

LANDMARK PRESERVATION COMMISSION BYLAWS
Adopted July 20, 2010; Amended November 5, 2019

I

Election of Officers

Section 1. The Commission shall hold an election of officers at the first regular meeting in April of each calendar year.

Section 2. The Commission shall elect a Chairperson and a Vice-Chairperson who shall hold office for one year or until their successors are selected and qualified. Both officers may serve any number of terms.

Section 3. The Chairperson shall preside at all meetings and shall be responsible for the conduct of such meetings in accordance with Roberts' Rules of Order.

Section 4. The Vice-Chairperson shall perform the duties of the Chairperson in the event of the Chairperson's absence. In the event the Chairperson and Vice Chairperson are both absent, the remaining members shall vote for a Chairperson Pro-Tem, who shall chair only that meeting, and only so long as the Chairperson and Vice-Chairperson remain absent.

Section 5. Should the office of Chairperson or Vice-Chairperson become vacant, the Commission shall elect a successor from its membership at the next meeting to fill the unexpired term of said office.

II

Meetings of the Commission

Section 1. Regular meetings of the Commission shall be held on the first and third Tuesday of each month, at 1:00 P.M. ("Regular Meetings"). Complete applications received on or prior to the filing deadline for each Regular Meeting will be scheduled for meetings on a first-come first-served basis. There shall be no limit on the number of consent agenda items for Regular Meetings. No more than eight design and/or demolition review applications may be placed on the agenda for Regular Meetings, provided however, if one or more public hearings are scheduled for a Regular Meeting, then no more than six design and/or demolition review applications may be placed on the agenda, unless otherwise approved by the Chairperson in consultation with Landmark staff. Any additional complete applications received by the deadline for a Regular Meeting will be placed on a subsequent agenda. Special meetings may be held as needed, subject to concurrence of a majority of Commission members.

Section 2. The Commission shall act officially only at meetings of which not less than five days' notice has been given; provided, however, that emergency meetings of the Commission may be called by the Chairperson upon two days' written notice.

Section 3. The Chairperson, absent objection by the majority of the members, may cancel meetings (except those held for the purpose of conducting a public hearing) for cause, including absence of a quorum, lack of business to conduct or other unforeseeable circumstances. Notice of such cancellation shall be given to the members at least 24 hours in advance of the time of the meeting, if possible.

Section 4. The Chairperson shall have the agenda prepared for each regular meeting. This agenda shall constitute written notice as specified in Section 2 above.

Section 5. The minutes of Commission meetings shall be prepared and shall be made available to each member as promptly as possible after the meeting.

Section 6. On any matter not quasi-judicial in nature, proxy voting may be done by any member who is unable to attend a meeting, providing the matter to be voted upon is specific and the proxy vote is either in the affirmative or negative and presented to the Chairperson prior to the meeting.

Section 7. No official business of the Commission shall be conducted unless a quorum of not less than five voting members is present. The concurring vote of at least five members is necessary to constitute an official act of the Commission.

III

Public Hearings

Section 1. First opportunity to be heard shall be one 10-minute period afforded to all persons submitting a proposal, and their representatives. This includes time for the applicant and applicant representatives to speak.

Section 2. Second opportunity to be heard shall be one 10-minute period afforded to any and all persons having a legal interest in the subject property, including their representatives, provided that those having a legal interest in the subject property did not submit the proposal and speak in accordance with Section 1. Exception: For proposed historic district designation public hearings, any owner of property that may be included in the historic designation, other than owner(s) submitting a proposal, shall speak in accordance with Section 3 below.

Section 3. Then others shall be heard. Individual presentations shall be limited to three minutes, but the majority of the Commission members present may extend or shorten this time. Speakers may not give their time to other speakers.

Section 4. All persons wishing to speak shall register with the Chairperson or Landmark staff prior to the Chairperson opening the public hearing.

Section 5. The Chairperson shall determine the order of speakers.

Section 6. Exceptions to time limits above: A speaker may answer questions from Commission members outside of the time limits delineated in Sections 1 and 2 above.

IV

Committees and Subcommittees

Section 1. The Chairperson is empowered to appoint working committees and subcommittees as may be necessary to carry out the work of the Commission. Such appointments shall be subject to approval by the Commission as a whole.

Section 2. A committee shall be an ad hoc committee of Commission members only, appointed to perform specified tasks.

Section 3. A subcommittee shall be an ad hoc committee consisting of persons who may or may not be Commission members. Subcommittees shall be appointed to perform specified tasks.

V

Designation Fees

Section 1. The Landmark Commission may reduce designation fees (Section 30-4(4)). A request for such relief must be made in writing at the time of preliminary investigation (Section 30-4(2)). Relief may be granted if the criteria set forth below are met to the satisfaction of the Landmark Preservation Commission.

Section 2. To obtain a reduction of the designation fee, an applicant for designation of an individual structure must demonstrate all of the following:

- a) Written consent by the owner(s) supporting Landmark designation;
- b) Inclusion in a City or Colorado Historical Society sponsored or approved architectural survey and a finding that the property is eligible to be a Denver Landmark or listed in the National Register; and,
- c) A well-prepared, well-documented application.

Section 3. To obtain a reduction of the designation fee, an application for designation of a historic district must demonstrate all of the following:

- a) Size of the proposed district, primarily the number of structures;
- b) Number of property owners;
- c) Proportion of property owners consenting to designation; and,
- d) A well-prepared, well-documented application.

Section 4. If all of the criteria are demonstrated to the satisfaction of the Commission, the Commission may reduce the designation fee up to a maximum of 50 percent of the required fee as set forth in Section 30-4(4).

Section 5. The applicant must pay the fee set by the Commission prior to the public hearing for designation.

VI

Administrative Action by Landmark Staff

Section 1. Landmark staff is hereby authorized to approve design review applications which clearly meet the Design Guidelines and the Commission's interpretations of those guidelines.

Section 2. Landmark staff may request additional information in the Commission's name where such information is necessary for a complete application for design review, designation or demolition.

VII

Amendments

Section 1. These bylaws may be amended (consistent with the terms of the ordinance creating the Commission) at any regular Commission meeting, provided that written notice of such amendments shall be given at least five days prior to such meeting.