Design Review

Adopted on November 2, 2015
(Effective December 1, 2015)

Approval by the Chair of the Denver Landmark Preservation Commission

[Signature]
Date November 2, 2015

Martin Goldstein, Chair

Approval by the City Attorney for Legality

[Signature]
Date 11/4/15

D. Scott Martinez, Attorney for the City & County of Denver

Adopted Pursuant to Article II, Chapter 30 (Landmark Preservation) of the Denver Revised Municipal Code
SECTION 1: PURPOSE AND DEFINITIONS

I. PURPOSE

The purpose of these rules and regulations is to set forth the procedures for administration of design review required by Article I, Chapter 30 (Landmark Preservation) of the Denver Revised Municipal Code (“D.R.M.C.”). The Landmark Preservation Commission (“Commission” or “LPC”) performs design review on permits affecting the exteriors of properties located in Denver historic districts or designated as individual Denver landmarks. The purpose of this review to ensure that the proposed work protects, enhances and perpetuates designated historic structures and districts, and is consistent with the Design Guidelines for Denver Landmark Structures & District. The design review authority of the Commission is set out in Chapter 30 of the D.R.M.C. It should be recognized that no set of regulations can anticipate every conceivable situation in which an ordinance may apply, and it is anticipated that these rules and regulations may be amended or supplemented from time to time.

II. DEFINITIONS

Any terms or phrases stated but not defined herein are implied from or deferred to D.R.M.C. Chapter 30, or Design Guidelines for Denver Landmark Structures & Districts. Terms or phrases specific to or introduced in this document are defined below or referenced to equivalent terms in D.R.M.C. Chapter 30 or the Design Guidelines for Denver Landmark Structures & Districts.

“Accessory Dwelling Unit” has the same meaning as in Denver Zoning Code Section 11.12.7.

“Infill” is new construction that rededicates land, usually open space, to a new structure. Also called infill construction. Garages, detached accessory dwelling units and additions are typically not regarded as infill.

“Large-Scale Projects” mean infill construction, rooftop additions, and accessory dwelling unit (ADU) construction proposed to any structure which constitutes all or part of designated structure for preservation or all or part of a structure located in a designated district for preservation, or upon any land in a designated district for preservation or on any land included in the area designated as a structure for preservation.

“Pre-Application Meeting” is a meeting with Landmark Preservation staff at the onset of a project. The meeting can be in person or by telephone, provided Landmark Preservation staff determines that the purpose and requirements of a pre-application meeting are met.

“Registered Neighborhood Association (RNO)” is a neighborhood association as defined in Article III, Chapter 12 (Community Planning and Development), that has registered with the City and County of Denver’s Department of Community Planning and Development.

“Rooftop Addition” is any new construction on top of an existing rooftop for occupied or unoccupied space that removes a portion or all of the existing roof, including full-floor additions. This would not include work that is limited to roof dormers only.
SECTION 2: APPLICATIONS FOR DESIGN REVIEW

The following procedures are requirements for an application for design review to be considered complete.

I. PRE-APPLICATION MEETING

Applicants for the following project types shall attend a pre-application meeting with Landmark Preservation staff: Large-Scale Projects; demolitions of structures or portions of structures within the boundary of a Denver landmark or historic district; historic window replacement; zone lot amendments; and additions that add more than 900 square feet or more than 40 percent of square footage to existing above grade square footage, whichever is less.

The purpose of the pre-application meeting is to clarify submission requirements, identify issues, and obtain input for designing projects consistent with the Design Guidelines for Denver Landmark Structures & Districts. The Commission shall develop application forms and submittal requirements needed for a pre-application meeting.

II. INFILL CONSTRUCTION SUBJECT TO LPC DESIGN REVIEW

A. TWO STEP DESIGN REVIEW PROCESS

All applications for design review for infill construction shall require a two-step process for approval of the project. The Commission shall develop application forms and submittal requirements needed to complete the evaluation of step one and step two reviews. Each step requires an application submittal and approval by the Commission:

1. Step One: The first step shall be a Commission review of mass, form, and context. This review will focus on the placement, orientation, proportions, size and three-dimensional relationship and configuration of the new building and its façade composition as compared with buildings and character-defining features in the surrounding historic context.

2. The second step shall be a Commission review of design details. This review will focus on the details of building elevations, elements and projections; and on architectural and decorative elements, roofing, mechanical equipment, landscape and hardscape, and materials for exterior and site features. This review will also address any conditions of approval for the step one mass, form, and context review.
SECTION 3: REGISTERED NEIGHBORHOOD ORGANIZATION COORDINATION FOR DESIGN REVIEW APPLICATIONS

I. PURPOSE

Applicants shall coordinate with an RNO on Large-Scale Projects. The purpose of this coordination is to solicit and receive input from key stakeholders at the neighborhood level regarding the potential impacts of Large-Scale Projects on the character-defining features of a designated historic district or landmark structure.

However, the LPC retains full authority in accordance with Article I, Chapter 30, of the D.R.M.C. to approve or deny a design review application.

II. PROCEDURE

A. In its sole discretion, Landmark Preservation staff will identify one RNO and one RNO contact to participate in a coordination meeting with the applicant for each Large-Scale Project based on factors including, but not limited to the extent to which the RNO’s boundaries correlate with the boundaries of the historic district where the Large-Scale Project is located, whether the RNO meets on a regular basis, and whether the RNO has expressed written interest in participating in the design review process for a specific historic district.

B. For Landmark Preservation staff to qualify an RNO as eligible to participate in the design review process for any calendar year, Landmark Preservation staff must receive by January 31st of that calendar year a written letter of interest from the RNO to participate in design review. Failure to receive this written letter will preclude the RNO from participating in coordination meetings for that calendar year. A representative from the RNO must also complete Landmark Preservation design review training annually. The purpose of this training is to provide information on the historic design review process and the advisory role of the RNOs, and this training will include updates on the design guidelines, procedures and policies of the LPC, and guidance on best practices for RNO design review committees.

C. When Landmark Preservation staff meets with an applicant for a Large-Scale Project at the pre-application meeting, it shall refer applicants to one RNO and one RNO contact so that the applicant may set up a meeting date with the applicable RNO. Landmark Preservation staff shall also notify the RNO contact of the project in order to determine if the applicable RNO wishes to meet with the applicant concerning the Large-Scale Project. If the project area has no RNO, or all applicable RNOs notify Landmark Preservation staff that they do not want to meet with the applicant concerning its Large-Scale Project, then no RNO coordination is required of the applicant.
D. When an RNO wishes to meet with an applicant on a Large-Scale Project, the applicant shall schedule a meeting with the applicable RNO within 3 weeks of referral from Landmark Preservation staff. If the RNO is unable to meet with the applicant within this 3 week timeframe, then no RNO coordination is required of the applicant.

E. The applicant shall present its Large-Scale Project to the RNO at a coordination meeting for potential input and feedback.

F. The applicant shall include the following information on its formal application and required submittal materials to Landmark Preservation staff: (1) the date of the RNO coordination meeting; (2) input received; (3) and any response to this input. For projects subject to a two-step design review process, the RNO coordination meeting shall occur prior to the mass, form and context submittal, with information on the RNO coordination meeting included in that submittal. If the RNO was unresponsive or unwilling to meet within three (3) weeks of applicant contact, the applicant shall include this information in its formal application and required submittal materials.

G. The RNO and any other interested individuals may provide written comments which will be distributed to the LPC in accordance with the Public Comment Policy of the Denver Landmark Preservation Commission, or may speak at the LPC design review for the Large-Scale Project.

H. When a Large-Scale Project is located in two or more overlapping RNO boundaries, all RNOs not selected for a required coordination meeting with the applicant which have expressed in an interest in participating in the design review process and qualify per Sections 1 and 2 above shall receive notice of the Large-Scale Project from Landmark Preservation within five (5) business days of the pre-application meeting. This notification will include the Large-Scale Project address, a basic description of the project, and contact information for the applicant and the RNO contact whose RNO is scheduled for a coordination meeting with the applicant.