

BYLAWS

The East Franklinton Review Board, hereinafter referred to as the Board, established in September 2013 (Ord. 1508-2013) through the creation of the *East Franklinton Zoning District (August 2013)*, adopts these Bylaws (Rules of Procedure) to govern its proceedings and with the authority granted under Chapter 3323, Columbus City Codes. It is the intent of these Bylaws to clarify, simplify, and facilitate the operation and procedures of the Board.

ARTICLE 1 STATEMENT OF PURPOSE

The primary purpose of the Board is to ensure that new development, expansions to existing development, graphics, and other site improvements within the East Franklinton Zoning District are consistent with the standards of the *East Franklinton Zoning District (August 2013)* and the *East Franklinton Creative Community District Plan (November 2012)*, as stipulated in CC 3323.

ARTICLE 2 CREATION, TERMS, MEMBERSHIP AND OFFICERS.

The following are excerpts from CC3323.09.

1. **Creation.** The Review Board shall consist of seven (7) members appointed by the Mayor and approved by City Council.
2. **Initial Terms.** When the Review Board is first constituted, one (1) member shall be appointed for an initial term of one (1) year; three (3) members shall be appointed for an initial term of two (2) years; and three (3) members shall be appointed for an initial term of three (3) years. All subsequent terms shall be for a period of four (4) years.
3. **Membership.** At least four (4) members of the Review Board shall reside or own a business or property in Franklinton. Among the professions that shall be represented on the Board, one (1) member shall be engaged as a developer or realtor with experience in the sale or management of urban properties; one (1) member shall be an architect, landscape architect or urban planner; one (1) member shall be a design professional or contractor with historic rehabilitation experience; and one (1) member shall be a lawyer with land use experience. One (1) member of the board shall be recommended by the Franklinton Area Commission as its representative and one (1) member shall be recommended by the Franklinton Board of Trade as its representative. A member may represent more than one required role.
4. **Nomination Process.** Candidates for seats on the Review Board shall be recommended by the Development Department to the Mayor's Office for review and approval before submittal to City Council for final action. The Franklinton Area Commission and Franklinton Board of Trade shall each submit two (2) candidates for consideration by the city in fulfilling each organization's seat on the Board. The Development Department will review and select one of the nominees for submittal to the Mayor's Office.
5. **Term.** A member whose term has concluded may continue to serve on the Review Board until his/her appointment is renewed or is officially concluded through the appointment of a replacement member for that seat.

6. **Removal.** By a majority vote of the Review Board, a member of the board may be removed from service for missing four (4) consecutive meetings or a total of five (5) meetings in one (1) calendar year.
7. **Pay.** Members shall serve without compensation.
8. **Officers.** The Review Board shall elect a chair and vice-chair each year at an organizational meeting each January. At that same meeting, the board shall review the list of Staff Approvable Items and vote to ratify, expand or modify the list (see Section 3323.13, Certificate of approval - staff Approvals). If the chair or vice chair are absent, then the Board shall elect a temporary chair to manage the meeting and perform the duties of the chair.
9. **Subcommittees.** The Review Board may delegate final design review of minor items to a subcommittee of the Board or to the city staff. In so doing, the board should provide clear direction regarding its expectations for final resolution of such design issues. Subcommittee meetings shall be subject to public notice provisions and a written record of the deliberations shall be provided to the board.

ARTICLE 3 PROCEEDINGS.

1. The Board members shall take official action only by a vote of a majority of the Board members voting on the question on the table during a public meeting at which there is a quorum.
2. A quorum exists when a majority of the Board members appointed to and serving on the Board are physically present at the meeting.
3. All board meetings shall take place in a publicly accessible building and shall be open to the public.
4. Regular Board Meetings shall be conducted once a month following a standard order of business.
5. Notices of all regular board meetings shall be published no less than twenty (20) days prior to the meeting in the City Bulletin.
6. The Chair, at minimum two (2) Board members, and/ or staff may call for Special Meetings for the business that requires urgent attention.
7. Notice of special and committee meetings shall be published no less than five (5) days prior to the meeting in the City Bulletin or a newspaper of general circulation.
8. The Chair or Staff may call for Business Meetings no less than seven (7) days prior to the regular board meeting to review the cases of complex nature.
9. Notice of business meetings shall be published no less than five (5) days prior to the meeting in the City Bulletin or a newspaper of general circulation.
10. The regular board meetings may be canceled at the discretion of the Chair.
11. A record of proceedings shall be maintained and available for public inspection. City staff shall digitally record all meetings and prepare a Record of Action for approval at the Board's next scheduled meeting. When required, a transcript can be prepared.
12. The chairperson may choose to limit the number of persons who may speak regarding any agenda item to not fewer than three persons for and three persons against such item and may limit the amount of time each may speak to three minutes per person or, in the alternative, may limit the total amount of time for support of an agenda item to nine minutes and the total amount of time for opposition to an agenda item to nine minutes.
13. The spokesperson for a commission, neighborhood association or civic group, if any, which represents the subject area, shall have first opportunity to speak following the applicant's presentation and staff's report.

14. Subsequent speakers may indicate concurrence with or opposition to previous statements and bring up new, non-repetitive information.

ARTICLE 4 DUTIES.

The following are excerpts from CC3323.09.

1. The Review Board shall have the following duties:

- A. Design Review.** The Review Board shall hear and decide applications for Certificates of Approval, as described in Chapter 3323.
- B. Public Plan Review.** Within its jurisdiction, the Review Board shall review and provide a recommendation to City Council regarding adoption for any public plan, including but not limited to neighborhood plans, streetscape plans, park plans, bicycle and pedestrian plans, and major street, parking and circulation plans.
- C. Design Guidelines.** The Review Board may recommend approval or disapproval to City Council of design guidelines or amendments thereto for use in reviewing applications that come before the board, including staff approvals.
- D. Zoning Change, Variance, Special Permit or Temporary Use.** An application for a zoning change, variance, special permit, temporary use, shall be reviewed by the Board prior to being heard by the approving body. The Review Board shall consider such application and forward any comments and/or recommendation to the appropriate decision-making body.
- E. Amendments.** Amendments to CC 3323, East Franklinton District, may be prepared by the city or initiated by the Review Board. Adoption of proposed amendments shall follow the process for amending the zoning code, as stipulated in Chapter 3310.
- F. Review of Public Art.** The Review Board shall consider proposals for the placement of public art, as defined in Chapter 3114, Columbus Art Commission, and provide a non-binding recommendation to the art commission as provided for herein.
- G. Historic Buildings.** In addition to being subject to the standards of this District, historic buildings listed on the Columbus Register of Historic Places (Chapter 3117) fall under the jurisdiction of the Historic Resources Commission. In such cases the Review Board's action, including staff review, of an application shall take place after review and final action by the Historic Resources Commission or Historic Preservation Office in instances of staff review. Such action shall be conveyed to the Review Board in writing by the preservation office. This section is not intended to prohibit coordinated and parallel consideration of proposals, particularly conceptual review.

2. It shall be the duty of the chairperson to:

- A. Call meetings to order and conduct them by facilitating the business of the board.
- B. Recognize persons who are entitled to speak.
- C. Call for a motion and a second, call for a vote on the motion and announce the result.
- D. Expedite business in every way compatible with the rights of members, staff, and the public in fair and impartial manner.

3. It shall be the duty of the staff to:

- A. Facilitate and coordinate communication with the Board regarding meetings and Board business.
- B. Post meeting agendas.

- C. Prepare the agenda and meeting packet for each meeting
- D. Call the roll for attendance and voting purposes.
- E. Report of any applications or proposals pending before the Board.
- F. Provide information of compliance or non-compliance with the *East Franklinton Zoning District*.
- G. Prepare and maintain records of the Board activities, including digital meeting recordings, Records of Actions, and meeting minutes as requested.
- H. Certain specified development projects may be reviewed and approved by city staff for issuance of a Certificate of Approval in place of the Review Board. In undertaking these responsibilities, the staff shall use the same principles, standards and guidelines as provided within *East Franklinton Zoning District (August 2013)* and consistent with the Review Board's record in applying these principles, standards and guidelines.

ARTICLE 5 BOARD MOTIONS

1. Only a member of the Board can make a motion, once the Chairperson has called for a motion of the Board. All motions require a second by a Board member before they can be considered. If no Board member seconds the motion, then the motion dies. The Chairperson may call for a new motion.
2. Motions shall be phrased in the positive ("to approve case number XXXX") with or without conditions.
3. If the motion passes, the case is approved. If the motion fails, the case is disapproved.
4. The Board may table an agenda item at any time. No application shall remain tabled for three (3) months without action by the Board unless at the request of the applicant.
5. In the absence of the applicant or the applicant's representative at the meeting, the Board may take action on the application before for it.

ARTICLE 6 RECORDS OF ACTION AND MEETING MINUTES

1. The staff shall record all meetings of the Board, including any subcommittee meetings.
2. The staff shall prepare Records of Action of all decisions made by the Board. Each Record of Action shall indicate the motion of the Board, including the members who moved and seconded the motion, the wording of the motion with conditions of approval or reasons for disapproval, and the vote by member.
3. Such records shall be submitted to the Board with its monthly meeting packet. The record shall be reviewed and approved by the Board at its next regular meeting.
4. Meeting minutes shall be prepared as required.

ARTICLE 7 CONFLICTS OF INTEREST

1. If a Board member, their employer, or a family member, has a financial or property interest that will be directly affected by Board action on a particular matter, the member must abstain from voting on that matter. Further, a Board member should abstain from voting on a matter in which their participation would create the appearance of impropriety. Each Board member should be alert to the appearance of impropriety and use his or her judgment to avoid that appearance by abstaining from voting on that matter. A Board member who will be abstaining from voting on a matter may not participate in deliberations pertaining to that matter and may not communicate on the matter with

other Board members or with City staff while the matter is pending before the Board other than as provided in paragraphs 3 and 4, below.

2. If there are questions regarding conflicts of interest that need resolution, Board members should contact the Staff who will ask the City Attorney's Office if a question persists.
3. If a member believes they may have a conflict of interest they should disclose it prior to the meeting to the Staff and chairperson, remain silent during the deliberation, and refrain from voting.
4. Otherwise, the Board member must excuse him or herself and may leave the room during the deliberation and vote.

ARTICLE 8 ORDER OF BUSINESS

Order of business for meetings shall be set out in the agenda as follows:

1. Roll call
2. Action on minutes
 - A. Corrections
 - B. Approval
3. The speakers are sworn in
4. Chair calls each case
5. Tabled cases:
 - A. Chairperson asks Staff for report
 - B. Staff presents summary of case review to date
 - C. Chairperson asks Board if it has questions for staff
 - D. Chairperson asks applicant if they would like to present additional information
 - E. Chairperson asks Board if they have questions for applicant
 - F. Chairperson asks if there are members of the public that would like to speak to the case
 - G. Chairperson asks Board if it has questions or comments relative to the public comments
 - H. Chairperson asks applicant to respond to the public comments
 - I. Chairperson asks for any final comments from the Board or questions of Staff
 - J. Chairperson asks for a motion and a second, which may be followed by additional discussion of the specific motion, vote
6. New cases:
 - A. Chairperson asks Staff for report
 - B. Staff presents their report and recommendation
 - C. Chairperson asks Board if it has questions for staff
 - D. Chairperson asks applicant if they would like to present additional information
 - E. Chairperson asks Board if they have questions for applicant
 - F. Chairperson asks if there are members of the public that would like to speak to the case
 - G. Chairperson asks Board if it has questions or comments relative to the public comments
 - H. Chairperson asks applicant to respond to the public comments
 - I. Chairperson asks for any final comments from the Board or questions of Staff
 - J. Chairperson asks for a motion and a second, which may be followed by additional discussion of the specific motion, vote
7. Other business
8. Adjournment

ARTICLE 9 ATTENDANCE

1. The chairperson shall encourage regular and timely attendance by each Board member. Except in case of an unforeseen emergency, each Board member is responsible for attending each meeting or notifying the staff of his or her inability to attend.
2. By a majority vote of the Board, a member of the board may be removed from service for missing four (4) consecutive meetings or a total of five (5) meetings in one (1) calendar year.
3. If a vacancy occurs, the Appointing Authority (Mayor and Council, Franklinton Area Commission or Franklinton Board of Trade depending on the specific seat) will be asked to appoint an eligible individual to the remainder of the unexpired term.

ARTICLE 10 OTHER RULES

1. The rules contained in the current edition of Roberts Rules of Order Newly Revised shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, Procedures, and any special rules of order the Board may adopt.
2. The Board may adopt written Procedures as a part of the Bylaws. Any procedure may be suspended during a meeting by a majority vote, unless otherwise noted in the text of that Procedure.
3. Funds provided to the Board by the City of Columbus shall not be committed to projects without a majority vote of the Board.

ARTICLE 11 AMENDMENT OF BYLAWS

1. These Bylaws may be amended as follows:
 - A. Proposed amendments must be submitted in writing at a regular meeting, following their review and approval by the City Attorney's Office per code.
 - B. Adoption of the proposed amendment shall be by an affirmative vote at the next regular meeting.
2. Procedures may be adopted, amended, or removed at any regular or special meeting by a majority vote unless otherwise restricted in the text of that procedure.