



Zoning Map Amendment Report

Case #ZON26-0003

Planning Commission Date: June 2nd, 2026

GENERAL INFORMATION

PROJECT NAME	88 th Avenue & Tower Road Annexation Zoning
LOCATION	Northwest corner of East 88 th Avenue & Tower Road
SITE SIZE	0.732 acres
CURRENT ZONING	Adams County A-3 (Agricultural)
PROPOSED ZONING	AG (Commerce City)
APPLICANT	City of Commerce City
CASE PLANNER	Omar Yusuf

REQUEST

This zoning map amendment if approved, would modify the zoning of the property located at Northwest corner of East 88th Avenue & Tower Road from Adams County A-3 (Agricultural) to the Agricultural (AG) in the 2025 Land Development Code. Once zoned, the site will continue to be leased to the telecommunications tower company.

ZONING

The zoning of a property determines what uses are allowed or not allowed and sets bulk development standards such as setbacks, lot size requirements, and maximum building heights. The City of Commerce City (City) has a variety of straight zoning districts including residential districts, commercial districts, and industrial districts. Zoning Map Amendments are approved by the City Council in the form of an ordinance and “runs with the land” meaning that the zoning for a parcel remains in effect unless it is modified by a subsequent Zoning Map Amendment.

BACKGROUND AND CASE HISTORY

The subject properties are divided into two parcels, the parcel closest to the intersection, was used as a power substation until 2011 according to historic aerial photography. The property to the north and west has been used for a cell phone telecommunications tower, leased from the property owner. The cell phone provider of the telecommunications tower is unknown at this time. Both properties were owned by United Power until the sale to the City of Commerce City in 2018.

The properties have a concurrent annexation application accompanied with this Zoning Map Amendment; however, no development plan or final plat will be submitted with this case. The site will remain city-owned and partially vacant with no plans on future development.

PROJECT ANALYSIS

Site Overview

The subject properties that are adjacent to the north, west and south are within the Second Creek Farms PUD with a proposed multifamily development to the north and west. The property to the south is vacant with allowable land uses of commercial/office. The property to the east is part of the Legato PUD and is vacant with allowable land use of commercial. The request is for two parcels totaling 0.732 acres, located at the Northwest corner of East 88th Avenue & Tower Road.

Road Network Impacts & Improvements

The subject parcels will remain partially vacant with no development plan proposed. There will be no traffic impacts to East 88th Avenue & Tower Road with this Zoning Map Amendment.

COMPREHENSIVE PLAN ANALYSIS

2045 Comprehensive Plan

Character Areas

The subject property is located within the Northern Neighborhoods character area. The proposed agricultural zoning will act as the placeholder zoning designation since there is no imminent development on the site and is in compliance with the Character Area land uses. City staff found that this Zoning Map Amendment meets the following Character Areas (Land Use) goals and objectives.

- **Goal 2:** Manage growth and annexation in a strategic, positive, and compatible way to accommodate the City's growing population.
- **Goal 2.5:** Strategically improve roadway, water, and wastewater capacity to support future growth.

Connected Corridors

The subject properties are identified in the connected corridors plan that acts like a buffer between the Tower landfill from the residential properties from the north and west of the site.

Transportation and Mobility

The subject parcels are located along the most important north-south connection in Commerce City. Tower Road is an arterial which has gone through various improvements over the years. The intersection of East 88th Avenue and Tower Road is improved with curb, gutter, sidewalk, and traffic signals. Annexation and zoning of these properties would streamline improvements at this intersection, removing the need to go through Adams County for permitting.

Overall Analysis

Through the City of Commerce City's review process various Development Review Team (DRT) agencies including the South Adams County Water and Sanitation District, South Adams County Fire Department, 27J School District, Xcel Energy, and City of Commerce City: Economic and Community Vitality Division, Geographic Information Services Division, Parks, Recreation and Golf Department, Planning Division, Public Works Department, and Engineering Review Division and all agencies had no objections to the Zoning Map Amendment.

ZONING MAP AMENDMENT APPROVAL CRITERIA

A decision for this case must be based on the following approval criteria for a Zoning Map Amendment from Sec. 21-7220 (C) and the Common Decision Criteria from Section 21-7140 of the 2025 Land Development Code. An application may be approved if:

Section 21-7220 (C)

Criteria 1. Technical Error. The Zoning Map Amendment corrects a technical error on the part of the City in classifying a parcel within a specific zoning district; or

Not applicable

Criteria 2. Adherence to Criteria. The Zoning Map Amendment meets all of the following:

a. The range of allowed uses allowed by the amendment are compatible with proposed development, surrounding land uses, and the natural environment;

The proposal is a city-initiated amendment and since there is no development planned for the properties, this request will designate the property to agricultural zoning designation as a placeholder. The site is currently leased by a telecommunication company which contains an array of antennas on a monopole. *Therefore, it can be found that this application meets Criteria (2a).*

b. The proposed amendment will have, or future development can provide, efficient and adequate provision of public services and uses; and

Future development can provide adequate provision of public services and uses. The property is along an important north-south arterial which can be tapped for future utility services and is serviced by north-south bus routes. *Therefore, it can be found that this application meets Criteria (2b).*

c. There is a community need for the zoning district in the proposed location, given need to provide or maintain a proper mix of uses both within the City and the immediate area of the proposed use.

The proposed agricultural (AG) zoning designation will be the placeholder zoning upon the approval of the annexation. The properties are currently part of unincorporated Adams County in an enclave situation where the properties are surrounded by the City of Commerce City. The annexation zoning will eliminate an enclave situation that will serve a community need by preparing the properties for potential future development and right-of-way improvements fostered by the City. *Therefore, it can be found that this application meets Criteria (2c).*

Section 21-7140 (C)

The request complies with the applicable standards of the City's Code, this [LDC](#), and any applicable county, state, or federal requirements.

Through the City of Commerce City's review process, the various Development Review Team agencies including the South Adams County Water and Sanitation District, South Adams County Fire Department, Denver International Airport Strategic Planning, United Power, Xcel Energy, and City of Commerce City Economic and Community Vitality Division, Geographic Information Services Division, Parks, Recreation and Golf Department, City Attorney's Office, Planning Division, Public Works Department, and Engineering Review Division found that there is no evidence to suggest that the proposed Zoning Map Amendment will violate any state, federal, or local laws, regulations, or requirements. *Therefore, it can be found that this criterion is met.*

The request substantially conforms to any associated prior approval for the [development](#), including, but not limited to, a [PUD Zone Document](#), [Conditional Use Permit](#), or Overall [Development Plan](#).

Prior to this application, the southeastern property was used for utility purposes which ceased operations in 2011. The current use of the north and western property is leased by a telecommunications company which will remain on the property until the lease term ends. No immediate development is planned and any proposed development that is preceded by an additional zone change amendment will conform to standards from the 2025 Land Development Code and 2045 Comprehensive Plan. *Therefore, it can be found that this criterion is met.*

The request is consistent with applicable policies of the [Comprehensive Plan](#) and applicable sub-area plans and capital [improvement](#) plans; or, if it addresses a topic that is not contained or not fully developed in the Comprehensive Plan, the request does not impair the implementation of the Comprehensive Plan.

The proposed Zoning Map Amendment is consistent with the 2045 Comprehensive Plan. Typically, after an annexation zoning of a property that does not have any pending development, AG zoning is designated as a placeholder until the property is planned for development. *Therefore, it can be found that this criterion is met.*

- *Goal 2: Manage growth and annexation in a strategic, positive, and compatible way to accommodate the City's growing population.*
- *Goal 2.5: Strategically improve roadway, water, and wastewater capacity to support future growth.*

The request promotes the purposes of this LDC as established in Sec. 21-1120, Purpose, and in other applicable purpose statements in this LDC.

This proposal will ensure the public health and safety of nearby residents by acting as a slight buffer from the Tower landfill to the southwest. *Therefore, it can be found that this criterion is met.*

Adequate facilities, including public or private utilities, solid waste service, roads, drainage, and other improvements are present or are planned to be provided by either the City or the applicant.

The property can connect to existing utility lines on East 88th Avenue & Tower Road and is included in the South Adams County Fire Protection Department and South Adams County Water and Sanitation District. *Therefore, it can be found that this criterion is met.*

The request demonstrates compatibility with surrounding conforming and permitted land uses and structures and with the general character of the area.

There is no proposed development with this proposal, and the proposed zoning designation of AG will only be a placeholder pending future development. *Therefore, it can be found that this criterion is met.*

The request will not impede the normal and orderly development and improvement of surrounding property.

There is no proposed development with this proposal and there will be no impediment to the proposed townhomes to the north and west of the site. *Therefore, it can be found that this criterion is met.*

STAFF RECOMMENDATION

Staff finds that this application meets all the approval criteria found within Sec. 21-7220(C) and 21-7140 of the 2025 Land Development Code and recommends the Planning Commission provide a recommendation of approval to City Council for case Z26-0003.

CONSIDERATIONS FOR DISCUSSION

1. The Zoning Map Amendment is complementary with the Comprehensive Plan and surrounding uses.
2. There are no pending development plans with this proposal due to the project being initiated.
3. The application meets the Zoning Map Amendment approval criteria.

POTENTIAL MOTIONS

1. Approval
 - a. I move that the Planning Commission enter a finding that the requested **AG (Agricultural Zoning District) Zoning** for the property located at **Northwest corner of E. 88th Avenue & Tower Road** contained in case **ZON26-0003** meets the criteria of the Land Development Code and based upon such finding, recommend approval of the **AG (Agricultural Zoning District) Zoning**
2. Denial
 - a. I move that the Planning Commission enter a finding that the requested **AG (Agricultural Zoning District) Zoning** for the property located at **Northwest corner of E. 88th Avenue & Tower Road** contained in case **ZON26-0003** fails to meet the criteria of the Land Development Code and based upon such finding, recommend denial of the **AG (Agricultural Zoning District) Zoning**.
 1. *Insert criteria not met.

3. Continuance

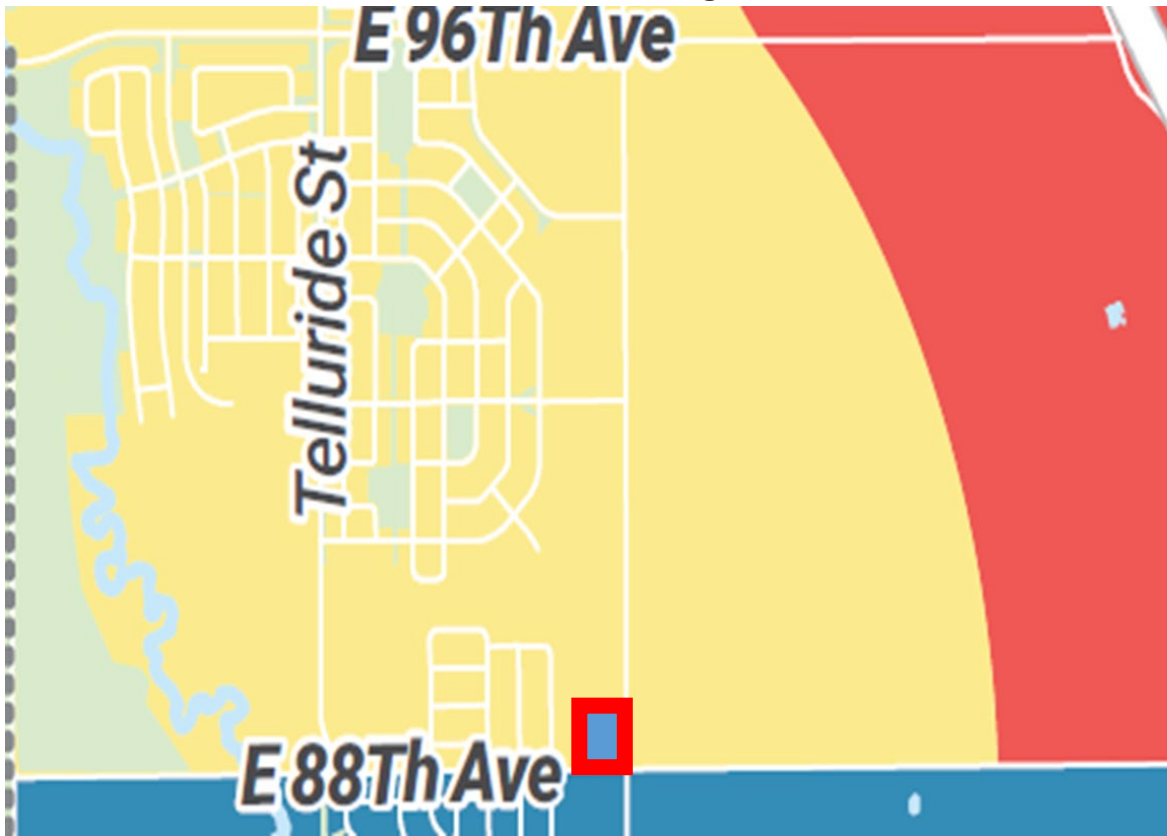
- a. I move that the Planning Commission continue the public hearing of the **AG (Agricultural Zoning District) Zoning** for the property located at **Northwest corner of E. 88th Avenue & Tower Road** contained in case **ZON23-0003** to:
 1. The next regularly scheduled Planning Commission hearing; or
 2. A date certain.

Vicinity/Zoning Map



2045 Comprehensive Plan Character Areas

Character Area: Northern Neighborhoods



Aerial Map

Aerial of site taken February 8, 2026



Site Photos

View towards South



View Towards West



View towards North

