

ORDINANCE NO. 12-42

AN ORDINANCE OF MANATEE COUNTY, FLORIDA, REGARDING HISTORIC PRESERVATION; AMENDING SECTION 306 OF THE MANATEE COUNTY LAND DEVELOPMENT CODE TO PROVIDE ADDITIONAL POWERS AND DUTIES OF THE MANATEE COUNTY HISTORIC PRESERVATION BOARD; AMENDING CHAPTER 5 OF THE LAND DEVELOPMENT CODE TO ESTABLISH SECTION 522 TO PROVIDE FOR HISTORIC LANDMARK DESIGNATION AND TO AMEND SECTION 514.3.2.4.1 TO PROVIDE A TIMEFRAME FOR DECISION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Manatee County, Florida:

Section 1. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Part II of Chapter 163, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

Section 2. Findings. The Board of County Commissioners ("Board") relies upon the following findings in the adoption of this Ordinance:

1. The Board has adopted the Manatee County Land Development Code (hereinafter, the "Code"), which applies to all property in the unincorporated area of Manatee County.
2. Section 306 of the Code establishes the Historic Preservation Board with certain powers and duties pertaining to historic preservation in unincorporated Manatee County.
3. The Board desires to participate in the certified local government program for historic preservation within unincorporated Manatee County by directing the Building and Development Services Department to perform all activities required for compliance with said program.
4. The Board desires to provide for historic landmark designation within unincorporated Manatee County by creating criteria and procedures for applications, notices, public hearings, recommendations, decisions, permits and implementation for such designation.

2/25/13
DRAFT
APPROVED
BY STATE

5. It is in the best interest of the County to amend the Code relating to historic preservation for the purpose of participation in the certified local government program and in order to provide for historic landmark designation as set forth in this Ordinance.
6. The Manatee County Planning Commission reviewed the amendments set forth in this Ordinance, found them to be consistent with the Comprehensive Plan, and recommended their adoption by the Board, on ____, 2013.

Section 3. Amendment of Section 306 of the Land Development Code. Section 306 of the Code is hereby amended as set forth in Exhibit "A" to this Ordinance.

Section 4. Amendment of Chapter 5 of the Land Development Code. Chapter 5 of the Code is hereby amended to add Section 522, as set forth in Exhibit "B" to this Ordinance.

Section 5. Amendment of Chapter 5 of the Land Development Code. Chapter 5 of the Code is hereby amended to update Section 514.3.2.4.1 to provide a timeframe for decision, as set forth in Exhibit "C" to this Ordinance.

Section 6. Repeal of Prior Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 7. Applicability. The amendments set forth in this Ordinance shall apply to all applications, decisions or controversies pending before the County upon the effective date hereof or filed or initiated thereafter.

Section 8. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held valid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 9. Codification. The publisher of the County's Code, the Municipal Code Corporation, is directed to incorporate the amendments in Sections 3 and 4 of this Ordinance into the Code.

Section 10. Effective Date. This Ordinance shall become effective as provided by law.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Manatee County, Florida, this the __ day of _____, 2013.

**BOARD OF COUNTY COMMISSIONERS OF
MANATEE COUNTY, FLORIDA**

By: _____

Chairman

ATTEST: R.B. SHORE
Clerk of the Circuit Court

By: _____
Deputy Clerk

R

ORDINANCE EXHIBIT "A"
AMENDMENT OF SECTION 306
(underlined text to be added, strike-through text to be deleted)

Section 306. Historic Preservation Board.

306.1. Purpose and Intent. The Historic Preservation Board is established in order to preserve and protect Manatee County's archaeologically, historically and aesthetically significant sites, districts and zones; to encourage historical and archaeological preservation; to identify historic buildings and sites and archaeological sites in Manatee County; and to ensure ~~insure~~ appropriate preservation, restoration, renovation, development and adaptive reuse of historical buildings and archaeological sites.

306.2. Duties and Powers. The Historic Preservation Board, in addition to such other powers, duties and authority as may be set forth elsewhere in this Code, shall have the following powers and duties:

306.2.1. Maintain and update files of the Manatee County Historic Survey for the purpose of identifying and conserving those sites, districts and zones of special archeological, historic, aesthetic, architectural, cultural, social, or political value or interest. ~~It-In exercising this authority, the Historic Preservation Board shall endeavor to improve and expand the survey with additional sites, documentary information, oral histories, and other such materials as may become available; and to periodically re-evaluate the survey to determine whether changing times and values warrant recognition of new or different areas of significance. The Manatee County Historic Survey shall utilize the format provided by the Florida Master Site File (FMSF), and the Building and Development Services Department shall provide copies of all survey forms to the FMSF.~~

306.2.2. Recommend properties for designation as historic landmarks, historical and archaeological overlay districts, and historic vista protection areas in accordance with the criteria and procedures specified in this Code for each type of action. Regulate and administer properties as historic landmarks and historic landmark districts.

306.2.3. Participate in, and review nominations of landmarks to, the national register program for Florida to the greatest possible extent, ~~should the County choose to participate in the certified local government program,~~ as specified by the 1981 amendments to the National Historic Preservation Act of 1966, as amended, and by regulations and rules drafted pursuant to those amendments by the National Park Service and the Florida State Historic Preservation Office, which encourages such local participation and initiative.

306.2.4. Approve or deny Certificates of Appropriateness pursuant to Section 514 of this Code, or provide standards for administrative approval of certain Certificates of Appropriateness.

306.2.5. Recommend zoning text or atlas amendments to the Board for referral; ~~if~~

they deem feasible, to the Planning Commission.

306.2.6. Recommend to vary, waive, or supersede provisions of this Code, when appropriate as a means of encouraging significant historic preservation.

306.2.7. Recommend approval for ~~Exercise the authority to grant~~ certificates of transfer of development rights in accordance with procedures set forth by the Board.

306.2.8. Make recommendations to the Board concerning the transfer of development rights, facade easements and the imposition of other restrictions, and the negotiations of historical property contracts for the purposes of historic preservation.

306.2.9. Maintain a record of ~~unique~~ archaeologically, historically or aesthetically significant sites, districts or zones within the County and update the record through on-going historical resource surveys. The Building and Development Services Department shall provide copies of the current record to the Florida Master Site File (FMSF) and the State Historic Preservation Officer (SHPO).

306.2.10. Increase public awareness of the value of historic preservation ~~conservation~~ by developing and participating in public information programs.

306.2.11. Make recommendations to the Board concerning the utilization of grants from Federal and State agencies or private groups and individuals, and utilization of County funds to promote the preservation of archaeologically, historically and aesthetically significant sites, districts and zones.

306.2.12. Evaluate and comment upon decisions of other public agencies affecting the physical development and appearance of archaeologically, historically and aesthetically significant sites, districts and zones.

306.2.13. Contact public and private organizations and individuals and endeavor to arrange intervening agreements and/or actions to ensure preservation of archaeologically, historically or aesthetically significant sites, districts and zones for which demolition or destruction is proposed.

306.2.14. Recommend and approve placement of historic markers and plaques and issue recognition to designated historic landmarks, historical and archaeological overlay districts, and historic vista protection areas within Manatee County and those persons, organizations or entities deserving of recognition in the field of archeological, historic or aesthetically significant site preservation.

306.2.15. Advise the Board on all matters related to the use, administration and maintenance of County-owned designated historic landmarks, historical and archaeological overlay districts, and historic vista protection areas.

306.2.16. Review and approve all projects and construction requiring Certificates

of Appropriateness issued by the Historic Preservation Board pursuant to Section 514 within the Historic Vista Protection Areas.

306.2.17. Recommend to vary, waive or supersede provisions of this Code the building and other codes, to the appropriate agencies, when appropriate as a means of encouraging significant historic preservation. Request that the appropriate agencies or departments investigate alternative methods so that health, building, fire and barrier free code related alterations required by the Florida Building Code, Florida Fire Prevention Code, Florida Americans with Disabilities Accessibility Implementation Act, and state health code are done in a manner to preserve character-defining spaces, features and finishes.

306.2.18. Adopt regulations which would allow administrative review by the Building and Development Services Planning Department without further review by the Historic Preservation Board for certain Certificates of Appropriateness so designated by the Historic Preservation Board.

306.2.19. Establish criteria for administrative review of Certificates of Appropriateness which are consistent with criteria established for Historic Preservation Board review of Certificates of Appropriateness.

~~306.2.20. Any other function which may be designated by the Board.~~

306.2.20~~21~~. Review and approve any variance regarding floodplain elevation of structures that requires approval by the Historic Preservation Board pursuant to Sections 509.3 and 604.6 within the Cortez Fishing Village Historical and Archaeological Overlay District.

306.2.21. Subject to availability and appropriation of funds and advance approval by the Board, attend local, state and national information or education meetings, workshops and conferences when such attendance is relevant to the duties of the Historic Preservation Board.

306.2.22. Any other function which may be designated by the Board.

The Historic Preservation Board is authorized to exercise the foregoing powers throughout unincorporated Manatee County. The responsibilities assigned to the Historic Preservation Board pursuant to this Section 306 shall be complementary to the Historic Preservation Office of the State of Florida.

306.3. Membership and Meeting.

306.3.1. Establishment. A Historic Preservation Board is hereby established which shall consist of ~~seven (7) or~~ five (5) members appointed by the Board of County Commissioners. ~~The number of members shall be established by resolution of the Board of County Commissioners.~~

306.3.2. Qualifications. Members of the Historic Preservation Board shall be qualified residents ~~electors~~ in Manatee County who have knowledge of

archaeological, historical or architectural development or have deep concern for the preservation, development and enhancement of historic resources in the County. The Historic Preservation Board shall, whenever possible, be composed of professional members from individuals with the following disciplines background: architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, landscape architecture, and or historic preservation or related disciplines, plus two (2) at-large members. In the event there are insufficient professionals in the County, lay persons who have demonstrated special interest, experience or knowledge in history, architecture or related disciplines shall comprise the balance of the Historic Preservation Board. **[VERIFY PROFESSIONAL QUALIFICATIONS STANDARDS.]**

306.3.3. Terms of Office. The term of office of the Historic Preservation Board members shall be for four (4) years. Not more than two (2) of such members' terms shall expire in any one (1) year. A member whose term expires shall continue to serve until his or her successor is appointed.

306.3.4. Removal from Office. Any member of the Historic Preservation Board may be removed from office by a majority plus one (1) vote of the full membership of the Board following a hearing by the Board. In the event that any member is no longer a qualified elector or is convicted of a felony or any offense involving moral turpitude while in office, the Board shall terminate the appointment of such person as a member of the Historic Preservation Board.

306.3.5. Officers. The Historic Preservation Board shall annually elect a Chairman and Vice Chairman from among its members and may create and fill such other offices as necessary. Terms of all offices shall be for one (1) year with eligibility for re-election.

306.3.6. Vacancies. Whenever a vacancy occurs on the Historic Preservation Board, the Board shall fill such vacancy for the remainder of the term. The Board shall attempt to appoint new members within sixty (60) days of the date of any vacancy, subject to availability of qualified individuals.

306.3.7. Quorum. Except as provided in this Section, no meeting of the Historic Preservation Board shall be called to order, nor shall any business be transacted by the Historic Preservation Board, without a quorum consisting of at least three (3) members of the Historic Preservation Board being present. ~~A seven-member board shall require a four-person quorum, and a five-member board a three-person quorum.~~ The Chairman shall be considered and counted as a member. When there is no quorum, those members of the Historic Preservation Board who are present may convene for the purposes of continuing a public hearing or scheduling a special meeting.

306.3.8. Meetings. Regular meetings of the Historic Preservation Board shall be held as necessary, with at least one (1) meeting held every three (3) months. Meetings may be called by the Chairman of the Board, the Chairman of the

Historic Preservation Board, a majority of the members of the Historic Preservation Board, a majority of the Board, or the County Administrator or his or her designee. If consideration of a matter is postponed for any reason due to lack of a quorum, the Chairman of the Historic Preservation Board may shall continue the matter to meeting as a special meeting or to be held within seven (7) working days thereafter. In the case of delays caused by other reasons, the meeting should be rescheduled the matter to the next Historic Preservation Board meeting. The Building and Development Services Department Planning Director shall notify all Historic Preservation Board members of the date of any the continued meeting. A public notice and the agenda for each Historic Preservation Board meeting shall be advertised in a newspaper of general circulation in Manatee County at least thirty (30) calendar days before the meeting. Meeting agendas shall include information required by the rules of procedure.

306.3.9. Attendance. Historic Preservation Board members shall be removed from office by the Building and Development Services Director for failure to attend three (3) successive meetings, excluding workshop meetings, or when a member's absences exceed 25% of all scheduled meetings, including workshop meetings, in a calendar year if the absence is not approved by the Board for cause. Any member who fails to attend a meeting during at least 75% of the time the meeting is in session shall be considered not to have attended the meeting.

306.3.109. Rules of Procedure. The Historic Preservation Board shall, by majority vote of the entire membership, adopt written rules of procedure as may be necessary for the transaction of its business. In any proceeding deemed quasi-judicial under this Code, the Historical Preservation Board shall adhere to the procedures established pursuant to this Code, and any additional procedures established by resolution of the Board. The Chairman shall appoint members of the various committees established by the Historic Preservation Board.

306.3.1140. Public Meetings. All meetings of the Historic Preservation Board and its committees shall be public meetings and conducted in accordance with the applicable rules of procedure.

306.3.1244. Vote. No action of the Historic Preservation Board shall be valid unless authorized by a majority vote of the quorum membership present. The Historic Preservation Board members shall be subject to Chapter 112, Part III, Florida Statutes.

306.3.1342. Clerk Records. The Clerk of Circuit Court, in his or her capacity as Clerk to the Board of County Commissioners, shall likewise serve as Clerk to the Historic Preservation Board. The Clerk shall keep minutes of all Historic Preservation Board proceedings, including evidence presented, the names of all witnesses giving testimony, findings of fact by the Historic Preservation Board and the vote of each member, or if absent, or, failing to vote, such fact. The Clerk shall be the custodian of the official record of the Historic Preservation Board and shall keep indexed records of all Resolutions, Certificates of Appropriateness, variances, transactions, findings and determinations.

306.3.14. Records. All such records of the Historic Preservation Board, including but not limited to historic survey files and rules of procedure, shall be official public records and shall be open to the public in accordance with Chapter 119, covered by all Florida Statutes, pertaining to public records.

306.4. Appeals. Any aggrieved person, including Manatee County, may file a petition for review of appeal any final decision of the Historic Preservation Board to the Circuit Court. Such petition An appeal shall be filed within thirty (30) days of the decision to be reviewed appealed.

306.5. Staff. The Building and Development Services Department shall provide staff to the Historic Preservation Board for the performance of its duties and powers. Subject to availability and appropriation of funds, the County may enter into contracts to obtain additional expertise to the Building and Development Services Department in considering national register nominations when a professional discipline is not represented as a member of the Historic Preservation Board.

306.6. Certified Local Government Program. The Building and Development Services Department shall perform all activities required for compliance with the Certified Local Government Program administered by the State Historic Preservation Officer ("SHPO"). The Building and Development Services Department shall provide written notice to the SHPO the next business day following the approval of any new historic landmark designation or alteration of any existing historic landmark designation. The Building and Development Services Department shall provide written notice to the SHPO no later than thirty (30) calendar days after any of the following events:

1. Changes in Historic Preservation Board membership.
2. Amendment of regulations governing the Historic Preservation Board; provided, however, that the SHPO shall review and approve any amendments prior to adoption by the Historic Preservation Board.

306.7. Reporting. The Building and Development Services Department shall provide duplicates of all documents to the SHPO and maintain written records verifying receipt of documents by the SHPO.

306.7.1. The Building and Development Services Department shall submit advance written notice of each Historic Preservation Board meeting to the SHPO at least thirty (30) calendar days before each meeting.

306.7.2. The Building and Development Services Department shall submit proposed amendments to any ordinance governing the Historic Preservation Board to the SHPO at least thirty (30) calendar days before the meeting at which such amendments will be considered; provided, however, that no amendments shall be adopted by the Historic Preservation Board until after the SHPO has reviewed and approved such amendments.

306.7.3 The Building and Development Services Department shall submit draft minutes of each Historic Preservation Board meeting to the SHPO no later than

thirty (30) calendar days after each meeting.

306.7.4. The Building and Development Services Department shall submit approved minutes of each Historic Preservation Board meeting to the SHPO no later than thirty (30) calendar days after each meeting at which such minutes were approved.

306.7.5. The Building and Development Services Department shall submit written records of attendance by Historic Preservation Board members at each Historic Preservation Board meeting to the SHPO no later than thirty (30) calendar days after each meeting.

306.7.6. The Building and Development Services Department shall submit written records of attendance by the public at each Historic Preservation Board meeting to the SHPO no later than thirty (30) calendar days after each meeting.

306.7.7. The Building and Development Services Department shall submit an annual written report to the SHPO no later than November 1 of each year covering the time period from the previous October 1 through September 30. The annual report shall include the following information:

1. A copy of the rules of procedure for the Historic Preservation Board;
2. A copy of the historic preservation ordinance;
3. Resumes of all Historic Preservation Board members;
4. Changes to the membership of the Historic Preservation Board;
5. The total number of projects reviewed by the Historic Preservation Board;
6. A review of survey and inventory activity with a description of the system used;
7. New historic landmark designations;
8. New listings on the National Register of Historic Places; and
9. A report of all grant assisted activities.

ORDINANCE EXHIBIT "B"
AMENDMENT OF CHAPTER 5 TO ESTABLISH
SECTION 522

Section 522. Historic Landmark Designation.

522.1. Authority. The Historic Preservation Board shall have the authority to recommend to the Board that sites, structures, objects or districts be granted historic landmark designation and be listed in the National Register of Historic Places. The Board shall have final authority for such designation and listing. The members of the Historic Preservation Board are encouraged to participate in survey and planning activities of the County in the manner and to the extent permitted under applicable law.

522.2. Purpose. The purpose of historic landmark designation and listing in the National Register of Historic Places is to maintain a list of sites, structures, objects and districts that are significant to the history of the County. Landmark designation also provides recognition to property owners for their efforts in preserving the heritage of the County.

522.3. Criteria. A site, structure, object or district may be considered for historic landmark designation and listing in the National Register of Historic Places if it is significantly associated with the history, architecture, archaeology, engineering or cultural heritage of the County. A site, structure, object or district must also have integrity in at least two (2) of the following attributes: location, design, setting, materials, workmanship, feeling and association. In addition to attributes of integrity, a site, structure, object or district must meet one (1) or more of the following criteria to be considered for historic landmark designation and listing in the National Register of Historic Places: **[VERIFY DESIGNATION CRITERIA IN NATIONAL HISTORIC PRESERVATION ACT.]**

1. The site, structure, object or district is listed in the National Register of Historic Places.
2. The site, structure, object or district is associated with events that have made a significant contribution to broad patterns of local, regional, state or national history.
3. The site, structure, object or district is associated with the lives of persons significant in local, regional, state, or national history.
4. The site, structure, object or district embodies the distinctive architectural characteristics of a type, period or method of construction, or represents the work of a master builder, architect or designer, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
5. The site, structure, object or district has yielded or is likely to yield important archeological information related to history or prehistory.

6. The site, structure, object or building has been removed from its original location but is significant primarily for its architectural value or is the only surviving site, structure, object or building significantly associated with a historic person or event.
7. The site is a cemetery which derives its primary significance from age, distinctive design features, or association with historic events or cultural patterns.

522.4. Procedures. Historic landmark designation and listing in the National Register of Historic Places shall comply with the requirements and procedures set forth in this subsection. [VERIFY DESIGNATION PROCESS IN NATIONAL HISTORIC PRESERVATION ACT.]

522.4.1. Applicant. An application for historic landmark designation and listing in the National Register of Historic Places shall be filed by the property owner.

522.4.2. Application. The applicant shall complete an application form provided by the Building and Development Services Department and submit the application form and documentation to the Building and Development Services Department. The applicant shall pay a fee in an amount established by the Board at the time the application for historic landmark designation and listing in the National Register of Historic Places is submitted. The Building and Development Services Department shall determine when an application is complete and may request additional information if the application is determined to be incomplete.

522.4.2.1. Each application shall contain the following information:

1. A written description of the architectural, historical or archaeological significance of the proposed site, structure, object or district referring to the criteria set forth in subsection 522.3 above. The written report shall state the qualifications of the site, structure, object or district for historic landmark designation and listing in the National Register of Historic Places;
2. The date of construction of the site, structure, object or district;
3. The notarized signatures of the property owners requesting the historic landmark designation and listing in the National Register of Historic Places;
4. Photographs of the site, structure, object or district; and
5. The legal description and a map of the property encompassing the site, structure, object or district.

522.4.2.2. An application for a historic district shall include the following additional information:

1. Evidence of approval of the historic district designation from the owners of two-thirds of the properties within the proposed district boundaries or from the owner or owners of two-thirds of the land area within the proposed district boundaries;
2. A written description of the boundaries of the proposed historic district; and
3. A list of contributing and non-contributing sites, structures and objects within the proposed district boundaries.

522.4.3. Notices. All notices relating to applications for historic landmark designation and listing in the National Register of Historic Places shall be published, mailed and posted not less than thirty (30) calendar days and not more than seventy-five (75) calendar days prior to any public hearing by the Historic Preservation Board or the Board. Notice of public hearing shall be published in compliance with the requirements of subsection 502.7 and paragraph 502.7.2 of this Code. Notice shall be mailed by the applicant to all owners of the proposed site, structure or object or all property owners within the proposed district boundaries, any persons representing the owners of the proposed site, structure or object or any persons representing any property owners within the proposed district boundaries, and all property owners located within 1,000 feet of the proposed site, structure, object or district in compliance with the requirements of subsection 502.7.3 of this Code. Notice shall also be posted by the applicant on the property where the proposed site, structure or object is located and on the right-of-way of all roads and streets which enter the boundaries of the proposed district in compliance with the requirements of paragraph 502.7.4 of this Code. The applicant shall pay all costs for publishing, mailing and posting the notices required by this paragraph. [VERIFY NOTICE REQUIREMENTS IN NATIONAL HISTORIC PRESERVATION ACT.]

522.4.4. Recommendation. The Historic Preservation Board shall hold a public hearing on an application for historic landmark designation and listing in the National Register of Historic Places within ninety (90) days after the Building and Development Services Department determines that such application is complete, provided that notices have been published, mailed and posted as required by paragraph 522.4.3 above. The Building and Development Services Department shall prepare a written analysis and report for the public hearing. The public hearing by the Historic Preservation Board shall be conducted in accordance with subsection 306.3 of this Code. In addition, the requirements of paragraph 504.7.1 of this Code shall also apply to any public hearing conducted by the Historic Preservation Board. The applicant, local officials, property owners and the public shall have an opportunity to present testimony and evidence supporting or

objecting to the proposed historic landmark designation and listing in the National Register of Historic Places. Any property owner who objects to the proposed historic landmark designation and listing in the National Register of Historic Places must submit a written statement containing his or her notarized signature. At the conclusion of the public hearing, the Historic Preservation Board shall vote whether to recommend the proposed site, structure, object or district for historic landmark designation and listing in the National Register of Historic Places.

522.5. Decision. Following a recommendation by the Historic Preservation Board on an application for historic landmark designation and listing in the National Register of Historic Places, the Board shall hold a public hearing on the application. The requirements of paragraph 504.7.2 of this Code shall apply to any public hearing conducted by the Board. At the conclusion of the public hearing, the Board may approve or deny the recommendation of the Historic Preservation Board or may continue the public hearing and defer a decision if adequate information is not available. In the event of continuation and deferral, the Board shall reopen the public hearing and consider the recommendation of the Historic Preservation Board at the earliest opportunity after adequate information is made available. The Building and Development Services Department shall notify each applicant, property owner, person representing any property owner and person who received notice as required by paragraph 522.4.3 above of the Board's decision relating to the property in writing no later than thirty (30) days after the Board meeting.

522.6. Permits. The Building and Development Services Department may issue a development order or permit for any property without a Certificate of Appropriateness if the Board denies a recommendation by the Historic Preservation Board on an application or if an applicant withdraws an application for historic landmark designation and listing in the National Register of Historic Places before a decision is made by the Board. Following approval by the Board of a recommendation by the Historic Preservation Board on an application for historic landmark designation and listing in the National Register of Historic Places, the Building and Development Services Department shall not issue a development order or permit for any exterior alteration, new construction, demolition, or relocation on the property or within the district which is the subject of the application until a Certificate of Appropriateness is approved in compliance with Section 514 of this Code.

522.7. Implementation. If the Board approves the recommendation of the Historic Preservation Board relating to the site, structure, object or district, the Building and Development Services Department shall take appropriate action to implement the historic landmark designation and listing in the National Register of Historic Places.

522.7.1. The Building and Development Services Department shall be authorized to issue a permit for a sign or plaque identifying any site, structure, object or district approved with a historic landmark designation, provided that the owner of the site, structure or object or any property owner within the district submits an application and pays a fee established by the Board for a sign permit and provided that the sign or plaque is constructed or installed in compliance with this Code

and the Florida Building Code.

522.7.2. The Building and Development Services Department shall be authorized to process applications and prepare staff reports for land development incentives to preserve any site, structure, object or district approved with a historic landmark designation, including but not limited to, variances, transfer of development rights, and conditional use permits, provided that the owner of the site, structure or object or any property owner within the district submits an application, pays a fee established by the Board, and complies with all requirements and procedures for such actions set forth in this Code.

522.7.3. The Building and Development Services Department shall not issue a permit for demolition, alteration, relocation or construction activities on any site, structure or object or within any district approved with a historic landmark designation except in compliance with a Certificate of Appropriateness issued pursuant to Section 514 of this Code.

522.7.4. The Building and Development Services Department shall list any site, structure, object or district approved with a historic landmark designation in the National Register of Historic Places.

522.7.5. The Building and Development Services Department shall update the complete listing of the National Register of Historic Places for the Manatee County Comprehensive Plan, as amended.

ORDINANCE EXHIBIT "C"
AMENDMENT OF CHAPTER 5 TO PROVIDE TIMEFRAME FOR CONTINUANCE
SECTION 514.3.2.4.1

514.3.2.4.1 The Historic Preservation Board may approve, deny or continue a decision for a period not to exceed one (1) year ~~defer taking action on an application for a request~~ Certificate of Appropriateness for demolition in order to:

a. Contact interested individuals and organizations for assistance in seeking an alternative to demolition; or

b Allow an applicant to supply additional information as requested by the Historic Preservation Board which may include, but is not limited to, evidence showing that plans for a new building on the site will be implemented.

APPENDIX A

PROFESSIONAL QUALIFICATIONS STANDARDS

In the following definitions, a year, of full-time professional experience need not consist of a continuous year of full-time work but may be made up of discontinuous periods of fulltime or part-time work adding up to the equivalent of a year of full-time experience. Those Commission members in historic preservation-related disciplines shall have educational backgrounds and experience comparable to the qualifications required for the disciplines below. These will be updated as appropriate if the Secretary of the Interior's Historic Preservation Professional Qualification Standards change.

- A. History.** The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of the following:
1. At least two years of full-time experience in research, writing, teaching, interpretation or other demonstrable professional activity with an academic institution, historical organization or agency, museum, or other professional institution; or
 2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.
- B. Archaeology.** The minimum professional qualifications in archaeology are a graduate degree in archaeology, anthropology, or closely related field plus:
1. At least one year full-time professional experience or equivalent specialized training in archaeological research, administration or management.
 2. At least four months of supervised field and analytic experience in general North American archaeology; and
 3. Demonstrated ability to carry research to completion.
- In addition to these minimum qualifications, a professional in prehistoric archaeology shall have at least one year of fulltime professional experience at a supervisory level in the study of archaeological resources of the prehistoric period. A professional in historic archaeology shall have at least one year of fulltime professional experience at a supervisory level in the study of archaeological resources of the historic period.
- C. Architectural History.** The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with course work in American architectural history; or a bachelor's degree in architectural history, art history, historic preservation, or closely related field plus one of the following:
1. At least two years of full-time experience in research, writing or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
 2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.
- D. Architecture.** The minimum professional qualifications in architecture are a professional degree in architecture plus at least two years of full-time professional experience in architecture; or a State license to practice architecture
- E. Historic Architecture.** The minimum professional qualifications in historic architecture are a professional degree in architecture; or a State license to practice architecture plus one of the following:
1. At least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely related field; or
 2. At least one year of full-time professional experience on historic preservation projects. Such graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.

APPLICATION FOR CERTIFICATION

Historic Preservation Review Commission Member
Background Information

Name _____

Address _____

Telephone (Home) _____
(Office) _____

Occupation _____

Please give a brief description of your demonstrated special interest, knowledge or training in fields related to historic preservation.

Historic Preservation training received (conferences, seminars attended) Date

Are you a member of:	Yes	No
The Florida Historical Society	<input type="checkbox"/>	<input type="checkbox"/>
The Florida Trust for Historic Preservation	<input type="checkbox"/>	<input type="checkbox"/>
The National Trust for Historic Preservation	<input type="checkbox"/>	<input type="checkbox"/>
_____ County Historical Society		

Other _____

APPLICATION FOR CERTIFICATION

Are you or have you ever been a member of any other government board or commission?
NO _____ YES _____ Please list and indicate term(s) of service:

APPLICATION FOR CERTIFICATION

Membership of Review Commission

	Name and Profession	Term Expires
1. Chairperson		
2. Member		
3. Member		
4. Member		
5. Member		
6. Member		
7. Member		