

LOUDOUN COUNTY HISTORIC DISTRICT REVIEW COMMITTEE BYLAWS

Adopted December 4, 1995

With amendments adopted through February 13, 2017.

The Historic District Review Committee (HDRC) is appointed by the Board of Supervisors and assumes its duties as prescribed in Section 6-300 et seq., Section 6-1800 et seq., and Section 6-1900 et seq. of the Revised 1993 Loudoun County Zoning Ordinance (Zoning Ordinance).

1. Regular Meetings will be held monthly, generally on the second Monday of each month at 6:00 P.M. and will be open to the public although they are not official public hearings.
2. Notice of Meeting. The current meeting agenda will be posted on the Loudoun County website a minimum of five (5) calendar days prior to the scheduled meeting date. Once posted, the agenda may be revised at any point prior to the meeting. For each application, the Planning Department staff representative ("Staff") will post a placard on the subject property. The placard will be posted a minimum of fourteen (14) and no more than thirty calendar (30) days prior to the meeting at which the application will be reviewed by the HDRC. No placard will be required for applications pursuant to Section 6-1902(A)(2)(b), Certificate of Appropriateness-Administrative for Minor Action (CAPA).
 - a. **Location of Placards.** Placards will be affixed to a pole, post, fence or other structure to be clearly visible from each public road abutting the subject property. If a public road does not abut the property, then the placard will be posted so as to be clearly visible from the access points to said property. Placards will be weatherproof.
 - b. **Contents of Placards.** Placards will contain:
 - i. The time, date and place of the meeting;
 - ii. A brief description of the matter being heard;
 - iii. Identification of the land that is the subject of the application including the Property Identification Number (PIN) and complete address of the property if one exists.
 - c. **Removal of Placards.** Staff will remove all posted placards no later than fifteen (15) calendar days after the application has been acted upon. Destruction or removal of a placard prior to a public meeting may result in deferral of action; however, the HDRC may determine that sufficient public notice was provided. If an application is deferred by the HDRC or applicant for any reason, a new placard will be posted a minimum of fourteen (14) calendar days prior to the next scheduled meeting where the application will be reviewed.

3. Special Meetings may be called by the Chairman in order to continue the discussion of an item from the agenda of a Regular Meeting or if a quorum could not be achieved at a Regular Meeting. Special Meeting agendas will be posted on the Loudoun County website at least five (5) calendar days prior to the Special Meeting. Placards will be required to be posted in the same manner as for Regular Meetings except that the placard will be posted a minimum of (5) calendar days prior to the Special Meeting.
4. All meetings shall be open to the public with the exception of closed sessions conducted in conformance with the Virginia Freedom of Information Act. Members of the public who wish to speak must sign up with the Secretary prior to commencement of the meeting and indicate the issue or application they wish to address. Speakers will be given 3 minutes to address the HDRC. If an individual speaker is representing a group and/or is reading a statement from a group, they shall be given 5 minutes to address the HDRC. These time limits may be modified at the Chairman's discretion. No individual will be allowed to address the HDRC more than once in regard to an issue or application unless specifically requested by a member of the HDRC who has received the approval of the Chairman. After all interested members of the public have spoken the period of public comment will be closed.
5. General public comment will be heard prior to the commencement of HDRC business. The HDRC will hear public comment related to specific applications for Certificates of Appropriateness (CAPP) or other items on the agenda prior to the HDRC's consideration of each application on the agenda. Applicants will be given the opportunity to respond to public comment and staff comments.
6. Applicants should appear in person. They may be accompanied by architects and/or builders.
 - a. If an applicant is not in attendance, the HDRC may elect to defer the application or proceed with a decision.
 - b. An applicant may provide written permission authorizing a representative to attend the meeting in his/her place. Such written permission must be provided to HDRC staff prior to 5:00 pm on the day of the meeting or provided in writing to the Chairman prior to the start of the meeting.
7. The HDRC shall be governed by Sections 6-300 through 6-307, Sections 6-1800 through 6-1810 and Sections 6-1900 through 6-1908, including the Historic District Guidelines, of the Zoning Ordinance.

8. Applicants will be directed to the Loudoun County website to access the Historic District Guidelines when submitting a CAPP application. A copy of the full Historic District Guidelines referenced in Section 6-1905 of the Zoning Ordinance is available through the Department of Planning.
9. HDRC members are responsible for attending all regularly scheduled meetings. It is the member's obligation to notify the Chairman or Vice-Chairman when unable to attend a meeting. Members are not permitted to miss more than 3 consecutive meetings without prior notification to the Chairman or Vice Chairman of the Committee who will evaluate each circumstance on a case by case basis. Should it be determined that it is in the best interest of the HDRC to replace a member due to inactivity, the Chairman and/or Vice Chairman will ask said member for resignation and notify the Board of Supervisors of the vacancy.
10. The Chairman of the HDRC shall be elected by majority vote of the entire membership of the HDRC and shall serve for a term of one year. The term shall begin July 1 of each year. The Chairman is eligible for re-election for as many terms as the HDRC wishes.
11. The Vice-Chairman of the HDRC shall be elected by majority vote of the entire membership of the HDRC and shall serve for a term of one year. The term shall begin July 1 of each year. The Vice-Chairman is eligible for re-election for as many terms as the HDRC wishes.
12. The Planning Department staff representative shall serve as Secretary to the HDRC although such Staff shall not be an actual member of the HDRC.
13. A majority of current members shall constitute a quorum. A quorum must be present to conduct any meeting or to move a motion for vote.
14. The HDRC may form sub-committees as it deems necessary.
15. No HDRC member shall take part in the discussion or determination of any application in which that member has a personal or financial interest unless such member is asked a factual question by the Chairman.
16. No HDRC member shall vote on any matter deciding a deferred application unless he or she shall have attended the meeting at which earlier deliberations took place or has the approval of the Chairman to vote. The Chairman's approval shall be subject to the assurance by the member that he or she is familiar with the application through study of the file and the minutes of any meetings at which the application was discussed.

17. HDRC members shall not discuss any application with any applicant or other persons with any kind of interest in the property prior to the meeting at which the application is to be discussed. Persons desiring information about an application shall be referred to Staff and to the official application file, which shall be retained in the Department of Planning.
18. The HDRC may reconsider an action only at the same meeting at which it was made or the immediately following meeting. A motion for reconsideration may be made only by a member voting with the prevailing side or one who has not voted on the question. No action may be reconsidered more than once unless it is materially amended after each reconsideration.
19. A motion shall be made and duly seconded and voted upon by all members of the HDRC who are present. The Chairman shall also vote and may make and second motions.
20. Any motion may be amended if the maker and seconder of the motion accept the amendment.
21. The motion shall contain all findings for approval or findings for denial and any associated conditions of approval for an application.
22. Any action taken shall require the affirmative vote of a majority of the HDRC members present and voting. .
23. A tie vote on a motion will not carry the motion.
24. Failure of a motion couched in the negative does not authorize positive action.
25. If possible, the approval or denial of an application for a CAPP shall be given on the date it is considered and the applicant so notified. However, the action may be deferred if plans submitted are incomplete or further consideration by the HDRC is necessary.
26. The HDRC may make a site visit before making a decision.
27. Once a decision has been made, a letter shall be sent by first class mail to the applicant stating the decision. Staff shall inform the Department of Building and Development of the approval or denial of an application as soon as the HDRC has rendered its decision.

28. The reference publications used in the HDRC's decision making process are:

- a. Criteria in Section 6-1904 of the Zoning Ordinance;
- b. The Historic District Guidelines; and
- c. The U.S. Secretary of the Interior's Standards for Rehabilitation.

Precedence shall be given to the Historic District Guidelines because they are specific to the County's individual Historic Districts and are Guidelines for new construction as well as renovation and restoration.

29. The HDRC and staff may make inspections for compliance with the CAPP as needed throughout the building process. In the event of infraction of the HDRC's decision, the matter shall be reported to the Zoning Administrator as a zoning violation.

30. Any apparent violation of the Bylaws should be reported by any member of the HDRC to the Chairman (or to the Vice-Chairman in the event of an alleged violation involving the Chairman). In order for any action to be taken with respect to an alleged violation, such alleged violation must be reported by the member within 30 days after the member becomes aware of the alleged violation. The Chairman (or Vice-Chairman in the event of an alleged violation involving the Chairman) shall within 7 days call the matter to the attention of the alleged violating member and the HDRC. The HDRC may make such inquiry into the matter as deemed appropriate to confirm any factual aspects related to the reported violation, and attempt to achieve an informal resolution. If an informal resolution of the violation between the violating HDRC member and the other members of the HDRC cannot be reached, the HDRC may by motion and vote, send a letter to the Board of Supervisors requesting disciplinary action which may include a formal warning, reprimand, or censure; provided, however, that said motion passes by 2/3 vote of the membership of the HDRC.