

**TOWN COUNCIL  
TOWN OF GYPSUM, STATE OF COLORADO  
ORDINANCE NO. 03 (SERIES 2020)**

**AN ORDINANCE REPEALING AND RE-ADOPTING  
SECTION 18.06.010, ADOPTION OF SECTION 18.02.773 SOLAR ENERGY FLUSH  
ROOF MOUNTED, AND ADOPTION OF SECTION 18.02.774 SOLAR ENERGY  
GROUND MOUNTED, OF THE GYPSUM MUNICIPAL CODE  
REGARDING COMMERCIAL SOLAR INSTALLATIONS**

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 the subdivision of property including design requirements; and

WHEREAS, the Town Council has determined that revising solar energy installations on certain zone districts is necessary to promote efficient design of development projects.

NOW THEREFORE, be it ordained by the Town of Gypsum, Colorado, that Section 18.06.010 of Chapter 18.06, Section 18.02.773 and Section 18.02.774 of Chapter 18.02, of the Gypsum Municipal Code are amended:

**SECTION 1.** Repeal and Readoption of Section 18.06.010 of the Gypsum Municipal Code. Section 18.06.010 of the Gypsum Municipal Code is hereby repealed and readopted in its entirety as set forth in Exhibit A, attached hereto and incorporated herein.

**SECTION 2.** Adoption of Section 18.02.773 of the Gypsum Municipal Code. Section 18.02.773 is hereby adopted as set forth below:

18.02.773 – Solar Energy Flush Roof Mounted.

*Solar Energy Flush Roof Mounted* means solar panels and appurtenances mounted on roof tops parallel to the roof top with no more than a two-foot (2’) separation between the roof top and solar panels.

**SECTION 3.** Adoption of Section 18.02.774 of the Gypsum Municipal Code. Section 18.02.774 is hereby adopted as set forth below:

18.02.774 – Solar Energy Ground Mounted.

*Solar Energy Ground Mounted* means one or more solar panels and appurtenances mounted from the ground or other structures not considered a roof top.

**SECTION 4.** 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 5.** Public Hearing. A public hearing on this Ordinance shall be held on the 25<sup>th</sup> day of February, 2020, at 7:00 p.m. at the Town of Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.


**SECTION 6.** 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 February, 2020, at 7:00 p.m., at the Gypsum Town Hall, 50 Lundgren Blvd., Gypsum, Colorado.

**SECTION 7.** Severability. If any provision of this Ordinance shall be or become invalid or unenforceable, the remainder of the provisions shall not be affected thereby, and each and every provision shall be enforceable to the fullest extent permitted by law.

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 11<sup>TH</sup> DAY OF FEBRUARY, 2020.

TOWN OF GYPSUM

By:

  
Stephen M. Carver, Mayor

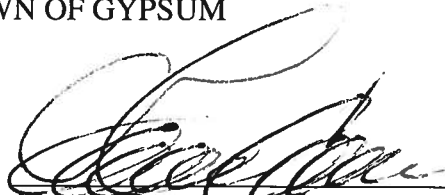
Attest:

  
Danette Schlegel, 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 25<sup>TH</sup> DAY OF FEBRUARY, 2020, BY A VOTE OF 5 IN FAVOR AND 0 AGAINST.

TOWN OF GYPSUM

By:

  
\_\_\_\_\_  
Stephen M. Carver, Mayor

Attest:

  
\_\_\_\_\_  
Danette Schlegel, Town Clerk

(SEAL)



**EXHIBIT A**

EXHIBIT A

18.06.010 - Table of nonresidential uses.

Table of Uses	Permission Codes by Zone Districts						
	P = Permitted Use S = Special Use C = Conditional Use * = Not Allowed						
Table of Nonresidential Uses							
Uses	CH	IC	CP	MD	LI	HI	ID
Adult Entertainment Establishment (18.02.070)	*	*	*	*	S	*	*
Ambulance Services	*	*	P	*	P	*	P
Amphitheater (18.02.100)	*	*	P	P	P	*	P
Automotive Sales and Repair, Major (18.02.110)	*	*	S	*	P	P	P
Automotive Sales and Repair, Minor (18.02.120)	*	*	P	*	P	*	P
Bar or Tavern (18.02.130)	P	P	P	P	P	*	*
Bed and Breakfast (18.02.140)	P	P	P	P	*	*	*
Bulk Storage of Dangerous Materials (18.02.160)	*	*	*	*	P	P	P
Bulk Storage of Liquefied Petroleum Gas (LPG) (18.02.165)	*	*	S	*	P	P	P
Child Care Center (18.02.170)	P	*	P	P	C	*	C
Church (18.02.175)	P	*	P	P	P	*	*
Commercial Parking Lots (18.02.185)	*	*	*	*	P	*	P
Family Child Care Home (18.02.290)	*	*	*	*	*	*	*
Fire Station	*	*	P	*	P	*	P

Funeral Home (18.02.330)	*	*	P	*	P	*	*
Gas Station (18.02.340)	*	P	P	S	P	*	*
Gravel and Mineral Extraction or Processing	*	*	*	*	*	S	*
Heavy Industrial (18.02.370)	*	*	*	*	S	P	S
Home Occupation (18.02.390)	*	*	*	*	*	*	*
Hospital (18.02.400)	*	*	P	*	P	*	P
Hostel (18.02.410)	S		*	*	*	*	*
Hotel/Motel/Lodging Establishment (18.02.420)	*	P	P	P	S	*	*
Intermediate Health Care Facility (18.02.430)	*	*	P		P	*	P
Medical and Dental Offices and Clinics (18.02.480)	P	P	P	P	P	*	*
Medical Marijuana Caregiver Operations	*	*	*	*	*	S	*
Nightclub (18.02.510)	S	S	S	S	S	*	*
Nursing Care Facility (18.02.530)	*	*	P	P	P	*	P
Office (18.02.550)	P	P	P	P	P	*	P
Outside Storage	*	*	*	*	C	C	C
Park (18.02.600)	*	*	S	P	S	*	S
Pet Animal Facility (18.02.620)	*	*	S	S	P	*	P
Playground (18.02.660)	S	S	S	P	*	*	S
Recreation Center (18.02.670)	S	S	P	P	P	*	P
Recreation Facility, Indoor (18.02.680)	S	S	P	P	P	*	P

Recreation Facility, Outdoor (18.02.690)	*	S	P	P	P	*	P
Recreational Vehicle Park (18.02.700)	*	*	*	*	*	*	*
Recycling Facility (18.02.710)	*	*	*	*	S	P	S
Residential Dwelling Unit	S	P	P	P	S	*	S
Restaurant (18.02.720)	P	P	P	P	S	*	S
Retail Establishment (18.02.730)	P	P	P	P	P	*	P
Salvage or Wrecking Yard (18.02.740)	*	*	*	*	S	P	*
Self-Service Storage Facilities (18.02.750)	*	*	*	*	P	*	*
Solar Energy Flush Roof Mounted (18.02.773)	P	P	P	P	P	P	P
Solar Energy Ground Mounted (18.02.774)	*	*	*	*	S	S	*
Truck Stop (18.02.810)	*	S	*	*	S	*	*
Veterinary Facilities, Small Animal Clinic (18.02.830)	*	*	S	S	P	*	*
Veterinary Clinic (18.02.840)	*	*	S	*	P	*	*
Warehouse and Distribution (18.02.850)	*	*	*	*	P	*	*
Wireless Telecommunications Equipment (18.02.860)	*	C	C	C	C	C	C
Wireless Telecommunications Facility (18.02.870)	*	*	S	*	S	S	S