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## DERBY REVIEW BOARD POLICIES

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DERBY REVIEW BOARD POLICY 2013-2

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**Policy 2013-2**

Denied Applicants

**Date**

May 21, 2013

**Effective Policy:**

If an application is denied, the same or substantially similar request shall not be heard by the Derby Review Board for a period of one year from the date of denial unless the denial explicitly states that an earlier re-application will be considered. Notwithstanding the foregoing, an applicant may submit a revised application that adequately addresses all of the stated reasons for denial at any time. Such revised application shall be treated as a new application for purposes of review and scheduling.




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## DERBY REVIEW BOARD POLICY 2016-1

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### Policy 2016-1

Expanded Project Eligibility for Catalyst Funds

**Date:**

November 15, 2016

**Issue:**

The Derby Downtown District has a mix of land uses within its boundaries. In addition to the primary commercial uses, there are approximately 6 legally non-conforming single-family detached homes currently within the Derby District, 3 public uses (AnyThink Library, South Adams County Fire District Administration Building, and the Post Office), 3 parks, and 1 school. There has been increasing interest from some of these property owners in doing exterior improvements.

Historically, the catalyst fund program has been used only for commercial businesses within the Derby District, and occasionally for public projects that benefit the district as a whole. Applicants have ranged from the City to private property owners to business tenants with property owner consent for the allocation of catalyst funds. With increasing interest from non-traditional potential applicants, this policy will clarify the types of properties that are eligible to apply for the catalyst fund program.

**Effective Policy:**

Properties eligible to apply for catalyst funds approvals shall be based on land use in accordance with Table A below. Any potential applicants for land uses not identified here may request a determination regarding eligibility from the Board, and this policy shall be updated accordingly.

**TABLE A**

Land Use	Eligibility
Commercial	Up to 50% project costs, maximum \$25,000 annually
Public/Institutional	Up to 50% project costs, maximum \$25,000 annually
Mixed-Use (Commercial and Residential)	Case-by-case. If eligible, up to 50% project costs, maximum \$25,000 annually
Non-conforming Residential	Not Eligible
Single-Family Residential	Not Eligible
Multi-Family Residential	Case-by-case. If eligible, up to 50% project costs, maximum \$25,000 annually
City/URA District-wide Projects	Up to 100% project costs.



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## DERBY REVIEW BOARD POLICY 2013-1

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### **Policy 2013-1**

Project Eligibility for Catalyst Funds

#### **Date**

May 21, 2013

#### **Effective Policy:**

The Derby Review Board may approve catalyst funds for 50% of the final project cost up to a designated limit. Currently, applicants are eligible to receive an annual maximum of \$25,000 contributed to one or more projects on the same or multiple properties. Applicants will be reimbursed for not more than 50% of the total completed project cost or an amount approved by the Derby Review Board, whichever is less

The Derby Review Board may approve the expenditure of catalyst funds up to the full amount specified by staff as outlined in the associated case staff report. An alternate amount may be considered by the Derby Review Board at the hearing for an amount less than the amount specified, but in no case may the Derby Review Board approve an amount that is greater than the amount specified in the staff report.




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## DERBY REVIEW BOARD POLICY 2014-1

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### **Policy 2014-1**

Expiration of Commercial Catalyst Funds

#### **Date**

January 21, 2014

#### **Issue:**

The Derby Review Board (the “Board”) is authorized to establish a timeline for commencement and completion of any project receiving catalyst funds. In a majority of previous cases, however, no such timeline was set. As a result, certain projects that were approved for catalyst funds have languished, thereby tying up funding that could be allocated to more immediate projects. As the Derby Downtown District gains momentum, the number of requests for catalyst funding is likely to grow. By adopting a policy providing for the expiration of catalyst funds, the Board anticipates that (i) projects receiving such funding will be more likely to commence and be completed in a timely manner; and (ii) catalyst funding will be made available to more projects because projects that are not commenced or completed in a timely manner will forfeit their catalyst funds.

#### **Effective Policy:**

All catalyst fund approvals shall establish a date for expiration thereof, which shall be based on project type in accordance with Table A below. Once approved, catalyst funds will be available to the project only if the project is commenced and completed in compliance with the timeframes identified in the Board’s approval. Commerce City Staff shall advise the applicant of an approaching expiration date at least one month prior thereto. Failure to receive such notification shall neither extend nor nullify the expiration date.

The Board may, for good cause shown, extend an expiration date, provided the applicant requests such extension in writing and prior to the expiration date. The Board may grant a requested extension only after deliberation at a public meeting with the applicant present. The applicant shall be allowed to present evidence as to why the requested extension should be granted. The applicant’s failure to appear shall result in denial of the requested extension.

**TABLE A**

Project Type	Expiration
	Commencement/Completion
Signs	3 months/6 months
Windows/Doors	3 months/6 months
Awning	3 months/6 months
Façade Renovation	6 months/12 months
Building Additions	9 months/18 months
Paint	6 weeks/3 months



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## DERBY REVIEW BOARD POLICY 2014-2

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### **Policy 2014-2**

Catalyst Funds for City Initiated Projects

#### **Date**

November 18, 2014

#### **Issues:**

Currently, Commercial Catalyst Funds are used for, or have been historically, for the private side to request a 50% reimbursement on façade improvements. Staff brought it before the Derby Review Board to use the Commercial Catalyst Fund dollars to fund 100% a variety of projects that impact the district, as a whole

#### **Effective Policy:**

Catalyst Funds may be utilized for projects initiated by city/urban renewal authority for the benefit of the Derby District as a whole up to 100% of the project cost.



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## DERBY REVIEW BOARD POLICY 2023-1

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### **Policy 2023-1**

Number of Bids for Commercial Catalyst Funds

#### **Date**

July 18, 2023

#### **Issues:**

Currently, an applicant is only required to submit one bid for any commercial catalyst fund request, meaning there is no competitive bidding for these projects. This presents an ethical dilemma where there are no guarantees that tax payer dollars are being utilized in the most efficient means possible.

#### **Effective Policy:**

The Derby Review Board shall require a minimum of two bids, each from a different business or contractor for all Commercial Catalyst Fund requests before an application is heard. In circumstances where an applicant has reasonably shown they are unable to obtain a bid from a second business or contractor or an emergency replacement is required, such as, in response to vandalism, destruction of property, or concerns for safety and security then this policy may be waived by the Derby Review Board. In addition, if there is over 50% difference between the lower bid and higher bid, a third bid shall be required.



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## DERBY REVIEW BOARD POLICY 2024-1

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### **Policy 2024-1**

Permanent and Temporary Signage

#### **Date**

August 20, 2024

#### **Effective Policy:**

**Permanent Signage:** All signs proposed in conjunction with funding requests shall be reviewed and approved by the Derby Review Board. This includes all sign face changes, new cabinet signs, wall signs, monument signs, and all other permanent sign installations identified within the Land Development Code. At the discretion of City staff, a sign may receive approval via a Sign Permit if it is considered a simple matter, such as a face change, or meets all Land Development Code standards found within [Article VIII. – Sign Regulations](#), Derby Design Guidelines, or any future zoning code adopted by the City of Commerce City or Derby Review Board.

**Temporary Signage:** Temporary signs shall be allowed and shall be regulated in accordance with the standards of [Article VIII. - Sign Regulations](#) of the Land Development Code or any future zoning code adopted by the City of Commerce City or Derby Review Board. No Derby Review Board review or approval is required for temporary signage.

**Enforcement:** All existing signage shall adhere to [Sec. 21-8150. – Enforcement](#) of the Land Development Code or any future zoning code adopted by the City of Commerce City or Derby Review Board.

Failure to comply with these policies and standards contained within the LDC and City codes may result in City enforcement action to bring identified properties into compliance.