

# ARCHITECTURAL REVIEW BOARD

## BYLAWS

Adopted: November 14, 2001

Amended: May 14, 2008

Amended: October 8, 2008

Amended: September 23, 2009

Amended: March 11, 2020

Amended: October 13, 2021

## ARTICLE 1 – GENERAL

- 1-1. The official title of this Board shall be the "Prince William County Architectural Review Board," hereinafter abbreviated ARB.
- 1-2. The ARB was established by the Prince William Board of County Supervisors on the 4th day of August, 1981, by Resolution No. 81-24-54.
- 1-3. The ARB shall protect the character of a historic overlay district and fulfill duties, governed by the terms of Part 502 of the Zoning Ordinance, a part of the Prince William County Code, and Section 15.2-2306 of Virginia State Code of Laws, as they may be amended or revised. These duties include, but shall not be limited to:
  - 1-3.1. Conduct or cause to be conducted a continuing survey of cultural resources in the community according to the guidelines established by the State Historic Preservation Officer (SHPO).
  - 1-3.2. Act in an advisory role to other officials and departments of local government regarding protection of local cultural resources.
  - 1-3.3. Disseminate information within the County on historic preservation issues and concerns.

- 1-3.4. Review all proposed National Register nominations for properties within the boundaries of the County.
- 1-3.5. Submit to the SHPO an annual report on the activities of the ARB. Such reports shall include, but not be limited to, such items as the number of cases reviewed, newly designated historic zoning districts, revised resumes of ARB members, new appointments to the ARB, attendance records and all minutes related to National Register nominations. The report shall also document ARB members' attendance at educational meetings.

## ARTICLE 2 – JURISDICTION

- 2-1. The ARB's jurisdiction for requiring certificates of appropriateness as required by Section 32-502.05 of the Prince William County Code shall be delineated on the official zoning maps on file in the Office of Planning.

## ARTICLE 3 – MEMBERS

- 3-1. The Prince William County ARB shall consist of 8 voting members who are residents of the County and are appointed by the Board of County Supervisors.
- 3-2. The members shall be appointed or re-appointed for the length of term established by the Board of County Supervisors, and members shall serve until a successor is appointed.
- 3-3. At least one member of the ARB shall be a registered architect with a demonstrated interest in historic preservation; at least a majority of ARB members shall have professional training in any of the following disciplines: architecture, history, American studies, architectural history, archaeology or planning.
- 3-4. The Chairman of the ARB shall notify the governing body at least 30 days in advance of the expiration of any term of office and shall also notify the governing body promptly if any vacancy occurs.

- 3-5. Appointments to fill vacancies shall only be for the unexpired portion of the term.
- 3-6. Members may serve successive terms.

#### ARTICLE 4 - OFFICERS AND THEIR SELECTION

- 4-1. The Prince William County ARB shall elect annually at their first meeting of the calendar year a chairman and a vice chairman.
- 4-2. Nominations shall be made from the floor for each office and the voting carried out by voice vote or by ballots that must be read aloud during the counting of votes, which must take place in public session, and recorded in the election resolution by setting forth the members' name and the persons he or she voted for, or by any other method which will display publicly and immediately how each member voted.
- 4-3. If a vacancy occurs in an office, a special election to fill the unexpired term of that office shall be held at the next meeting.
- 4-4. A candidate receiving a majority vote of the members present and voting at either a regular or special election shall be declared elected and shall take office immediately and serve for only one year or until a successor shall take office.
- 4-5. Officers may be elected to succeed themselves.

#### ARTICLE 5 - DUTIES OF OFFICERS

- 5-1. The Chairman shall:
  - 5-1.1. Preside at all meetings.
  - 5-1.2. Appoint committees.
  - 5-1.3. Rule on all procedural questions subject to a reversal by 2/3 majority of the members present.

- 5-1.4. Be advised immediately of any official communication and report same to the other members.
  - 5-1.5. Be responsible for signing correspondence with applicants.
  - 5-1.6. Carry out other duties as assigned by the Board of County Supervisors and act on behalf of the ARB in the performance of its functions as authorized by majority vote of the ARB.
- 5-2. The Chairman shall see that the following is done:
- 5-2.1. Official minutes are to be kept of all public proceedings.
  - 5-2.2. All members are to be notified of meetings at least 10 days prior to all meetings.
  - 5-2.3. A file is to be maintained of all official records and reports of the ARB.
  - 5-2.4. The press and public are to be notified of all public hearings and public meetings as required by the Virginia Freedom of Information Act (Section 2.2-3700, *et seq.*, VA Code Ann.)
- 5-3. The Vice-Chairman shall:
- 5-3.1. Act in the absence or inability of the Chairman to act.

#### ARTICLE 6 – COMMITTEES

- 6-1. Operating Committees: The ARB may create one or more operating committees. Such operating committees will have the authority to act on behalf of the ARB that the ARB provides in the resolution creating the operating committee. Each operating committee shall have at least two ARB members, who may be appointed by the Chairman, if they are not appointed in the ARB resolution creating the operating committee.

- 6-2. Advisory Committees. The Chairman or the ARB may create one or more advisory committees for the purpose of studying any issue or providing advice on any issue the Chairman or the ARB deems appropriate. Each advisory committee shall have at least one ARB member and may have other members who are not ARB members as the Chairman or the ARB deems fit.
- 6-3. Committee meetings shall be set, and the time and place announced during a regular meeting of the Board. All committee meetings shall be open to the public~ unless otherwise authorized by the Virginia Freedom of Information Act.

#### ARTICLE 7 - MEETINGS

- 7-1. The ARB shall hold regular meetings no less than four times a year. Whenever an application for a certificate of appropriateness is filed, a meeting shall be scheduled in sufficient time for the ARB to render a decision on the application within 60 days of receiving it. This meeting shall then constitute a regular meeting.
- 7-2. All meetings of the ARB and all its records shall be open to the public unless the ARB finds it necessary to discuss matters or keep records which are exempt from the public disclosure requirements of the Virginia Freedom of Information Act (Section 2.2.3700 *et seq.*, Virginia Code Ann.). The ARB may go into closed session to discuss certain matters as authorized by the Virginia Freedom of Information Act, but no official action may be taken by the ARB while in closed session.
- 7-3. Three members of the ARB shall constitute a quorum, and the number of votes necessary to transact business shall be a majority of the members present and voting. Voting may be by roll call, and a record of any and all votes shall be kept as part of the minutes.
- 7-4. Members not attending three consecutive meetings in a calendar year will be deemed to have resigned. Failure to meet these minimum meeting attendance requirements will result in a resolution by the members in good standing to the Board of County Supervisor, or his/her successor, who made the appointment requesting that the member be replaced by a new appointee.

- 7-5. At any meeting where both the Chairman and Vice-Chairman are absent, the members shall select from their number a Chairman Pro Tem to preside over the meeting.
- 7-6. The order of business for a regular meeting shall be:
  - 7-6.1. Call to Order.
  - 7-6.2. Attendance/Quorum.
  - 7-6.3. Approval of Agenda.
  - 7-6.4. Approval of Meeting Brief and Resolutions.
  - 7-6.5. Citizens' & Visitors' Time.
  - 7-6.6. Chairman's Time.
  - 7-6.7. Vice Chairman's Time.
  - 7-6.8. Committee Reports.
  - 7-6.9. Staff Time.
  - 7-6.10. Announcements
  - 7-6.11. Old Business.
  - 7-6.12. New Business.
  - 7-6.13. Next Meeting.
  - 7-6.14. Adjournment.
- 7-7. Motions shall be restated by the Chairman before a vote is taken. The names of persons making and seconding motions shall be recorded as part of the minutes.

- 7-8. Parliamentary procedure in ARB meetings shall be governed by "Robert's Rules of Order," as revised, in all cases not otherwise provided for in these Bylaws.
- 7-9. Remote Participation
- 7-9.1. The Board may, in accordance with and pursuant to § 2.2-3708.2, of the Virginia Code Annotated and procedures adopted by it, conduct any meeting wherein the public business is discussed or transacted through electronic communication means. The purpose of this Article is to allow individual Board Members to participate in regularly scheduled meetings, remotely, through electronic means, and to provide both a safe meeting environment for them to do so and to permit public participation when required by law.
- 7-9.2. Procedures for the conduct of such electronic meetings or amendments thereto shall be adopted by a majority vote of the Board Members in attendance when such vote is taken.

ARTICLE 8 - COMPLIANCE WITH CERTIFIED  
LOCAL GOVERNMENT REQUIREMENTS

- 8-1. The ARB will submit amendments and revisions of its local legislation to the Virginia Department of Historic Resources.
- 8-2. The ARB will elicit technical support, when necessary, from a professional historian or architectural historian to support the ARB in reviewing nominations to the National Register of Historic Places.
- 8-3. A majority of the ARB members must attend at least one training session annually which is related to their review responsibilities.
- 8-4. The ARB will submit quarterly reports to the Virginia Department of Historic Resources on cooperative efforts with the Prince William County Historical Commission.
- 8-5. The ARB will prepare and amend as necessary design review guidelines.

- 8-6. The ARB will develop a plan for updating inventory information.
- 8-7. The ARB will formulate a long-range strategy for archeological assessment.
- 8-8. The ARB will finalize and amend, as necessary, procedures for processing nominations to the National Register of Historic Places.

ARTICLE 9 – RULES OF PROCEDURE FOR PROCESSING  
CERTIFICATES OF APPROPRIATENESS

- 9-1. A certificate of appropriateness issued by the Planning Director shall be required prior to the erection, reconstruction, exterior alteration, restoration or excavation of any building or structure within an historic overlay district, or prior to the demolition, razing, relocation or moving of any building or structure therein. The Planning Director shall not issue a certificate until an application therefore has been approved by the ARB, following the procedures set forth below. In addition, no demolition, razing, relocation or moving of a historic resource in a historic overlay district shall occur until approved by the ARB.
- 9-2. Upon receipt of an application for a certificate, the Planning Director shall forward to the ARB copies of the permit application, plat, site plan and any other materials filed with such application.
- 9-3. The ARB may require the submission of the following information and other materials necessary for its review of the application: completed application form signed by the owner of the property; a detailed scope of the work; scaled drawings or scaled sketches; façade elevations; samples of building materials, if needed; information on signage and color, if proposed; and specifications and details, as needed.

If these are not submitted, the application may be rejected as incomplete. Staff shall respond, in writing, providing information to the applicant on submission requirements so that the application can be deemed complete, as well as information on the next regular meeting of the ARB.



9-4. The ARB shall review and render a decision upon each application for a certificate within 60 days of receipt of a complete submission package. Failure to act within that period shall constitute approval, and the Planning Director may then issue a permit for the work. The ARB shall apply the following criteria for its evaluation of any application. In addition to the following criteria the ARB shall consider the Secretary of Interior's "Standards for Rehabilitation," as may be amended from time to time in determining appropriateness of any application for approval pertaining to existing structures.

- (a) Risk of substantial alteration of the exterior features of a historic resource.
- (b) Compatibility in character and nature with the historic, architectural or cultural features of the historic overlay district.
- (c) Aid of the proposed use in the protection, preservation and utilization of the historic resource located in the historic overlay district.
- (d) Exterior architectural features, including all signs.
- (e) General design, scale and arrangement.
- (f) Texture and material.
- (g) The relationship of (a), (b), (c), above, to other structures and features of the district.
- (h) The purpose for which the district was created.
- (i) The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.
- (j) The extent to which denial of a certificate of appropriateness would constitute a deprivation to the owner of a reasonable use of his property.

9-5. No application for a permit to erect, reconstruct, alter or restore any building or structure, including signs, shall be approved unless the ARB determines that it is architecturally compatible with the historic resources therein.

9-6. In reviewing an application to raze or demolish a historic resource the ARB shall review the circumstances and the condition of the structure proposed for demolition and shall report its findings based on consideration of the following criteria:

(a) Is the historic resource of such architectural, cultural or historical interest that its removal would be detrimental to the public interest?

(b) Is the historic resource of such old and unusual design, texture and material that it could not be reproduced or be reproduced only with great difficulty?

(c) Would retention of the historic resource help preserve and protect another historic resource?

9-7. In reviewing an application to move or relocate a historic resource, the ARB shall consider the following criteria:

(a) Detrimental effect of the proposed relocation on the structural soundness of the historic resource.

(b) Detrimental effect of the proposed relocation on the historical aspects of other historic resources, buildings or structures in the historic overlay district.

(c) Compatibility of proposed new surroundings with the historic resource if relocated.

(d) Benefits of relocation of the historic resource with regard to its preservation.

- 9-8. The ARB, on the basis of the application and the criteria set forth herein shall approve, with or without modifications, or deny the application. If the ARB approves, or approves with modifications, the application, it shall authorize the director to issue the permit. The permit shall expire after 12 months from the date of issuance if work has not yet commenced on the property. If the ARB denies the application, it shall so notify the applicant and the director in writing.
- 9-9. Minor work or actions, deemed by the zoning administrator not to have permanent effect upon the character of the historic property or district, shall be exempt from obtaining a certificate of appropriateness. The term "minor work" shall include but not be limited to the addition or removal of the following:
- (a) Appurtenances such as gutters, storm doors, storm windows, window boxes, portable air conditioners installed in windows, or similar devices which do not significantly affect the appearance of the structure.
  - (b) In locations not visible from a public right-of-way accepted or planned for acceptance in the state highway system, antennas attached to a dwelling, sky lights or solar collectors.
  - (c) Landscaping involving minor grading, walks, retaining walls less than 30 inches in height, temporary fencing, small fountains, ponds and the like, which will not substantially affect the character of the property and its surroundings.
  - (d) Alterations or repainting of the interiors of buildings. Exterior painting, however, which results in a different color or the painting of unpainted surfaces shall not be considered minor work.
  - (e) Building additions or deletions from existing buildings of less than 120 square feet which will not significantly change the architectural character of a property, provided such portions of the building are not visible from the public rights-of-way accepted or planned for acceptance into the state highway system.

Prior to commencing any minor exterior work, other than items named within subsections (a), (b), (c) and (d) above, the owner shall give written approval from the zoning administrator verifying that the alteration or improvement is in fact exempt from review by the ARB. The zoning administrator shall determine the appropriateness of the proposed alteration or improvement is in fact exempt from review by the ARB. The zoning administrator shall determine the appropriateness of the proposed alteration giving consideration to the preceding factors, the extent of the work proposed, resulting impact on the adjacent properties within the historic district, and compliance with all other applicable requirements of state and local ordinance.

#### ARTICLE 10 -AMENDMENTS

- 10-1. The Bylaws may be amended at any meeting by a vote of the majority of the entire membership or if the amendment was submitted in writing at the previous meeting, then they may be amended by a two-thirds vote of those voting, a quorum being present.

## PROCEDURES IMPLEMENTING ARTICLE 7-9 GOVERNING REMOTE PARTICIPATION BY MEMBERS.

Pursuant to Article 7-9, of its Bylaws, the following procedures governing remote participation meetings by Members of the Architectural Review Board (ARB) are hereby adopted by a majority vote of the Members in attendance at its October 13, 2021, meeting.

I. A quorum of the ARB, to include the Chairman or Vice Chairman, shall be physically assembled at one primary or central meeting location as dictated by the ARB's Meeting Calendar for a meeting to be conducted in accordance with these procedures. In addition, the ARB will arrange for the voice of the remote participant or participants to be heard by all persons at the primary or central meeting location.

II. A Member or Members may electronically participate in an ARB or committee meeting, open or closed:

If, by 5 P.M. the day before the meeting, the Member notifies the Chair that:

1. He or she is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance; or
2. He or she is unable to attend the meeting due to a personal matter and identifies with specificity the nature of such matter. Remote participation by a Member pursuant to this subdivision is limited each calendar year to two meetings; and
3. He or she requests to electronically participate, and provide verifiable assurances and verification that participation in any closed session of the meeting shall remain confidential and not be disclosed to any unauthorized persons or entities;

b. In response to the notice and request, the ARB shall:

1. Cancel the meeting if the member(s) physically present will not constitute a quorum;
2. Approve or disapprove the request uniformly and without exception pursuant to the following criteria and requirements:

A. Electronic participation from a remote location shall be approved unless participation violates this policy or any provisions of the Virginia Freedom of Information Act; and

B. If electronic participation from a remote location is challenged for being in violation of this policy or any provisions of the Virginia Freedom of Information Act, the Members of the ARB physically present at the subject meeting shall vote whether to allow such participation.

3. If approved,

A. Record within the meeting minutes:

i. The fact that the Member participated through electronic means due to a temporary or permanent disability or other medical condition that prevented the Member's physical attendance (the specific disability or medical condition is not, however, required to be identified); or

ii. The specific nature of the personal matter given by the Member electronically participating, and the remote location from which the member is electronically participated (the remote location need not be open to the public), and

B. Arrange for the voice of the remote participant to be heard by all persons physically present at the meeting.

4. If a Member's participation from a remote location pursuant to a personal matter is disapproved because such participation would violate this policy, such disapproval shall be recorded in the minutes with specificity. The Member may continue to monitor the meeting from the remote location but may not participate in the proceeding and cannot be counted as present at the meeting. To electronically monitor an ARB or committee meeting, open or closed,

A. the Member shall NOT:

i. Be visible or audible to other Members of ARB, regardless of whether the other Members are physically present,

ii. Communicate by any means with other Members of the ARB or their staff, until the meeting is adjourned,

iii. Be counted as present for any purpose, or

iv. Participate in any way.

B. i. The Member shall provide assurances and verification that monitoring any closed session of the meeting shall remain confidential and not be disclosed to any unauthorized persons or entities, and

ii. The ARB shall note within the meeting minutes each member electronically monitoring the meeting.