

Sec. 4.582. - Historic Preservation Board.

4.582.A. *Powers and duties.* There is hereby created an historic preservation board (HPB). The powers and duties of the HPB include, but are not limited to the following:

1. Recognize archaeological geo-environmental zones as identified on an archaeological survey of Martin County.
2. Designate historic sites and districts pursuant to section 4.584.
3. Approve historical markers and issue certificates of designation.
4. Establish procedures for the issuance of certificates of appropriateness and certificates to dig.
5. Recommend zoning and building code amendments to the proper authorities.
6. Promote an awareness of the benefits of historic preservation and its benefits to the community.
7. Perform periodic updates to the historic architectural survey.
8. Perform periodic updates to the archaeological survey.
9. Record and maintain records of the HPB's actions and decisions.
10. Provide an annual report to the Board of County Commissioners.
11. Review, develop, and recommend ordinances to the Board of County Commissioners that promote the preservation and rehabilitation of historic resources.
12. Seek out worthy projects for matching grants-in-aid from sources which have as their purpose the preservation for public benefit of properties that are significant in American history, architecture, archaeology, and culture.
13. Review applications for all buildings, properties and sites in unincorporated Martin County nominated for listing on the National Register of Historic Places.
14. Establish criteria and procedures for the expedited review of certain projects by staff.
15. Seek expertise on proposals or matters requiring evaluation by a professional or a discipline not represented on the HPB.
16. Provide an annual budget to the Board of County Commissioners.
17. Attend pertinent information or educational meetings, workshops and conferences.

4.582.B. *Membership, appointment qualifications, terms and removal.*

1. The HPB shall consist of nine members appointed by the Board of County Commissioners. Each member of the HPB shall be a resident of Martin County. The composition of the HPB shall consist of four designated seats and five at-large seats. There will be a representative of each of the following professions: one architect with professional or educational experience related to historic preservation; one general contractor with professional or educational experience related to historic preservation; one realtor; and one person with demonstrated

knowledge specifically related to Martin County history. The five at-large seats will be comprised of citizens who, by virtue of their profession or business, have demonstrated interest and experience in historic preservation and/or archeological resources; however, appointments shall be in the sole discretion of the Board of County Commissioners.

2. Appointments shall be for a term of four years for each member, except the initial terms for three members shall be for three years so that the terms are staggered.
3. A member's term of office shall terminate if the member ceases to be a resident of Martin County. If any member fails to attend three consecutive meetings in one year without cause or prior approval of the Chair, the HPB shall declare the member's office vacant. In addition, a member may be removed from office at the pleasure of the Board of County Commissioners. Any vacancy occurring on the HPB shall be filled by the Board of County Commissioners for the remainder of the unexpired term within 60 days.
4. Members shall be eligible for reappointment, and shall hold office until their successors have been duly appointed, unless they have been removed from office. Members of the HPB shall serve without compensation, but may receive actual and necessary expenses incurred in the performance of their official duties.

#### 4.582.C. *Officers.*

1. A chair shall be elected by the members of the HPB and shall preside at all meetings of the HPB.
2. A vice chair shall be elected by the members of the HPB and shall preside at all meetings of the HPB in the absence of the chair.
3. Election of officers shall be held annually in March.

#### 4.582.D. *Meetings.*

1. Regular meetings of the HPB shall be held as necessary to fulfill their duties, and at least quarterly.
2. Special meetings of the HPB may be called by the chair upon no less than three days' advance notice.
3. No business shall be conducted by the HPB without a quorum consisting of five members, and all business shall be conducted using Robert's Rules of Order.
4. All actions of the HPB require the affirmative vote of a majority of the members present.
5. Reasonable public notice of all HPB meetings shall be provided and such meetings shall be open to the public at all times.
6. The HPB agenda will be placed on the County's website at least 24 hours prior to the meeting at which it will be considered.
- 7.

Minutes will be taken of the HPB meetings and all meeting records made available to the public.

4.582.E. *Staffing.*

1. The County Administrator shall designate staff for the HPB.
2. The County Attorney or a designated assistant county attorney shall serve as legal advisor to the HPB.
3. The County Administrator or designee shall make recommendations to the HPB regarding zoning and planning issues, and design guidelines consistent with the Secretary of the Interior's Standards for Rehabilitation, Guidelines for Rehabilitating Historic Buildings, and Standards for the Treatment of Historic Properties. In addition, the County Administrator or designee shall administer staff review of applications for certificates of appropriateness and certificates to dig.
4. The Building Department shall identify applications for building permits submitted for buildings or structures identified on a historic sites survey. The Building Department may continue to review and evaluate any such application, but shall not issue the permit requested until notifying the applicant and the property owner of the historic significance of the building or structure and of the opportunity to apply for designation pursuant to this chapter. The Building Department may act upon any such application upon receiving written notice from the property owner that designation pursuant to this chapter will not be pursued. This notice from the property owner will be kept by the Building Department with the property records and will be considered with future applications for building permits on the building or structure without additional contact with the property owner.
5. The Building Department shall inspect all buildings and structures that have received certificates of appropriateness for compliance with the requirements of such certificates and of this chapter.
6. Nothing in this chapter shall limit the authority of the Building Official to enforce the provisions of this Code, and specifically the provisions concerning unsafe buildings or systems.
7. Staff designated to assist the HPB shall, at a minimum perform the following tasks in support of the HPB
  1. Provide duplicates of the inventory of designated historic districts, individual sites, and historic structures to the State Historic Preservation Office and make the inventory available to the public;
  2. Provide the State Historic Preservation Officer with 30 calendar days prior notice of all meetings;
  3. Prepare and submit the following to the Historic Preservation Officer within 30 calendar days of each meeting:

- a. Minutes of the meeting;
  - b. A record of attendance of the HPB; and
  - c. Public attendance figures;
- 4. Notify the State Historic Preservation Officer of the following:
  - a. Any change in HPB membership, within 30 calendar days of action; and
  - b. All new historic designations or alterations to existing designations;
- 5. Submit amendments to this division 13 to the State Historic Preservation Officer for review and comment at least 30 calendar days prior to adoption;
- 6. Prepare and submit an annual report to the State Historic Preservation officer by November 1 covering activities of the previous October 1 through September 30, and including, at a minimum, the following:
  - a. A copy of the Rules of Procedure;
  - b. A copy of this division 13;
  - c. Resume of each HPB member;
  - d. Changes to HPB membership;
  - e. New local designations;
  - f. New National Register listings;
  - g. Review of survey and inventory activity with a description of the system used;
  - h. Program report on each grant-assisted activity; and
  - i. Number of projects reviewed.

4.582.F. *Ex parte communications.* Members of the HPB shall comply with the provisions of section 1-11 of the Code of Laws and Ordinances of Martin County regarding ex parte communications when an action of the HPB is considered a quasi-judicial proceeding.

4.582.G. *Voting conflicts.* Members of the HPB shall comply with the provisions of F.S. § 112.2143, regarding voting conflicts.

4.582.H. *Financial disclosure.* Members of the HPB shall comply with the provisions of F.S. § 112.3145, regarding financial disclosure.

(Ord. No. 620, pt. 1, § 4.13.2, 8-6-2002; Ord. No. 725, pt. 1, 10-10-2006; Ord. No. 807, pt. 1, 9-9-2008; Ord. No. 893, pt. 1, 4-19-2011; Ord. No. 1109, pt. I, 9-10-2019; Ord. No. 1212, pt. I, 12-12-2023)