In consideration of the Americans with Disabilities Act, efforts should be made to include members with disabilities.

B. ELIGIBILITY

1. All members of the ARB shall be residents or property owners in the City of Tallahassee and/or Leon County.

2. The members of the ARB shall be selected from the following classifications:

a. Four (4) members who are owners of property zoned HPO; (two to be appointed by the City Commission and two by the County Commission);

b. Two (2) members who are members of the American Institute of Architects and whose principal place of business or residence is Leon County; (one to be

appointed by the City Commission and one by the County Commission);

c. Two (2) members from the Historic Tallahassee Preservation Board; (one to be appointed by the City Commission and one by the County Commission);

d. The Chairperson of the Tallahassee-Leon County Planning Commission; and,

e. The Director of the Tallahassee-Leon County Planning Department.

3. To the extent available, the ARB shall include owners of property as well as members from the disciplines of architecture, history, architectural history, planning, archaeology, or other fields related to historic preservation. All members shall have demonstrated special interest, experience, or knowledge in history, architecture, or related disciplines.

C. APPOINTMENTS

1. Members shall be appointed initially for a two- or three-year term to ensure staggered terms. Thereafter, members will be appointed for a three-year term. Members shall not serve more than two full consecutive terms, with the exception of the Chairman of the Planning Commission and the Director of the Planning Department.

2. It is the responsibility of the Mayor and Chair of the Board of County Commissioners to insure an appointment will occur within thirty (30) days of notification of a vacancy. If an appointment is not made within thirty (30) days by the Mayor or Commission, the ARB shall have the authority to request an appointment be agendaed for the next available Commission meeting.

D. VACANCIES

1. A member's position shall become vacant when:

a. a member is absent from 33% of the regularly scheduled meetings in a given calendar year, regardless if such absence is excused or unexcused. All absences will be duly recorded in the meeting minutes. Absences from emergency or special called meetings will not be recorded against a member in calculating the percent of absences. Special exceptions on the removal of members for absences may be made by the Chairperson of the ARB when the absences are due to health or time-limited extenuating circumstances and the absences do not affect the ability of the ARB to maintain a quorum, or

b. when a member no longer meets eligibility requirements, or

c. when a member's term expires, or

d. when a member resigns.

2. The Chair shall immediately, upon receipt of a resignation or when advised of a vacancy, notify the Community Relations Officer and the County Administrative Assistant in charge of County appointments.

3. Should a resignation be submitted to staff, they will immediately notify the Chair, the City's Community Relations Officer and the County's Administrative Assistant.

**ARTICLE IV - ORGANIZATION**

A. OFFICERS

1. The ARB shall elect from its members a Chair and Vice-Chair.

2. The Historic Preservation Officer or designee shall serve as Executive Secretary to the ARB.

3. Officers shall be elected for a term of one (1) year at the September meeting and shall assume office beginning immediately following the September meeting, except for the initial meeting of the newly appointed ARB, at which the officers shall be elected and assume office immediately.

B. QUORUM

A majority of the ARB (six members) shall constitute a quorum to hold a meeting or take any action.

C. VOTING RIGHTS

1. Each member shall be entitled to one (1) vote and shall cast that vote on each item submitted. Proxy votes and absentee ballots shall not be permitted. Members shall only abstain from a vote when there is a valid conflict of interest addressed to the ARB.

2. No ARB member shall vote in that member's official capacity on any matter which would inure to the member's special private gain; which he or she knows would inure to the special private gain of any principal by whom the member is retained, or to a parent organization or subsidiary of a corporate principal by which he or she is retained or which that member knows would inure to the special private gain of

a relative, business associate, or public officer. An ARB member shall also abstain from voting on any matter in which that member cannot fairly and objectively make a decision.

## ARTICLE V - OFFICERS AND DUTIES

### A. CHAIR

1. The Chair shall appoint chairs of all committees, standing and special.

2. It is the Chair's responsibility to ensure compliance with these bylaws, the Citizen Committee Guidelines adopted by the City Commission on June 24, 1992, <u>and Leon County Commission Policy No. 93-48, adopted August 10, 1993</u>. [Note: underlined language not included in City of Tallahassee By-laws]. The Chair will notify members of removal from the ARB for noncompliance. Specific questions of conflict of interest will be addressed by the City or County Attorney or designee.

### B. VICE-CHAIR

The vice-chair shall perform the chair's duties in the absence of the chair.

### C. REMOVAL

When an officer has been absent or has not performed the duties of that office for three consecutive meetings, that officer may be removed from office by the ARB with a majority vote at a regularly scheduled meeting.

## ARTICLE VI - ARB OPERATIONS

### A. AUTHORITY

The ARB shall have no authority other than as stipulated by the bylaws and local government ordinance and approved by the City and County Commission.

### B. MEETING SCHEDULE

The ARB will meet routinely based upon an adopted meeting schedule which will be provided to the City Community Relations Officer and County Administrative Assistant. In the event there is no business at a regularly scheduled meeting, the Chair may cancel the meeting with notification in advance by mail to ARB members. The meeting date may be changed by the Chair with notification in advance by mail to ARB members. Special meetings may be called by the Chair or by a majority of the ARB members.

All meetings, be they regular, special, canceled or changed, shall be advertised to the public by posting at City Hall and the County Courthouse. All meetings must comply with ADA requirements.

C. FLORIDA SUNSHINE LAW

All meetings will be open to the public. For advertising purposes, the ARB will provide to the City's Public Information Office and County's Administrative Assistant a schedule of their meetings and will insure agendas and minutes are available to the public in accordance with the State Sunshine Laws. The ARB must comply with Florida's Public Records and Sunshine Laws.

D. ROBERTS RULES OF ORDER

All meetings shall be conducted in accordance with Roberts Rules of Order.

## ARTICLE VII - STAFF SERVICES

A. STAFFING

The Historic Tallahassee Preservation Board will provide staff services to the ARB. Staff services will include:

1. Working cooperatively with property owners, architects and contractors to assist with the smooth processing of applications of Certificates of Appropriateness;

2. Providing a schedule of meetings to the Public Information Office and ARB members; arranging meeting locations; maintaining summary minutes of the meetings; preparing and distributing appropriate information related to the meeting agenda.

3. Informing the ARB of events, activities, policies, programs, etc. occurring within the scope of the ARB's function and informing the ARB of all City and County Commission or department requests for information or assistance.

4. Ensuring the City Community Relations Officer and County Administrative Assistant is informed of all vacancies, expired terms, changes in officers, or any other changes to the ARB and that all requests for review of applications by the ARB and any subsequent recommendations by the ARB or staff are returned in a timely manner to the Community Relations Officer and County Administrative Assistant to facilitate the appointment process.

5. The responsibility for the continuous flow of information to the appropriate appointed official including providing reports, actions, and recommendations of the ARB and notification of noncompliance by the board or chair with the bylaws or statutes.

6. The responsibility for ensuring information provided by the ARB for City or County Commission review is appropriately agendaed for the City or County Commission meetings.

B. ORIENTATION

A formal, standard orientation program will be provided by staff to all new members. The program will address, but not be limited to, the bylaws, conflict of interest, the Florida Sunshine Law, ethics violations, and stress the legal obligations and responsibilities. Staff will insure responses are provided to any concerns the new members may have regarding the duties and responsibilities of the ARB and the members.

**ARTICLE VIII - BYLAWS AND EFFECTIVE DATE**

A. CHANGES

Any changes to the bylaws will be reviewed and approved by the ARB and the City and County Commissions and filed with the Historic Tallahassee Preservation Board, Community Relations Officer and County's Administrative Assistant.

1. These Bylaws shall become effective upon adoption by the City and County Commissions.

WITNESSES:

Lynda M. Pfeumbstein

Kellie Moore

Chair, Tallahassee-Leon County Architectural Review Board

Mayor, City of Tallahassee

Chair, Leon County Board of County Commissioners

Adopted by City of Tallahassee June 8, 1994.
Adopted by Leon County Board of County Commissioners June 28, 1994.