

**TOWN COUNCIL
TOWN OF GYPSUM, STATE OF COLORADO
ORDINANCE NO. 11 (SERIES 2020)**

AN ORDINANCE OF THE TOWN OF GYPSUM, COLORADO REPEALING SECTION 18.02.240, ADOPTING A NEW SECTION 18.02.745, REPEALING AND READOPTING SECTIONS 18.04.120, 18.04.130 AND 18.07.010, AND AMENDING SECTIONS 18.04.020, 18.040.030, AND 18.04.035 OF THE GYPSUM MUNICIPAL CODE, REGARDING SECONDARY UNITS IN RURAL RESIDENTIAL AND AGRICULTURAL ZONE DISTRICTS

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, the Town Council hereby finds and determines that amending the Zoning Code 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. Repeal of Section 18.02.240. Section 18.02.240, the definition of “duplex”, is hereby repealed in its entirety.

Section 2. Adoption of Section 18.02.745. A new Section 18.02.745, Second Dwelling Unit, is hereby adopted in its entirety to read as follows:

18.02.745 – Second Dwelling Unit.

Second Dwelling Unit means one additional dwelling unit, limited between 800 and 1,200 square feet in size, that is secondary to the single-family dwelling unit allowed on rural residential and agricultural zoned properties. This Second Dwelling Unit cannot be subdivided or sold separately.

Section 3. Repeal and Readoption of Section 18.04.120. Section 18.04.120, Rural Residential (RR), is hereby repealed and readopted in its entirety to read as follows:

18.04.120 - Rural Residential (RR).

The rural residential district is a very low density single-family residential development within the town on individual lots of not less than two acres. The purpose of the rural residential district is to serve as a transition area between the denser residential development found in town and the lower densities of agricultural (AG) and Eagle County Resource Districts. A maximum of two dwelling units are allowed on each lot. A rural residential zoned lot may have either a Second Dwelling Unit or an Accessory Dwelling Unit, but cannot have both.

Section 4. Repeal and Readoption of Section 18.04.130. Section 18.04.130, Agricultural (AG) is hereby repealed and readopted in its entirety to read as follows:

18.04.130 - Agricultural (AG).

The agricultural district is an ultra low-density district intended for the pursuit of farm activities and limited animal raising and grazing activities or for transitional status. This zone district is characterized by growing crops and raising livestock. It is intended to maintain the rural character of areas at the periphery of the town, while allowing some appropriate residential development. Lot area is a minimum of five acres and a maximum of two dwelling units are allowed on each lot. An agricultural zoned lot may either have a Second Dwelling Unit or an Accessory Dwelling Unit, but cannot have both.

Section 5. Amendment of Sections 18.04.020, 18.04.030, and 18.04.035. Subsections 18.04.020(5), 18.04.030(4), and 18.04.035 are hereby amended to replace the phrase “*at least a duplex design or higher density structure*” with the phrase “*a multifamily structure*”, so that those subsections read as follows:

“No stand-alone single-family residential units are permitted. Residential units must be part of a multifamily structure.”

Section 6. Repeal and Readoption of Section 18.07.010. Section 18.07.010, Table of Residential Uses, is hereby repealed and readopted in its entirety as set forth on Exhibit A, attached hereto and incorporated herein.

Section 6. 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 7. Public Hearing. A public hearing on this Ordinance shall be held on the 11th day of August, 2020 at 7:00 p.m. at the Town of Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

Section 8. 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 11th day of August, 2020, at 7:00 p.m., at the Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

Section 9. 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 28TH DAY OF JULY 2020, BY A VOTE OF 7 IN FAVOR AND 0 AGAINST.



TOWN OF GYPSUM

By: 

Stephen 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 11TH DAY OF AUGUST, 2020, BY A VOTE OF 5 IN FAVOR AND 0 AGAINST.

TOWN OF GYPSUM

By: 

Stephen Carver, Mayor

Attest: 

Danette Schlegel, Town Clerk



EXHIBIT A

18.07.010 - Table of Residential Uses.

Table of Uses	Permitted Codes by Zone District						
Table of Residential Uses	P = Permitted Use S = Special Use C = Conditional Use L = Limited Use * = Not Allowed						
Uses	MHP	MF	SF/			RR	AG
			HD	MD	LD		
Single-Family Dwelling Unit	P	*	P	P	P	P	P
Second Dwelling Unit	*	*	*	*	*	P	P
Accessory Dwelling Unit (18.02.040) (18.10.040)	*	*	L	L	L	L	L
Multifamily (18.02.500)	*	P	*	*	*	*	*
Group Home, Aged (18.02.350)	*	P	P	S	*	S	*
Group Home, Developmentally Disabled/Mentally III (18.02.360)	*	P	P	P	P	P	P
Intermediate Health Care Facility (18.02.430)	*	S	*	*	*	*	*
Nursing Care Facility (18.02.530)	*	S	*	*	*	*	*
Accessory Building (18.02.030)	C	*	P	P	P	P	P
Alcoholic Beverage and Medical Marijuana Operations	*	*	*	*	*	*	*
Ambulance Services	*	*	*	*	*	S	S
Bed and Breakfast (18.02.140)	*	*	*	*	S	S	S
Bus Stop	P	P	P	P	P	P	P
Child Care Center (18.02.170)	S	S	S	S	S	P	P
Church, with or w/o Dwelling Unit (18.02.175)	*	P	P	P	P	P	P
Commercial Farming/Commercial Greenhouse	*	*	*	*	*	S	P
Country Club	*	*	*	P	P	P	P

Family Child Care Home (18.02.290)	S	S	S	P	P	P	P
Fire Station	S	S	*	*	S	S	P
Home Occupation (18.02.390)	C	*	C	C	C	C	C
Hostel (18.02.410)	*	S	S	S	*	*	*
Keeping Large Animals (18.05.060(1); see 18.05.060(1)(b) for minimum lot size)	*	*	*	*	P	P	P
Keeping Small Animals or Fowl (excluding chickens) (18.05.060(3); see 18.05.060(3)(c) for minimum lot size)	*	*	*	S	P	P	P
Keeping Chickens (18.05.060(4); see 18.05.060(4)(1) for minimum lot size)	*	*	P	P	P	P	P
Laundromat	P	P	*	*	*	*	*
Manufactured Home (18.02.470)	P	P	P	P	P	P	P
Mobile Home (18.02.490)	P	*	*	*	*	*	*
Noncommercial Greenhouse	P	P	P	P	P	P	P
Park (18.02.600)	P	P	P	P	P	P	P
Pet Animal Facility (18.02.620)	*	*	*	*	*	S	S
Playground (18.02.660)	P	P	P	P	P	P	P
Recreational Vehicle Park (18.02.700)	S	*	*	*	*	*	*
Riding Academy/Dude Ranch	*	*	*	*	*	S	S
Sale of Produce/Plants raised on the premises	*	*	*	C	C	P	P
Sawmill, not more than 2 acres	*	*	*	*	*	*	S
School, Public or Private	*	P	P	P	P	P	P
Satellite Dish, Residential	P	P	P	P	P	P	P
Solar Energy Devices, Residential	P	P	P	P	P	P	P
Wind Energy Devices, Residential	C	C	C	C	C	C	P
Water Reservoir	*	C	C	C	C	C	P
Wireless Telecommunication Equipment (18.02.860)	*	*	*	*	*	S	S
Wireless Telecommunication Facility (18.02.870)	*	*	*	*	*	*	S

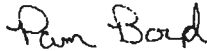
Ad #: 000606797-01
Customer: TOWN OF GYPSUM,
Your account number is: 1003111

**PROOF OF PUBLICATION
EAGLE VALLEY ENTERPRISE
STATE OF COLORADO
COUNTY OF EAGLE**

I, Pam Boyd, do solemnly swear that I am General Manager of the EAGLE VALLEY ENTERPRISE, that the same weekly newspaper printed, in whole or in part and published in the County of Eagle, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterrupted in said County of Eagle for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as a periodical under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

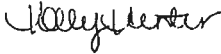
That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of 1 insertion; and that the first publication of said notice was in the issue of said newspaper dated 8/6/2020 and that the last publication of said notice was dated 8/6/2020 in the issue of said newspaper.

In witness whereof, I have here unto set my hand this day, 8/12/2020.



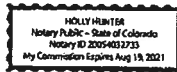
Pam Boyd, General Manager

Subscribed and sworn to before me, a notary public in and for the County of Eagle, State of Colorado this day 8/12/2020.



Holly Hunter, Notary Public

My Commission Expires: August 19, 2021



NOTICE OF PUBLIC HEARING

TOWN OF GYPSUM
P.O. Box 130
50 Lundgren Boulevard
Gypsum, CO 81637

This is to give notice that at a public meeting on July 28, 2020 the following Ordinance was introduced, read by title, approved on first reading, and ordered posted and published by title only, by the Gypsum Town Council. A public hearing for final approval, rejection, or other action as may be taken by vote of Town Council on second reading is scheduled on August 11 at 7:00 p.m. in the Town Council Chambers at Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

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