



City Council Communication

AGENDA DATE: May 5, 2025

LEGISTAR ITEM #: RES 2025-049

SUBMITTED BY: Kathleen Taylor, Senior Planner **DEPARTMENT:**
Community Development

<input type="checkbox"/> Ordinance	<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Presentation
<input type="checkbox"/> Admin Business	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> Other

REQUEST

Resolution 2025-049, if approved, will find the Ackard annexation petition submitted substantially complies with the content requirements of Colorado Revised Statutes (C.R.S.) § 31-12-107 in that the petition submitted contains the following:

- The petition was filed with the City.
- The petition meets the required content set forth in C.R.S. § 31-12-107.
- The petition was accompanied by an annexation map meeting the content requirements.

BACKGROUND

An annexation petition has been submitted to the City for the annexation of approximately 312 acres addressed 20231 East 112th Avenue, located generally at the northeast corner of East 112th Avenue and Himalaya Road. A vicinity map has been included for the specific location. The property is currently zoned Adams County Agricultural (A-3) and is requesting to be rezoned to Commerce City Low Intensity Industrial (I-1).

Finding that the annexation petition is in substantial compliance is the first required step of three in the annexation process and is primarily a procedural requirement. Resolution 2025-049 does not officially annex the property into the City.

Resolution 2025-049 also sets a public hearing date for June 16, 2025, to determine the eligibility of the property ("Eligibility Hearing") to be annexed into the City per state law and puts in motion a variety of public

CITY COUNCIL COMMUNICATION CONTINUED

notice requirements that must occur prior to the Eligibility Hearing, which is the second step in the annexation process. The third step in the process, the annexation hearing will be presented to Council at a later date, in conjunction with the zoning request once staff review of the zoning application is complete. The annexation hearing is what determines whether or not City Council approves the annexation.

A copy of the annexation petition is attached. Staff has reviewed the petition against the content requirements in C.R.S. § 31-12-107 and has found that the petition is in substantial compliance.

FINANCIAL IMPACT

Contractor	N/A
Amount of Request/Contract	\$N/A
Amount Not To Exceed	\$N/A
Amount Budgeted	\$N/A
Budget Year	FY N/A
Funding Source	N/A
Additional Funds Needed	\$N/A
Funding Source (if funds needed)	N/A

PROJECT TIMELINE

Estimated Start Date	Estimated End Date
N/A	N/A
Years and Months of Contract	Number of Times Renewable
N/A	N/A

JUSTIFICATION

<input type="checkbox"/> Council Goal	<input type="checkbox"/> Strategic Plan	<input type="checkbox"/> Work Plan	<input checked="" type="checkbox"/> Legal
Citation	The governing body of a municipality must determine if the annexation petition meets the requirements of substantial compliance as contained in C.R.S. §31-12-107. If determined substantially compliant, C.R.S §31-		

CITY COUNCIL COMMUNICATION CONTINUED

	12-108 requires said body to set a hearing date within 30-60 days to review eligibility.
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BOARDS & COMMISSIONS ASSIGNED

Board or Commission	N/A
Recommendation	N/A
Date of Recommendation	N/A

PUBLIC OUTREACH

None, other than standard referrals and standard public hearing notice requirements.

AVAILABLE ACTIONS

- Available Action #1: Approve Resolution 2025-049 accepting the petition and setting the public hearing date for June 16, 2025.
- Available Action #2: Do not approve Resolution 2025-049, which would effectively find that the petition for annexation is *not* in substantial compliance with the requirements of C.R.S. § 31-12-107.

STAFF RECOMMENDATION

Staff recommends Available Action #1 approving the resolution to find the annexation petition has met the substantial compliance requirements and to establish a date to review annexation eligibility.