

**Report of the
Task Force to Review the Processes & Guidelines
of the
Commission of Architectural Review
May 21, 2010**

TASK FORCE MEMBERS

Bruce W. Tyler, Chair
City Council Member, 1st District

Charles T. Peters, Jr., Vice Chair
Citizen – at – Large

Drew S. Carneal, Member
Citizen – at – Large

James C. Hill, Member
Department of Planning and
Development Review

Neville C. Johnson, Member
Richmond Realtors Association

Robin Miller, Jr., Member
Citizen – at – Large

Walter Parks, Member
Architect

Mary H. Sadler, Member,
Member of the Commission of
Architectural Review

TASK FORCE STAFF

Jan Reid
Assistant City Attorney

Keith Rogers
Assistant City Clerk

Steven A. Taylor
Council Policy Analyst

Jennifer M. Walle
Council Liaison, 1st District

Deborah Handy
Council Executive Assistant & Automation Coordinator

Introduction

On July 13, 2009, the Richmond City Council established the Task Force to Review the Process and Guidelines of the Commission of Architectural Review (Task Force) with approval of Resolution No. 2009-R85-97. Since its seating, the Task Force has convened public forums to receive public input and created three subject area sub-committees to review and make recommendations to the entire Task Force for its consideration. The three subject areas explored by the sub-committees were on the subjects of 1.) guidelines; 2.) processes and procedures; and 3.) membership. The sub-committee recommendations that were adopted by the full Task Force are contained in this report. All meetings of the Task Force and its sub-committees have been public and held at various locations in the City for the convenience of the public. The life of the Task Force was extended by Council's approval of Resolution No. 2010-R8-27 so that a thorough final review and report could be made to the public and City Council. The Task Force and its sub-committees have now completed its review of the processes used by the Commission of Architectural Review (Commission), the processing of appeals, the Commission's Guidelines, the Commission's composition, the Commission's staff, the guidelines used by other jurisdictions, and the City Ordinance establishing the Commission.

The Task Force wishes to affirm the importance of historic preservation to the revitalization of the City and specifically to the creation of old and historic districts, the work performed by the Commission of Architectural Review and the Commission's Staff.

The Task Force now makes the recommendations regarding the administration of old and historic districts that are contained in this report. For the convenience of the reader, this report is divided into three board sections. These sections cover the subject areas that were reviewed by the sub-committees of the Task Force.

The resolution establishing the Task Force required filing a final report with the City Clerk. This report will be filed with the City Clerk and available on the City Clerk's webpage, under Boards and Commissions, with other materials related to the Task Force's work.

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Task Force Recommendations on Guidelines

Guidelines #1

The Task Force recommends that language similar to the language in the paragraph below be included in the introduction to the Old and Historic District Handbook and Design Review Guidelines (Guidelines).

It should be noted that local guidelines are just that: guidelines. Their intent is to offer advice to property owners and those who administer old and historic districts, and to provide consistency in decisions about what is appropriate and what is not. They are not rules, commandments or mandates. They are guidelines that are applied on a case by case basis. As each guideline is written the language offers clues about how important each guideline is by such words as "should", "must", "may", "encourage", or "discourage". In addition, all these guidelines are subject to interpretation by property owners, review bodies, neighbors, and the community. The intent of Richmond's guidelines is not to be overly specific or to dictate certain design approaches to owners and designers. Rather, these guidelines are intended to provide a framework for preserving and rehabilitating historic buildings and for inserting new construction in the city's old and historic districts. Property owners can take cues from the traditional architecture of the area and have the freedom to design appropriate new architecture for Richmond's old and historic districts. The importance of specific guidelines varies with individual projects. All of the guidelines need not be met in every project although all relevant sections of the guidelines should be taken into consideration in both the design and the review processes.

Guidelines #2

The Task Force recommends the following modification to the introductory paragraph of the Guidelines on page 42: *New construction should be compatible with the historic features that characterize its setting and context. To protect the significance of the historic context, the new work should reference the historic materials, features, size, scale, proportions and massing of its setting. However, new construction should be clearly discernible from the old to protect the authenticity of the historic district. Making new work discernible may or may not be achieved stylistically. Compatibility does not mean exactly duplicating the existing buildings or environment. Perhaps the best way to think about a compatible new building (or addition) is that it should be a good neighbor, enhancing the character of the district and respecting the context, rather than an exact clone.* The existing language under the paragraph labeled as "Form", Item

#2 on page 42 of the Guidelines should be deleted because the intent of Item #2 would be met by the proposed new language given above.

According to the experience of the Task Force members and the citizens who have expressed their opinions to the Task Force, the Guidelines that generate the most concern are those that speak to new construction, additions to existing buildings and the use of salvaged materials. The stated purpose for creating historic districts is to "provide a means by which City Council may recognize and protect the historic, architectural, cultural and artistic heritage of the City of Richmond." See, City Code § 114-930.2. To some people this protection means that new construction must look like what is already there, much like an architectural museum such as Colonial Williamsburg, while others feel that historic districts are more organic, that time should not be frozen and that new construction must both respect history, and demonstrate that the city's architectural heritage has continued to evolve. The Task Force feels that there will be circumstances that warrant and support, but do not require, new construction that absolutely mimics an old building, such as replacing a building or a portion of a building destroyed by fire, or replacing a demolished building whose appearance can be clearly documented. The Task Force believes that new construction must honor and respect the architecture of an historic district, but that the style of new construction should not be dictated. The Task Force also believes that this new construction should be able to be identified by an interested observer as not being original to the area or neighborhood so that the interested observer can tell what is old and what is new.

Essential to the administration of any community's historic districts are the guidelines for maintenance and new construction followed by that community's appointed review body and provided to owners of local historic properties. Those guidelines, developed after much thought and input by members of the community are the basis for local review of projects affecting buildings and neighborhoods designated as old and historic districts. Misunderstandings among property owners and the local review body regarding compliance with local guidelines generate much of the discussion, concern, misunderstanding and controversy surrounding historic preservation.

The U.S. Secretary of the Interior, keeper of the records of our nationally recognized historic treasures, has developed and updated the Standards for the Treatment of Historic Properties (Standards) that describe how to best preserve those treasures and respect the environment in

which they are located. Additionally, the National Park Service and state historic preservation offices use these Standards to review the appropriateness of work undertaken in pursuit of federal and state historic tax credits for rehabilitation of historic properties. The majority of local governments across the country have used the Secretary of the Interior's Standards as the basis for the administration of local historic districts. The Task Force has researched historic design guidelines across the country and found that local guidelines almost always follow the spirit and letter of the Standards, although the Secretary's Standards may have been edited for clarity. Experience has shown that consistency is to everyone's benefit.

Guidelines #3

In addressing the use of salvaged materials, the Task Force recommends replacing the language that exists in Item #10, on page 49 of the Commission's Guidelines with the following: *While it is acceptable to use salvaged materials as in-kind replacement, adding features or salvaged architectural elements that suggest an inaccurate or undocumented sequence of construction should be avoided because this confuses our understanding of the evolution of Richmond's historic built environment.*

According to the experience of the Task Force members and the citizens who have expressed their opinions to the Task Force, the Guidelines that generate the most concern are those that speak to new construction, additions to existing buildings, and the use of salvaged materials. To address the issue of salvaged materials first, the Task Force wants to be clear that using salvaged materials is a beneficial practice that both preserves and reuses historic materials. The problem lies with using materials or salvaged elements that are not true to the building in question. To maintain the integrity of a historic structure salvaged ornamental features such as wrought iron fences, dormers, brackets, cornices, windows and doors that evidence a specific style and period should only be used if they can be documented as matching features that were once part of the property. Salvaged elements that have no particular style, such as masonry, siding, decking, or simply-configured windows, doors or fencing could be reusable on most renovation projects. If inappropriate salvaged materials were used and labeled as such, those materials or elements would still be inappropriate.

Guidelines #4

The Task Force recommends adding "*front and side yard*" before the words *setback patterns* in Item #2, under the paragraph labeled "Siting" on page 42 of the Guidelines. The addition of the

new phrase to Item #2 eliminates the need for Item #4. Item #4 should be stricken from the Guidelines. The intent of these two guidelines is now clarified and a possible conflict with the zoning regulations is removed.

Guidelines #5

The Task Force recommends deleting the second paragraph, labeled as "Height, Width, Proportions & Massing", on page 43 of the Guidelines. The number of stories of new buildings or additions is not as important as the building's height and massing. In many of the City's old and historic districts, for example, the existing buildings vary from residential buildings with 9 - 12 foot stories to warehouses with up to 20-foot stories; therefore matching the number of stories would be inappropriate.

Guidelines #6

The Task Force recommends that an expanded list of definitions and a glossary of terms be developed by the Commission and substituted for the definitions found on pages 40 and 41 of the Guidelines.

Task Force Recommendations on Process and Procedures

Process and Procedure #1

The Task Force agreed that the Commission and its staff should confer with the City Attorney to propose any necessary amendments to clarify the intent of City Code § 114-930.7(h), which governs the adoption of architectural guidelines for use by the Secretary of the Commission. City Code § 114-930.7(h) reads as follows:

§ 114-930.7(h) Architectural guidelines for use by secretary. The commission of architectural review may adopt design guidelines for any old and historic district which set forth standard design features that shall be uniformly applicable within such district by the secretary conducting a review pursuant to § 114-930.6(h). The purpose of this amendment is to make it clear that the Commission has not adopted standard design features that are applicable in the historic districts by the secretary.

Process and Procedure #2

Task Force recommends that the Commission produce an annotated list of projects that may be reviewed and approved administratively by the Commission's Secretary review pursuant to authority granted to the Commission in City Code § 114-930.6(h). For each project type, the list will reference either specific guidelines from the Guidelines or additional guidelines the Commission shall issue specifically for administrative review.

Administrative approval should be used as a means for offering an applicant expedited approval but should in no way restrict the applicant's access to full review by the Commission. In the event that the Secretary is not able to approve the application administratively, the application should be scheduled for review at the next monthly Commission meeting. It is recommended that the Commission revise the Architectural Review Chart on pages 6 and 7 of the Guidelines to reflect the adoption of changes.

Process and Procedure #3

The Task Force recommends that the Commission consider designating the following types of projects for administrative review by its Secretary pursuant to authority granted it in City Code §§ 114-930.6(h) and 114-930.7(h):

1. *Modifications that will not be visible from a public right of way.*
2. *Work limited to repair or in-kind replacement.*
3. *Work involving reconstruction of missing historic elements clearly substantiated by documentary, physical, or pictorial evidence.*
4. *Door repair and replacement.*
5. *Installation of storm doors and storm windows.*
6. *Painting and staining.*
7. *Construction of a single-level rear deck without a roof.*
8. *Installation of exterior light fixtures.*
9. *Installation of awnings, canopies, gutters and similar appurtenances such as vents, chimney caps, etc.*
10. *Renewal of certificates of appropriateness.*
11. *Installation of or modifications to garage doors.*
12. *Installation/extension of fences, gates, walls.*
13. *Placement of HVAC and utility equipment.*
14. *Window repair and replacement.*

15. *Addition, alteration or removal of signage.*
16. *Installation of free-standing features below 6' in height, such as a pool, fountain, barbecue grill, bike racks, etc.*
17. *Installation of free-standing wooden garden structures, such as trellis, arbor, pergola, etc.*
18. *Implementation of rehabilitation tax credit projects approved by Virginia State Historic Preservation Office, unless there are elements of the project that meet the definition of substantial impact.*
19. *Securing or mothballing a property by boarding over window and door openings, making temporary roof repairs, and/or ventilating the building. Procedures should follow Preservation Brief No. 31, "Mothballing Historic Buildings."*
20. *Repair or comparable replacement of existing park and playground equipment, excluding buildings.*
21. *Installation of temporary construction-related structures (not to be in place for more than two years) including scaffolding, barriers, screening, fences, protective walkways, signage, office trailers or restrooms.*
22. *Repair or repointing of chimneys or other masonry features with the design, size, shape, materials, and repointing to match the original in color, texture, and tooling, and, for historic properties, following the recommended approaches in Preservation Brief No. 2 Repointing Mortar Joints in Historic Brick Buildings.*
23. *Temporary bracing or shoring (up to 24 months) short of the removal of building features as part of stabilization provided that it is installed without permanent damage to the building or site.*

(The list given above was compiled from a review of projects appearing on the Commission's consent agendas since 2007).

Process and Procedures #4

The Task Force recommends that the Ordinance be amended to include language similar to the following in the City of Charlottesville's zoning ordinance § 34-286: "An appellant shall set forth, in writing, the grounds for an appeal, specifically including the procedure(s), standard(s) or guideline(s) alleged to have been violated or misapplied by the Commission, and any additional information, factors or opinions he or she deems relevant to the application." The current Ordinance states that any person may appeal a decision of the Commission pertaining to issuance or denial of a certificate of appropriateness by filing a petition with the City Clerk and

that the petition shall set forth the alleged errors or illegality of the commission's action and the grounds thereof. The Task Force believes that the suggested revision of the Ordinance will lead to statements of clear and specific reasons for an appeal to City Council. Towards this end, the Task Force also recommends that the Commission develop a form for an appellant to use in filing an appeal. The form should require that the appellant supply a clear statement of the procedure(s), standard(s), or guideline(s) alleged to have been violated or misapplied by the Commission. The appellant's statement should be included with the Resolution before City Council as the basis for affirming or reversing the Commission's decision.

Process and Procedures #5

The Task Force recommends eliminating the hearing before the Land Use, Housing and Transportation Committee of City Council and instead have City Council designate one Councilmember who, when an appeal is filed, will coordinate an informal meeting with the appellant(s), the Councilperson for the district (*if different from the coordinating Council member*), the Commission's Chair or designee, to discuss the appeal before the matter goes to City Council for an appeal. This informal meeting should be scheduled as early as is practicable within the 75-day appeal period.

In the past, a higher percentage of appeals were withdrawn prior to reaching City Council. For the period 1994-2002, 17 out of 30 appeals filed were withdrawn. For the period 2003-2009, only three out of 16 appeals were withdrawn. Prior City Councils had dedicated one member to be knowledgeable about the ordinance, understand the processes of the Commission, and offer an informal meeting with the appellant(s) and a Commission designee before the matter was scheduled to be heard by City Council. This informal meeting provided an opportunity for a Council member to explore fully all the claims and facts of the appeal. In some cases, the issue was resolved satisfactorily and the appeal was withdrawn. In any case, the Councilmember(s) were afforded the opportunity to become better acquainted with the particulars of the case to better advise the members of City Council at the appeal hearing before City Council. The City Attorney's Office has commented that no other body than City Council can rule on the appeal as Virginia Code § 15.2-2306(A) (1) designates the governing body as the entity to which appeals go.

Process and Procedures #6

Amend the ordinance to include language similar to the following based on that found in the City of Charlottesville's zoning Ordinance § 34-286: "An appellant shall set forth, in writing, the grounds for an appeal, specifically including the procedure(s), standard(s) or guideline(s) alleged to have been violated or misapplied by the Commission, and any additional information, factors or opinions he or she deems relevant to the application." It is further recommended that appeals that do not specify, in writing, the grounds for the appeal, including the procedure(s), standard(s) or guideline(s) alleged to have been misapplied by the Commission will be deemed not to meet the statutory threshold for the filing of an appeal and should not be processed. City Council will need to confer with the City Attorney to develop protocol for certifying the completeness of an appeal. The Commission should develop a form for an appellant to use in filing the appeal. The form should require that the appellant supply a clear statement of the procedure(s), standard(s) or guideline(s) alleged to have been violated or misapplied by the Commission. The appellant's statement will be attached to the resolution before City Council as the basis for affirming or reversing the Commission's decision. Currently, City Code § 114-930.8(a) "states that any person may appeal a decision of the commission of architectural review pertaining to issuance or denial of a certificate of appropriateness by filing a petition with the city clerk and that the petition shall set forth the alleged errors or illegality of the commission's action and the grounds thereof."

Process and Procedures #7

The Task Force recommends amending Appendix A of the City Code to reflect a change in the appeal filing fee of \$150 for any appeal involving a single-family dwelling and a \$500 fee involving all other building types. This brings the fees into line with other zoning fees. There are no other fees associated with review by the Commission. The Task Force considered removing this recommendation, but determined there was justification for a higher fee so long as the fee is held at the lower rate for a project involving a single-family dwelling.

The current ordinance requires that a fee as set forth in Appendix A of the Code shall accompany each petition. The fee is paid into the City Treasury. The current fee for filing an appeal is \$150. The application and appeal fees to the Board of Zoning Appeals range from \$150 to \$500.

Process and Procedures #8

The Task Force recommends that upon the filing of an appeal, the decision by the Commission will serve as the recommendation of a sub-committee of City Council in lieu of the current recommendation by the Land Use, Housing and Transportation Committee of City Council. It is further recommended that when an appeal is filed that the Commission work with the City Council and the Office of the City Clerk to schedule the appeal for hearing and consideration within the 75-day review period; and that the documentation from the Commission will replace the current recommendation from the hearing before the Land Use, Housing, and Transportation Committee.

Currently, City Code § 114-930.8(c) states that "failure of City Council to affirm, modify or reverse the decision of the Commission within 75 days from the date the petition is filed shall be deemed to constitute affirmation of the Commission's decision, unless all parties to the appeal agree in writing to extend such period of time." In scheduling the hearings for two of the last three appeals, City Council was not able to act on the appeal within the 75-day period due to summer recess in August and the holiday schedule in December. This required the coordination of an extension agreement between the appellant and the Commission. This may be avoided in the future by Council adopting the Commission's decision as a recommendation to Council in lieu of a recommendation from the Land Use, Housing and Transportation Committee.

Process and Procedures #9

The Task Force recommends that the City Attorney prepare a clear statement of City Council's role in the appeals process, preferably at a time when there is no active appeal. The statement should emphasize the statutory basis for reversing a Commission decision and distinguish between a finding of error on the part of the Commission and a disagreement with the content of the Guidelines. The Commission staff will include this statement with the appeal, and the appeal response to City Council that is provided to all members of City Council as a timely reminder of their statutory role in the process.

Process and Procedures #10

The Task Force recommends amending the Ordinance to add to § 114-930.8(c), a requirement similar to that found in the City Code § 114-930.6(g) requiring the Commission to state its reasons for its actions. The Task Force recommends the following change: "City Council shall state clearly its reasons for reversing or modifying the decision appealed, in whole or in part, including the procedure(s) or standard(s) determined to have been misapplied by the

Commission and that satisfy City Council that the decision of the Commission is in error under this division, or the city council may affirm the decision of the Commission.”

Process and Procedures #11

The Task Force recommends that the language in Item #5 in the current *Procedures for the Establishment of Richmond Old and Historic Districts (rev. on July 1, 2008)* be revised to clarify the method and use of the postcard survey. Property owners are sent one postcard per parcel owned. The returned responses are used to gauge the level of support for the designation and that the Commission Staff and City government will conduct the survey. The Task Force also recommends revision of Item #4, as shown below.

The following is intended to be an explanation of the procedures followed by the Commission in the establishment of old and historic districts. The steps outlined in this document are designed to be consistent with the requirements of Section 114, Article IX, Division 4 of the City Code regarding old and historic districts and the requirements for rezoning a property.

1. **Nomination Request Submitted.** The Commission, a neighborhood organization, preservation group, property owner or other interested party 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 3.

2. **Staff Review.** Staff meets with the sponsor(s) 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.

3. **Staff Report.** With the assistance of the nomination sponsor(s), 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(s) of the designation and why the designation was requested; and
- Justification for Old and Historic District designation.

4. **CAR Review.** After evaluating the report, the Commission decides whether to continue to review the proposed old and historic district. If the designation proceeds, the Commission will request the sponsor(s) undertake an owner information process. ~~If an ordinance has been introduced by City Council or the Mayor, the process will proceed automatically and go directly to step 7.~~

5. **Owner Information Process.** The goal of this process is to attempt to inform all affected property owners and determine property owner support *(or lack thereof)*, before beginning the actual legal process of designation. ~~The proposed district sponsor will be responsible for contacting all property owners within the proposed Old and Historic District. Commission staff is responsible for sending, receiving, and tallying the property-owner postcard survey. Property owners will be sent 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.

A public information meeting will be held by the Commission's staff. 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. A Commission representative or staff member will answer questions from those in attendance. Property owners may return a response post card stating their support, opposition, or lack of opinion on the proposed designation. The response post card can also be mailed within two weeks of designation.

6. **Additional Commission Review.** Upon completion of the public information process, the Commission is presented 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.

7. *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 all property owners within and adjacent to the proposed old and historic district by mail, of the date, time and place of the public hearing. Adjacent property owners are those within 150 feet of the proposed district.

8. *Public Hearing Is Held.* 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, questions and statements for or against designation will be heard from those in attendance.

9. *Formal Action.* The Commission will vote whether or not to recommend designation to City Council.

10. *Submission to Council.* After approval of a recommendation for designation, staff prepares an ordinance for consideration by City Council. In addition, staff will provide a briefing packet for City Council and the City Planning Commission. Council will refer the ordinance to the City Planning Commission before taking action.

Upon submission to City Council, the proposed district will be treated as any other rezoning. Following standard zoning procedures, notices with the time and place of the City Council hearing will be published in the local daily newspaper. A direct mailing will be made by the City Clerk to all property owners in the proposed district and all of those within 150 feet of the proposed district. The mailing will include the time and the place of the City Planning Commission and City Council meetings where consideration of the designation will take place.

11. *City Planning Commission Review.* Commission staff will make a presentation to the Planning Commission that summarizes steps 1 through 10. The Planning

Commission will vote whether to recommend the proposed old and historic district to City Council.

12. **City Council Hearing.** City Council will hold a public hearing and vote whether to designate the property or district as an old and historic district. Staff and at least one member of the Commission will attend the hearing. A presentation will be made summarizing the process and the impacts of old and historic district designation. The Commission member will summarize the position of the Commission. Council will consider public input and vote whether or not to designate the property or district as an old and historic district. A vote of seven members of Council shall be required if more than 20% of the property owners have at some point objected to the old and historic designation.

13. **Property Owner Notification.** After approval by City Council, all property owners within the approved old and historic district will be notified by Commission staff.

Task Force Recommendations on Commission Membership

Commission Membership #1

The Task Force recommends that the term of office for Commission members be reduced from five to three years. It is also recommended that persons be eligible for only two consecutive appointments, unless appointed to fill the unfulfilled term of a previous Commissioner. The current term of office per City Code § 114-930 (b) is five years. The term of office is long compared to other boards and commissions and the long term and work load can be taxing to Commissioners.

Commission Membership #2

The Task Force recommends that the current size of the Commission be retained. It is also recommended that the membership be staggered with three members being appointed in each successive year. The Task Force considered the size of the Commission and whether it should

be reduced. The Task Force concluded that a nine person Commission works well because it allows for quorums to be easily met and work loads to be distributed.

Commission Membership #3

The Task Force considered whether the composition of the Commission should be altered. Currently, per City Code § 114-930.3(b), one member of the Commission is appointed from a list of three nominees from the following: 1.) William Byrd Branch of the Association for the Preservation of Virginia Antiquities, per City Code § 114-930.3(b) (1); 2.) James River Chapter of the American Institute of Architects, per City Code § 114-930.3(b)(2); 3.) Historic Richmond Foundation per City Code § 114-930.3(b) (3); 4.) Richmond Association of Realtors, per City Code § 114-930.3(b) (4); additionally, five citizens are appointed at-large, per City Code § 114-930.3(b)(5). The Task Force recommends retaining the current system of accepting nominations from the groups mentioned in the above, except for the William Byrd Branch of the APVA, see *infra*, because: 1.) the current system is deemed to work well and has produced good results for the City; 2.) the organizations mentioned in City Code merely nominate persons to the City Council and actual appointment to the Commission is by City Council; 3.) a diverse group of Commissioners has been appointed in the past using the current process; and 4.) the City Council is free to reject the nominees of any of the nominating organizations and appoint someone else. It is further recommended that the Alliance to Conserve Old Richmond Neighborhoods be substituted for the William Byrd Branch of the Association for the Preservation of Virginia Antiquities as the William Byrd Branch has merged with the Historic Richmond Foundation. Due to the possibility of a conflict of interest or the appearance of impropriety, the Task Force also recommends that no officer or employee of any of the nominating organizations set forth above shall be eligible to be nominated.

Commission Membership #4

The Task Force considered whether Council should review how the nominating organizations select their nominees. The Task Force determined that there is a need for City Council and the citizenry to know how the nominating groups select the nominees forwarded to City Council to ensure consistency and the active engagement of the nominees in preservation. The Task Force also discussed future consideration of whether or not City Council needs to give its approval of the process that the nominating groups use to select nominees. This item will need further review upon gathering factual information about the process the nominating groups use to select nominees for City Council. It was determined that each nominating organization should

provide, in writing, a brief summary of the process their organization used in the selection of its nominees.

Commission Membership #5

The Task Force considered whether or not there should be a continuing education requirement for Commissioners. The Task Force determined that the City needs to ensure continuing education for the Commissioners so that they are kept abreast of developments in the field of preservation. This item will need further exploration as to how best to achieve this goal.

Commission Membership #6

The Task Force considered whether a certain number of Commission membership slots should be reserved for residents of old and historic districts. In order to promote equanimity, the Task Force recommends that no less than two membership slots on the Commission be filled at all times by residents of the Old and Historic Districts.

Commission Membership #7

Task Force considered whether Commissioners should be paid. The Task Force determined that current system of not compensating Commissioners has attracted active and engaged volunteers and should not be altered.

Commission Membership #8

The Task Force considered whether a member of City Council or the Planning Commission should be a non-voting member of the Commission. The Task Force determined that it was not necessary to have a member of the City Council or the Planning Commission be a member of the Commission but recommends that a representative of City Council or its Land Use, Housing and Transportation Committee attend Commission meetings and report on Commission. It was also recommended that minutes of each meeting of the Commission be distributed in a timely manner to each Council member serving on the Council's Land Use, Housing, and Transportation Committee, or other appropriate Council committee or group, and that a report summarizing the Commission's activities during the preceding year be submitted annually to the Council's Land Use, Housing and Transportation Committee or other appropriate Council committee or group.

Report of the Task Force to Review the Processes & Guidelines of the Commission of Architectural Review

**Respectfully Submitted by,
Members of the Task Force.**

Charles T. Peters, Jr., Vice-Chairman & Citizen – at – Large Member

Drew S. Carneal, Citizen – at – Large Member

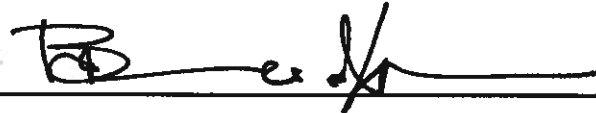
**James C. Hill, Department of Planning and Development Review Member
(Formerly the Department of Community Development)**

Neville C. Johnson, Richmond Realtors Association Member

Robin Miller, Jr., Citizen – at – Large Member

Walter Parks, Architect Member

Mary H. Sadler, Commission of Architectural Review Member

A handwritten signature in black ink, appearing to read 'Bruce W. Tyler', is written over a solid horizontal line.

Bruce W. Tyler, Chairman & City Council Member, 1st District