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# Architectural Review Board

RULES OF PROCEDURE

ADOPTED NOVEMBER 16, 2021

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## Article 1. Purpose

The purpose of these Rules of Procedure is to establish procedures for the City of Manassas Architectural Review Board (ARB) to conduct its business. The ARB is appointed by the City Council to advise the City regarding historic preservation and to administer the Historic Overlay Districts, primarily through the consideration of applications for Certificates of Appropriateness and to maintain designation by the Virginia Department of Historic Resources as a Certified Local Government which establishes a partnership between the City, the federal historic preservation program and Virginia's Historic Preservation Office (VDHR).

## Article 2. General Rules

The City of Manassas Architectural Review Board shall be governed by the terms of the City of Manassas Zoning Ordinance as they may be amended or revised. The ARB operates under Manassas Code § 2-301 and §130-404 and City Council policies related to advisory bodies. To the extent that its procedure is not addressed by City Code or these Rules of Procedure, the ARB follows Robert's Rules of Order, Newly Revised (current edition), as adapted to small boards.

## Article 3. Membership

As a Certified Local Government, the membership of the Architectural Review Board shall include those citizens that have a demonstrated interest, competence, or knowledge in historic preservation which shall include at least one architect or architectural historian in the membership; and, at least one additional member with professional training or equivalent experience in architecture, history, architectural history, archaeology, or planning.

## Article 4. Officers and Duties

### Section 4-1. Chairperson

The Chairperson shall preside at all ARB meetings and appoint any committees found necessary to investigate any matters before the Board.

### Section 4-2. Vice-Chairperson

The Vice-Chairperson shall serve in the absence of the Chairperson, and when serving as such shall have the same powers and duties as the Chairperson.

### Section 4-3. Clerk

The Clerk to the Board, a member of the Community Development Staff, shall maintain the records of the ARB, prepare a draft agenda for meetings, and prepare draft minutes for the ARB's approval. The Clerk shall also notify the alternate member if an absence of a voting member is anticipated.

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#### Section 4-4. Elections

Elections shall be held at the beginning of each fiscal year or as soon thereafter as they may practically be held.

#### Section 4-5. Alternate Members

Alternate members are expected to attend and participate in all meetings and will be required to vote only in the absence of a regular member. If an alternate member is needed for a given meeting, the Clerk shall notify the alternate member if an absence of a voting member is anticipated.

## Article 5. Meetings

#### Section 5-1. Regular Meetings

Regular meetings shall be held on the third Tuesday of each month at 7:00 PM at the Manassas City Hall Council Chambers. However, meetings may be held elsewhere in the City, with the concurrence of the Chairperson or the ARB.

#### Section 5-2. Special Meetings

The Chairperson or any three members of the ARB may call a special meeting by notice to the Clerk. At least three (3) working days' notice shall be given to each member and the public before a special meeting is held. The call of the special meeting shall state the date, time, location and purpose of the meeting, and no business except that identified in the call of the special meeting may be acted upon at the special meeting.

#### Section 5-3. Cancellation of Meeting

Whenever there is no business for the Board, the Chairperson may dispense with a regular meeting by giving notice to the Clerk, who shall notify all the members not less than twenty-four (24) hours prior to the time set for the meeting.

#### Section 5-4. Quorum and Voting

A quorum shall consist of a majority of the members of the Board. The affirmative vote of a majority of those present and voting is required to grant a Certificate of Appropriateness or decide any other matter before the ARB.

#### Section 5-5. Participation by Remote Electronic Communication

The following policy is established pursuant to Virginia Code §2.2-3708.2 to allow members of the City of Manassas Architectural Review Board to participate in a meeting through electronic communication means from a remote location that is not open to the public, subject to the conditions and requirements of this Section. The following provisions shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

- A. On or before the day of a meeting, the member who wishes to participate through electronic means must notify the Chairperson, or in the Chairperson's absence the member who will chair

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the meeting, that the member is unable to attend the meeting due to (1) a temporary or permanent disability or other medical condition that prevents the member's physical attendance; or (2) a personal matter, and identifies with specificity the nature of the personal matter. Remote electronic participation by a member because of a personal matter is limited each calendar year to two meetings.

- B. Following receipt of notification as required by subsection (A), remote participation by electronic communication is authorized if (1) a quorum of the Board is physically assembled at one primary or central meeting location; and (2) the Board arranges for the voice of the remote participant to be heard by all persons at the primary or central meeting location.
- C. At the start of the meeting the Chairperson, or other presiding officer, shall advise the Board of the member's request for participation by remote electronic communication. If the conditions and requirements of this Policy have been met, the Board shall approve the member's request by majority vote. If participation by a member through electronic communication means is approved, the Clerk shall record in the minutes of the meeting the remote location from which the member participated. If participation is approved because of the member's temporary or permanent disability or other medical condition, the Clerk shall also include in the minutes of the meeting the fact that the member participated through electronic communication means due to a temporary or permanent disability or other medical condition that prevented the member's physical attendance. If participation is approved due to a member's personal matter, the Clerk shall also include in the minutes of the meeting the specific nature of the personal matter cited by the member.
- D. If a member's participation from a remote location is disapproved because such participation would violate this Policy, such disapproval shall be recorded in the minutes with specificity.

### Section 5-6. Conduct of Meetings

The order of business at regular meetings shall be as follows unless modified with the consent of the ARB:

1. Pledge of Allegiance to the Flag
2. Roll Call and Determination of a Quorum
3. Approval of minutes of previous meetings
4. Public Hearing (when applicable) and Comments from the Public
5. New Business
6. Old Business
7. Department Updates
8. Adjourn

### Section 5-7. Closed Session

The ARB may enter closed session when permitted by the Virginia Freedom of Information Act, but shall hold its deliberations on whether to grant or deny a certification of appropriateness in public. ARB members shall take proper precautions to preserve the confidentiality of attorney-client communications.

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## Article 6. Application Procedures for a Certificate of Appropriateness

An application for a Certificate of Appropriateness will be scheduled for the next regular meeting if it is filed in the Department of Community Development by the established deadline adopted by the ARB. Upon receipt of a complete application for a Certificate of Appropriateness, the City staff shall:

- A. Prepare a Staff Report on the application; and
- B. Forward to the ARB a copy of the application, together with a copy of any supporting documentation filed by the applicant or available to staff for review and the Staff Report, no later than the Friday prior to the meeting; and
- C. Maintain a record of all such applications and of their handling and final disposition.

## Article 7. Consideration of Applications

Any party or property owner may appear in person or by an attorney or other agent to present their application. The order of business for consideration of applications for Certificates of Appropriateness shall be as follows unless modified with the consent of the ARB:

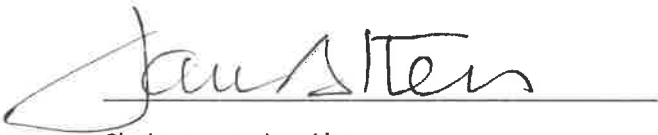
- A. The Chairperson, or such person as they shall direct, shall give a preliminary statement concerning the application;
- B. The City staff shall present a brief review of the Staff Report, providing the Board the submitted samples of materials, drawings, and photographs. Staff may provide recommendations to the Board. Any statements or arguments submitted by an official, Commission, or department of the City of Manassas, any state agency, or any local historical preservation or neighborhood association may be presented at this time.
- C. The applicant shall present the evidence and arguments in support of the application.
- D. In cases when the Board deems it necessary, it may receive public comment concerning the application. Persons opposed to granting the application may present evidence and arguments against the application.
- E. The ARB may call witnesses and obtain factual evidence to assist in their deliberations. No member of the ARB may be called as a witness in regard to any matter for ARB action without that member's consent. An ARB member who testifies as a witness shall be disqualified from voting on the matter on which he or she testified.
- F. The ARB shall permit the applicant to respond to evidence and arguments against the application. ARB members shall offer the applicant an opportunity to answer any questions they may have, and to comment on any observations that ARB members may have independently made of the property, before proceeding to deliberate whether to grant or deny the application and whether to accept the conditions recommended by staff and whether to require additional conditions. If the ARB votes to approve the application with modifications not in the staff recommendation, those modifications shall first be reduced to writing and provided to the applicant and all members of the ARB. (In the case of a Certificate of Appropriateness for a boarded-up vacant

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- G. The Clerk of the ARB shall summarize the evidence heard by the ARB, memorialize its decision, and provide a copy of such summary and decision to the applicant.

## Article 8. Amendments

These Rules of Procedure may, within the limits allowed by law, be amended at any time by an affirmative vote of a majority of the members of the Board, provided that such amendment shall have first been presented to the membership in writing at a regular or special meeting preceding the meeting at which the vote is taken. Upon adoption, such amendments shall be subject to ratification by the Manassas City Council.

Adopted this 16<sup>th</sup> day of November 2021



Chairperson, Jan Alten

Attest:



Clerk, Christen Miller