

# Commission of Architectural Review

## 2022 Meeting Dates

### Monthly Meeting Dates

All meetings occur on the fourth Tuesday of the month, except December when the Commission meets on the third Tuesday. All meetings are held at City Hall, 900 E. Broad Street, in the 5<sup>th</sup> Floor Conference Room. Commission business begins at 3:30 PM; public meeting starts at 4:00 PM.

January 26th

February 22nd

March 22rd

April 26th

May 24th

June 28th

July 26th

August 23rd

September 27th

October 25th

November 22nd

December 20<sup>th</sup>

### Quarterly Meeting Dates:

All meetings start at 6 PM, 5<sup>th</sup> Floor Conference Room.

Jan 12th

April 12th

July 12th

October 11th

### Contact:

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804-646-6569

# Attendance Record 2022 Commission of Architectural Review

X = Present

	<b>NAME</b>	<b>1/1/2022</b>	<b>2/1/2022</b>	<b>3/1/2022</b>	<b>4/1/2022</b>	<b>5/1/2022</b>	<b>6/1/2022</b>	<b>7/1/2022</b>	<b>8/1/2022</b>	<b>9/1/2022</b>	<b>10/1/2022</b>	<b>11/1/2022</b>	<b>12/1/2022</b>	<b>#</b>	<b>%</b>
1	Andrew Moore	X	X		X	X	X	X	X	X	X	X	X	11	100.0%
2	Ashleigh Brewer	X	X	X	X	X	X		X	X	X	X		10	90.9%
3	Mitch Danese	X	X	X	X	X	X	X		X	X		X	10	90.9%
4	Coleen Butler-Rodriguez	X	X		X	X	X		X	X	X	X	X	10	90.9%
5	Neville C. Johnson	X	X	X	X	X		X	X		X	X	X	10	90.9%
6	John Grier	X	X	X	X		X	X	X		X	X	X	10	90.9%
7	Kathleen Harper Morgan		X	X	X	X	X		X	X	X	X	X	10	90.9%
8	Lawrence Pearson	X	X		X	X	X	X	X	X	X		X	10	90.9%
9	Sean M. Wheeler	X	X	X	X	X	X	X	X	X	X	X	X	12	109.1%
<b># in Attendance:</b>		<b>8</b>	<b>9</b>	<b>6</b>	<b>9</b>	<b>8</b>	<b>8</b>	<b>6</b>	<b>8</b>	<b>7</b>	<b>9</b>	<b>7</b>	<b>8</b>		

Commission of Architectural Review 2022	
Certificate of Appropriateness # of Reviews	
Reviewed by the Commission	
Approval	6
Approval with Conditions	64
Partial Approval	6
Deferral	6
Denial	2
Conceptual	20
<b>Total</b>	<b>104</b>
Administrative Approvals	110
<b>Total</b>	<b>110</b>
<b>Total Reviews</b>	<b>214</b>
Appeals	2
NOV's Issued	22

**RULES OF PROCEDURE  
of the  
COMMISSION OF ARCHITECTURAL REVIEW  
City of Richmond, Virginia**

The following rules of procedure are adopted by the Commission of Architectural Review to facilitate the performance of its duties and the exercise of its powers as outlined in Chapter 30, Article IX, Division 4 of the City Code and pursuant to Sections 30-930.0 through 30-930.9.

**SECTION 1**

**Composition** - As set forth in Section 30-930.3 and any amendments thereto.

**SECTION 2**

**Organization** - As set forth in Section 30-930.3 and any amendments thereto.

(a) **Election of Officers**

The Commission shall elect from its membership a Chairperson and Vice-Chairperson, who shall serve for a term of one year. The election of officers shall take place at the first regular meeting in June, and officers shall begin to serve at the start of the next meeting. An officer shall serve until a successor is elected, or the officer is re-elected. No officer shall serve more than two successive terms as Chairperson.

(b) **Duties**

The Chairperson shall preside at all meetings, appoint committees and perform other such duties as may be required. The Chairperson shall have the same right to vote and speak therein as other members. The Vice-Chairperson shall, in the absence or disability of the Chairperson, perform the duties of the Chairperson, if a vacancy shall occur in the office of the Chairperson, the Vice Chairperson shall become the acting Chairperson, until a successor is elected. In the absence or disability of both the Chairperson and Vice-Chairperson, the Commission shall by a majority vote of those present, choose one of their number to perform the duties of Chairperson for that particular meeting.

The Chairperson shall have the authority to review requests for approval of alterations to a project's designs for projects which the Commission has previously issued a certificate of appropriateness to determine if these

changes are in substantial compliance with the original certificate of appropriateness and therefore can be administratively approved. In the event the Chairperson has a conflict of interest on a specific project, this authority shall be ceded to the Vice Chairperson. If the proposed alterations are determined to be not in substantial compliance, the Secretary shall schedule an application for review on the next available meeting agenda.

### **SECTION 3**

#### **Meetings**

(a) **Regular Meetings**

The Commission shall hold its meetings on the fourth Tuesday of each month, or at such other times as it may designate. If the regular meeting date falls on a legal holiday, or for some other reason the scheduled date is an undesirable meeting date, the meeting shall be held on a day scheduled by the Chairperson in consultation with Commission Members and Staff.

(b) **Special Meetings**

The Chairperson or a minimum of five (5) members of the Commission may call a special meeting. Notices of such a special meeting shall be given to all the members of the Commission at least forty-eight hours prior to such meetings and shall state the purpose, place and time of the meeting. Public notice will be provided for all special meetings in accordance with Sec. 30-930.6.

(c) **Consent Agenda**

For simple certificate of appropriateness applications that do not require deliberation or modification, the Commission can make use of a consent agenda. Items may be placed on the consent agenda when the Commission Secretary determines that they are appropriate to the character of the property, and do not have any complicated issues that would require deliberation or modification by the Commission.

At the request of any Commission member, an item may be removed from or added to the consent agenda. After affording an opportunity for the public to speak on any consent agenda item and the removal or addition of any items from the consent agenda, the Commission will adopt the consent agenda. Adoption of the consent agenda is a determination that the consent agenda items are appropriate for reasons stated in the staff reports and recorded in the minutes for each individual application.

(d) **Order of Business**

The Chairperson of the Commission may reasonably modify the order of business at their discretion. Items carried over from previous meetings and for which there are individuals in attendance shall be given priority in the review. The order of business of such may be modified to give priority in the review to these. The order of business of such regular or special meetings of the Commission shall be as follows:

1. Meeting called to order
2. Roll call
3. Elections (where applicable)
4. Other Business (as time allows prior to the public hearing)
5. Public Hearing of applications for certificates of appropriateness on the consent agenda
6. Public Hearing of applications for certificates of appropriateness
7. Public discussion of projects submitted for Conceptual Review
8. Remaining items of Other Business
9. Adjournment

(e) **Public Meetings**

All meetings, hearings, and records shall be open to the public as prescribed by the Virginia Freedom of Information Act.

(f) **Quorum**

A majority of the duly appointed members serving on the Commission at any given time shall constitute a quorum for the transaction of its business or the performance of its functions. A simple majority of those in attendance shall be necessary for the approval of any certificate of appropriateness or for the adoption of any other resolution, motion or other action of the Commission. The affirmative vote of five (5) members shall be necessary to amend these Rules of Procedure or reconsider any other item of business.

(g) **Records**

The Commission shall keep a record of its resolutions, proceedings and actions. The records of the Commission shall be open to public inspection. The Commission, in the exercise of its powers and performance of its duties, shall act only by formal resolution. The resolution shall set forth the reason for Commission's decision. The vote of each member participating therein shall be placed in the records of the Commission. Every such decision of the Commission shall be based upon a finding of fact, which shall be reduced to writing and preserved among its records.

## **SECTION 4**

### **Requirements of Membership**

(a) **Conflict of Interest**

Each member of the Commission shall adhere to the conflict-of-interest laws of the Commonwealth of Virginia applying to local public officials. Each member will identify any conflict-of-interest and act in accordance with the law.

(b) **Attendance**

Each member of the Commission shall be responsible for regular attendance of Commission meetings. Failure to attend four meetings of the Commission in any calendar year shall prompt a request, from the Commission to City Council, for removal of the member from the Commission.

## **SECTION 5**

### **Responsibilities and Duties of Commission** -

As set forth in Section 30-930.23 and any amendments thereto.

## **SECTION 6**

### **Secretary** -

As set forth in Section 30-930.3 and Section 30-930.6 and any amendments thereto. The Secretary shall perform the following duties on behalf of the Commission:

- (a) Execute documents in the name of the Commission, when they are in accordance with the Commission's action.
- (b) Notify the applicant for a certificate of appropriateness of the time and place of the Commission meeting, where the application shall be reviewed.
- (c) Approve certain certificates of appropriateness, as allowed by the Commission, and report on those approvals to the Commission. Approve a certificate of appropriateness for alterations to a project's design previously approved by the Commission if the Chairperson determines the changes are in substantial compliance with the previously approved certificate of appropriateness. If the Chairperson determines that the project is not in substantial compliance with the Commission approved plans, the Secretary will, upon receipt of a complete application, schedule the project for the next available Commission meeting.

- (d) Maintain all necessary records of the Commission.
- (e) Prepare agendas for Commission meetings.
- (f) Notify the members of the Commission of all meetings in accordance to Section 3.
- (g) Assist applicants in the development of appropriate designs for Commission consideration.
- (h) Develop educational materials on historic preservation for the use of the general public.
- (i) Report to the Commission on historic resources in the City of Richmond.
- (j) Administer the establishment of additional Old and Historic Districts.
- (k) Represent the Commission before City Council, the Planning Commission, Board of Zoning Appeals and meetings with City agencies.
- (l) In compliance with Sec. 30-930.6(d) ensure applications are complete, including payment of required fees, prior to scheduling the application for consideration by the Commission at a monthly meeting.
- (m) Extend a certificate of appropriateness for the period of 1(one) year upon receipt of a complete application.

## **SECTION 7**

### **Committees**

In order to expedite the work of the Commission, Committees may be established.

- (a) Standing committees may be established upon the vote of a majority of the Commission members.
- (b) The Chairperson may appoint special committees. Such committees shall be appointed for a period not to exceed three months.
- (c) The Vice Chair is to coordinate all committees and assure that there is adequate representation.



## SECTION 8

### **Procedures on the Establishment of Old and Historic Districts** -

As set forth in Chapter 30, Article XI and Section 30-930.4 of the City Code and any amendments thereto, the following procedures shall be followed in the establishment of Old and Historic Districts.

- (a) **Nomination Request Submitted.** The Commission, a neighborhood organization, preservation group, property owner or other interested party, hereafter known as the sponsor, requests, in writing, a staff evaluation of a neighborhood or individual property, for possible designation as an Old and Historic District; or the Mayor or a member of City Council introduces an ordinance for the creation of an Old and Historic District. In the case of a designation sponsored by a Council member or the Mayor, the process will go directly to step (b).
- (b) **Staff Review.** Staff meets with the sponsor of the proposed Old and Historic District to discuss procedures for designation. Staff evaluates boundary options and identifies additional information required for preparation of a staff report for Commission review.
- (c) **Resolution.** To begin the review process, the Commission shall pass a resolution instructing the Secretary to begin administration of the review process.
- (d) **Staff Report.** With the assistance of the nomination sponsor, staff prepares a report on the proposed Old and Historic District for the Commission. The report includes the following information on the proposed Old and Historic designation:
  - A summary of the history and development of the proposed district;
  - A description of the existing historic building(s), environmental features, urban design elements and non-historic features of the proposed district;
  - Photographs that document the history and architecture of the proposed district;
  - A map showing the boundaries and major features of the proposed district;
  - The number of property owners and a discussion of the type of ownership;
  - A summary of current land use and zoning;

- Information on the sponsor of the designation and why the designation was requested; and
  - Justification for Old and Historic District designation.
- (e) **Commission Review.** After evaluating the report, the Commission decides whether to continue with the designation process for the proposed Old and Historic District. If the designation process is to go forward, the Commission will request that the sponsor undertake an owner information process.
- (f) **Owner Information Process.** The goal of this process is to attempt to inform all affected property owners of the proposed designation and the responsibilities of property owners within Old and Historic Districts, and to determine the level of property owner support before beginning the actual legal process of designation. Commission staff is responsible for sending, receiving, and tallying the property-owner postcard survey. Property owners will be sent an information packet that includes one response postcard per parcel owned within the proposed district's boundaries. The returned responses will be used to gauge the level of support for the designation. The information packet will also include notification of the time, date, and place of a public information meeting.

The sponsor hosts a public information meeting. At the meeting, staff will make a presentation on the process for designating an Old and Historic District, requirements for property owners in Old and Historic Districts, and why the property or district is being considered for Old and Historic District status. Staff and a Commission representative will answer questions from those in attendance. Property owners may return their response post cards stating their support, opposition, or lack of opinion on the proposed designation at this meeting or they may return the card by mail within two weeks of the public meeting.

- (g) **Additional Commission Review.** Upon completion of the public information process, staff presents the Commission with a written summary on the process and the property owner response. After consideration of the report, the Commission determines whether to continue with the designation process.
- (h) **Scheduling and Notice of Public Hearing.** If the Commission decides to proceed, it will schedule a public hearing. The Commission will decide if the hearing will be at a regular Commission meeting or at a special time and place. The Commission Secretary will notify by mail all property owners within and adjacent to the proposed Old and Historic District of the date, time and place of the public hearing. Adjacent property owners are those within 150 feet of the proposed district.

- (i) **Public Hearing.** The Commission will conduct a public hearing to allow the Commission the opportunity to hear public comments on the proposed designation before making a recommendation to City Council. At the hearing, staff will make a presentation that summarizes the staff report and the process up to that point. Following the staff presentation, the Commission will hear questions and statements for or against designation from those in attendance.
- (j) **Formal Action and Rezoning Procedures.** The Commission will vote whether or not to recommend designation to City Council. The proposed Old and Historic District shall then be forwarded to City Council and processed in accordance with Article XI of Chapter 30. At the Council public hearing, Staff and at least one member of the Commission will attend, and the Commission member will summarize the position of the Commission.

## **SECTION 9**

### **Procedures on Hearing Certificates of Appropriateness-**

As set forth in Section 30-930.5, 30-930.6 and any amendments thereto. In addition, the following procedures shall be used:

- (a) The Secretary shall endeavor to meet with applicants early in the process and advise them of appropriate design solution and advise them of the standards and guidelines used by the Commission.
- (b) Conceptual review of design proposals for new construction projects shall be required before submitting a formal application for a certificate of appropriateness. The Commission shall review and discuss the proposal with the applicant and make any necessary recommendations. Such conceptual review shall be advisory only.
- (c) Certain items may be delegated by the Commission for review by the Secretary in conformance with Section 30-930.6. The Secretary shall prepare monthly reports for the Commission, summarizing staff approvals. Whenever the Secretary has any doubts about the intent of the Commission, the Secretary shall present the item for Commission consideration. For alterations to a project's design previously approved by the Commission, the Secretary shall consult with the Chairperson who shall determine if the changes are in substantial compliance with the previously approved certificate of appropriateness prior and subsequently either issue an administrative approval or schedule an application for review by the full Commission, as appropriate.
- (d) Prior to the public hearing of applications for certificates of appropriateness, Commission members shall disclose any meetings or formal discussions that were held individually or in groups with applicants regarding their proposal.

- (e) With the approval, denial, or modification of any decision of the Commission of Architectural Review, the Commission shall state the reason for approval or denial and articulate any amendments in the form of a resolution.
- (f) Site visits by Commission Members shall be a prerequisite for the review for any application for demolition. Site visits may also be undertaken for any other application the Commission may consider. The Commission may choose to defer an application to make a site visit or gather additional information.

## **SECTION 10**

### **Definitions-**

As set forth in Section 30-930.1 and any amendments thereto. In addition, the following definitions shall be used:

*Certificate of appropriateness* means the approval statement issued by the Commission of Architectural Review and signed by its Secretary which certifies the appropriateness of a particular request for the construction, alteration, reconstruction, repair, restoration, or demolition of all or a part of any building, structure or site within an old and historic district and which is subject to all other permits required by law. A certificate of appropriateness is valid for a period of 1 (one) year from the date of the Commission decision.

Complete application means a signed application form, related checklist, legible plans, drawings, elevations, material specifications, and payment of the required fee as described in Sec. 30-930.6 (b).

Adopted by the Commission of Architectural Review July 28, 1993.  
Portions revised by the Commission of Architectural Review April 26, 1995.  
Section 2 revised by the Commission of Architectural Review on September 27, 1995.  
Section 2 revised by the Commission of Architectural Review on August 28, 1996.  
Section 2 revised by the Commission of Architectural Review on March 2, 1999.  
Section 9 (e) added by the Commission of Architectural Review on July 25, 2006.  
Section 9 (e) deleted by the Commission of Architectural Review on October 14, 2008.  
Sections 2b, 6c, and 9b amended by the Commission of Architectural Review to add review for substantial compliance on April 28, 2015.  
Section 8 amended by the Commission of Architectural Review to update the additional procedures on April 28, 2015.  
Sections 9 (b) and 9(e) added by the Commission of Architectural Review on January 24, 2017.  
Section 3 (c) amended by the Commission of Architectural Review on July 9, 2019.  
Section 6 (c) amended by the Commission of Architectural Review on July 14, 2020.  
Section 6 (l) and (m), and Section 10 added by the Commission of Architectural Review on July 14, 2020.