

BY-LAWS OF THE CITY OF ROANOKE
ARCHITECTURAL REVIEW BOARD (“Board” or “ARB”)

1. GENERAL RULES

The following by-laws are adopted by the Architectural Review Board as required by Section 36.2-826(a) of the Code of the City of Roanoke (1979), as amended.

2. OFFICERS AND COMMITTEES

Officers elected pursuant to Section 36.2-825 of the Code of the City of Roanoke (1979), as amended “City Code” shall have the following duties:

- A. Chair. The Chair shall decide all matters regarding order and procedure, in accordance with the parliamentary rules contained in Robert’s Rules of Order, unless directed otherwise by a majority of the Board in session at the time.
- B. Vice Chair. The Vice Chair shall act for the Chair in his or her absence.
- C. Absences/Temporary Chair. Should the Chair and Vice-Chair be absent from any meeting or hearing, the Board shall elect a Chair pro tem to serve at the meeting. The Secretary shall preside over the election of a Chair pro tem.
- D. Agent. The Board shall elect a city employee as Agent. 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
- E. Secretary. The Board shall elect a city employee as Secretary. The Secretary shall keep all records, serve notice of meetings to members, conduct 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. These minutes shall show the record of all-important facts pertaining to meetings, 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.
- F. Nomination and Elections. Nomination of officers shall be made in January of each year and election of officers shall follow immediately thereafter at the same meeting. A candidate receiving a majority of votes of the members present at the meeting shall be declared elected.

- G. Re-election and Vacancies. All officers may succeed themselves. Vacancies in office shall be filled by nomination and election for the unexpired term of the office vacated. Such election shall occur at the next regular meeting following a vacation of office.
- H. Committees. The Chair shall have the authority to create any committee and appoint the membership of any such committee.

3. MEETINGS

- A. Regular Meetings. Regular meetings of the Board shall be held on the second Thursday of each month at 5:00 p.m., in the Council Chamber of the Noel C. Taylor Municipal Building, 215 Church Avenue, Roanoke, Virginia. Should a change in the location of a meeting be necessary, when possible, notice of such change in venue shall be included in any public notices required by law, posted on the entrance to the Council Chamber, and posted in the City Clerk's Office.
- B. Work Sessions. Work sessions may be held as needed. Notice of the date and location of work sessions shall be posted in the City Clerk's Office and on the ARB's web page at least ten (10) days prior to any work session. The purpose of work sessions shall be to review applications, plans, or proposed code amendments and other pending business of the Board. No action or vote shall be taken on any application, plan or amendment.
- C. Special Meetings. Special meetings of the Board may be called at any time by the Chair by notice given to each member not less than 24 hours prior to the time fixed for the meeting. If all members of the Board are present at the special meeting, then the requirements as to prior notice shall be deemed to be waived. Any business may be transacted at any special meeting that might be transacted at a regular meeting, if all legal notice requirements for action are satisfied.
- D. Inclement Weather. In the event of inclement weather conditions where attendance at a meeting may jeopardize the safety of the public, staff or Board members, the Agent shall determine if a quorum of the Board can safely attend to transact business. If a quorum cannot be reasonably established for such purposes, any affected public meeting shall be rescheduled and re- advertised.
- E. 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 who have not recused themselves under the Virginia Conflict of Interest Act. In the event of a tie vote, the action of the Board shall be construed as a failure of the motion.
- F. Conduct of Meetings.
 - (1) Public attendance. Meetings shall be open to the public except that closed regular or special meetings may be held in accordance with the laws of the Commonwealth of Virginia.

- (2) Agenda. The order of business shall be as established on the agenda prepared by the Secretary. The Chair may modify the order of business to promote the efficient management of the meeting and for the convenience of the public or interested parties.
- (3) Consent Agenda. Agenda items considered to be routine, non-controversial, and requiring no discussion may be placed on the consent agenda. 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. A roll call vote shall then approve the remaining items on the consent.
- (4) Approval of Minutes. The Chair shall ask if there are any corrections to the minutes of previous meetings. If there are no corrections, the Chair shall call for the Board to vote to approve the minutes. If corrections are requested, the Chair shall call for the Board to vote to approve the minutes, as corrected. The Secretary shall thereafter certify such minutes as approved.
- (5) Items on agenda automatically moved for approval. In order to expedite a decision on all matters presented to the ARB, it shall be the practice of the Board when meeting in regular or special meetings to consider that all items on the agenda are automatically moved by the entire membership. The Chair may call for a vote on an item at the conclusion of discussion without calling for a formal motion by any single member present.
- (6) Amendments to the Application. 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.
- (7) Continuances.
 - i. If any application on the agenda for a regular meeting cannot be disposed of on the day of the meeting, the Board by majority vote may adjourn the meeting and set a new date for public meeting or for reaching a decision on the remaining appeals and applications. In such instances, the Chair shall set and announce a new meeting date and no further public notice shall be required for the items remaining on the agenda.
 - ii. An applicant may request a continuance on an application at any time prior to the Board calling the matter for a vote. A continuance may be granted to the applicant by an affirmative vote of the majority of Board members present for the meeting for that application. In such instances, the Chair shall set and announce a

new meeting date and no further public notice shall be required for that item.

- iii. The Board shall not continue any matter more than twice, except for good cause shown by the applicant, and may then consider the application whether the applicant is present or not.

(8) Public Comment. At the opening of any public meeting, the Chair may establish reasonable time limits on public comments.

4. APPLICATION

- 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 Certificates 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. The Architectural Review Board at its next regular meeting will then consider applications deemed complete. 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 Agent will notify the applicant of the deficiencies, and the applicant must provide the requested information ten business days prior to the ARB meeting. Application deficiencies, if remaining, may render the application as incomplete, which may delay the application's consideration by the Board.
- E. Notice to Adjoining 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 adjoining 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.

5. CERTIFICATE 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. Denial of Application. In case of denial 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. Authority to Agent. 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:****Awnings**

- Changing the color or pattern of an existing awning.

Demolition

- Emergency demolition of a building due to fire, causing unsafe and hazardous conditions.

Doors / Cornices

- Replacement of doors, cornices, or other features when the type and design maintains the architectural defining features of the building.

Miscellaneous

- Installing play equipment in public parks.
- Installation of mechanical equipment, utility conduit, meters, or panel boxes on the side, rear, or the roof of a building where not visible from the street.
- 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.

Roof

- Replacement of a roof that is not visible from a public street.

Signs

- 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.
- Installation of vinyl adhesive window and door signs.

2. H-2 District:

Accessory Structures

- Design of or modification of an accessory structure located in the rear or side yard.

Demolition

- Demolition of an accessory structure less than 50 years old.
- Emergency demolition of a building due to fire, causing unsafe and hazardous conditions.

Fences / Walls

- 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.

Miscellaneous

- Performing minor exploratory work to determine condition and design of underlying materials.
- Installation of a handicap access ramp in a rear or side yard.
- 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.
- Installation of metal pipe rail sidewalk stair handrails.
- Installation of mechanical equipment, utility conduit, meters, or panel boxes on the side or rear of a building where not visible from the street.

Parking

- Design of a patio, a parking area of four or fewer spaces, or a driveway accessed from an alley.

Porches and Decks

- 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.
- Replacement of porch columns when it can be documented through photographic evidence that the existing columns are not original.
- Installation or replacement of latticework to enclose areas under porches

or decks.

- Installation of composite columns and tongue and groove porch flooring.
- 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.

Roof

- Installation or replacing gutters and downspouts.
- Removal of non-historic roofing material, and installation of new 'historic-style' roofing material (metal, slate, cedar shake).

Siding

- Removal of any siding material previously installed over the original siding.

Signs

- Changing the design of an existing sign face.
- Installation of any building-mounted sign.
- Installation of freestanding directional signs 4 square feet or less.

Windows and Doors

- Installation of storm windows or storm doors.
- Replacement of a door that maintains the architectural defining features of the building.
- Replacement of windows on rear or side of a building.

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, set forth in Section 2.2-3100, et seq., and the Code of the City of Roanoke (1979), as amended

7. AMENDMENTS.

These bylaws may be amended, within limits allowed by law, at any time by an affirmative vote of not less than four members of the ARB, provided that such amendment is presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

Enacted and amended by the Roanoke City ARB on the following dates:

October 25, 1979,
November 8, 1984,
April 9, 1987,
May 9, 2002,
March 13, 2008,
April 9, 2009,
January 13, 2011,
May 9, 2013,
June 11, 2015,
September 10, 2015,
February 9, 2017,
June 13, 2019.