

**TOWN COUNCIL
TOWN OF GYPSUM, STATE OF COLORADO
ORDINANCE NO. 02 (SERIES 2022)**

**AN ORDINANCE OF THE TOWN OF GYPSUM, COLORADO
AMENDING PORTIONS OF CHAPTER 18.11 OF THE GYPSUM MUNICIPAL
CODE, NONCONFORMING USES AND STRUCTURES**

WHEREAS, the Town of Gypsum, Colorado (“Town”), is a home rule municipality of the State of Colorado, duly organized and existing under Article XX of the Colorado Constitution and the Gypsum Home Rule Charter effective October 21, 1982; and

WHEREAS, pursuant to Article 1.3 of the Charter, the Town has all power of local self-government and home rule and all power possible for a home rule municipality to have under the Constitution and laws of the State of Colorado; and

WHEREAS, the Town Council has, by Ordinance, adopted Title 18 of the Gypsum Municipal Code (“Code”) regarding zoning (“Zoning Code”); and

WHEREAS, Chapter 18.11 of the Zoning Code relates to Nonconforming Uses and Structures; and

WHEREAS, the Town Council desires to provide greater flexibility for nonconforming uses within the Multi-Family Zone District; and

WHEREAS, the Town Council has determined that allowing lawful nonconforming uses within the Multi-Family Zone District can contribute positively to the existing community character by allowing additional opportunities for commercial properties within this residential zone district to transition to a Single-Family Dwelling Unit; and

WHEREAS, the Town Council hereby finds and determines that amending Chapter 18.11 is appropriate and necessary to the function and operation of the Town.

NOW, THEREFORE, be it ordained by the Town Council of the Town of Gypsum, Colorado that:

Section 1. Addition of Section 18.11.050. Section 18.15.010 of the Gypsum Municipal Code is hereby adopted and codified in its entirety to read as follows:

18.11.50 – Nonconforming Uses in Multi-Family Zone District.

Any lawful nonconforming use existing as of January 25, 2022 within a Multi-Family Zone District may convert to a Single-Family Dwelling Unit and such residential use shall be considered a one-time “nonconforming use” for purposes of this Chapter, and thereafter be subject to the same rights and limitations as other

nonconforming uses. No such eligible non-conforming use within a Multi-Family Zone District that converts to a Single-Family Dwelling Unit shall thereafter be allowed to convert to another non-conforming use.

Section 2. Public Inspection. Copies of this Ordinance and the Gypsum Municipal Code are available for public inspection at the office of the Gypsum Town Clerk.


Section 3. Public Hearing. A public hearing on this Ordinance shall be held on the 25 day of January, 2022 at 7:00 p.m. at the Town of Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.


Section 4. Effective Date. This Ordinance shall become effective as a permanent Ordinance five (5) days after publication, following final adoption after a public hearing held on the 25th day of January, 2022, at 7:00 p.m., at the Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

Section 5. Severability. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

INTRODUCED, READ AND ORDERED PUBLISHED BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF GYPSUM ON THE 11TH DAY OF JANUARY, 2022, BY A VOTE OF 6 IN FAVOR AND 0 AGAINST.

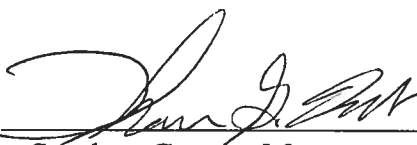
TOWN OF GYPSUM

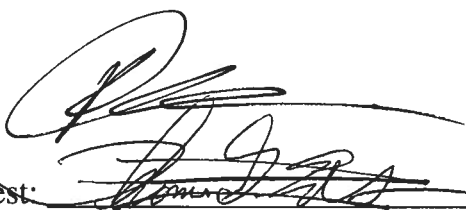
By: 
Stephen Carver, Mayor

Attest: 
Becky Close, Town Clerk

INTRODUCED ON SECOND READING, READ, CONSIDERED AT A PUBLIC HEARING AND FINALLY ADOPTED, PASSED AND APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED POSTED AND PUBLISHED, BY THE TOWN COUNCIL OF THE TOWN OF GYPSUM, COLORADO, UPON A MOTION DULY MADE AND PASSED AT ITS MEETING HELD ON THE 25TH DAY OF JANUARY, 2022, BY A VOTE OF 6 IN FAVOR AND 0 AGAINST.

TOWN OF GYPSUM

By: 
Stephen Carver, Mayor
Tom Edwards, Mayor Pro Tem

Attest: 
Becky Close, Town Clerk

