



Rules and Regulations Governing Procedures of the Tulsa Preservation Commission

[\(Section 75.020-G\)](#)

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RULES AND REGULATIONS GOVERNING PROCEDURES OF THE TULSA PRESERVATION COMMISSION

[\(Sec. 75.020\)](#)

Amended Effective January 1, 2016

ARTICLE I – Name

The name of the Commission shall be the Tulsa Preservation Commission (“Preservation Commission”). ([Sec. 75.020](#))

ARTICLE II – Purpose

The purpose of the Preservation Commission is to serve as the formal means provided to aid and support the development and execution of the Historic Preservation and other historic preservation related regulations of the City of Tulsa (“City”) Zoning Code.

As outlined in Section 20.020-A, the Historic Preservation Overlay Districts, other regulations related to historic preservation and the implementing role of the Preservation Commission are intended to:

- A. Promote the educational, cultural, economic and general welfare of the public through the conservation, preservation, protection and regulation of historic resources within the City of Tulsa;
- B. Safeguard the cultural, social, political and architectural heritage of the city by conserving, preserving and regulating historic preservation districts;
- C. Conserve, preserve and enhance the environmental quality and economic value of historic preservation districts;
- D. Strengthen the city’s economic base by promotion of conservation and reuse of the city’s historic resources

ARTICLE III – Membership

Membership and terms of office for persons serving on the Preservation Commission shall be consistent with the requirements of the Zoning Code Section 75.020. The term “member” as used in these Rules shall refer to a person serving on the Preservation Commission.

SECTION 1. TERM OF OFFICE

Officers of the Preservation Commission shall consist of the Chair, Vice-Chair and Secretary. The Preservation Commission shall annually elect from its members a Vice-Chair and Secretary. The Vice-Chair shall succeed the Chair during the forthcoming year. Officers shall serve until a successor has been elected and installed. ([Section 75.020-F](#))

SECTION 2. VACANCIES

Vacancies in officer positions as they may arise shall be filled in the same manner as regular election proceedings. ([Section 75.020-F](#))

SECTION 3. ELECTIONS

At the first scheduled meeting of November the Chair shall appoint a nominating committee composed of the Chair, Vice-Chair and one additional member of the Preservation Commission.

At the December meeting of the Preservation Commission the Chair shall present the report of the nominating committee and ask if there are nominations from the floor. Nominations from the floor shall be added to the slate. The Preservation Commission shall publicly cast their votes. Newly elected officers shall take office at the first meeting in January.

SECTION 4. CHAIR TO OFFICIATE MEETINGS

The Chair shall preside over all meetings of the Preservation Commission. When the Chair is absent, the Vice-Chair shall assume all duties of the Chair.

SECTION 5. CHAIR TO APPOINT COMMITTEES

The Chair shall appoint all committees found necessary to achieve the purposes and expedite the work of the Preservation Commission.

SECTION 6. DUTIES OF THE SECRETARY

The Secretary shall keep or cause to be kept full and complete minutes of all Preservation Commission meetings. The Secretary shall assume all duties of the Chair in the event the Chair and Vice-Chair are absent. In the event the Secretary is not present, the Vice-Chair or an appointee of the Chair, in that order, will assume the Secretary's duties. The duties of the Secretary shall also include those required in Article IX Section 5 of these Rules.

SECTION 7. OFFICERS PARTICIPATING IN DISCUSSIONS AND VOTING

Officers shall be entitled to participate in discussion and vote on any question before the Preservation Commission whether occupying the position of Chair or not (except where the possibility of a conflict of interest exists, as defined in [Section 75.020-K](#) of the Zoning Code.

ARTICLE IV – Rules of General Procedure

SECTION 1. ROBERTS’ RULES OF ORDER NEWLY REVISED

The latest edition of Roberts’ Rules of Order Newly Revised shall govern all Preservation Commission proceedings to which they are applicable and not in conflict with these Rules or with the Charter and Zoning Code of the City.

SECTION 2. MOTIONS TO BE SECONDED

A Second is required on motions in order to bring the question to a vote of the Preservation Commission.

SECTION 3. SIMPLE MAJORITY TO DECIDE ISSUE

Issues shall be decided by a simple majority of votes by those members present ([Section 75.020-J](#)). A member who abstains from voting on a motion shall be recorded as present but not voting for or against the motion. An abstention has the same effect as a negative vote.

SECTION 4. MOTION TO RECONSIDER

A motion to reconsider any action, except on a Historic Preservation (HP) Permit, may be made by any member of the Preservation Commission at any time during the meeting or at the next regularly scheduled meeting, provided all interested persons who appeared and spoke on the record about the matter are still present or have been notified in writing five (5) working days in advance of the next regularly scheduled meeting, where a request to reconsider is presented.

A motion to reconsider a HP Permit action must be made by a Preservation Commission member present at the same meeting the action was taken provided all interested individuals who appeared before the HP Permit Subcommittee on the matter are present.

SECTION 5. DOCUMENTS TO BE RETAINED FOR OFFICIAL RECORD

Any documents and other presentation materials submitted to the Preservation Commission, including its committees, subcommittees and staff, shall be date stamped and retained by staff and become part of the official records of the Preservation Commission.

ARTICLE V – Committees

SECTION 1. COMMITTEE APPOINTMENTS AND ASSIGNMENTS

At a Preservation Commission meeting in January or February, the Chair shall appoint members to serve on the following standing committees during the ensuing calendar year, or until a successor is appointed. The Preservation Commission may also establish any subcommittees deemed necessary to accomplish committee responsibilities.

- A. Historic Preservation Committee at the discretion of the Chair of the Preservation Commission shall be responsible for design guidelines, zoning map amendments and preliminary review of Historic Preservation (HP) Permit applications as provided in Article VI of these Rules. The Vice-Chair of the Preservation Commission or the Vice-Chair's designee shall preside over meetings of the Historic Preservation Committee and HP Permit Subcommittee.
- B. Rules and Regulations Committee at the discretion of the Chair of the Preservation Commission shall be responsible for rules of procedure, code of ethics, budget and finance and commission policies.
- C. Outreach Committee at the discretion of the Chair of the Preservation Commission shall be responsible for work programs, public relations, coordination of Preservation Commission objectives with neighborhood groups and other organizations, and related matters.

All members of the Preservation Commission shall be appointed to serve on at least one committee. The Chair of the Preservation Commission shall also appoint a chair for each standing committee. Committees may adopt their own rules.

SECTION 2. SPECIAL REQUESTS REFERRED TO COMMITTEES

All special requests coming to the Preservation Commission for consideration may be referred by the Chair to the appropriate standing committee or staff for a timely recommendation.

SECTION 3. SERVICE ON EXTERNAL COMMITTEES

Preservation Commission members may serve on other governmental or non-profit agency committees.

SECTION 4. RECOMMENDATIONS BY SIMPLE MAJORITY - ABSTENTIONS

Committee recommendations shall be decided by a simple majority of votes by those committee members present. A committee member who abstains from voting on a motion shall be recorded as present but not voting in favor or against the motion. An abstention has the same effect as a negative vote. A committee member who recuses himself or herself and leaves the room shall not be recorded as present or voting.

ARTICLE VI – Application for a Historic Preservation (HP) Permit

SECTION 1. APPLICATION FOR HP PERMIT TO COMPLY WITH ZONING CODE AND RULES

Applications for Historic Preservation Permits shall comply in all respects with the terms and provisions of the Zoning Code and these Rules.

SECTION 2. PROCEDURE FOR HP PERMIT APPLICATION

- A. Applications for a HP Permit shall be submitted to staff at the business offices of the Preservation Commission on forms established for that purpose and in compliance with [Section 70.070-D](#) of the City of Tulsa Zoning Code.
- B. Complete applications are to be submitted no later than the close of business on the seventh day preceding the next scheduled HP Permit Subcommittee meeting. When the business office is not open during the full business day, the date shall be extended to include the close of the next ensuing full business day.
- C. Applications shall not be considered complete and ready for processing until it is determined that all required information has been received and deemed complete by the Historic Preservation Officer ([Section 70.010-C\(5\)](#)).
- D. Applicants will represent themselves or appoint an agent or attorney to represent their application as indicated with their signature on the Historic Preservation Permit application or as stated in a signed letter to the Preservation Commission.
- E. When an application is forwarded from the HP Permit Subcommittee, the Preservation Commission shall consider the application at its next regularly scheduled meeting.

SECTION 3. PROCEDURE FOR STAFF APPROVALS

- A. Applications for a HP Permit shall be submitted to staff at the business offices of the Preservation Commission on forms established for that purpose and in compliance with [Section 70.070-D](#) of the City of Tulsa Zoning Code.

- B. Applications shall not be considered complete and ready for processing until it is determined that all required information has been received and deemed complete by the Historic Preservation Officer ([Section 70.010-C\(5\)](#)).
- C. The Historic Preservation Officer is authorized to staff approve HP Permit applications including replacement in-kind materials or other work as listed in Section [70.070-K](#) of the City of Tulsa Zoning Code.
- D. Staff approvals will be presented at a regular meeting of the Tulsa Preservation Commission.

SECTION 4. REVIEW BY THE HISTORIC PRESERVATION PERMIT SUBCOMMITTEE

- A. City of Tulsa recognized Neighborhood Associations located within Historic Preservation Zoning Overlay Districts may designate a District resident to serve as a liaison to the HP Permit Subcommittee. Nominations shall be made in writing, signed by the Neighborhood Association president and submitted to the Preservation Commission for confirmation. Nominations will be placed on the Preservation Commission agenda for the next available meeting. A District representative shall serve, or have served, as a liaison to the HP Permit Subcommittee no more than three annual terms, which may be extended by a vote of the Preservation Commission upon written request of the Neighborhood Association.
- B. If no active Neighborhood Association exists, a resident may submit a request in writing to serve as a liaison to the HP Permit Subcommittee to the Preservation Commission. The Preservation Commission shall make a determination of the request during a regular meeting following notification to the subject HP District. A District resident shall serve, or have served, as a liaison to the HP Permit Subcommittee no more than three annual terms, which may be extended by a vote of the Preservation Commission upon written request of the individual.
- C. If a liaison is absent for six or more meetings, the Preservation Commission may request in writing if the liaison wishes to continue on the HP Permit Subcommittee. If no response is received by the liaison in 30 days, the Preservation Commission may vote to terminate the liaison from the HP Permit Subcommittee.
- D. No action may be taken by the HP Permit Subcommittee unless two (2) members of the Preservation Commission are present.
- E. The HP Permit Subcommittee shall review applications for new construction, additions to existing structures and other complex projects, and submit recommendations to the Preservation Commission. An application may be given a preliminary and a final review by the HP Permit Subcommittee prior to forwarding a recommendation to the Preservation Commission.

- F. When the HP Permit Subcommittee reviews a HP Permit application and finds it complete, then the HP Permit Subcommittee will forward to the Preservation Commission its recommendation to approve; approve with conditions; or deny the application. Incomplete applications shall not be forwarded to the Commission for action. The HP Permit Subcommittee may forward an application without recommendation only when consensus cannot be reached.
- G. An application may be forwarded to the Preservation Commission with a proviso specifying additional conditions or information to be provided to Commission staff prior to the next meeting of the Commission.

SECTION 5. APPLICANT REQUEST FOR PRELIMINARY REVIEW

- A. Applicants, including their agent or attorney, may appear before the HP Permit Subcommittee for advice or initial review of a proposal before a formal application has been submitted.
- B. Proposals for preliminary review must be submitted to staff at the business offices of the Preservation Commission by the close of the seventh day prior to the requested meeting.
- C. Documentation presented for preliminary review must be submitted to staff prior to the requested meeting and include enough information to convey the scope of work.
- D. If an applicant chooses to proceed with a formal application, he or she shall follow the rules and procedures as outlined in Sections [70.010-C\(5\)](#) and [70.070](#) of the City of Tulsa Zoning Code.

SECTION 6. PRESERVATION COMMISSION REVIEW OF HP PERMIT APPLICATIONS

- A. In each public meeting wherein the Preservation Commission considers applications for an HP Permit, the following order of business may be followed:
 - 1. Chair will request a report from staff and from the HP Permit Subcommittee, together with the reasons the request is or is not in conformance with all applicable design guidelines and other items identified in [Section 70.070](#) of the Zoning Code.
 - 2. Chair will ask if the applicant is present and if there are any interested individuals who wish to address the Preservation Commission. All parties must sign in.
 - 3. Chair will recognize the Applicant for the purpose of hearing comments regarding the application. The Applicant will be allowed five (5) minutes for comments, which may be extended at the discretion of the Chair.

4. Chair will recognize interested individuals wishing to comment on the application. The Chair may impose a time limit for each speaker which may be extended at the Chair's discretion. Prior to addressing the Preservation Commission, interested individuals shall state their name and address for the record.
 5. The Applicant will be allowed five (5) minutes for rebuttal, which may be extended at the discretion of the Chair. If, in the Chair's opinion, the Applicant presents additional facts or information, the Chair may recognize interested individuals for rebuttal.
 6. Chair will announce the close of public discussion and open the review session for members to discuss the application.
 7. The review session shall be open to the public. No new evidence shall be admitted unless specifically authorized by the Chair.
 8. The Preservation Commission's decision shall be decided by a majority vote of the members present. ([Section 75.020-I and J](#)) A member who abstains from voting on a motion shall be recorded as present but not voting for or against the motion. An abstention has the same effect as a negative vote.
 9. The vote shall be announced.
 10. Once approved, the Historic Preservation Permit shall be issued, approved by the Chair and signed by staff.
 11. Once a Historic Preservation Permit has been approved and issued by the Preservation Commission, it cannot be revoked. Permits expire two years from the date of issue unless an extension is approved by the Preservation Commission ([Section 70.070-H](#)).
- B. Applicants may appear on their own behalf or be represented by an agent or attorney at the meeting of the Preservation Commission. If an applicant or representative does not appear at the meeting, the Preservation Commission may proceed to dispose of the matter on the record before it, or may defer the item and reschedule it at the Preservation Commission's discretion.

ARTICLE VII – Review of Zoning Map Amendments

SECTION 1. HISTORIC PRESERVATION (HP) ZONING DISTRICTS

- A. The City of Tulsa may establish, amend or repeal a Historic Preservation (HP) Zoning Overlay District according to the criteria and procedures provided in the City of Tulsa Zoning Code Sections [20.010-D](#) and [70.060](#). This process necessitates a Zoning Map Amendment. Several levels of review and public input occur throughout the process – first, by the Preservation Commission; then by the Tulsa Metropolitan Area Planning

Commission (TMAPC); and finally by the City Council. The following rules of procedure govern fulfillment of the Preservation Commission's duties in the HP Zoning Map Amendment process.

- B. In order to change boundaries of an established HP Zoning Overlay District, the applicant must follow the same procedures required to establish the district.

SECTION 2. DETERMINATION OF ELIGIBILITY, MAP AND OWNERS

- A. Upon receipt of a request for a Zoning Map Amendment for a district, the Preservation Commission and/or its staff shall determine proposed boundaries for the District based on historical context, architectural or cultural development of the area, and existing conditions, applying the criteria outlined in the City of Tulsa Zoning Code Section [70.060-J](#).
- B. When eligibility and boundaries have been established, the Preservation Commission and/or staff shall prepare or cause to be prepared an HP Zoning Map showing the boundaries of the proposed District and identifying all lots within the District.
- C. Preservation Commission staff shall procure from INCOG staff the Tulsa County Assessor's most recent list of property owners for all lots within the proposed district identified on the HP Zoning Map.

SECTION 3. PUBLIC ENGAGEMENT

- A. The Preservation Commission shall hold at least one public informational meeting and will notify all property owners within the proposed or affected District at the mailing address filed for each property with the Tulsa County Assessor and will provide notice on the Tulsa Preservation Commission Website and City Clerk's Office 20 days prior to the Preservation Commission's public hearing. Additional meetings may be held as deemed necessary by the Preservation Commission ([70.060-D](#)).
- B. If a Zoning Map Amendment of an individual property is proposed, one public informational meeting will be held at the first available Preservation Commission regular meeting after a complete application has been submitted.
- C. All meeting materials shall be provided by the Preservation Commission and may include:
 - 1. Proposed District map and list of property owners
 - 2. Explanation of HP Zoning process and HP Permit process
 - 3. Unified Design Guidelines
 - 4. Schedule of future informational meetings and date of the Preservation Commission meeting where the HP Zoning Map Amendment will be considered, if known.
 - 5. Instructions for submitting comments and questions about the proposed HP Zoning Map Amendment to the Preservation Commission.

- D. The Preservation Commission shall maintain a master list of property owners from the subject area as provided by the Tulsa County Assessor, and will make this list and the HP Zoning Map available at all public meetings. Property owners may indicate their support or opposition to the Preservation Commission in writing at public meetings or by mail or email.

SECTION 4. REPORT AND RECOMMENDATION TO TMAPC

- A. The Preservation Commission will consider the proposed HP Zoning Map Amendment at a public meeting of the Commission.
- B. The Preservation Commission and/or its staff shall prepare a report and recommendation concerning the proposed HP Zoning Map Amendment.
- C. The report and recommendation shall include
 - a. specific findings as to the need for the proposed overlay and its consistency with the Zoning Code's general purpose ([Section 1.050](#)) and whether the proposed amendment is consistent with the criteria for designation as set forth in the City of Tulsa Zoning Code [Section 70.060-J](#).
 - b. Any recommended design guidelines that will apply within the overlay.
 - c. A description of public education and outreach activities undertaken to inform property owners, residents, and tenants of the effect of proposed overlay regulations.
 - d. A map shall be prepared showing the boundaries of the proposed HP Zoning Map Amendment, including all lots therein, and identifying those properties whose owners have indicated support or opposition to such amendment.
 - e. The report, recommendation, map and other pertinent information shall be forwarded to the TMAPC prior to public hearing, as required in the City of Tulsa Zoning Code [Section 70.060-E](#).

SECTION 5. OPEN RECORDS ACT

- A. The Oklahoma Open Records Act (ORA), Title 51 O.S. Sections 24A.1 through 24A.27, provides that all Preservation Commission records must be made available to any person for inspection, copying, and/or mechanical reproduction.
- B. The Preservation Commission and/or its staff shall notify those attending public or informational meetings related to HP Zoning Map Amendments that letters and all other documents submitted to the Preservation Commission, including electronic submissions, are records subject to disclosure as required by the ORA.

ARTICLE VIII – Review of Design Guideline Amendments

SECTION 1. DESIGN GUIDELINE AMENDMENTS

- A. Amendments to Design Guidelines shall be developed by the Preservation Commission and shall include review and input of the property owner(s) or agents and other parties directly affected by the proposed designation, as required in [Section 75.020-M\(4\)](#) of the Zoning Code.
- B. The Historic Preservation Committee shall review proposed amendments to existing Design Guidelines and make a recommendation to the Preservation Commission.
- C. If the Preservation Commission determines a proposed amendment warrants further review, it may give notice of the time, date and place to receive public comment.
- D. To ensure public awareness as required in [Section 75.020-M\(4\)](#) of the Zoning Code, the Commission shall post proposed amendments on its website and make copies publicly available at City Hall. The Commission shall send notice of the public hearing to the owner of each lot, parcel or tract of land directly affected by the proposed amendments at the mailing address filed for each property with the Tulsa County Assessor.
- E. If the Preservation Commission votes to accept the proposed amendments to the Design Guidelines, it shall forward a report and recommendation to the TMAPC.
- F. The TMAPC shall hold a public hearing on the matter and forward its recommendation to the City Council. Design Guidelines shall be subject to approval and adoption by the City Council.

ARTICLE IX – Meetings

SECTION 1. PRESERVATION COMMISSION MEETING SCHEDULE

The Preservation Commission shall meet at least once a month for the purpose of transacting its business and duties as set forth in the Zoning Code. Meetings shall be held at such time and place as approved by the Preservation Commission and in accordance with its approved calendar. All meetings shall be in compliance with the Oklahoma Open Meeting Act and [Section 75.020-H](#) of the Zoning Code.

SECTION 2. ADDITIONAL MEETINGS TO REVIEW HP PERMIT APPLICATIONS

In order to fulfill its duties related to Historic Preservation Permit applications, the Preservation Commission may hold additional meetings.

SECTION 3. CALL FOR ADDITIONAL MEETINGS

Additional meetings may be held at the Chair’s request or at the request of two (2) members.

SECTION 4. MEETINGS TO BE OPEN TO PUBLIC

All meetings, deliberations and voting of the Preservation Commission shall be open to the public. ([Section 75.020-H](#))

SECTION 5. RECORDING OF VOTES, MEETING MINUTES AND RECORD RETENTION

The Secretary shall keep or cause to be kept minutes of all proceedings, showing the vote of each member upon all actions as well as indicating if a member abstains or fails to vote. These records shall be filed in the City of Tulsa's Planning Department and shall be a matter of public record. ([Section 75.020-H](#))

SECTION 6. NOTICE OF MEETINGS

All Preservation Commission meeting agendas must be posted in accordance with the Oklahoma Open Meeting Act, Title 25, O.S., Section 301 et seq.

SECTION 7. ATTENDANCE

Each member's attendance shall be recorded and reported to the Mayor's Office. Extenuating circumstances for excessive absences may also be reported. Members shall attend at least 75% of regularly scheduled meetings during the calendar year. Upon failure of a member to meet these attendance standards, the Chair may make a written recommendation to the Mayor or Allied Commission requesting the member be removed from the Preservation Commission.

ARTICLE X – Order of Business

The order of business for the Preservation Commission shall be as follows:

- A. Opening Matters
 - 1. Call to Order and Verification of Quorum
 - 2. Approval of Minutes
 - 3. Disclosure of Conflicts of Interest
- B. Actionable Items
 - 1. National Register Nominations
 - 2. HP Permit Applications
 - 3. Other Items Requiring Action
- C. Reports
 - 1. Staff
 - 2. Chair
 - 3. Committees
- D. New Business
- E. Announcements and Future Agenda Items
- F. Adjournment

ARTICLE XI – Quorum

A simple majority of the entire voting membership of the Preservation Commission shall constitute a quorum for the transaction of business. ([Section 75.020-I](#))

ARTICLE XII – Amendments to Rules

These Rules may be amended by a majority vote of the Commission. Such amendments shall be presented for a first reading at a regular or special meeting and voted upon at a subsequent meeting.

These Revised Rules and Regulations Governing Procedures of the Tulsa Preservation Commission are adopted this 26th day of July 2016.

ATTEST:

Robert Shears, ASLA
Chairman
Tulsa Preservation Commission

David Pounds
Rules and Regulations Committee Chairman
Tulsa Preservation Commission