

# **TOWN OF GYPSUM, STATE OF COLORADO**

## **ORDINANCE NO. 5 SERIES 2025**

### **AN ORDINANCE APPROVING AMENDMENT OF THE ZONING CODE AND OFFICIAL ZONING MAP AFFECTING CERTAIN PROPERTY LOCATED WITHIN THE VALLEY AIRPARK SUBDIVISION IN THE TOWN OF GYPSUM**

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

WHEREAS, Title 18 (Zoning) of the Gypsum Municipal G.M.C. (“G.M.C.”) sets forth regulations regarding the use of land, to include defining areas suitable for certain types of development; and

WHEREAS, Valley Airpark, L.L.C., a Colorado limited liability company is the owner (“Owner”) of the following land:

PARCEL 1: LOTS 1 AND 2, VALLEY AIRPARK, FILING NO. 1, ACCORDING TO THE PLAT RECORDED JULY 18, 1996, IN BOOK 700 AT PAGE 137, COUNTY OF EAGLE, STATE OF COLORADO.

PARCEL 2: LOT 15, AMENDED FINAL PLAT, VALLEY AIRPARK, FILING 1, LOT 15, ACCORDING TO THAT PLAT RECORDED SEPTEMBER 23, 1998 UNDER RECEPTION NO. 670359, COUNTY OF EAGLE, STATE OF COLORADO.

the (“Property”), also known as 41, 51, and 50 Airpark Drive, Gypsum, CO 81637; and

WHEREAS, the Property is currently within a Commercial/professional district (CP), as further defined in Section 18.04.030 of the G.M.C.; and

WHEREAS, pursuant to Chapter 18.15, the Owner has submitted an application to the Town to amend the official zoning district map, as shown on the Change in Zoning Map attached hereto as **Exhibit A** and made a part hereof, to include the Property within the Light industrial (LI) district as further defined in Section 18.04.040 of the G.M.C.; and

WHEREAS, pursuant to Section 18.15.050 of the G.M.C., the official zoning district map may be amended “[t]o rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the town generally; or . . . [w]hen the area requested for rezoning has changed or is changing to such

a degree that it is in the public interest to encourage development or redevelopment of the area[;]” and

WHEREAS, the application to rezone the Property was considered at a public hearing held before the Gypsum Planning Commission on March 5<sup>th</sup> 2025 at which time recommendations for approval of the amendment to include the Property within the Light industrial district was made by the Planning Commission to the Town Council with the additional conditions:

- a. The Applicant meets the criteria of Section 18.15.
- b. That as otherwise modified by representations of the applicant in this application, 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.
- c. 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.

WHEREAS, in accordance with Section 18.15.040 of the G.M.C. the Town Council, having received the report and recommendations of the planning and zoning commission and staff, and following a public hearing held on March 5th, 2025, the Town Council considered the comments and evidence presented at the hearing; and

WHEREAS, the Town Council hereby finds and determines subsequent to the original 1994 annexation and zoning designation, land zoned for Light industrial uses within the Town has been steadily developed leading to an insufficient supply of land zoned for light industrial, however land zoned for Commercial/professional in the Valley Airpark PUD has not been developed as quickly, and land zoned for such uses, including the Property, are vacant and not creating an economic benefit for the Town; and

WHEREAS, an extension of the existing adjacent Light industrial district to include the Property reflects the changed conditions in the Town and may encourage the development of the area and increase economic activity to the benefit of the public.

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

**Section 1. Approval of Application for Amendment to Light Industrial Zoning and Change in Zoning Map.** The amendment of the official zoning district map to include the Property within the Light Industrial district is approved.

**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 by the Town Council on the 25th day of March, 2025, at 7:00 p.m. at the Town of Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

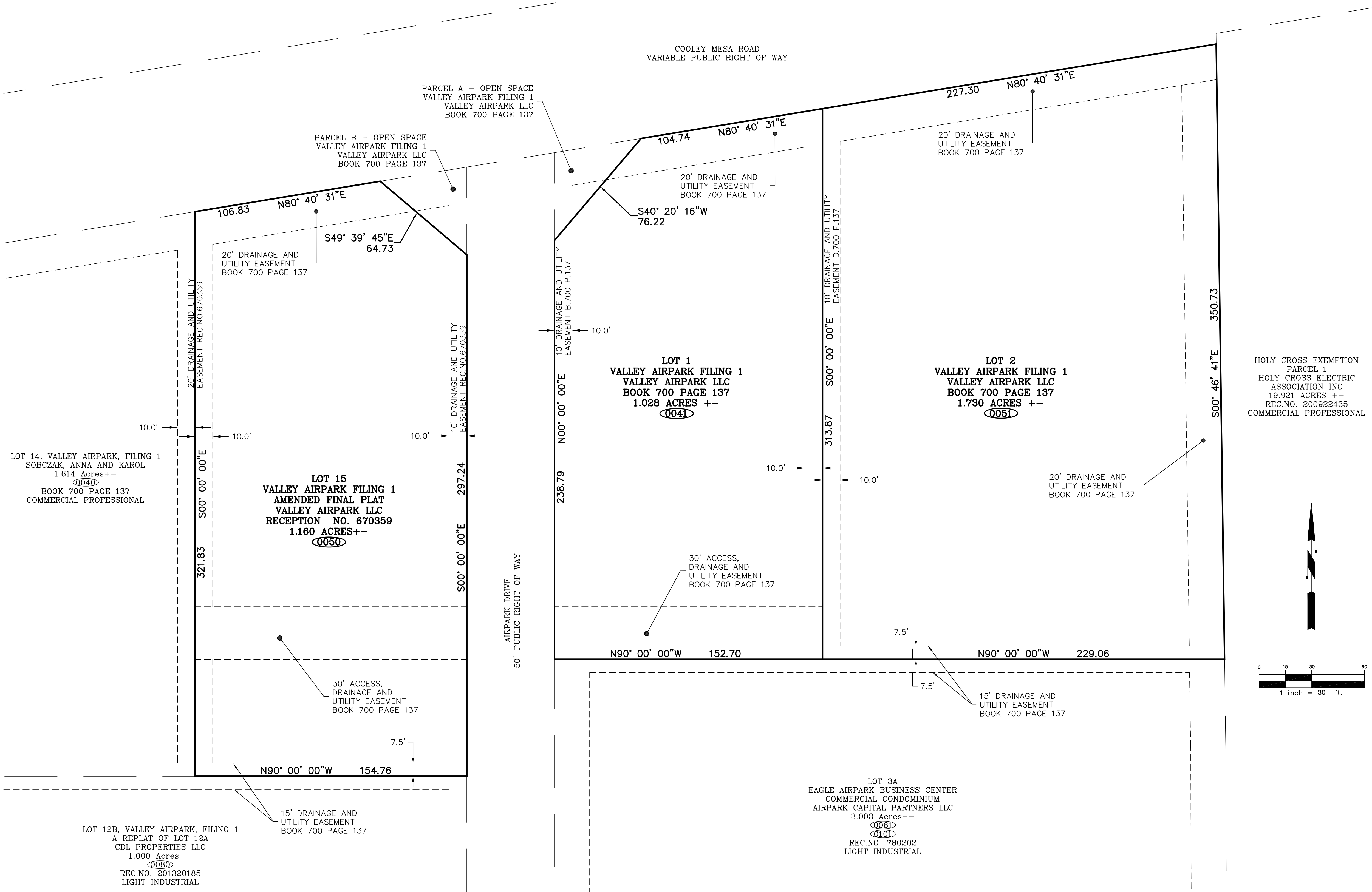
**Section 4. Effective Date.** This Ordinance shall become effective as a permanent Ordinance five (5) days after publication, following final adoption after a public hearing held on the 25th day of March, 2025, at 7:00 p.m., at the Town of Gypsum Town Hall, 50 Lundgren Blvd., Gypsum, Colorado.

**Section 5. Severability.** If any portion of this Ordinance, or the G.M.C. amended hereby, is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

**Exhibit A**  
**Change in Zoning Map**

ZONING AMENDMENT MAP

LOT 15, VALLEY AIRPARK, FILING 1, AMENDED FINAL PLAT  
LOT 1 AND LOT 2, VALLEY AIRPARK, FILING NO. 1  
TOWN OF GYPSUM, COUNTY OF EAGLE, STATE OF COLORADO



- NOTES:
1. THE PURPOSE OF THIS MAP IS TO AMEND THE LAND USE DESIGNATION FOR THE THREE(3) PROPERTIES DESCRIBED HEREON.
  2. NO FIELD SURVEY WAS PERFORMED FOR THIS MAP. THIS IS NOT A FINAL PLAT, OR LAND SURVEY PLAT. NOT BOUNDARY RESOLUTION WAS PERFORMED FOR THIS MAP.
  3. ADDRESS: 0041/ 0050/ 0051 AIRPARK DRIVE (NOT POSTED)
  4. THE LEGAL DESCRIPTION SHOWN HEREON WAS BASED ON THE SAID FINAL PLATS AND A TITLE COMMITMENT PROVIDED BY LAND TITLE GUARANTEE COMPANY, ORDER NO. RND50073283, WITH AN EFFECTIVE DATE OF 11-25-2024.

PLANNING COMMISSION CERTIFICATE:

THIS MAP AND THE STATEMENTS HEREON ARE APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE PLANNING COMMISSION OF TOWN OF GYPSUM, COLORADO. THIS APPROVAL DOES NOT EXTEND TO THE DESIGN OF UTILITIES, SEWAGE DISPOSAL, ROADS OR ANY OTHER SERVICE FACILITY.

BY: \_\_\_\_\_  
CHAIRMAN

TOWN COUNCIL CERTIFICATE:

THIS PLAT AND THE STATEMENTS HEREON ARE CONDITIONALLY APPROVED, PENDING COMPLETION OF SPECIFIED IMPROVEMENTS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE TOWN COUNCIL OF TOWN OF GYPSUM, COLORADO. THIS APPROVAL DOES NOT EXTEND TO THE DESIGN OF UTILITIES, SEWAGE DISPOSAL, ROADS, OR ANY OTHER SERVICE FACILITY AND DOES NOT CONSTITUTE ACCEPTANCE OF ROADS, UTILITIES, OR BY THE TOWN FOR MAINTENANCE SERVICES OR OPERATION.

BY: \_\_\_\_\_  
MAYOR

CLERK AND RECORDER'S CERTIFICATE:

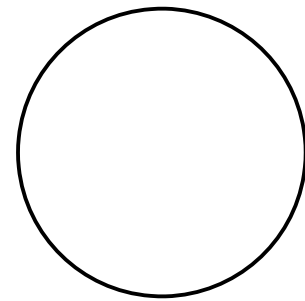
THIS PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE EAGLE COUNTY CLERK AND RECORDER AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_M., ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AND IS DULY RECORDED AT RECEPTION NO. \_\_\_\_\_.

EAGLE COUNTY CLERK AND RECORDER

BY: \_\_\_\_\_  
DEPUTY

SURVEYOR'S CERTIFICATE:

I, RANDALL P. KIPP DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING UNDER THE LAWS OF THE STATE OF COLORADO, THAT THIS MAP IS FOR THE SOLE PURPOSE OF SHOWING THE AMENDMENT OF THE LAND USE FOR THE THREE LOTS SHOWN HEREON, THIS MAP IS BASED UPON THE PROFESSIONAL LAND SURVEYOR'S KNOWLEDGE, INFORMATION AND BELIEF, THAT SUCH MAP HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, AND THAT SUCH MAP IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.



RANDALL P. KIPP  
COLORADO PROFESSIONAL LAND SURVEYOR NO. 38079

LAND USE SUMMARY AMENDMENT:				
LOT	ACREAGE	STREET ADDRESS	CURRENT LAND USE	AMENDED LAND USE
LOT 1	1.028 ACRES	0041 AIRPARK DRIVE	COMMERCIAL PROFESSIONAL	LIGHT INDUSTRIAL
LOT 2	1.730 ACRES	0051 AIRPARK DRIVE	COMMERCIAL PROFESSIONAL	LIGHT INDUSTRIAL
LOT 15	1.160 ACRES	0050 AIRPARK DRIVE	COMMERCIAL PROFESSIONAL	LIGHT INDUSTRIAL

ZONING AMENDMENT MAP		KIPP LAND SURVEYING	
Lot 15 , Valley Airpark, Filing 1, A.F.P. Lot 1 and Lot 2, Valley Airpark, Filing 1 Town of Gypsum, County of Eagle, State of Colorado		RANDY KIPP P.L.S. P.O. Box 3154 Eagle, CO 81631 (970) 390-9540 email: randy@kipplandsurveying.com web: kipplandsurveying.com	
JOB NO.: 241025	DATE: 12-16-24		
SHEET 1 OF 1	DWG NAME: 241025-Lot 1-2, 15 V A ZONE		