



**Town of Castle Rock
DESIGN REVIEW BOARD
BYLAWS
January 2022**

The Design Review Board of the Town of Castle Rock has been established by the Town Council to serve the Town Council, set forth in Chapter 17.42.100 of the Town of Castle Rock Municipal Code and perform additional duties as outlined in Town of Castle Rock Municipal Code Sections 17.38.030 and 19.04.053.

Main provisions for all Town of Castle Rock Boards and Commissions are outlined in the Town of Castle Rock Municipal Code Section 2.14.

Pursuant to the authority granted to the Design Review Board, the Design Review Board hereby adopts the following bylaws to govern its conduct and procedures that do not conflict with the main provisions outlined in the Town of Castle Rock Municipal Code, Section 2.14.

Article I - Duties

The Design Review Board shall communicate, coordinate and advise the Town Council of its activities and accomplishments, hold public meetings in conjunction therewith, promulgate its own internal rules and regulations not in conflict with the ordinances of the Town, and provide a public forum for the further development and orderly growth of the downtown region.

The Design Review Board is also to assist, advise and coordinate with the Town Council the implementation of the Downtown Master Plan, Historic Preservation Plan and other duties that may be assigned by the Town Council.

Article 2 - Staff

The Planning Department, under the direction of the Development Services Director, shall provide necessary technical and advisory support to the Board and, through the Town, shall retain needed outside consultants to assist the Board.

Article 3 - Regular Meetings

Regular meetings shall be held on the second and fourth Wednesday of each month, excluding legal holidays. All regular meetings of the Design Review Board shall commence at 6:00 p.m. and continue until 9:30 p.m., unless sooner concluded. The meeting may be extended beyond 9:30 p.m. by a unanimous vote of the Design Review Board members present. Meetings are held in the Council Chambers at Town Hall, 100 N. Wilcox Street, Castle Rock, Colorado, unless otherwise designated. Any regular meeting of the Board may be canceled per Town of Castle Rock Town Code Section 2.14 in the event there are no public hearing or discussion/action items for the meeting's agenda.

Article 4 - Minutes

Minutes of all meetings of the Board shall be kept. The Planning Department shall maintain all of the records of the Board and shall transmit them timely to the Board for their review and approval.

Article 5 - Hearing Procedures

The Board shall follow the following procedure for all public hearings:

The Board shall follow the procedure for all public hearings:

1. Call to Order and Roll Call.
2. State brief purpose of the hearing.
3. Identify the applicant
4. Ask for proof of public notice and read it into the minutes.
5. Staff report.
6. Applicant's comments and presentation.
7. Public Hearing and announce the following procedures for taking public comment:
 - a. Any person wishing to speak shall be given an opportunity to make their statements. Persons wishing to speak should place their name on the public hearing sign-up sheet. The order of public testimony will be taken from the sign-up sheet, unless a compelling reason is given to take a person's testimony at an earlier point.
 - b. Before speaking, please identify yourself for the record by stating your name, place of residence, your association with the action before the Board, and any financial or personal interest you may have in that action. If you do not live within the municipal limits of Castle Rock, please state so for the record. Provide your testimony. In the interest of time, please indicate that you agree with another's testimony rather than restating it.
 - c. If you have any material to support your testimony such as pictures, petitions and maps, please present them to the Chair so that they may become part of the record.
8. Applicant rebuttal or evidence in response.
9. The Board asks questions of the applicants, staff, or any public presenting testimony.
10. Close the public hearing.
11. The Board discusses the application for purposes of preparing a motion on the application.
12. The Board motions recommending approval, approval with conditions, denial, or continuation to a date certain.
13. Other Business
14. Adjourn

Article 6 - Amendments

These Bylaws may be amended per Chapter 2.14 by an affirmative vote of four members of the Board during a regular or special meeting. There shall be at least a five-day period between the initial proposal of an amendment and the final vote of the amendment.

Article 7 - Approvals

The above Bylaws for the Town of Castle Rock Design Review Board have been duly considered and reviewed and are hereby adopted by the Design Review Board this ____ day of _____, 2022.

ATTEST:

DESIGN REVIEW BOARD

Secretary/Vice-Chair

Chair

17.42.090 Design Review Board.

- A. The Design Review Board shall consist of seven (7) members appointed by the Town Council in accordance with Chapter 2.14 of this CRMC. The Design Review Board shall be comprised of:
- (i) One (1) member from the Planning Commission;
 - (ii) Two (2) members from the Downtown Development Authority Board;
 - (iii) Two (2) members from the Historic Preservation Board; and
 - (iv) Two (2) property owners within the Downtown Development Authority boundary. Such property owners may not be members of the aforementioned boards.
- B. Terms for each member of the Design Review Board shall be as follows:
- 1. Planning Commission representative - One-year term.
 - 2. Downtown Development Authority representatives - One-year term.
 - 3. Historic Preservation Board - One-year term.
 - 4. Property owners with the Downtown Development Authority boundary - Two-year term.
- If at any time a Design Review Board member loses his or her qualification for appointment, such member shall concurrently lose his or her seat on the Design Review Board.
- C. Unless expressly modified in this Section 17.42.090, the Design Review Board shall serve in accordance with the provisions of Chapter 2.14 of this CRMC.
- (Ord. No. 2016-011, § 1, 5-17-2016 ; Ord. No. 2015-04, § 7, 2-17-2015 ; Ord. 2012-18 §1)

17.42.100 Powers and duties of Design Review Board.

The Board shall have the following powers and duties, all of which shall be exercised consistent with the purpose and intent of this Chapter:

- A. Review all development applications that require a Site Development Plan - Downtown under Chapter 17.38 for compliance with this Chapter, including but not limited to setbacks (Section 17.42.060), building height and crown (Section 17.42.070), design standards (Section 17.42.080), outdoor display of merchandise in Section 17.52.150, accessory structures and uses, and variance requests.
- B. Upon a written finding that, by reason of exceptional shape or topography of a lot or other exceptional situation or condition of the building or land, practical difficulty or unnecessary hardship would result to the owners of the property from a strict enforcement of this Chapter, or an effort to achieve the overall vision and goals of the Downtown Master Plan and/or the Historic Preservation Plan, the Board may grant a variance for the following:
- 1. Minimum width of lot;
 - 2. Minimum front yard;
 - 3. Minimum side yard;
 - 4. Minimum rear yard;
 - 5. Minimum landscape requirements;
 - 6. Design standards in Section 17.42.080 above;

-
7. Maximum front yard;
 8. Maximum fence height;
 9. Outdoor display of merchandise in Section 17.52.150; and
 10. Accessory structures and uses.
- C. The process for consideration of a variance is prescribed in Section 17.42.110, subject to the following requirements:
1. Before any variance is granted or denied, the Board shall include a written finding in its minutes as part of the record in each case, stating specifically the exceptional conditions, the practical difficulties or unnecessary hardship involved and why there is or is not any adverse effect on public health, safety and welfare.
 2. Unless otherwise stated in the Board resolution, the applicant shall have six (6) months to apply for a building permit in accordance with the approved variance, and all new construction shall be completed within two (2) years from the date such building permit is issued.
 3. If the Board, or the Town Council on appeal, determines that a variance should be approved or approved with conditions, it shall grant only such relief as is necessary to carry out the intent of this Chapter, and may grant a different form of variance than that requested by the applicant.

(Ord. 2012-18 §1, 2012)

17.42.110 Procedure for Board review, approval and appeal.

- A. A Site Development Plan - Downtown shall be submitted in compliance with the Development Procedures Manual and application fees as defined in the Development Services Fee Schedule.
- B. The Board shall hold a public hearing on all applications submitted under this Chapter. The public notice for such hearing shall be governed by Chapter 17.04 of this CRMC.
- C. The Board shall approve, approve with conditions or deny an application based on the criteria in this Chapter and the review and approval criteria set forth in Section 17.38.040.
- D. The applicant for a Site Development Plan - Downtown that is denied by the Design Review Board may appeal to the Town Council within 30 days of the Board's action. The Town Council shall review and consider the Site Development Plan - Downtown following the notice and public hearing procedures in Chapter 17.04, CRMC and the review and approval criteria set forth in Section 17.38.040 and Chapter 17.42.

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