

**ARCHITECTURAL REVIEW BOARD
CITY OF ROANOKE
BYLAWS AND RULES OF PROCEDURE**

Article 1. Purpose

The following bylaws and rules of procedure are adopted by the Architectural Review Board ("Board") to facilitate the performance of its duties and the exercise of its powers as set forth in Chapter 36.2, Zoning, of the Code of the City of Roanoke (1979), as amended ("City Code").

Article 2. Members, Officers, and Duties

- A. General. The Board shall consist of seven members appointed by City Council, for terms not to exceed four years.

- B. Chair. A Chair shall be elected by the Board, by majority vote, from among its members. The term of the Chair shall be for one year beginning as of the first meeting in January of each year, or until a successor is elected, and the Chair shall be eligible for reelection. The Chair shall preside at meetings of the Board, decide all matters of order and procedure, subject to the rules and bylaws of the Board, unless directed otherwise by a majority of the Board in session at the time, and in the case of applications brought before the full Board, the Chair shall execute all Certificates of Appropriateness and rulings issued on behalf of the full Board. Any reference to the Chair in these bylaws shall be considered to include a reference to the Vice-Chair or Acting Chair when appropriate to the context in which the reference is made.

- C. Vice-Chair. A Vice-Chair shall be elected by the Board from among its members in the same manner as the Chair. The Vice-Chair shall act for the Chair in the Chair's absence. In the event the Chair is not available to execute any Certificates of Appropriateness or rulings issued on behalf of the full Board pertaining to matters decided by the Board and presided over by the Chair, the Vice-Chair may execute the same if the Vice-Chair was present at the Board's meeting at which such matters were decided.

- D. Secretary. A City employee shall be elected as Secretary by the Board. The term of the Secretary shall be for one year beginning as of the first day of January or until a successor is elected, and the Secretary may be re-elected. The Secretary, subject to the direction of the Chair and the Board, shall keep all records, serve notice to all members of all meetings, prepare an agenda for such meetings, conduct all correspondence of the Board, and generally supervise the clerical work of the Board. The Secretary shall keep the minutes of each meeting of the Board and file them with the City Clerk. These minutes shall show the record of all important facts pertaining to every meeting and hearing, every resolution acted upon by the Board, and the total vote for or against any resolution or other matter, indicating the names of members absent or failing to vote. The Secretary shall prepare all Certificates of Appropriateness issued by the Board or the Agent. The Secretary shall notify the City Clerk promptly if any vacancy occurs in the membership of the Board.

- E. Agent. A city employee shall be elected as Agent by the Board. The term of the Agent shall be for one year beginning as of the first day of January or until a successor is elected, and he or she may be re-elected. The Agent shall be authorized to issue any Certificate of Appropriateness, subject to the authorization of the Board previously given. The Agent, pursuant to such delegation, shall act only upon an application completed pursuant to the applicable district regulations, and shall apply the same guidelines and review standards applicable to the Board. The Agent shall execute all Certificate of Appropriateness Applications issued by the Agent. The Agent shall prepare, and with the approval of the Board, submit a report of the Board's activities to the City Council at least once each year.
- F. In the event that neither the Chair nor the Vice-Chair is present at the starting time for any meeting, the Secretary shall call for nominations for an Acting Chair. Any member may nominate any other member present for the position. No second shall be required for a nomination. Upon the nomination duly secured, and if there are no other nominations, the members present shall vote. The nominee that is elected shall be the Acting Chair for the remainder of the meeting or until the Chair or the Vice-Chair is present.
- G. Annual Review. The Board shall review all policies, meeting procedures, and bylaws annually for relevance and revise them as appropriate.
- H. Committees. The Chair may appoint any temporary committee the Chair deems necessary to assist the Board in carrying out its duties. Any standing committee shall be appointed by the Board. Any committee shall consist only of Board members.

Article 3. Application Procedure

- A. Approval Entity. The applicant shall consult with the Agent to determine if the proposed activity is eligible for review and approval by the Agent as set forth in Article 5, Section C, of these bylaws.
- B. Applications. All applications for Certificate of Appropriateness must be submitted to the Secretary or the Agent by 4:00 p.m. on the day before the current month's Architectural Review Board meeting to allow staff and the Board adequate time to study the application. Applications deemed complete will then be considered by the Architectural Review Board at the next regular meeting held by the Architectural Review Board. Applications eligible for review and approval by the Agent may be submitted at any time.
- C. Content of Applications. Applications for Certificates of Appropriateness must be on forms provided by the Secretary. Applications must be in sufficient detail to inform the Board of the nature of such work and must be accompanied by sketches, drawings, photographs, specifications, descriptions, etc., of the proposed work.
- D. Application Completeness. If an application is deemed incomplete, the applicant will be notified of the deficiencies by the Agent, and the applicant must provide the requested information ten business days prior to the ARB meeting. Application deficiencies, if remaining, will render the application as incomplete, which will delay the application's consideration by the Board.

- E. Notice to Abutting Landowners. At least one week prior to the meeting at which the matter will be heard, the Secretary may mail notices to the owners of land abutting and directly across the street or alley from the property where the work is proposed. Failure to comply with the requirements of this subsection shall not prevent the Board from taking action on a matter or otherwise prevent action by the Board.

Article 4. Meetings

- A. Regular Meetings. Unless otherwise notified, regular meetings of the Board shall be held on the second Thursday of each month at 5:00 p.m., in the official meeting room designated by the Board, provided that upon a decision of the Board, an adjourned meeting may be held at any other place in the City. The annual meeting for the election of officers of the Board shall be held at the regular meeting in the month of December.
- B. Special Meetings. Special meetings of the Board may be called at any time by the Chair by notice given not less than twenty-four (24) hours prior to the time fixed for the meeting.
- C. Consent Agenda. Agenda items considered to be routine, non-controversial, and requiring no discussion may be placed on the consent agenda. The Secretary shall note the recommended action for each item. The consent agenda may include the approval of the minutes, approval of the agenda, and any Certificate of Appropriateness recommended for the consent agenda. Any item placed on the consent agenda by the Agent shall be removed upon request of any member of the Board prior to consideration of the consent agenda. The remaining items on the consent agenda and the recommended action shall then be approved by a motion followed by a roll call vote.
- D. Quorum and Vote. Four members of the Board shall constitute a quorum, and no action of the Board shall be valid unless authorized by a majority of those present and eligible to vote. In the event of a tie vote, it is to be construed as a denial of the requested action.
- E. Conduct of Meetings. All meetings shall be open to the public; provided, however, that closed meetings may be held in compliance with the Virginia Freedom of Information Act. The order of business for meetings shall be determined by the Board.
- F. Meeting Procedure. The Chair will call the meeting to order at 5:00 p.m. and will call for a vote on the consent agenda, followed by the first application. The Chair will give a summary of the application and call on the applicant to come to the podium. The Chair will ask staff for its recommendation and comment. The Chair will then ask the applicant for his or her presentation. Each applicant will have up to five minutes to make a presentation, unless the Chair decides to extend the time needed for the presentation. If a member of the public wishes to comment on an application, the member will be requested to sign in prior to the meeting. Once the meeting has started, citizens wishing to comment on an application may do so once the Chair calls for citizens comments. Citizens commenting on an application will have up to five minutes each to speak.

An applicant may amend an application at any time the application is being considered. If the applicant amends an application, the Board shall consider the application as amended. An applicant may request that the Board table consideration of an application. An application may be continued to a date certain by the Board only with an applicant's consent. However, in the absence of an applicant or applicant's representative, the Board may either consider an application or decide to continue an application to be considered at the next meeting of the Board. Upon completion of the Board's discussion, and any amendment to the application by the applicant, the Chair shall call for a motion to approve the application. Any motion to approve which fails upon a vote of the Board shall be considered a disapproval of the application.

- G. Findings. The Board may, in its discretion, view the premises and obtain additional facts concerning any application before making a decision on an application. All decisions of the Board shall be supported by appropriate findings of fact in the record.

Article 5. Certificates of Appropriateness

- A. Approval and Issuance. Once an application has been approved by the Board or the Agent, a Certificate of Appropriateness bearing the date of issuance and the nature of the work approved shall be sent or given to the Applicant within ten business days of approval, or as soon as possible thereafter.
- B. Disapproval and Rehearing. In case of disapproval of an application for the erection, reconstruction, alteration, or restoration of a building or structure, the Board shall briefly state its reasons in writing, and it may make recommendations to the applicant.
- C. Pursuant to Section 36.2-530(c) of the City Code, the Board hereby delegates authority to the Agent to issue Certificates of Appropriateness for the following:
1. H-1 District:
 - Changing the color or pattern of an existing awning.
 - Installing a temporary banner.
 - Changing the color or design of the sign face of an existing sign.
 - Design of a sandwich board sign on a public sidewalk and placement of such sign after consultation with the Zoning Administrator.
 - Replacement of a roof that is not visible from a public street.
 - Installing play equipment in public parks.
 - Design and installing furniture, amenities, signs, fences, and structures, but not buildings, which promote or protect the general public health, safety and welfare, and which are installed by, or for, the City of Roanoke on public property or in the public right-of-way.
 - Replacement of windows, doors, cornices, or other features when the type and design are duplicated in-kind and the replacement maintains the architectural defining features of the building.
 - Installation of utility conduit, meters, or panel boxes on the side or rear of a building where not visible from the street.
 - Installation of vinyl adhesive window and door signs.

2. H-2 District:

- Design of fences (regardless of location) and removal/modification thereto.
- Design of a wall, except where the proposed wall is located within the front yard.
- Design of a deck, porch, or pergola in a rear or side yard.
- Replacement or reconstruction of side or rear stairs, stoops, or porches accessing only the main level of the structure.
- Changing the design of the sign face of an existing sign.
- Installation of any building-mounted sign.
- Removal of any siding material previously installed over the original siding.
- Performing minor exploratory work to determine condition and design of underlying materials.
- Installation of storm windows or storm doors.
- Replacement of a door.
- Demolition of an accessory structure less than 50 years old.
- Replacement of windows on rear or side of a building.
- Replacement of an asphalt shingle roof.
- Design of a patio, a parking area of four or fewer spaces, or a driveway accessed from an alley.
- Design of or modification of an accessory structure located in the rear or side yard.
- Installation of a handicap access ramp in a rear or side yard.
- Replacement of porch columns when it can be documented through photographic evidence that the existing columns are not original.
- Installing furniture, amenities, signs, fences, and structures, but not buildings, which promote or protect the general public health, safety and welfare, and which are installed by, or for, the City of Roanoke on public property or in the public right-of-way.
- Renewal of an expired Certificate of Appropriateness.
- Installation or replacing gutters and downspouts
- Installation or replacement of latticework to enclose areas under porches or decks
- Installation of metal pipe rail sidewalk stair handrails
- Installation of composite columns and tongue and groove porch flooring
- Removal of non-historic roofing material, and installation of new 'historic-style' roofing material (metal, slate, cedar shake)
- Installation of freestanding directional signs 4 square feet or less
- Replacement of inappropriate front porch guard/hand-rail according to the design template or original design as verified through an historic photograph
- Replacement of a porch/deck railing above the main level at the rear of the building according to the design template

Article 6. Code of Ethics.

The code of ethics in the National Alliance of Preservation Commissions Code of Ethics for Commissioners and Staff shall guide the Board and Staff in all cases in which they are applicable and to the extent such code of ethics is not inconsistent with the Code of

Virginia (1950), as amended, including the State and Local Government Conflict of Interests Act, section 2.2-3100, et seq., and the Code of the City of Roanoke (1979), as amended.

Article 7. Parliamentary Authority.

The rules contained in the latest revised edition of *Robert's Rules of Order* at the time of any ruling made by the Chair shall govern the Board in all cases in which they are applicable and in which they are not inconsistent with the bylaws and rules of procedure of the Board.

Article 8. Amendments.

These bylaws may, within the limits allowed by law, be amended at any time by an affirmative vote of not fewer than five (5) members of the Board, provided that such amendment shall have first been presented to the membership in writing at a regular or special meeting at which the vote is taken.

END OF THE DOCUMENT

Adopted by the City of Roanoke Architectural Review Board on October 25, 1979.

Re-enacted and amended by the Roanoke City Architectural Review Board on November 8, 1984.

Re-enacted and amended by the Roanoke City Architectural Review Board on April 9, 1987.

Re-enacted and amended by the Roanoke City Architectural Review Board on May 9, 2002.

Re-enacted and amended by the Roanoke City Architectural Review Board on March 13, 2008.

Re-enacted and amended by the Roanoke City Architectural Review Board on April 9, 2009.


Re-enacted and amended by the Roanoke City Architectural Review Board on January 13, 2011.

Re-enacted and amended by the Roanoke City Architectural Review Board on May 9, 2013.

Re-enacted and amended by the Roanoke City Architectural Review Board on June 11, 2015.

Re-enacted and amended by the Roanoke City Architectural Review Board on September 10, 2015.

Re-enacted and amended by the Roanoke City Architectural Review Board on February 9, 2017.


Katherine C. Gutshall, Chair


Donna M. Payne, Secretary