

**TOWN COUNCIL
TOWN OF GYPSUM, STATE OF COLORADO**

ORDINANCE NO. 10 (SERIES 2026)

**AN ORDINANCE AMENDING THE TOWER CENTER PUD GUIDE FOR
THE TOWER CENTER PLANNED UNIT DEVELOPMENT FIRST
AMENDMENT**

A. 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. The Town Council of the Town of Gypsum has adopted Chapter 18.08 of the Gypsum Municipal Code (G.M.C.) governing Planned Unit Development zoning.

B. Eagle County Land Company, LLC (“Developer”), the owner of Tract F of the Final Plat of Tower Center Filing No. 1, recorded with the Eagle County Clerk and Recorder on December 10, 2025 at Reception No. 202516981, Gypsum, Colorado (the “Property”) has submitted an application to amend (the “Amendment”) the Tower Center PUD Guide for the Tower Center Planned Unit Development, approved by Ordinance No. 15 (Series of 2024), recorded May 8, 2025 at Reception No. 20250904 (the “PUD Guide”).

C. Pursuant to Chapter 18.08, G.M.C., the Amendment has been reviewed and considered by the Town Planning Commission at a public meeting held on July __, 2026, at which time the Planning Commission recommended approval to the Council. The Town Council scheduled a public hearing on August 11, 2026 to consider the Amendment.

D. Pursuant to Section 18.08.180, G.M.C., the Town Council, following notice required by law, held a public hearing at a regular meeting on August 11, 2026 to consider the Amendment, received and considered public comments, and reviewed the proposed Amendment.

E. Based upon the foregoing, the Town Council hereby finds that the requirements and criteria of Chapter 18.08, G.M.C., have been satisfied.

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

Section 1 – Approval of the Amendment to the Tower Center PUD Guide. The PUD Guide and Ordinance No. 15 (Series 2024) are hereby amended as described in the Amendment to the Tower Center PUD Guide, attached hereto as Exhibit A, and approved subject to the following conditions:

- a. The Applicant meets the criteria of Section 18.08.180.
- 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

Section 2 – Vested Rights. The Amendment to the PUD Guide does not constitute a site-specific development plan, as that term is defined in §24-68-102(4)(a), C.R.S., and shall not confer upon the Applicant any extension to the vested rights, if any, created by Ordinance No. 15 (Series 2024).

Section 3 – Public Inspection. Copies of this Ordinance are available for public inspection at the office of the Gypsum Town Clerk.

Section 4 – Public Hearing. A public hearing on this Ordinance shall be held on the 11th of August, 2026 at 7:00 p.m. at the Town of Gypsum Town Hall, 50 Lundgren Boulevard, Gypsum, Colorado.

Section 5 – Effective Date. This Ordinance shall become effective as a permanent Ordinance five (5) days after publication, following final adoption on the 16th day of August, 2026 at 7:00 p.m., at the Gypsum Town Hall, 50 Lundgren Blvd. Gypsum, Colorado.

Section 6 – Severability. If any portion of this Ordinance 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

Amendment to PUD Guide

The First Amendment to the Tower Center PUD Guide Sketch/Preliminary PUD Plan

The first amendment to the Tower Center PUD Guide is approved by Eagle County Land Company LLC on the ____ day of _____, 2026.

Anthony Lamonía, Authorized Representative
Eagle County Land Company LLC

The Amended Tower Center PUD Guide is approved by the Town of Gypsum on the ____ day of _____, 2026.

Scott Green, Mayor
Town of Gypsum

Tower Center Sketch/Preliminary PUD Plan

The intention for the development of Tower Center is to create a mixed-use project providing opportunities for residential and commercial development proximate to park and open space areas and an internal pedestrian circulation system. Commercial areas are designed to accommodate both traditional auto-oriented retail development and smaller scale pedestrian-oriented retail and commercial areas. Residential development includes apartments, townhomes and small single-family lots.

The purpose of this Planned Unit Development Guide (PUD Guide) is to ensure that Tower Center is developed pursuant to the land uses and general development patterns as identified in the Tower Center Preliminary Plan, and to ensure the orderly and compatible development of the property. To this end, the PUD Guide establishes standards, regulations and guidelines that will govern the development of, and land uses within Tower Center. Among other things, this PUD Guide defines Planning Areas for the project, establishes permitted land uses, defines standards to regulate the size, massing and location of structures, and outlines guidelines for the design of future development.

The guidelines, standards, criteria and other provisions of this PUD Guide shall supersede and control over any conflicting guideline, standard, criteria or other provision of Title 18 of the Gypsum Municipal Code ("Zoning Code"), except as set forth herein. The Zoning Code shall govern on issues related to Accessory Dwelling Units (18.10.040) and Planned Unit Development (Chapter 18.08). Where this PUD Guide is silent, the provisions of the Town of Gypsum Zoning Code, as may be amended from time to time, shall govern. The development of Tower Center is also subject to other agreements that may have been established as part of Preliminary Plan and Final Plat approvals.

PUD Planning Areas

All areas of the Tower Center PUD are included in one of six Planning Areas as depicted on the Tower Center PUD Plan. Planning Areas include:

- *Residential Multi-family*
- *Residential Townhome*
- *Residential Single-family*
- *Commercial General*
- *Commercial Mixed Use*
- *Open Space*

Allowable land uses and development standards specific to these Planning Areas are described in further detail below.

Land Use

Allowable, conditional, limited, and accessory uses permissible in each Tower Center Planning Area are outlined below. Accessory buildings and accessory use shall have the same meaning as set forth in Section 18.02.030 of the Zoning Code. Conditional, Accessory, Special, and Limited Uses shall be reviewed in accordance with applicable provisions and permitting processes of the Gypsum Zoning Code. Uses not listed below or not deemed similar or customarily incidental or accessory to Permitted or Conditional Uses are not permitted.

Planning Area - Residential Multi-family

Purpose: To provide sites for larger-scale multi-family residential buildings and accessory uses including but not limited to resident clubhouse building(s) and amenity facilities.

Permitted Uses

*Multi-family residential
Common community/amenity building*

Conditional Uses

Home occupations

Accessory Uses

Parks, including but not limited to trails, pools, community gardens, and dog parks, garages, storage and accessory buildings, solar energy devices. Accessory uses customarily incidental or accessory to Permitted or Conditional Uses.

Planning Area - Residential Townhome

Purpose: To provide sites for attached townhome or condominium residential buildings in up to six units per building.

Permitted Uses

*Multi-family residential
Common clubhouse/amenity building*

Conditional Uses

Home Occupations

Accessory Uses

Garages, storage and accessory buildings, solar energy devices, temporary real estate sales office limited to initial sale/marketing of on-site real estate. Accessory uses customarily incidental or accessory to Permitted or Conditional Uses.

Planning Area - Residential Single-family

Purpose: To provide sites for single-family, detached residences.

Permitted Uses

Single-family dwelling units

Conditional Uses

Home Occupations

Limited Uses

Accessory Dwelling Unit, which must meet the requirements set forth in Title 18 of the Zoning Code.

Accessory Uses

Garages, storage and accessory buildings, solar energy devices, temporary real estate sales office limited to initial sale/marketing of on-site real estate. Accessory uses customarily incidental or accessory to Permitted or Conditional Uses.

Planning Areas - Commercial General

Purpose: To provide sites for larger-scale commercial, office, retail and restaurant development.

Permitted Uses

*Banks and financial institutions
Bar and tavern
Childcare center
Health and fitness club
Hotel, motel, lodging
Medical and dental offices and clinic
Professional or business office
Personal service shops, including but not limited to barber shops, nail salons, beauty salons.
Recreation facility, indoor Restaurant
Retail establishment Outdoor/farmers market
Food vending trailers or trucks
Additional uses deemed similar to Permitted Uses listed above.*

Special Uses

*Gas station
Veterinary clinic*

Accessory Uses

On-site parking
Outdoor plazas, patios, public gathering places
Solar energy devices
Accessory uses customarily incidental or accessory to Permitted or Conditional Uses.

Planning Area - Commercial Mixed Use

Purpose: To provide sites for pedestrian-scale, mixed use development with commercial, retail and restaurant uses at ground level and commercial, office and residential uses at upper levels.

Permitted Uses/Ground Level

Banks and financial institutions
Bar and tavern
Health and fitness club
Medical and dental offices and clinic
Personal service shops, including but not limited to barber shops, nail salons, beauty salons.
Professional or business office Restaurant
Retail establishments Outdoor/farmers market
Food vending trailers or trucks
Additional uses deemed similar to
Permitted Uses listed above

Permitted Uses/Second and Third Levels

Bar and tavern
Health and fitness club Hotel, motel, lodging
Medical and dental offices and clinic

Multi-family residential dwelling unit
Professional or business office
Restaurant
Retail establishments
Additional uses deemed similar to
Permitted Uses listed above

Accessory Uses

On-site parking
Outdoor plazas, patios, public gathering places
Solar energy devices
Accessory uses customarily incidental or accessory to Permitted or Conditional Uses.

Planning Area - Open Space

Purpose: To provide sites for open space, park facilities, trails corridors, landscape improvements, storm drain facilities and water storage.

Permitted Uses

Outdoor recreational facility
Parks, including but not limited to play structures, tot lots, athletic fields, picnic areas
Trails and paths
Special events
Food vending trailers or trucks
Additional uses deemed similar to
Permitted Uses listed above

Accessory Uses

Accessory uses customarily incidental or accessory to Permitted or Conditional Uses.

Development Standards

Site development standards for each Planning Area are outlined below. Definitions for these development standards shall be as outlined in the Town of Gypsum Zoning Code. Refer to the diagram below for additional information on front, side and rear setbacks. The distribution of density levels indicated below can be adjusted between single family units, townhomes and multifamily units up to 20%, so long as the total units do not exceed 499.

Planning Area - Residential Multi-family

<i>Density</i>	Overall density within the Residential Multi-family Planning Area is anticipated to include 324 dwelling units.		
<i>Minimum lot size</i>	n/a		
<i>Maximum lot coverage</i>	50%	<i>Setbacks/front yard</i>	25'

<i>Minimum landscape area</i>	n/a	<i>Setbacks/side yard</i>	10'
<i>Maximum building height</i>	45'	<i>Setbacks/rear yard</i>	10'

Planning Area - Residential Townhome

<i>Density</i>	Overall residential density within the Residential Townhome Planning Area is anticipated to include 80 dwelling units.		
<i>Minimum lot size</i>	n/a		
<i>Maximum lot coverage</i>	50%	<i>Setbacks/front yard</i>	25'
<i>Minimum landscape area</i>	n/a	<i>Setbacks/side yard</i>	10'
<i>Maximum building height</i>	35'	<i>Setbacks/rear yard</i>	10'

Planning Area - Residential Single-family

<i>Density</i>	Overall residential density within the Single-family Planning is anticipated to include 47 dwelling units, exclusive of accessory dwelling units.		
<i>Minimum lot size</i>	5,800 square feet		
<i>Maximum lot coverage</i>	50%	<i>Setbacks/front yard</i>	
		<i>Residence</i>	15'
		<i>Garage</i>	20'
<i>Minimum landscape area</i>	n/a	<i>Setbacks/side yard</i>	5'
<i>Maximum building height</i>	35'	<i>Setbacks/rear yard</i>	10'

Planning Areas - Commercial General

<i>Density</i>	Overall commercial density within Commercial General Planning Areas is anticipated to include 100,000 square feet.		
<i>Minimum lot size</i>	5,000 square feet		
<i>Maximum lot coverage</i>	75%	<i>Setbacks/front yard</i>	10'
<i>Minimum landscape area</i>	10%	<i>Setbacks/side yard</i>	10'
<i>Maximum building height</i>	45'	<i>Setbacks/rear yard</i>	10'

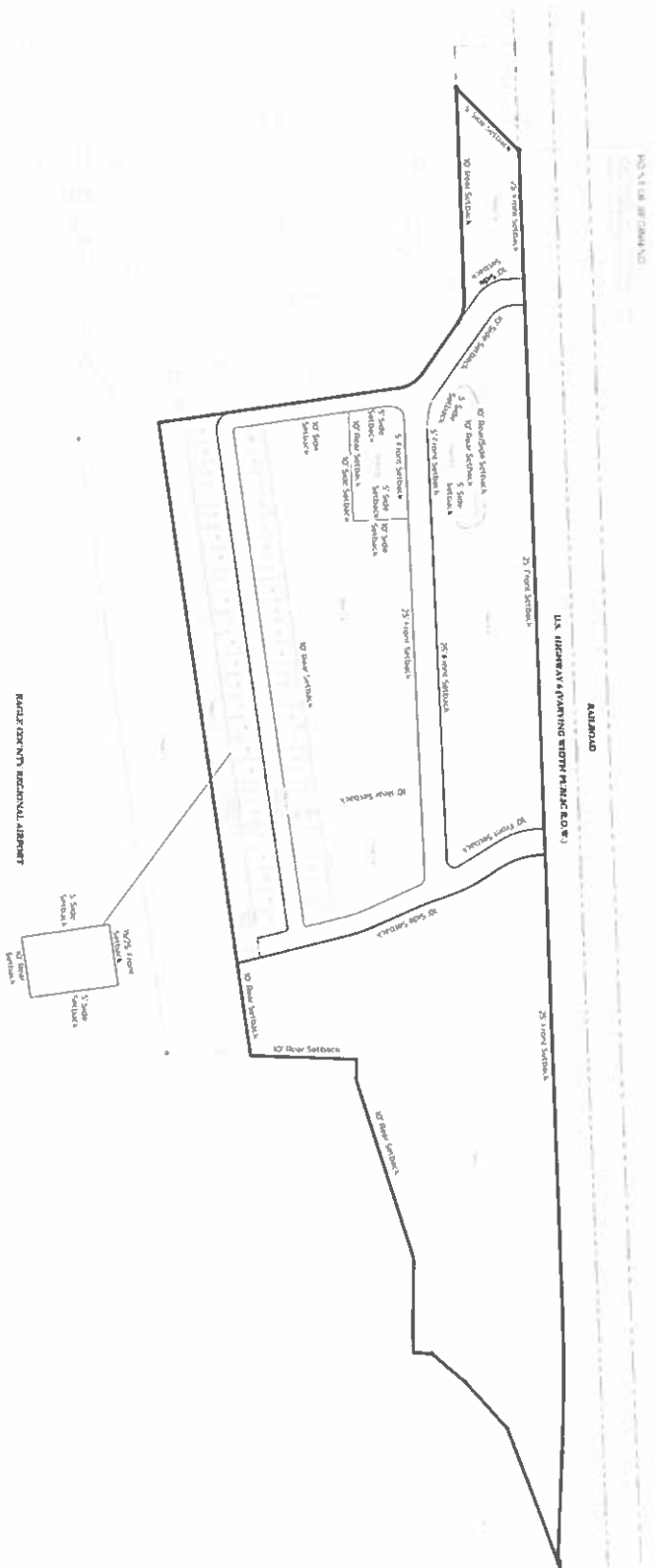
Planning Areas - Commercial Mixed-Use

<i>Density</i>	Overall commercial density within Commercial Mixed-Use Planning Areas shall is anticipated to include a total of 26,000 square feet; overall residential density is anticipated to include a total of 48 dwelling units.		
<i>Minimum lot size</i>	2,500 square feet		
<i>Maximum lot coverage</i>	75%	<i>Setbacks/front yard</i>	5'
<i>Minimum landscape area</i>	10%	<i>Setbacks/side yard</i>	5'
<i>Maximum building height</i>	45'	<i>Setbacks/rear yard</i>	10'

Planning Area - Open Space

n/a

Tower Center Setback Diagram
February 2024



Parking

Off-street parking for the Tower Center shall meet the minimum off-street parking requirements as set forth in Section 17.24.060, as may be amended from time to time, with the exception of the following:

1. *The minimum dimension of outdoor surface spaces shall be 9' wide and 19' long.*
2. *On-site parking that is required by Town of Gypsum regulations shall be provided for all proposed land uses, unless it can be shown that the peak use parking periods for two (2) or more land uses located on the same or adjoining sites will not overlap with other land uses, as determined by the Town in its sole discretion. Upon the presentation of satisfactory evidence by the applicant that such shared use will not result in a shortage of parking at any time, the Director of Community Development may approve a shared use arrangement for said parking and may reduce the number of required on-site parking spaces for such land uses by up to twenty (20) percent.*
3. *No more than one -parking space for Accessory Dwelling Units within the Single Family Planning Area may be met with on-street parking provided on the portion of Road B adjacent to the single-family lots.*

Amendments

Amendments to the PUD Guide shall be governed by Section 18.08.180 of the Zoning Code, as may be amended from time to time.



Tower Center - Preliminary PUD Plan
Gypsum, CO
November 2023

Land Use Summary

Planning Areas	Approximate Acreage	Residential Density
Residential Multi-Family	21.8	324 units
Residential Townhome	8.7	80 units
Residential Single Family	6.7	47 lots
General Commercial	11.5	100,000 sf
Mixed Use Commercial	2.5	26,000 sf / 48 units
Park/O.S.	4.8	N/A
Right of way	7.0	N/A
	63.0 ac	