

**CHAPTER 5**

**Boards and Commissions**

<b>Article I</b>	<b>Planning Commission</b>	
	Sec. 5-1	Creation, membership ..... 5-1
	Sec. 5-2	Authority ..... 5-1
	Sec. 5-3	Meetings ..... 5-1
	Sec. 5-4	Removal of members ..... 5-1
	Sec. 5-5	Vacancies ..... 5-1
<b>Article II</b>	<b>Variance Board</b>	
	Sec. 5-11	Creation; membership ..... 5-1
	Sec. 5-12	Authority ..... 5-2
	Sec. 5-13	Meetings ..... 5-2
	Sec. 5-14	Removal of members ..... 5-2
	Sec. 5-15	Vacancies ..... 5-2
<b>Article III</b>	<b>Historic Preservation Review Commission</b>	
	Sec. 5-21	Creation; membership ..... 5-2
	Sec. 5-22	Authority ..... 5-2
	Sec. 5-23	Meetings ..... 5-2
	Sec. 5-24	Removal of members ..... 5-3
	Sec. 5-25	Vacancies ..... 5-3

**ARTICLE I**  
**Planning Commission**

**Sec. 5-1. Creation, membership.**

(A) Pursuant to state law, there is hereby created a Planning Commission for the City (herein the "Commission"). The Planning Commission shall consist of five (5) members and two (2) alternates, who may include the Mayor and any other member of the City Council. An alternate member may act in the absence of a regular member. Members of the Planning Commission and the alternates shall be appointed by the City Council and must be residents of the City.

(B) The members of the Commission shall serve staggered terms of four (4) years, expiring on February 28 of each year.

(Ord. 8 §1, 2006)

**Sec. 5-2. Authority.**

The Planning Commission shall have the following authority:

- (1) To prepare and maintain, subject to periodic revision as necessary, a comprehensive plan as described by state law.
- (2) To implement the provisions of Chapters 21, Zoning, and 24, Subdivision Regulations, of this Code and to perform all functions and powers referred to in said Chapters where reference is made.
- (3) To study and recommend to the City Council amendments to the zoning map of the City.
- (4) To study and recommend appropriate zoning classifications for all annexations to the City.
- (5) To exchange information with the various governmental agencies charged with planning and zoning responsibilities and with the Variance Board.
- (6) To study and recommend to the City Council amendments to Chapter 20, Signs, of this Code.
- (7) To have all other duties and powers incidental to the above, and any and all powers and duties provided by Sections 31-23-201 through 31-23-227 and Section 31-23-306, C.R.S., as amended, as well as those set forth in this Code or assigned by the City Council. However, nothing herein shall permit the Planning Commission to make amendments or changes in the zoning of the City, such powers expressly being reserved by the City Council.

(Ord. 8 §1, 2006)

**Sec. 5-3. Meetings.**

(A) The Commission shall meet at least once per month and shall cause a record of its meetings to be kept. All meetings shall be open to members of the public.

(B) Three (3) members of the Commission shall constitute a quorum for the transaction of business at any meeting, and all official actions shall require the concurrence of a majority of those members present.

(C) In March of each year, the Commission members shall elect a Chair and Vice-Chair to serve for the ensuing year, who shall be eligible for reelection.

(Ord. 8 §1, 2006)

**Sec. 5-4. Removal of members.**

Members shall be subject to removal by a majority vote of the City Council for inefficiency, neglect of duty, excessive absenteeism or malfeasance in office. For purposes of this Section, *excessive absenteeism* shall mean a failure to attend more than three (3) consecutive regular meetings, or a failure to attend at least sixty (60) percent of the regularly scheduled Commission meetings in any six-month period. Any member subject to removal shall receive written notice of the grounds for his or her removal prior to the hearing thereon.  
(Ord. 8 §1, 2006)

**Sec. 5-5. Vacancies.**

Vacancies on the Planning Commission shall be filled by appointment by the City Council, within a reasonable time after the vacancy occurs. A person appointed to fill a vacancy shall serve the remainder of the term of the member whose seat is vacant.  
(Ord. 8 §1, 2006)

**Sec. 5-6—5-10. Reserved.**

**ARTICLE II**

**Variance Board**

**Sec. 5-11. Creation; membership.**

(A) Pursuant to state law, a Variance Board is hereby established for the City (herein the "Board"). The Board shall consist of five (5) members and two (2) alternates, each of whom shall be appointed by the City Council. Each member and alternate shall be a resident of the City. An alternate member may act in the absence of a regular member.

(B) The members of the Board shall serve staggered terms of four (4) years, expiring on February 28 of every odd-numbered year.  
(Ord. 8 §1, 2006)

**Sec. 5-12. Authority.**

The Board shall have the power to hear and decide appeals and requests for variances as set forth in Chapter 20, Signs, and Chapter 21, Zoning, of this Code.  
(Ord. 8 §1, 2006)

**Sec. 5-13. Meetings.**

(A) The Board shall not be required to schedule regular meetings but, rather, shall meet in a timely period after any request for a variance or appeal has been filed. The Board shall cause a record of its meetings to be kept. All meetings shall be open to members of the public and shall be conducted in the general form of public meetings.

(B) Three (3) members of the Board shall constitute a quorum for the transaction of business at any meeting, and all official actions shall require the concurrence of three (3) members.

(C) In March of each year, or as soon thereafter as a meeting is held, the Board members shall elect a Chair and Vice-Chair to serve for the ensuing year, who shall be eligible for reelection.  
(Ord. 8 §1, 2006)

**Sec. 5-14. Removal of members.**

Members shall be subject to removal by a majority vote of the membership of the City Council for inefficiency, neglect of duty, excessive absenteeism or malfeasance in office. For purposes of this Section, *excessive absenteeism* shall mean a failure to attend more than three (3) consecutive meetings. Any member subject to removal shall receive written notice of the grounds for his or her removal prior to the hearing thereon.  
(Ord. 8 §1, 2006)

**Sec. 5-15. Vacancies.**

Vacancies on the Variance Board shall be filled by appointment by the City Council within a reasonable time after the vacancy occurs. A person appointed to fill a vacancy shall serve the remainder of the term of the member whose seat is vacant.

(Ord. 8 §1, 2006)

**Sec. 5-16—5-20. Reserved.**

**ARTICLE III**

**Historic Preservation Review Commission**

**Sec. 5-21. Creation; membership.**

(A) Pursuant to the City's Historic Preservation ordinance, codified in Chapter 22 of this Code, there shall be an Historic Preservation Review Commission (herein the "Commission") consisting of five (5) members and two (2) alternates. Members shall be appointed by the City Council and may include the Mayor and any other member of the City Council. An alternate member may act in the absence of a regular member.

(B) The members of the Commission shall serve staggered terms of four (4) years, expiring on February 28 of every odd-numbered year.

(C) Members shall preferably be qualified by training or experience to render decisions as to whether the requirements of Chapter 22 of this Code and the applicable guidelines are being met, or shall have exhibited a strong interest in historic preservation by membership in a group concerned with historic preservation or other overt expressions of such interest.

(Ord. 8 §1, 2006)

**Sec. 5-22. Authority.**

(A) The Commission shall have the authority to review applications for building permits and demolition permits within the Historic Preservation District established in Chapter 22 or other established designated sites, and to issue certificates of appropriateness.

(B) The Commission shall have any other duties as established by the City Council and shall have all powers necessary to perform its duties.

(Ord. 8 §1, 2006)

**Sec. 5-23. Meetings.**

(A) The Commission shall meet at least once per month, unless it is shown that no applications have been submitted for review in any month. All meetings of the Commission shall be open to the public and all deliberations for issuance of a certificate of appropriateness shall be conducted in the general form of public hearings. The Commission shall cause a record of its meetings to be kept.

(B) Three (3) members of the Commission shall constitute a quorum for the transaction of business at any meeting, and all official actions shall require the concurrence of a majority of those members present.

(C) In March of each year, the Commission members shall elect a Chair and Vice-Chair to serve for the ensuing year, who shall be eligible for reelection.

(Ord. 8 §1, 2006)

**Sec. 5-24. Removal of members.**

Members shall be subject to removal by a majority vote of the membership of the City Council for inefficiency, neglect of duty, excessive absenteeism or malfeasance in office. For purposes of this Section, *excessive absenteeism* shall mean a failure to attend more than three (3) consecutive meetings, or a failure to attend at least sixty (60) percent of the regularly scheduled Commission meetings in any six-month period. Any member subject to removal shall receive written notice of the grounds for his or her removal prior to the hearing thereon.  
(Ord. 8 §1, 2006)

**Sec. 5-25. Vacancies.**

Vacancies on the Historic Preservation Review Commission shall be filled by appointment by the City Council within a reasonable time after the vacancy occurs. A person appointed to fill a vacancy shall serve the remainder of the term of the member whose seat is vacant.  
(Ord. 8 §1, 2006)

**Sec. 5-26—5-30. Reserved.**