

**TOWN COUNCIL
TOWN OF GYPSUM, STATE OF COLORADO
RESOLUTION NO. 3 (SERIES 2019)**

**A RESOLUTION APPROVING A SOLAR PROJECT AT THE EAGLE COUNTY
MAINTENANCE FACILITIES**

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, the Town of Gypsum has the power and authority to adopt regulations regarding the subdivision of land and to enjoin any such subdivision which does not comply with such regulations, pursuant to Sections 31-23-214 and 31-23-216, C.R.S.; and

WHEREAS, the Town Council of the Town of Gypsum has adopted Title 18 of the Gypsum Municipal Code (G.M.C.) governing the zoning and use of land; and

WHEREAS, Eagle County, who is the property owner has requested approval for the additional construction of a 42.09kW solar photovoltaic system to be constructed on recently built building at the Eagle County Maintenance Facility; and

WHEREAS, Section 18.12.010 G.M.C., identifies the criteria in which Special Use Permits shall be considered; and

WHEREAS, pursuant to Chapter 18.12 G.M.C., the application to allow a commercial solar roof installation in an Institutional zone district was reviewed and considered by the Planning Commission on January 2, 2019; and

WHEREAS, pursuant to Section 18.12.040 uses not listed in the non-residential table of uses may also be required to be reviewed and approved by the town council at a regular meeting following public notices as required by law; and

NOW, THEREFORE, be it resolved by the Town Council of the Town of Gypsum, Colorado, that the Special Use Permit application is hereby approved with the following conditions;

- (1) The Applicant meets the conditions of the Special Use Permit as per section 18.12.010.
- (2) That as otherwise modified by this approval, all material representations of the Applicant in this application, correspondence, and public meetings shall be adhered to and considered conditions of approval, unless otherwise amended by other conditions.
- (3) If the actual out-of-pocket costs of the Town in reviewing the application are greater than the amount of the deposit paid by applicant, applicant shall pay the additional out-of-pocket costs incurred by the Town no later than within 30 days of receipt of an invoice and prior to initiation of the work proposed under this Special Use Permit.

Approved and Resolved this 8th day of January, 2018 at a regular meeting of the Town Council of the Town of Gypsum, Colorado by a vote of 6 in favor and 0 against.

TOWN OF GYPSUM

By: 
Steve Carver, Mayor

ATTEST:

By: 
Danette Schlegel, Town Clerk