

University Area Review Board

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BYLAWS OF THE UNIVERSITY AREA REVIEW BOARD

PREAMBLE

These bylaws establish the rules under which the University Area Review Board, herein after referred to as Review Board, shall execute those duties and functions set forth in and with the authority granted under Chapter 3372, C.C. "Planning Overlay", subchapter "University Area Planning Overlay" established by Ordinance No. 2054-92 passed October 20, 1992. The purpose of the Review Board is to ensure quality; compatible and appropriate improvements that will preserve protect and enhance the urban environment and neighborhood characteristics of the University Area.

ARTICLE I | MEMBERS

Section 1 The Review Board shall consist of seven members appointed by the Mayor with the concurrence of Council. Members serve at the pleasure of the Mayor and without compensation.

Section 2 The term of membership shall be three years however a member shall continue to serve until a successor is appointed. Terms shall commence on February 1, except that an appointment to fill a vacancy shall begin immediately.

Section 3 Upon a vacancy, the Review Board shall immediately request the Mayor appoint a new member of similar representation.

Section 4 Regular and timely attendance is expected of each member. The Review Board request the Mayor to revoke the appointment of any member who is absent without excuse from three consecutive regular meetings or from five regular meetings in any twelve month period.

ARTICLE II | OFFICERS

Section 1 Each January the Review Board shall elect from its members a Chairperson and Secretary to serve as officers and voting members of the Review Board. Such officers shall serve for one year thereafter, or until a successor is elected.

Section 2 With just cause, the Review Board may recall an officer.

Section 3 Should an office become vacant, the Review Board shall elect a successor within the next two regular meetings.

Section 4 The Chairperson shall preside at all meetings, serve as spokesperson for the Review Board, and, in consultation with other members, appoint committees. The Chairperson shall ensure the Review Board dispenses with business fairly and properly; and that meetings are conducted in an orderly and timely manner. The Chairperson shall determine existence of a quorum, who is absent and whether those absent are excused.

Section 5 The Secretary shall oversee all record keeping procedures and assume the duties of Chairperson in his/her absence.

ARTICLE III | REPRESENTING THE REVIEW BOARD

Section 1 No member, except the Chairperson, shall represent the Review Board, unless specifically authorized by the Review Board. When such representation is made, only the proceedings and acts of the Review Board shall be communicated and such incident shall be reported to the Review Board at its next regular meeting.

ARTICLE IV | DUTIES

Section 1 The duties of the Review Board as set out in C.C. 3372.580(C) are:

- A. to preserve, protect and enhance the urban environment and neighborhood characteristics of the University Area;
- B. to hear and decide permit applications for site improvements, construction, and exterior alteration not involving replacement-in-kind and determine the ; appropriateness thereof; and to issue Certificates of Approval for projects meeting the development guidelines of the "University Area Planning Overlay" subchapter of Chapter 3372, C.C., and subsequent adopted guidelines;
- C. to review applications for variances from any Zoning Code standards, including the Overlay standards established in C.C. 3372.520 to 3372.580, and to make recommendations thereon;
- D. to develop and promulgate permanent development guidelines pertaining to compatibility and appearance as necessary to determine the appropriateness of proposals, clarify development objectives, and enhance the interim development guide- lines of C.C. 3372.582; and
- E. to hold regular meetings.

ARTICLE V | MEETINGS

Section 1 A regular meeting shall be held on the third Thursday of each month unless otherwise provided by the Review Board.

Section 2 An annual meeting shall be held at the regular meeting in January and shall include election of officers.

Section 3 A special meeting may be called by the Chairperson or by a majority of the Review Board. Except in cases of emergency, at least three days' notice of such meeting shall be given to each member.

Section 4 All meetings shall be open to the public and notice of any meeting, stating the date, time, location and purpose, shall be published in the City Bulletin prior to such meeting. If prior notice is not possible, which may occur with special meetings, notice shall be published immediately following the meeting.

Section 5 Four members constitute a quorum. If a quorum is not met within fifteen minutes of the scheduled meeting time, roll shall be called and the meeting adjourned. When a quorum is lacking, no business can be transacted other than to recess or adjourn.

Section 6 An agenda shall be prepared and made available prior to each meeting. Applications for Certificates of Approval shall be considered first in the order of business; however, the Chairperson may reasonably modify the order of business unless overruled by a majority of the members present. Minutes shall be taken and maintained, and, once approved, made available for public examination.

Section 7 The Chairperson may limit the number of persons who may speak regarding any agenda item and may limit the amount of time each may speak.

ARTICLE VI | CERTIFICATES OF APPROVAL

Section 1 Any permit application for construction of a building, exterior alteration of a building not involving replacement-in-kind, site improvements or applications requiring zoning clearance shall require a Certificate of Approval. The Review Board shall issue a Certificate of Approval to the applicant when the development guidelines of the "University Area Planning Overlay" subchapter of Chapter 3372 C.C. and subsequent adopted guidelines are met. In the event of concurrent jurisdiction with the Historic Resources Commission (HRC), a Certificate of Appropriateness from the HRC or evidence that the terms of C.C. 3116.17 regarding the issuance of a permit have been met shall accompany the application for zoning clearance and shall be required before the Review Board or its designee considers a project for conformance with said subchapter and guidelines.

Section 2 The Review Board may delegate its authority to issue Certificates of Approval to the Development Director or his designee for:

A. projects which fully comply with the standards of the "University Area Planning Overlay" subchapter of Chapter 3372 C.C., subsequent Review Board guidelines, and any Historic Resources Commission requirements that may apply; or

B. for designs previously reviewed and judged appropriate by the Review Board.

Section 3 A Certificate of Approval shall be in the form of either a certificate, indicating what was approved, or an official stamp of approval, indicating compliance with the approved action, and with each being validated by the signature of a Review Board officer or designee to certify conformance with the motion passed. A signed stamp of approval shall be placed on all documents that indicate the work to be done and are necessary for obtaining a permit

Section 4 When an applicant is denied a Certificate of Approval, the Review Board shall convey to the applicant its reasons for doing so. A denied application can only be reheard if significant, new information is presented; the proposal is significantly altered; the proposal is changed to satisfy the reasons for its denial; or the Review Board consents to a rehearing at a future meeting.

ARTICLE VII | VOTING AND PROCEDURES

Section 1 No member shall vote upon any matter in which he/she may have or appear to have a conflicting interest. A member shall immediately inform the Review Board at such time a situation presents itself in which his/her interests conflict or would appear to conflict with the fair, impartial, and objective performance of his/her duties and responsibilities as a Review Board member.

Section 2 Approval by the Review Board shall require an affirmative vote from no less than four members, unless otherwise stated herein. A recommendation by the Review Board on items other than a Certificate of Approval may be made by a majority of the members voting thereon. The failure of a question to receive the required affirmative vote shall constitute denial of the requested action. A member who abstains from voting shall not be considered in determining a vote.

Section 3 Motions, when at all possible, shall be made in a positive form.

Section 4 Applications with insufficient information shall not be considered or shall be denied, postponed, tabled, or given a preliminary review receiving no formal action. Decisions of the Review Board shall be supported by appropriate findings of fact, and where necessary, shall be accompanied by such conditions and/or recommendations as it may determine to be reasonable under the circumstances. The Review Board may solicit or request the applicant furnish professional advice to aid them make an informed decision.

Section 5 Appeal of findings and determinations of the Review Board based on a claim of substantial economic hardship, as defined in C.C. 3116.018, may be taken to the Board of Commission Appeals in accordance with provisions of Chapters 3116 and 3118, C.C., and the "University Area Planning Overlay" subchapter of Chapter 3372, C.C.. Appeal for any reason other than substantial economic hardship may be made to the courts.

ARTICLE VII | PARLIAMENTARY AUTHORITY

Section 1 The current edition of “Robert’s Rules of Order Newly Revised” shall govern the Review Board in all cases to which they are applicable and in which they are not inconsistent with Columbus City Codes, the Charter of the City of Columbus, or these bylaws and any special rules of order the Review Board may adopt.

ARTICLE IX | AMENDMENT OF BYLAWS

Section 1 These bylaws may amend at any regular meeting of the Review Board by the affirmative vote of at least five members, provided that the amendment has been submitted in writing at the previous regular meeting.

Section 2 Any amendment proposed for adoption shall contain the entire bylaws as amended and shall repeal the existing bylaw.

ARTICLE X | FILING AND EFFECTIVE DATE

Section 1 Immediately upon adoption of these bylaws, or any amended bylaws, a certified copy thereof shall be filed with the City Clerk for publication in the City Bulletin within twenty days thereafter. Such bylaws shall take effect the tenth day after such publication.

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