

NEC of East 112th Ave and Himalaya Rd Annexation – Eligibility Hearing Res 2025-050

June 16, 2025



Annexation Procedure

- Annexation is governed by the Municipal Annexation Act of 1965 (CRS Title 31, Article 12)
- Substantial Compliance
 - Determines if petition meets submittal and content requirements
- **Annexation Eligibility**
 - **Requires a public hearing**
 - **Determines if land meets minimum state statute qualifications to be annexed into a municipality**
- Annexation Ordinance
 - Determines whether land should be annexed into the municipality

Status of Annexation

Approved by City Council on May 5, 2025:

- Resolution of Substantial Compliance (Res. 2025-049)

Under consideration tonight:

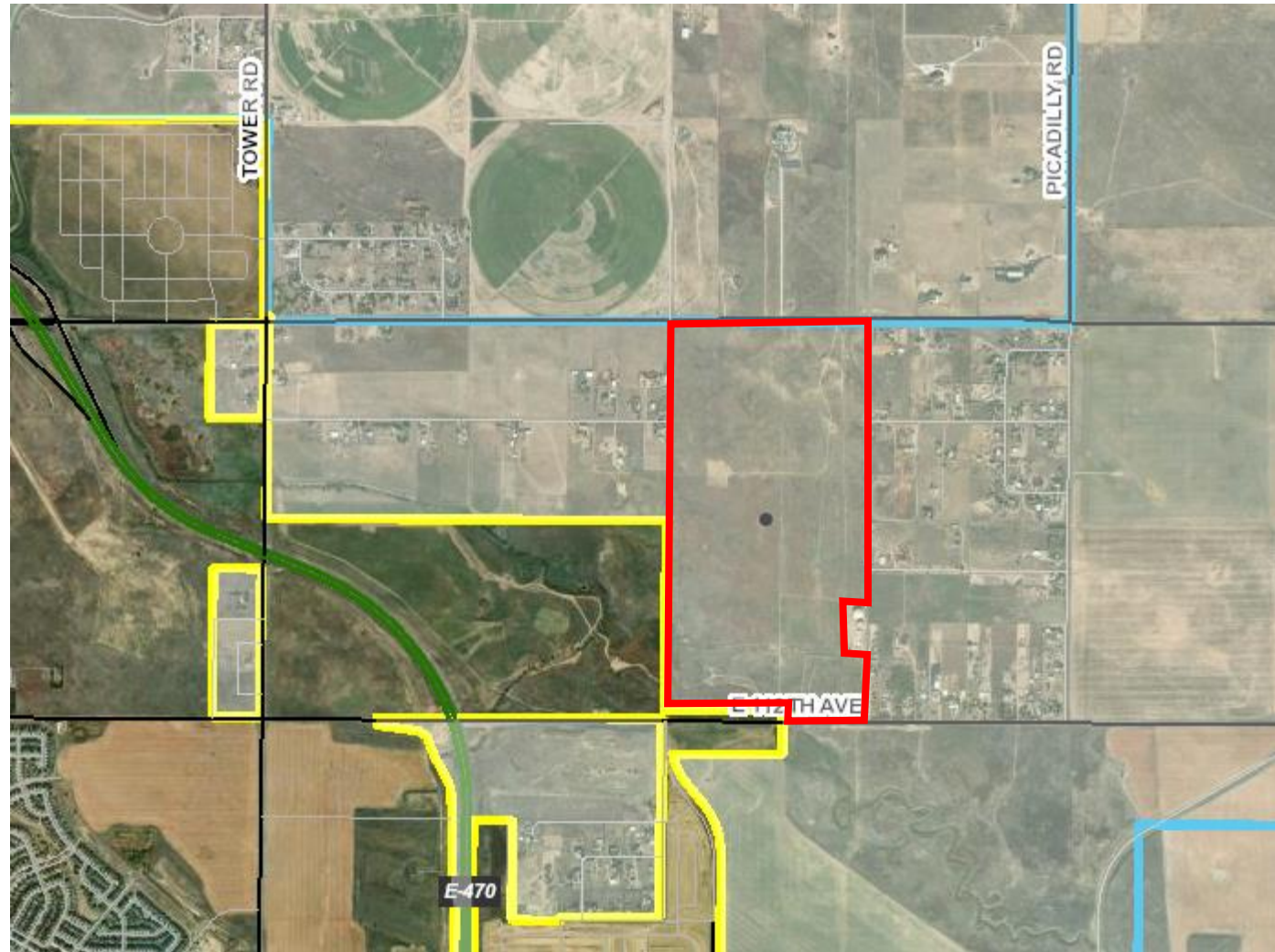
- **Resolution of Eligibility for Annexation (No. 2025-050)**

Future City Council consideration:

- Annexation Ordinance
- Zoning

Aerial

- Annexation includes approximately 312 acres



Annexation Eligibility Criteria

C.R.S §31-12-104 and 105

- Minimum 1/6th contiguity with existing city boundary
 - Total perimeter of site is 16,585 ft
 - Contiguous portion is 4,099 ft
 - This is approximately 1/4th which exceeds 1/6th
- A community of interest exists in that the proposed area is urbanized or will be urbanized in the near future
 - The site falls within Commerce City's Comprehensive Planning Area, and therefore, would be urbanized in the future.
- The area is capable of being integrated into the City
 - Water and sanitary lines to the site already exist. It is capable of being annexed.

Annexation Eligibility Criteria, continued

C.R.S §31-12-104 and 105

- No land held in identical ownership...
 - Is divided into separate tracts or parcels without written consent of the landowner(s)
 - Not applicable - only one landowner
 - Comprises 20 acres or more and with buildings and improvements value in excess of \$200,000 ad valorem tax purposes must have written consent from the landowners
 - Only one owner so this application includes written consent.
- No other annexation proceedings have commenced on the properties
 - That is accurate.
- Will not result in the detachment of area from any school district and attachment of the same to another district
 - Site will be within the 27J School District. No students anticipated, since zone change request to accompany the annexation will not include any residential

Annexation Eligibility Criteria, continued

C.R.S §31-12-104 and 105

- Petition meets the requirements of the law
 - The petition includes all that is required as demonstrated with the Substantial Compliance resolution approved May 5, 2025.
- Does not extend the municipal boundary more than 3 miles in any direction in any one year
 - Measuring the greatest distance from any one point, it would extend the city boundary approximately 5,875 feet, which is approximately 1.11 miles
- The entire width of any street or alley to be annexed is included with the annexation.
 - Satisfied

Staff Recommendation

Staff recommends approval of Resolution 2025-050 adopting the annexation eligibility findings as outlined in C.R.S. 31-12-104 and 31-12-105

Staff is available to answer questions

