

Town of Orchard City

Community Master Plan



March 2005

Acknowledgments

Orchard City Board of Trustees

Mayor - Tom Heurkamp
Mayor pro tem – Gary Tharp
Trustees:
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Personnel - Clifford Gilliam, Gary Tharp
Roads - Clifford Gilliam, Dave Burgess
Projects - Mayor - Tom Heurkamp

Water - Gary Tharp, William "Gene" Scheve

Parks - Craig Fuller, Dave Burgess

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Ike Holland - Town Administrator
Gio Garver - Municipal Clerk

Other agencies

Delta County GIS Department
Soil Conservation Service
Department of Local Affairs
Division of Wildlife
Colorado Department of Transportation

Resolution Adopting the Orchard City Master Plan

RESOLUTION NO. 2005 –

A RESOLUTION OF THE TOWN OF ORCHARD CITY, COLORADO, ADOPTING THE ORCHARD CITY MASTER PLAN

WHEREAS, the Town of Orchard City, Colorado, acting through its Planning Commission is empowered pursuant to C.R.S. Section 31-23-201, et seq. to make and adopt a comprehensive plan, and

WHEREAS, the Orchard City Master Plan has been prepared for the incorporated area of the town, and

WHEREAS, the terms Master Plan and Comprehensive Plan are used interchangeably and have the same meaning, and

WHEREAS, the Orchard City Master Plan complies with the requirements of C.R.S. Section 31-23-201, et seq., and

WHEREAS, the Planning Commission conducted a public hearing on the Orchard City Master Plan on March 10, 2005, and

WHEREAS, the Planning Commission believes that it is in the best interest of the town that the Orchard City Master Plan be adopted,

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF ORCHARD CITY, COLORADO THAT:

The Orchard City Master Plan, dated March 10, 2005, be and hereby is adopted.

The Orchard City Master Plan as adopted hereby, expressly includes maps, charts and written narratives intended by the Planning Commission to form the whole of the Orchard City Master Plan, all of which materials are to be integrated and incorporated within the plan document itself, and which plan document is hereby declared to be the adopted Plan.

That the action of the Planning Commission adopting the Orchard City Master Plan shall be recorded on the Orchard City Master Plan by the identifying signature of the Secretary to the Commission.

A copy of this resolution shall be attached to each copy of the Orchard City Master Plan and shall serve as an attestation that each such copy is a true and correct copy of the plan as adopted.

That an attested copy of the Orchard City Master Plan shall be and hereby is certified to the town of Orchard City Board of Trustees and to the Delta County Board of Commissioners pursuant to CRS 31-23-208.

MOVED, SECONDED AND ADOPTED ON THE 10th DAY OF MARCH, 2005 BY THE AFFIRMATIVE VOTES OF NOT LESS THAN A MAJORITY OF THE ENTIRE MEMBERSHIP OF THE COMMISSION, BY A VOTE OF ___ AYES AND ___ NOS.

By _____

Planning Commission Chair

ATTEST

By _____
Secretary to the Commission

RECEIVED, APPROVED AND ADOPTED PURSUANT TO CRS 31-23-208.

BOARD OF TRUSTEES

TOWN OF ORCHARD CITY, COLORADO

By _____
Mayor

ATTEST

By _____
Town Clerk

Date: _____

RECEIVED, APPROVED AND ADOPTED PURSUANT TO CRS 31-23-208.

DELTA COUNTY

BOARD OF COMMISSIONERS

By _____
Chair

ATTEST

By _____
County Clerk

Date: _____

Table of Contents

Acknowledgments 2

Resolution Adopting the Orchard City Master Plan..... 3

List of Figures 6

Introduction. 8

Purpose of the Plan..... 8

Enabling Legislation..... 8

History..... 10

Community Vision 14

Physical Setting 15

Population and Demographics..... 19

Ethnicity 21

Employment & Income 22

Economics. 26

Transportation. 27

Public Places and Facilities. 32

Utilities 33

Municipal Water System..... 33

Sewer..... 35

Land Use..... 37

Housing. 38

Parks, Open Space and Trails..... 40

Annexation. 45

Environment and Sensitive Natural Resources. 46

Plan Implementation..... 48

Appendix – Draft Right To Farm Ordinance..... 51

List of Figures

Historic Map - Figure 1 10

Orchard City Map - Figure 2 11

Orchard City Vicinity Map - Figure 3 15

Average Temperature - Figure 4 17

Average High & Low Temperatures - Figure 5 18

Average Precipitation - Figure 6 18

Population Growth 1940-2000 - Figure 7 19

Population Growth Scenarios - Figure 8 20

Delta County Municipal Population Growth - Figure 9 21

Orchard City Population by Race - Figure 10 21

Orchard City Employment by Industry - Figure 11 23

Household Income - Figure 12 24

Educational Attainment - Figure 13 24

Orchard City Population by Age Group - Figure 14 25

Per Capita Operating Revenue & Expenditures - Figure 15 26

2100 Road Looking North From Town Hall - Figure 16 27

Red Hat Produce on Railroad in Austin - Figure 17 28

Orchard City Primary Transit Method - Figure 18 29

Austin Post Office - Figure 19 30

Highway 65 Projected Traffic Volumes - Figure 20 30

Expenditures per Centerline Road Mile - Figure 21 31

Vehicle Registrations - Figure 22 31

Orchard City Town Hall & Shop - Figure 23 32

Water Fund Revenues & Expenditures - Figure 24 33

Water Fund Revenue Sources - Figure 25 34

Orchard City Water Use by Month - Figure 26 35

New Single Family Residential Development - Figure 32 38

Unit Occupancy Status - Figure 33 39

Housing Unit Types - Figure 34 39

Agricultural Land - Figure 27 41

Austin Center - Figure 28 42

Cory at Fairview Rd. - Figure 29 43

Eckert - Figure 30 43

Eckert Cemetery - Figure 31 44
Tongue Creek Drainage Looking North - Figure 35 46

Introduction.

Change in a community is inevitable. The rate of change can be variable but change itself is a constant. The challenge for any community is to anticipate the future and to be prepared to accommodate new conditions by ensuring that facilities, services and infrastructure will be sufficient to meet the needs of the community on a sustainable basis. This process is also known as community planning.

The Orchard City Master Plan is the first community plan fashioned by the Town. It is the culmination of countless hours of input by community residents, staff members, appointed committee members and the Board of Trustees. This document draws upon the values, expertise and vision of all those who participated to set forth and characterize Orchard City as it exists in 2005. This document will also establish a community plan that will help decision-makers and Town residents guide the forces of change over the next 10 to 15 years.

Purpose of the Plan.

The Orchard City Master Plan is a resource and a tool to be used by citizens and their elected/appointed officials to help their decision-making on matters of land use and future town growth. This Master Plan is not a legislative document. It is not a zoning ordinance and it does not impose new land use regulations. It is a framework for informed decision-making that will help guide growth in a manner that maintains quality of life, protects community values and helps Orchard City prepare for the future. It is intended to provide information and guidelines that clearly reflect Town priorities while allowing some flexibility and interpretation.

Enabling Legislation.

CRS-31-23-206 specifies the responsibilities of planning commissions to develop and adopt a Master Plan. The following summarizes the statutory provisions addressing Master Plans.

- (1) Make and adopt a master plan including areas outside the municipal boundaries.
- (2) The planning commission's recommendations for municipal development and outlying areas considering the general location and, character of:
 - (a) Transportation Elements - Streets, roads, rights-of-way, bridges, waterways, waterfronts, parkways, highways, mass transit routes and corridors and any transportation plans.
 - (b) Public Places or Facilities - Including public schools, culturally, historically, or archaeologically significant buildings, sites, and objects, playgrounds, squares, parks, airports, aviation fields, and other public ways, grounds, open spaces, trails, and designated federal, state, and local wildlife areas;
 - (c) Public Utilities - Terminals, capital facilities, transfer facilities for water, light, sanitation, transportation, communication, power, capital facilities and utilities.
 - (d) Water Supply - Including the right to beneficially use water pursuant to decrees, contracts, or other water use agreements and the operation, maintenance, repair, replacement, or use of any water facility.
 - (e) Rights-of-Way - Acceptance, removal, relocation, widening, narrowing, vacating, abandonment, modification, change of use, or extension of any of the public ways, rights-of-way, including the coordination of such rights-of-way with the rights-of-way of other municipalities, counties, or regions, grounds, open spaces, buildings, property, utility, or terminals.

(f) **Zoning** - If desired by the community, a zoning plan for the control of the height, area, bulk, location, and use of buildings and premises.

(g) **Housing/Community Facilities** - Community centers, housing developments, land for future housing development.

(h) **Mineral Extraction** - Plan for the extraction of commercial mineral deposits (pursuant to section 34-1-304, C.R.S).

(i) **Utilities to Serve Existing & Proposed Development** - Location and placement of public utilities.

(j) **Projections** - Population and housing.

(k) **Environment & Sensitive Natural Resources** - Steep slopes, geological hazards, endangered or threatened species, wetlands, floodplains, floodways, and flood risk zones, highly erodible land or unstable soils, and wildfire hazards. To address these issues Orchard City may call upon the following agencies for information and assistance.

(I) Colorado Geological Survey.

(II) United States Fish and Wildlife Service & Colorado Division of Wildlife.

(III) Army Corps of Engineers and United States Fish and Wildlife Service National Wetlands Inventory.

(IV) Federal Emergency Management Agency (floodplains).

(V) Natural Resources Conservation Service of the United States Department of Agriculture.

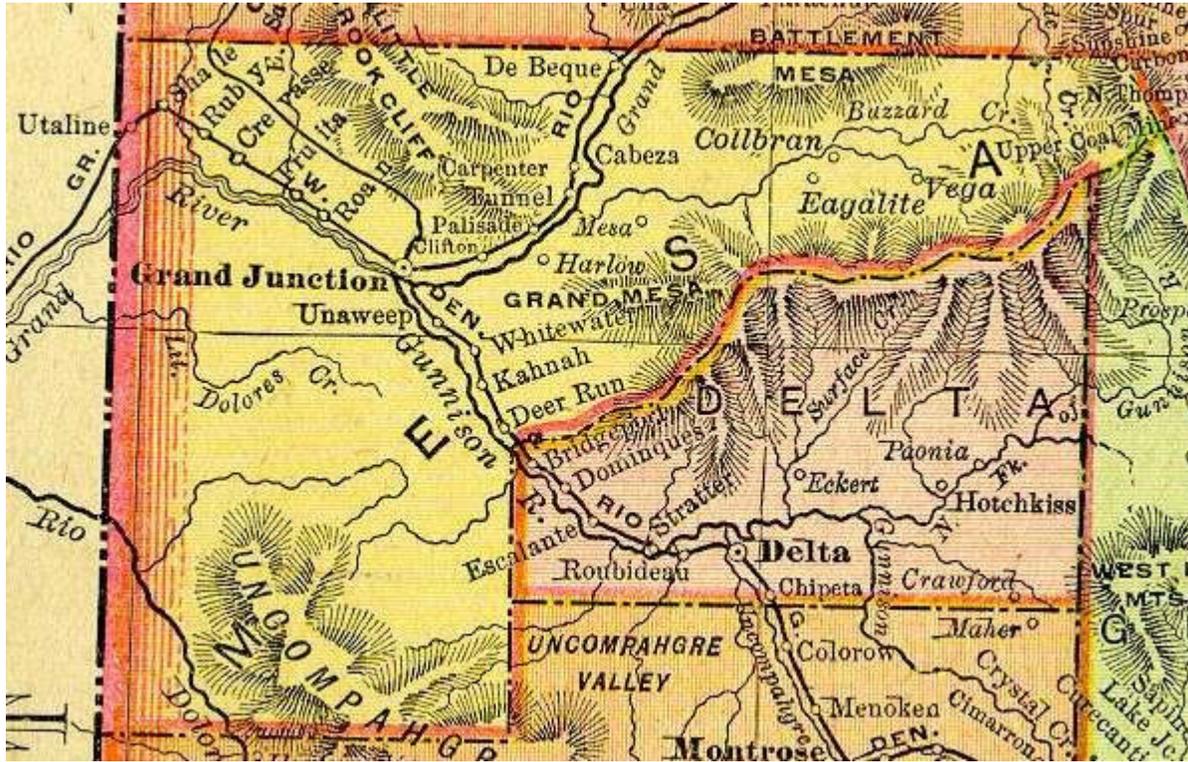
(VI) Colorado State Forest Service (wildfire hazard areas).

The commission may amend, extend, or add to the plan from time to time.

The master plan of a municipality is advisory only.

Orchard City has a population greater than 2000 persons and must conform to the requirements of Section 30-28-106 (4), C.R.S. The plan must include a recreational and tourism use element that shows how the Town will provide for the "recreational and tourism needs of municipal residents and visitors with areas dedicated to, without limitation, hiking, mountain biking, rock climbing, skiing, cross country skiing, rafting, fishing, boating, hunting, and shooting, or any other form of sports or other recreational activity and as applicable, commercial facilities supporting such uses."

History.



Historic Map - Figure 1

The history of Orchard City since its settlement has mirrored local and national boom/bust cycles. Agriculture has been an important economic mainstay, based on cattle, dairy and fruit production. Orchard City continues to evolve as a community and will face many challenges, as the future becomes the present. The history of Orchard City provides many insights into current community values and future community vision.

The area's geography had an important influence on settlement patterns with the valleys and river corridors serving as access routes, sources of water, fertile soils and warmer climates. The mountains and steep valley walls define the edges of the valley corridors and restricted access and travel.

The Ute Indians occupied the valleys of Western Colorado until 1879, when the Meeker massacre served as a catalyst for the US government to move the Ute Indians into Utah. In 1882, the orders were given to move the tribes West to a new reservation in the Uintah Valley of Utah. Removal of the Ute Indians from the valleys of western Colorado opened the door for Anglo settlement in western Colorado.

The opening of the Denver and Rio Grande Railroad in 1882 provided transportation and stimulated the development of industry in the Uncompahgre Valley. The development of the Uncompahgre Irrigation Project provided water for grain, hay, sugar beets and fruit orchards. A settlement at the confluence of the Uncompahgre and Gunnison Rivers was incorporated in 1882. This settlement, originally named Uncompahgre, was renamed Delta and became the county seat for Delta County.



Orchard City Map - Figure 2

Approximately 8 miles east of Delta on the Gunnison River was the settlement of Austin, Colorado. The original Austin plat was recorded in 1906 and although this community was never incorporated, it was the early economic center of the Orchard City area. Austin was served by a branch of the Denver and Rio Grande Railroad which provided freight and passenger service. The railroad provided commercial access to markets for locally produced fruits, vegetables and other agricultural goods. Daily train service ran from Delta up-valley to North Fork and down-valley to Grand Junction where there were connections to more distant destinations. In the early days, Austin boasted a bank, newspaper, two grocery stores, a pool hall, hardware store, lumberyard and fruit packing houses. The area supported a sizable fruit and vegetable canning factory. Carbon dioxide for manufacturing dry ice was available from a carbon dioxide well at the mouth of the lower Gunnison Gorge. The availability of dry ice was an important factor in preserving fruits and vegetable during shipping.

Eckert and Cory are two other population centers in Orchard City. Eckert evolved around the high school, which was the "stop" on the trip between Delta and Cedaredge. Eckert also served as a post office location

Cory originally was identified by a store and post office. The "Mounds School" was another important landmark near the Cory townsite.

These two neighborhood centers were platted, but like Austin, these centers were never incorporated.

An epidemic of diphtheria struck around 1910 and claimed a number of lives. Area farmers organized to construct a municipal water system to control the outbreak. The mixture of irrigation and potable water in open ditches spread the disease. Area farmers responded to the outbreak of disease by organizing to construct a separate potable water delivery system. Municipal incorporation was the only mechanism available at that time for issuing bonds to generate the capital to construct the water system. In early 1912, area residents voted to authorize incorporation, and Orchard City was officially incorporated in 1913. Orchard City's first ordinance established the positions of Mayor, Board of Trustees, and set up taxing authority and other municipal functions. The Trustees established an initial mill levy of 0.5 mills. Subsequently, an additional 0.25 mills was authorized to pay interest on \$50,000 worth of municipal bonds for a water pipe to connect to the Cedaredge water system. The Orchard City water system was not built for several years because the Town had difficulty selling the water bonds. Finally, in 1915 water bonds were sold at a significant discount. The Town had to annex two additional properties in order to create the value necessary to collateralize the bonds.

Austin petitioned to annex to Orchard City in 1914 and requested that Orchard City change its name to Austin, Colorado. This was the first of many debates over the name Orchard City. This annexation was considered for several years and finally, in 1916 Austin was annexed to Orchard City without the requested name change.

One of the first municipal capital improvements projects was a waterline built to connect to the Cedaredge water system in 1917. This early water system consisted of a single mainline with a series of standpipes from which water could be drawn. The standpipes were located in Eckert, Cory and Austin and several outlying areas

Mayor George Williamson appointed a Municipal Clerk and Town Marshal in 1913. At the same time, the Trustees adopted an ordinance creating a pound to house all dogs, horses, mules, cows, pigs and other livestock running at large. It is interesting to note that some of the first actions taken by Orchard City elected officials were to address roads, law enforcement, and animal control rather than the creation or operation of water system.

After World War I, a series of annexations increased the geographic area of Orchard City. Soldiers returning from the war needed places to live and family properties on the town boundaries requested annexation to take advantage of Town services. This annexation activity continued until the mid-1920s. Orchard City's strong agricultural economy fueled a boom until the onset of the Great Depression, which ended the area's prosperity.

The stock market crash in 1929 and subsequent Great Depression brought all of this economic activity to a rapid halt. Throughout the 1930s, Orchard City survived on a month-to-month basis. The Trustee meeting minutes during this period show very little governmental activity. In the 1930s, Town meetings were held in the Austin drugstore operated by a 1-armed pharmacist. The minutes in 1936 include a notation about 2 dinners catered by a Mrs. Dixon at the Austin drugstore. The minutes note that the Trustees purchased one bottle of liquor for \$2.00 and \$.50 worth of cigarettes and cigars.

A series of water disputes with Cedaredge during the '30's led Orchard City to pursue its own water supply system. In 1939, Orchard City began purchasing water rights and acquired the EE Barrett Ranch and the Tom Creek Ranch with their senior water rights. Orchard City operated these ranches for several years. Using WPA labor in 1940, Orchard City built a water collection system on Grand Mesa and laid out pipes to connect to the water source near Cedaredge. At that time, Orchard City disconnected from the Cedaredge water system and established a separate water supply.

In the 40's, the poor economy and manpower shortages caused by World War II led Orchard City to turn maintenance of the Town's road system over to Delta County. In the early 1950s, state legislator Charles Conklin (a local attorney) introduced a bill to the Legislature that relieved Orchard City of its obligations to perform certain municipal functions until in-town vehicle registrations reached 2000. County maintenance of Orchard City roads continued to the mid 1970s. During this period, Town responsibilities were limited to maintenance of the water system. This may be source of a local perception that Orchard City was not a municipality, but a "Water District". In 1966, Orchard City voted to prohibit the sale of alcoholic beverages within Town boundaries (excepting 3.2% beer). Orchard City remains the only "dry" municipality in the state.

In 1976, Colorado Senate Bill 35 triggered the formation of planning commissions and planning activities in counties and municipalities across the state. In 1976, Orchard City agreed to allow Delta County to continue performing road maintenance and agreed to let Delta County serve as the planning agency for the Town. This arrangement continued until 1979 when Orchard City appointed their first planning commission. This change was motivated by citizen concerns that County development standards, intended for unincorporated areas, were inappropriate for the municipality. Orchard City decided to perform their own land-use reviews and adopted subdivision regulations. About this time, Delta County Commissioner John Hawking discovered the state legislation that relieved Orchard City of its municipal responsibilities until municipal vehicle registrations reached 2,000. This threshold had been met, so the County notified the Town that they were to reassume their statutory municipal obligations. This changeover occurred in 1980.

Development continued in Orchard City through the 1970s until the 1982 oil shale bust. The ripple effect of the Exxon shut down and the subsequent coalmine closures brought development activity in Orchard City to a halt. The community remained stagnant until the 1990s when the economic recovery revived development interest. Subdivision activity motivated the Town to rewrite and adopt a new set of subdivision regulations. The process of revising the regulations sparked conflicts between members of the planning commission and Trustees. This action culminated in two separate recall elections.

Today, the value of residential real estate in the community has brought change to local development patterns. The disparity between financial return from agricultural activities versus that of residential development has put pressure on farmers, ranchers, and orchard operators to sell or otherwise develop their property for residential purposes. The absence of a central sewer system and the existence of a central water system have resulted in a minimum lot size of one acre per single-family unit. This is the minimum parcel size permitted under state law for properties served by central water and individual sewage disposal systems.

Today, Orchard City is faced with development pressures from both inside and outside the community. The Town has been involved with discussions about central sewage treatment, zoning concepts, a local sales tax, capital improvements and other topics related to community development. The Town continues to retain its values of small government, no zoning, no local sales or property taxes, no central sewage treatment, a quality central water system and operation

of their road system. It is anticipated that growth pressures will continue in the community and Orchard City will be faced with ongoing consideration of these topics, and others, into the future.

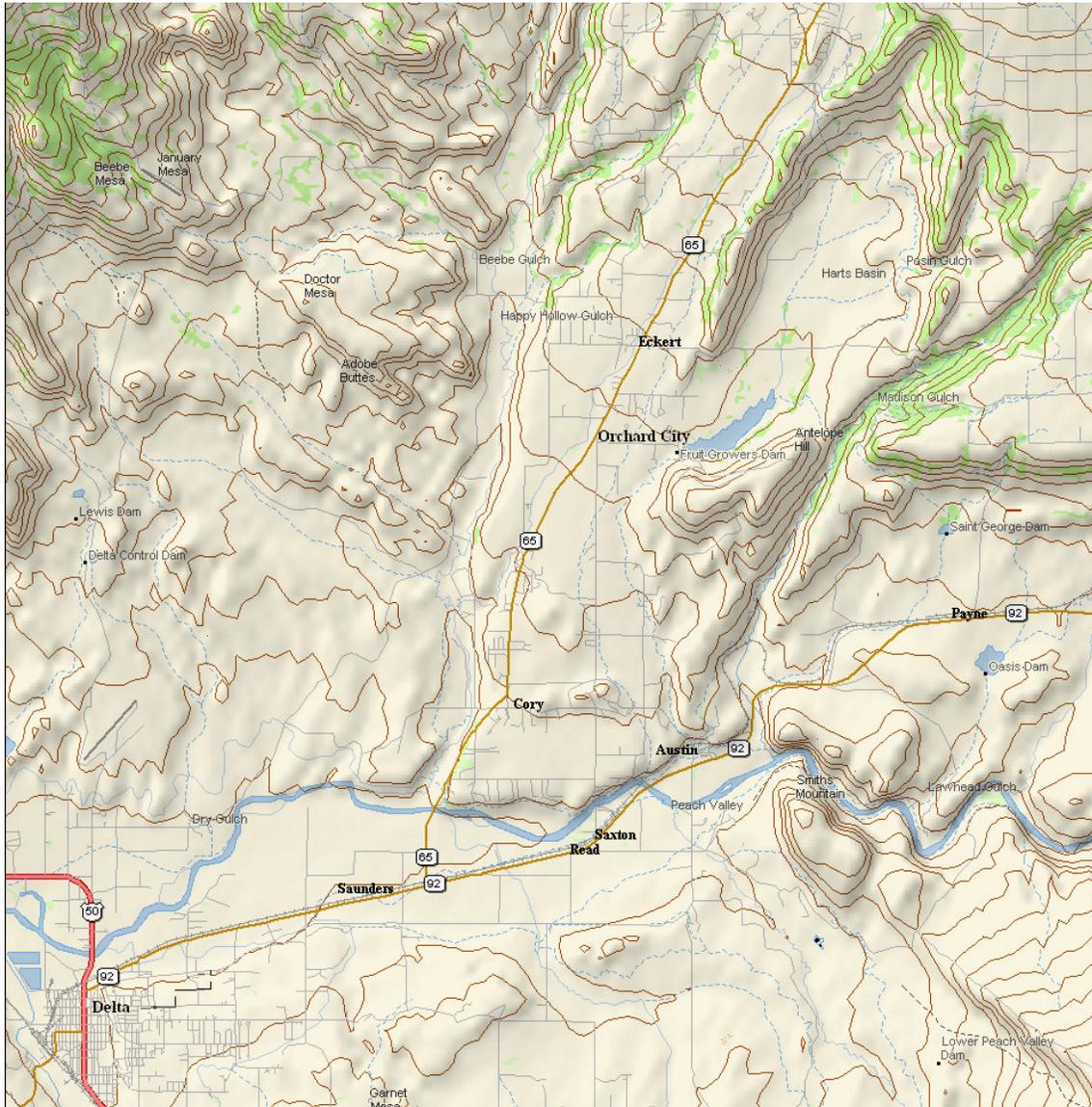
Community Vision

A series of meetings were held in Orchard City with members of the public, planning commission and elected officials in 2003 and 2004. Among other things, community members were asked to identify and discuss important community values that characterize the essence of the Town. The following community vision statement was developed by refining these value statements into a paragraph that articulates the essential characteristics of Orchard City. This community vision statement was reviewed with the Town Trustees, Planning Commission and members of the public to ensure that it accurately characterizes the Town of Orchard City.

ORCHARD CITY LONG-TERM COMMUNITY VISION STATEMENT

Orchard City is a unique rural Western Slope community that desires to preserve its open agricultural character by directing residential development to large lot (1-plus acre parcels) single-family configurations. Development should be adequately buffered from adjoining agricultural lands to minimize development impacts on the existing farming community. Orchard City residents view the role of municipal government as one of providing the basic services of cost-effective and safe municipal water and a rural municipal road system that is adequate to serve the 11.45 square mile community. It is the resident's desire to avoid establishing a property tax by keeping local government small and offering only the most basic services. Orchard City has adopted a land-use philosophy of "live and let live" that does not include zoning regulations. It is recognized that this philosophy can and sometimes does result in conflicting adjoining land uses. However, Orchard City residents are willing to tolerate land-use conflicts in order to minimize local government intrusion on the community's lifestyle. The Town has adopted the Uniform Building Code, subdivision requirements and mobile home regulations to address basic health, safety and welfare issues relating to construction, roads, sewage disposal and environmental hazard areas (floodplains, steep slopes, wetlands, rock fall hazard areas etc.). Orchard City inhabitants recognize that there are, and will continue to be, growth pressures on the community that are driven by factors beyond their control. At the same time, town residents, through this document, intend to articulate clearly their long-term vision for the future development of Orchard City so that residents understand and adapt their lifestyle choices to match those of this community instead of asking the community to change to match the expectations of new community members.

Physical Setting.



Orchard City Vicinity Map - Figure 3

Location: Approximately 6 miles east of Delta, Colorado, north of Highway 133 and east of Highway 65.

Incorporated Land Area: 11.45 squares miles.

Elevation: Minimum - South 5,000 feet above sea level. Maximum - North 6,000 feet above sea level.

The Town of Orchard City lies on a south sloping plateau that extends from the lower slopes of the Grand Mesa south to the bluffs above the Gunnison River. This relatively flat elevated bench is bounded on the west by Tongue Creek and on the east by Harts Basin and Dry Creek (a.k.a. Current Creek). The major topographic features within the town limits include a cluster of adobe hills in the south known as "The Mounds", the steep slopes bordering the westerly edge of Harts

Basin (northeast of Eckert) and the bluffs that lie north of the Gunnison River and east of Tongue Creek.

The physiography of Orchard City is ideally suited for agriculture and particularly fruit orchards. The elevated setting allows for air drainage off the plateau to the east and west thereby reducing the incidence of frosts in the critical early growing season. The south facing aspect of Orchard City allows for early-season warming that is beneficial for fruit crops and other agricultural crops.

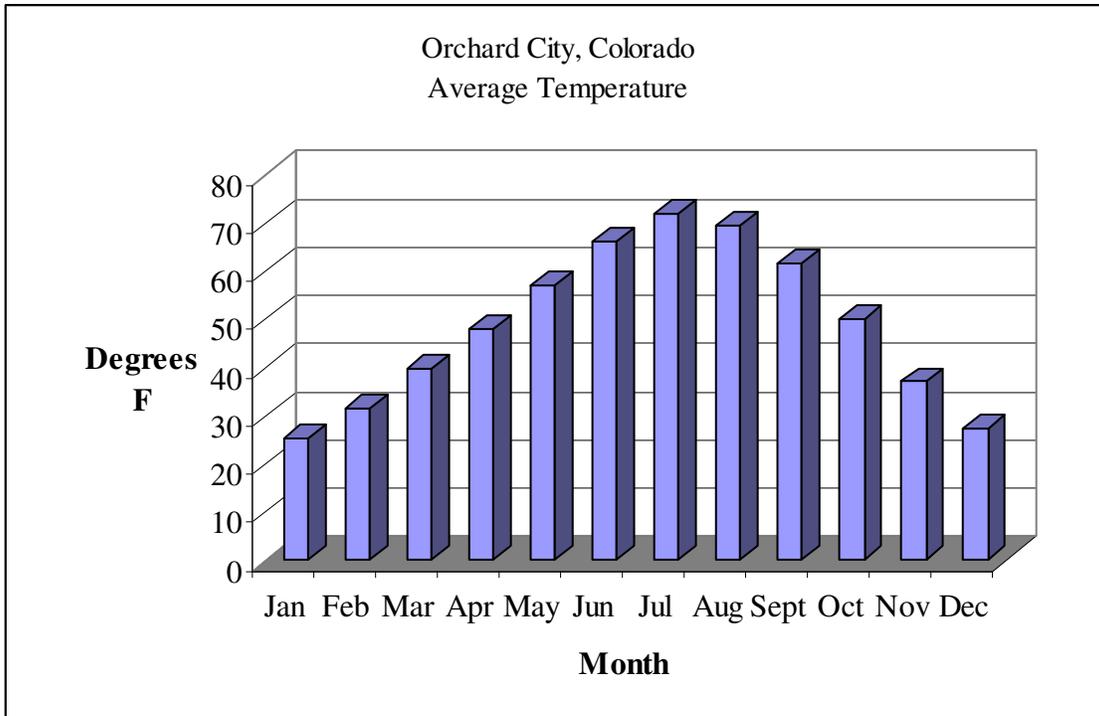
Natural topography has shaped the physical arrangement of the Town. For the most part, the municipal boundaries follow the edges of the terrain giving Orchard City a narrow east-west and long north south axis. This configuration follows the orientation of the Town's water system with sources on Grand Mesa and the axis of Highway 65 the primary arterial through the community.

Climate:

Orchard City enjoys a relatively mild climate that is typical of many lower elevation Western Slope communities. Winters are not oppressively cold or long and summers are pleasantly warm. This agreeable climate has been a valuable asset for the community's long-term agricultural operations and serves as a draw for new residents.

Most annual precipitation occurs during the summer months with a peak in August from monsoonal thundershowers. A second moisture peak occurs in the months of March, April and May when springtime moisture spreads into Western Colorado. Although snow periodically blankets Orchard City in winter, the Town enjoys relatively small snowfall accumulations.

Average Temperature		Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Years on record: 106	F	25.3	31.7	39.6	48.1	57.1	66.4	72.1	69.7	61.8	50.2	37.1	27.3



Average Temperature - Figure 4

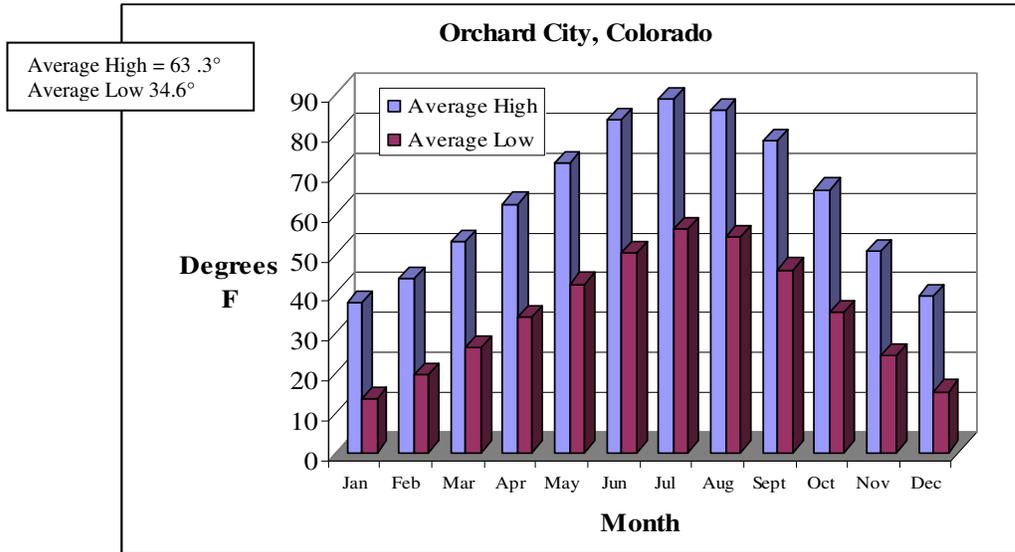
Orchard City Master Plan

Average High Temperature

Years on record: 94	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
F	37.6	43.7	52.7	62.3	72.5	83.3	88.7	85.9	78.1	65.9	50.3	39.1

Average Low Temperature

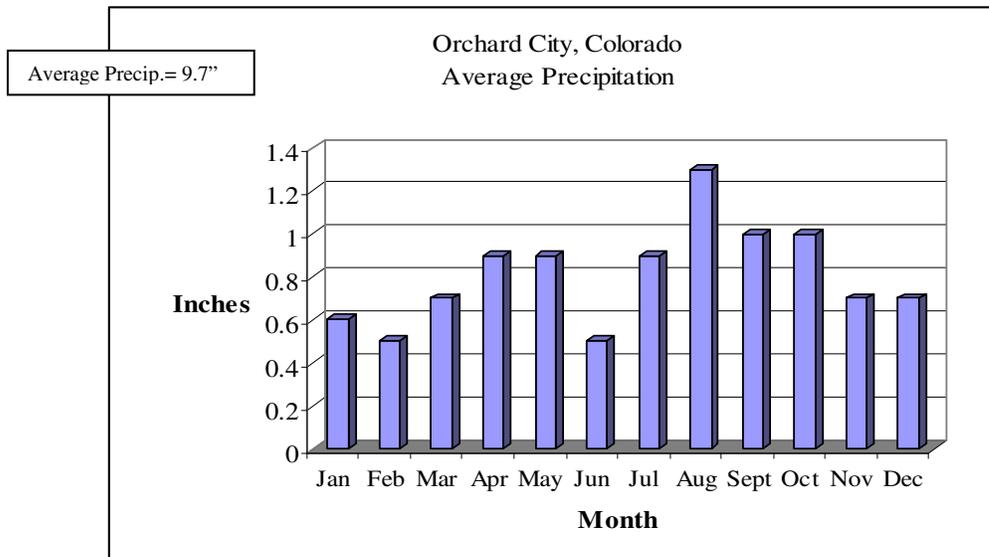
Years on record: 94	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
F	13.4	19.6	26.4	34	42.2	50	56	54.1	45.8	35	24.2	15.3



Average High & Low Temperatures - Figure 5

Average Precipitation

Years on record: 106	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec
in	0.6	0.5	0.7	0.9	0.9	0.5	0.9	1.3	1	1	0.7	0.7



Average Precipitation - Figure 6

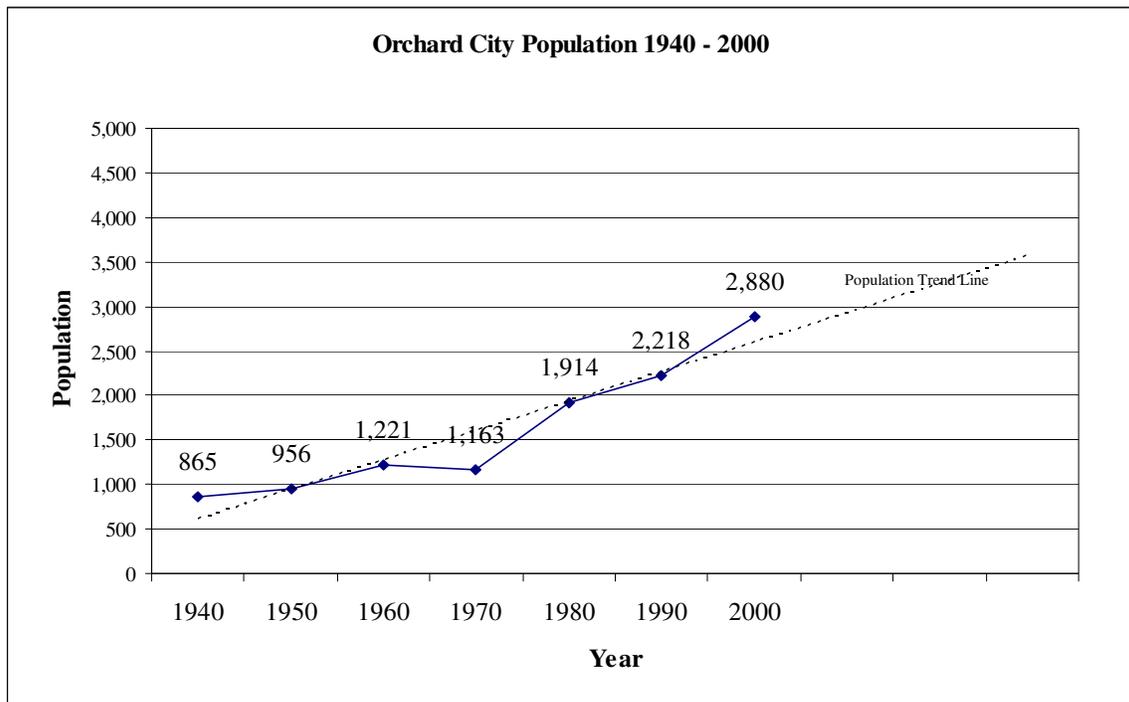
Population and Demographics.

The population of Orchard City grew from 1,914 in 1980 to 3,042 in 2003.¹ This increase of 1,128 people in the Town’s population translates to an average growth rate of 2.56% per year for this 23-year period. Growth rates in Orchard City have remained consistent over the last 60 years with the exception of the 1960s, when population grew at a significantly lower rate. Population growth at or above the historic rate is anticipated to continue in the community during the next 20-year planning horizon.

The Western Slope of Colorado is attractive to both in-state residents and immigrants from other part of the Country who come to the area looking for a relatively inexpensive, physically attractive location with a mild climate and access to retail centers and transportation. Orchard City should continue to monitor growth rates and plan for increased levels of municipal service to match services with community demand.

Orchard City, Colorado

Year	1940	1950	1960	1970	1980	1990	2000
Population	865	956	1,221	1,163	1,914	2,218	2,880



Population Growth 1940-2000 - Figure 7

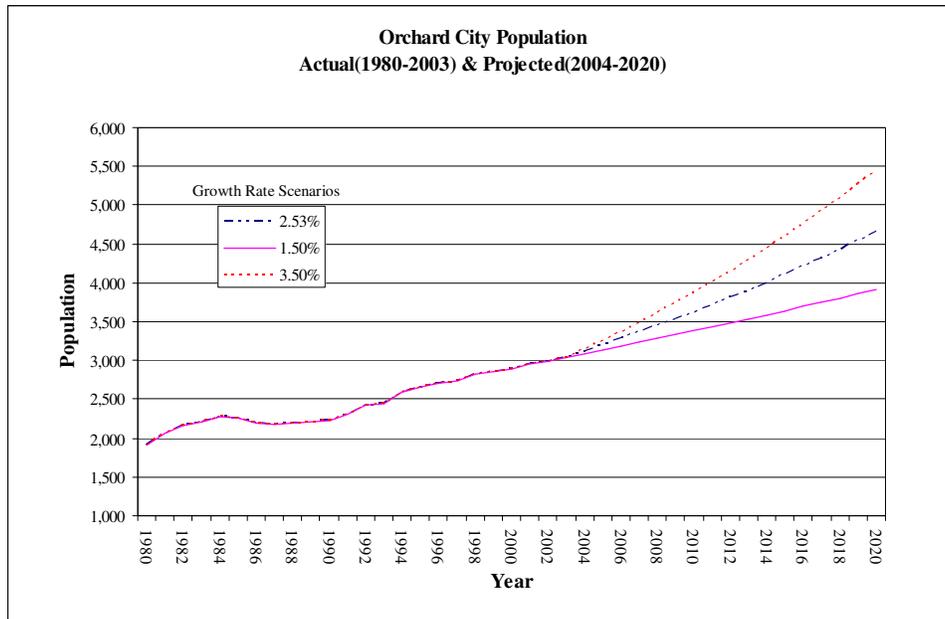
The following detailed population growth figures for the period 1980 through 2020 show both actual and projected population numbers. The population projections are based on three growth scenarios. Those scenarios are:

- (1) Continuation of the current 2.5% growth rate
- (2) Slow growth - 1.5%
- (3) Moderate growth - 3.5%

¹ Colorado State Demographer November 2004 (Actual and Estimated Population).

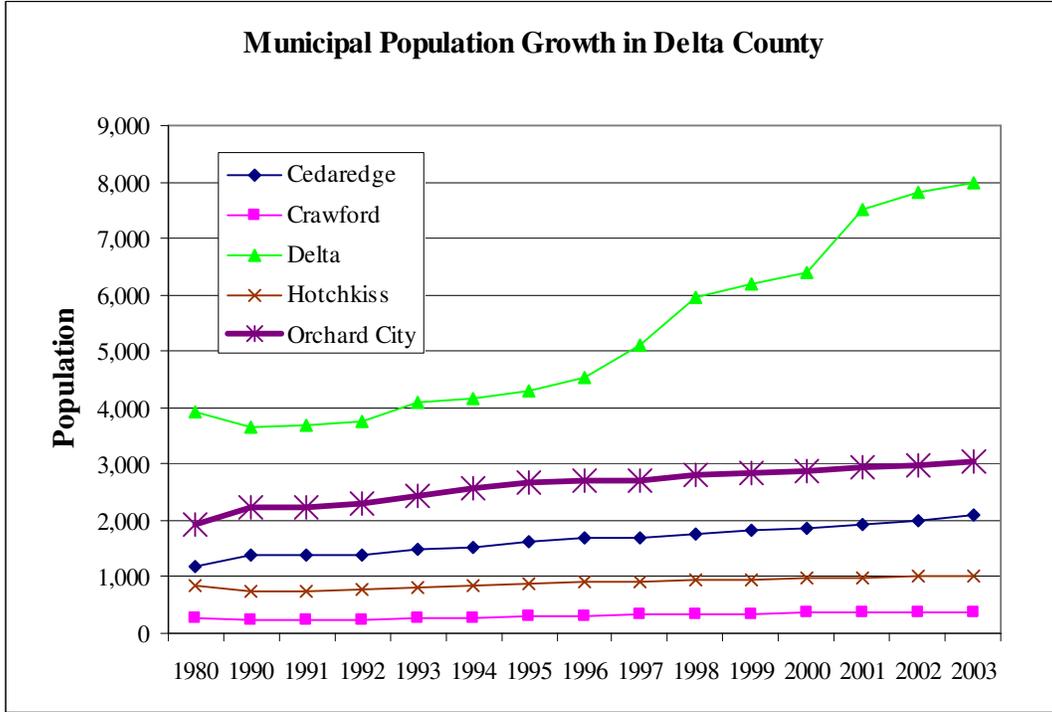
These growth scenarios represent a range, each with different implications for future housing, infrastructure, recreation, and other public needs. This range gives the Town a basis for planning future development of public facilities and adjusting public policies to respond to increased requirements for services, infrastructure, housing stock, recreation needs and other community demands. Long-term population growth rates are not predictable with perfect accuracy, but Orchard City has experienced a consistent growth rate for a long period and that growth rate is likely to remain applicable in the future.

Although Orchard City growth rates have remained reasonably constant over the years, an accelerated growth rate at or above the 3.5% level will mean that the town will have to respond to more rapid changes in the town. For example, new Orchard City residents may have different expectations about community services and town government. These expectations are consciously or subconsciously taken from the individual’s previous community. Oftentimes, new residents expect a higher level of service than may already be provided by the town. This may result in conflicts absent a strong effort to educate new residents about Orchard City’s community values. More rapid growth rates will result in increased traffic on town streets as well as Highway 65. New residents will place additional demands on the water system. Orchard City should be aware that the rate of growth has a direct relationship to demands for services. The town should monitor growth rates and growth projections provided by the State Demographers Office in order to effectively budget and plan for change.



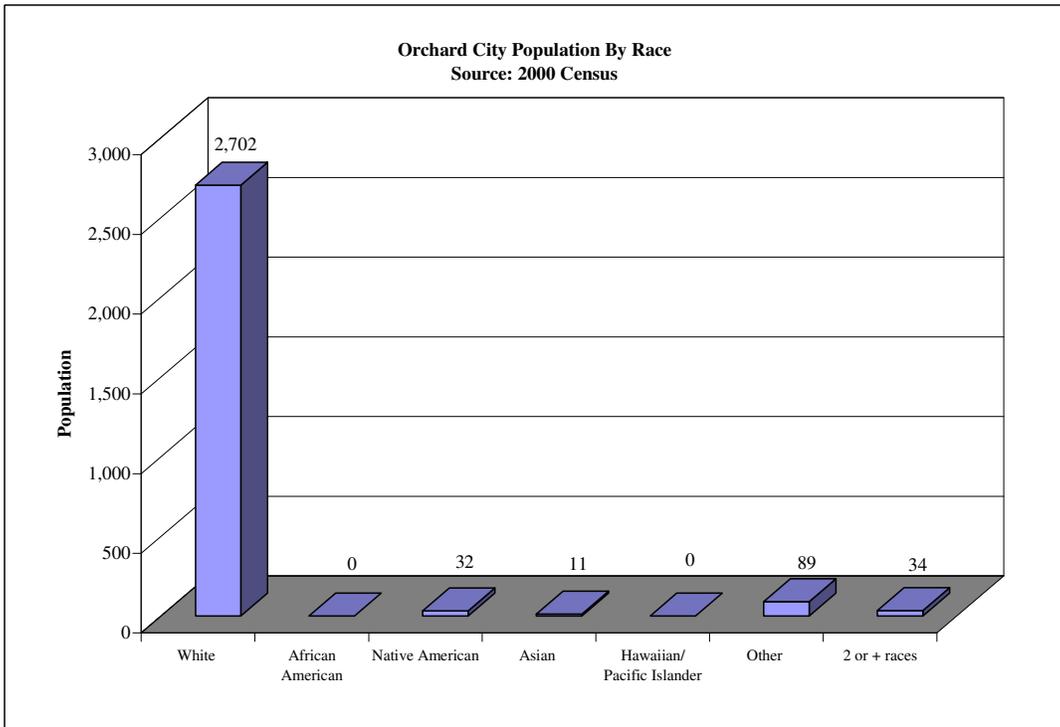
Population Growth Scenarios - Figure 8

Orchard City housing unit occupancy rates of 2.4 persons per unit are slightly less than the 2.5 persons per unit in Delta County. This number is indicative of the predominately single-family dwelling housing stock in the Town.



Delta County Municipal Population Growth - Figure 9

Ethnicity



Orchard City Population by Race - Figure 10

The population of Orchard City is predominately white with some mix of other races including a small Native American population.

The Town's age characteristics show two peaks (Figure 14). The first peak is in the 10-19 age group and a second, larger peak occurs in the 45-69 age group. This age profile reflects a predominantly older population consisting of longer-term residents and a growing retirement age population.

The peak in the 10-14 age group indicates the presence of younger families, with school-age children, in the community. There is a noteworthy decrease in community residents between the ages of 20 and 24. This may reflect an out-migration of this age group associated with college or with persons seeking employment in other communities.

Orchard City has a substantial number of high school graduates and residents with some college education (Figure 13). This educational profile reflects both a high level of local education and an increasing population of retirement-age residents who have relocated to the area from urban areas. The existence of a retirement population with adequate financial resources is further evidenced by the household income data (Figure 12). The largest income category is the \$60,000 to \$75,000 block. It is probable that this household income spike reflects income associated with retirement investments and corporate pensions.

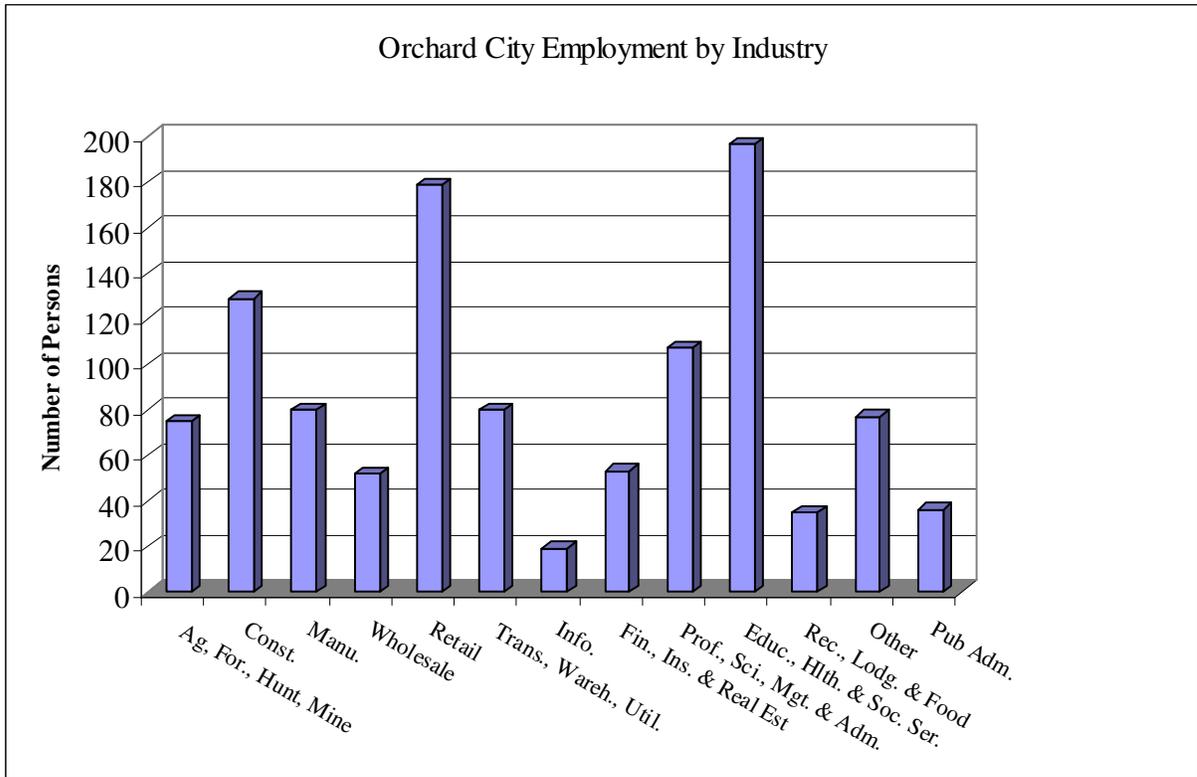
There is a somewhat even household income distribution between \$15,000 and \$45,000. This category most likely reflects the household incomes associated with working families in the community.

Employment & Income

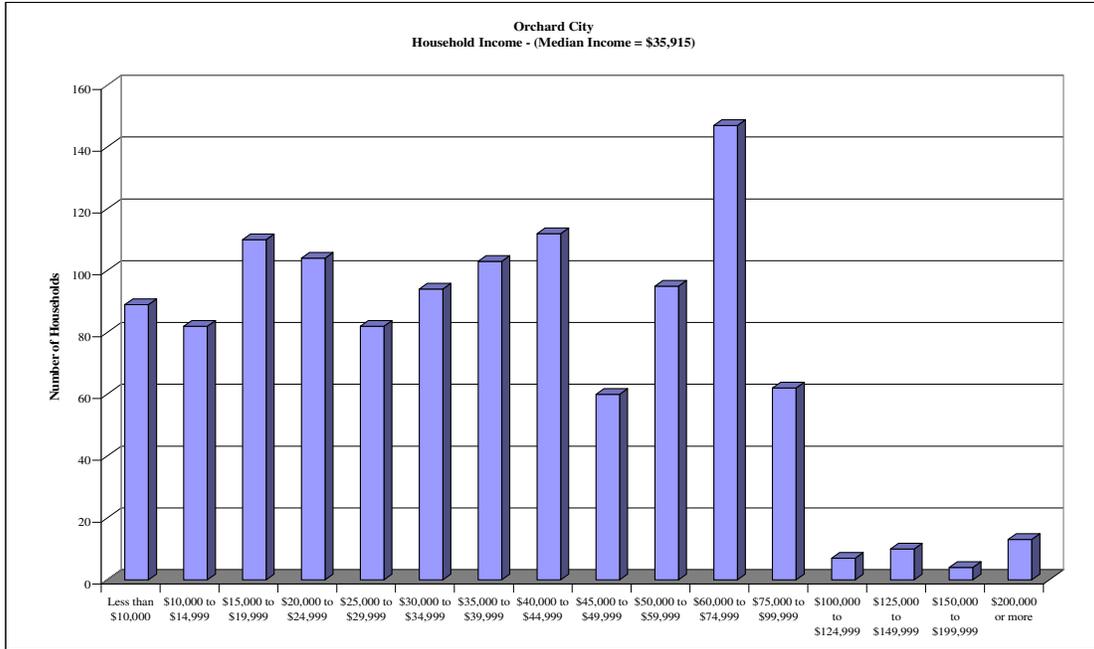
Orchard City's economy is predominately service-sector oriented. The largest employment sector is "education, health and social services" with 17% of the community employed in that category. The second-largest class is "retail trade" with 15% of residents in that sector. It is likely that most of these residents travel outside of the community to Delta or other locations for this employment because Orchard City offers limited opportunities for this type of employment. Other important sources of employment for Orchard City residents include "construction" (12%) and "professional, scientific, management and administration" (10%).

Agricultural employment still provides 7% of the jobs in Orchard City. This percentage is higher than that found in surrounding Delta County and reflects the relative importance of the remaining agricultural operations in Orchard City to the local employment base. It is likely that the percentage of agricultural jobs will decline as pressures for property subdivision continue to fragment and occupy farmland. "Manufacturing", "transportation, warehouse and utilities" and "other services" all provide 7% of the total community employment.

Delta County Employment by Occupation - Total Employment = 11,411					
<i>Mgt, Prof & Related</i>	<i>Service</i>	<i>Sales & Off.</i>	<i>Farm & Forest</i>	<i>Const., Extract., Maint.</i>	<i>Production, Trans., Moving</i>
3,195	1,979	2,493	327	1,775	1,642
28.0%	17.3%	21.8%	2.9%	15.6%	14.4%



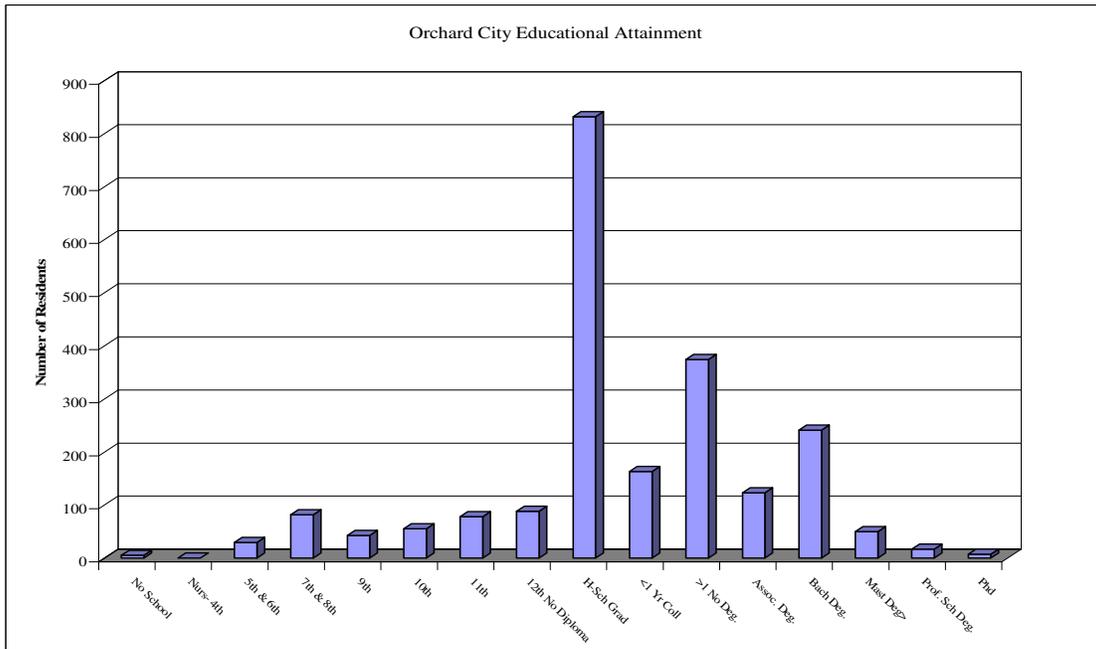
Orchard City Employment by Industry - Figure 11



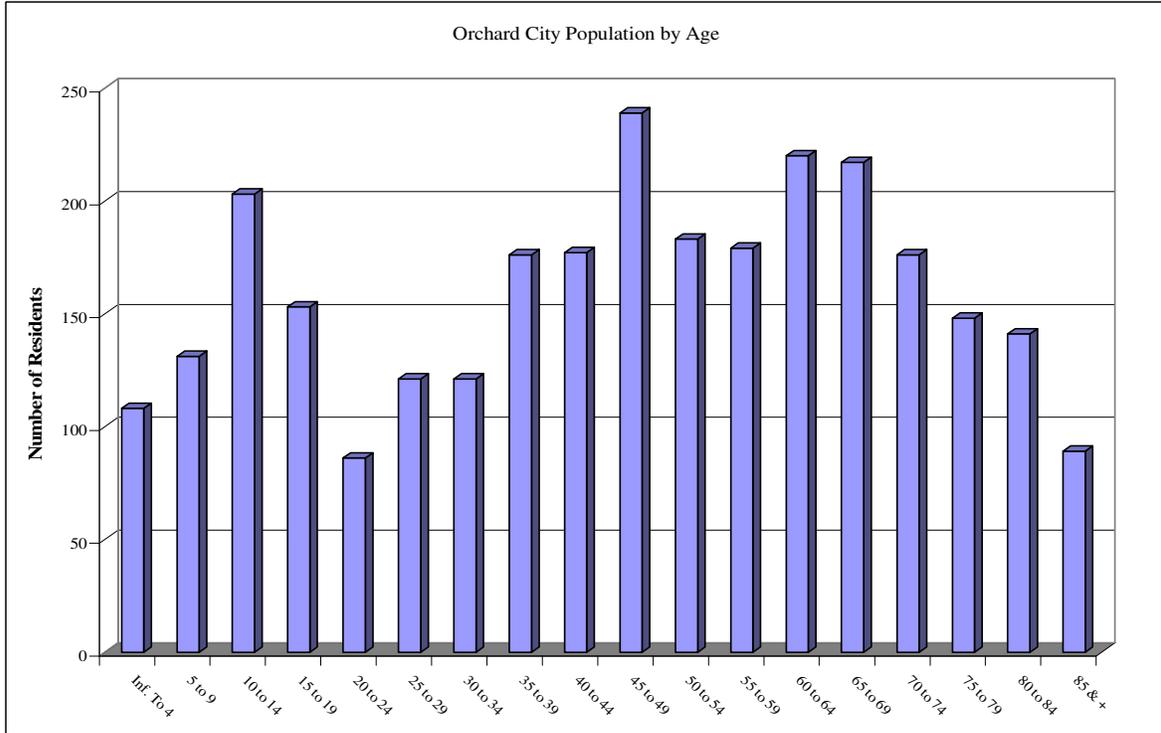
Household Income - Figure 12

Orchard City Income

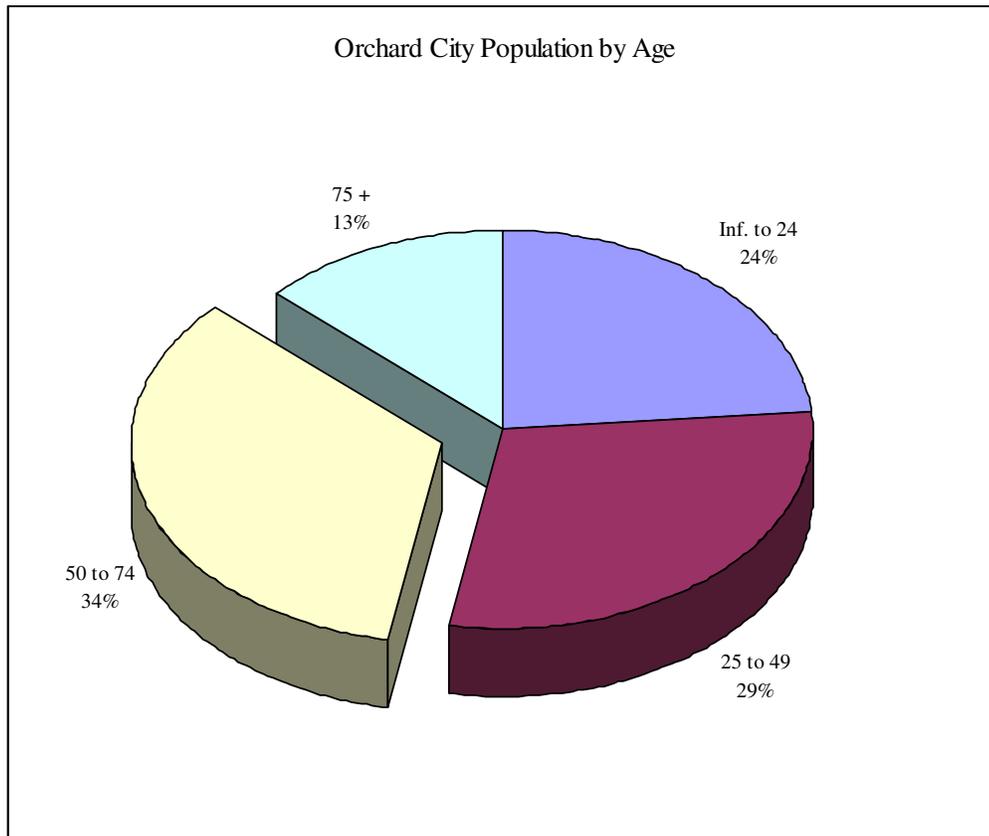
Median Household Income	Mean Earnings	Mean Social Security Income	Mean Public Assistance Income	Mean Retirement Income	Median Family Income	Per Capita Income
\$35,915	\$37,180	\$11,330	\$1,638	\$15,803	\$40,257	\$17,636



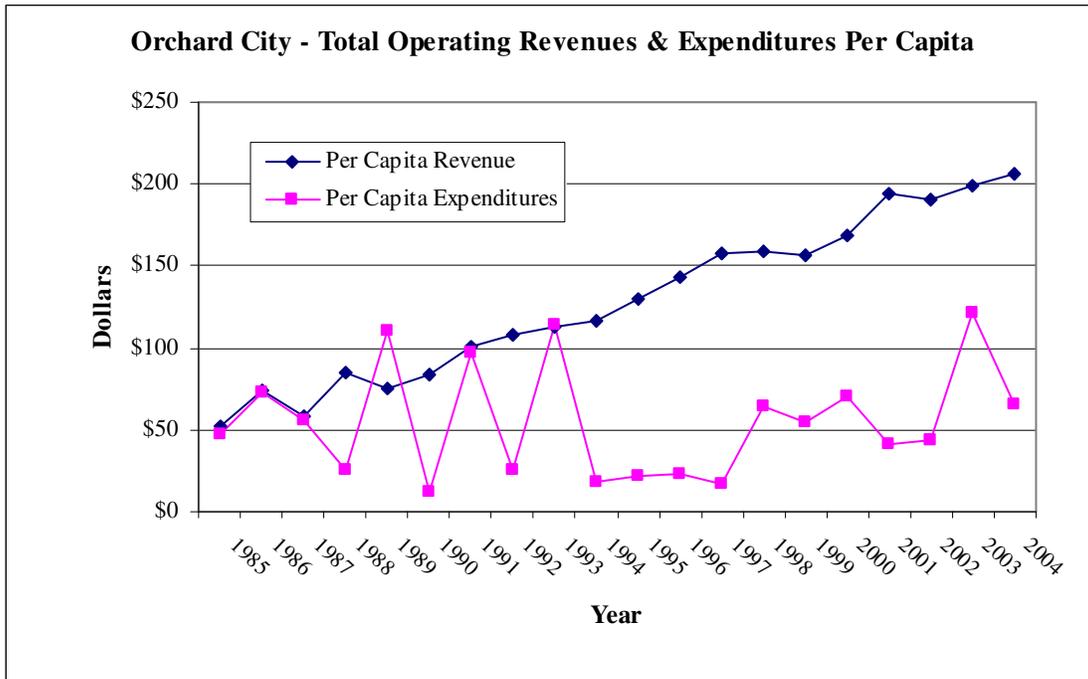
Educational Attainment - Figure 13



Orchard City Population by Age Group - Figure 14



Economics.



Per Capita Operating Revenue & Expenditures - Figure 15

Orchard City’s revenues reflect consistent growth for the last 15 years. During that period, per capita revenue has quadrupled. At the same time, per capita expenditures have stayed relatively flat, ranging on either side of the \$50/per capita level. Spikes in annual expenditures represent short-term capital projects such as major road or water system improvements. This pattern reflects conservative fiscal management principles. The Town has effectively enhanced revenue through some fee increases and intergovernmental transfers while keeping spending under tight control.

Transportation.

Orchard City has 33.05 centerline miles of roads of which 17.45 miles are arterial streets and 15.6 miles of local streets. The two primary north-south access routes in the community are Highway 65 and 2100 Rd. Highway 65 is a state highway and is the only arterial roadway in the community. Orchard City has not adopted a street hierarchy classification system although efforts are being made in that direction.



2100 Road Looking North From Town Hall - Figure 16

Most of the streets in the community are hard surfaced with chip and seal paving or asphalt. There are no curbs, gutters or sidewalks along the streets. Drainage is handled by roadside borrow ditches or natural infiltration. Orchard City streets are constructed on easements across private property as opposed to dedicated rights-of-way.

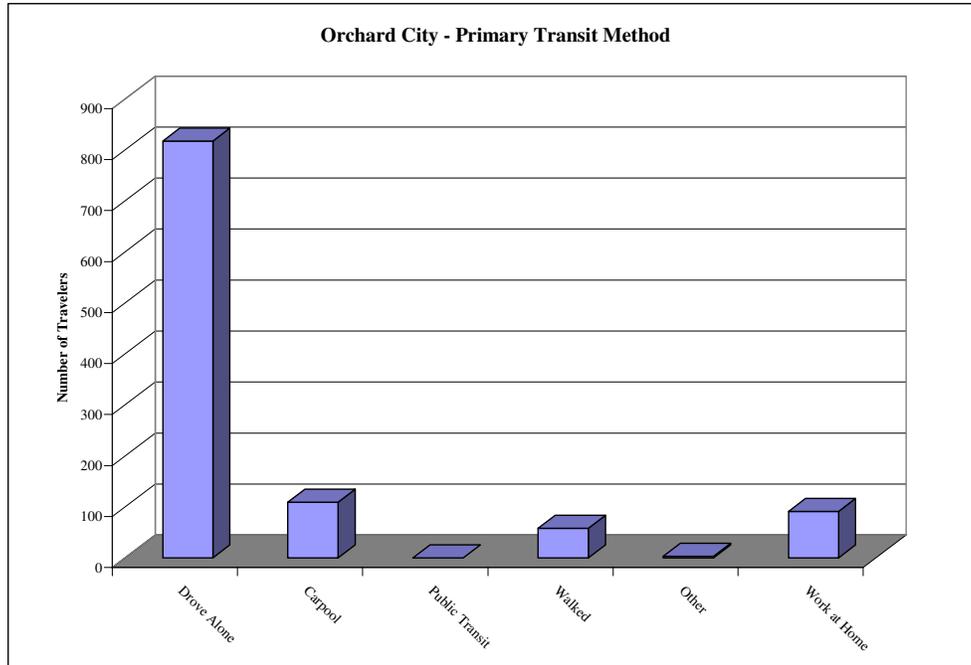
Freight rail service serves the Gunnison River Valley and passes through Austin in Orchard City. The Denver and Rio Grande Western Railroad serves the coalmines in Somerset and Hotchkiss, Colorado. Coal trains regularly pass through the southern portions of Orchard City. The railroads once served an important function to Orchard City by providing transportation for locally produced fruits and vegetables.



Red Hat Produce on Railroad in Austin - Figure 17

The Town operates a road department that is responsible for road maintenance. A Road Committee consisting of the town administrator and two road maintenance staff employees develops budget priorities, maintenance strategies and community roadway access issues. The Town does not have a street master plan, but the Road Committee and Trustees are discussing development of a Road Master Plan. Road maintenance is addressed annually on an "as needed" basis.

The primary funding source for the road department is Colorado State Highway Users Tax. The annual allocation is based upon vehicle registrations, miles of road in the community and other variables.



Orchard City Primary Transit Method - Figure 18

The primary method of travel in Orchard City is the single automobile. Public transit for the general population is not available. Reliance on single occupant vehicles for transportation causes a significant traffic peak in the mornings and the evenings as residents travel to and from work. Projections of future traffic on Highway 65 by the Colorado Department of Transportation reflect a continuation of this trend. The mean travel time to work from Orchard City is 23.6 minutes.

Orchard City has a disproportionately large number of road miles to maintain compared to other communities with similar populations. This is a result of the large geographic area of the Town (11.45 square miles). Expenditures on municipal roads are the Town's second-largest budget expenditure item after the water system.

The Road Committee has identified several intersections as priorities for improvements. These include:

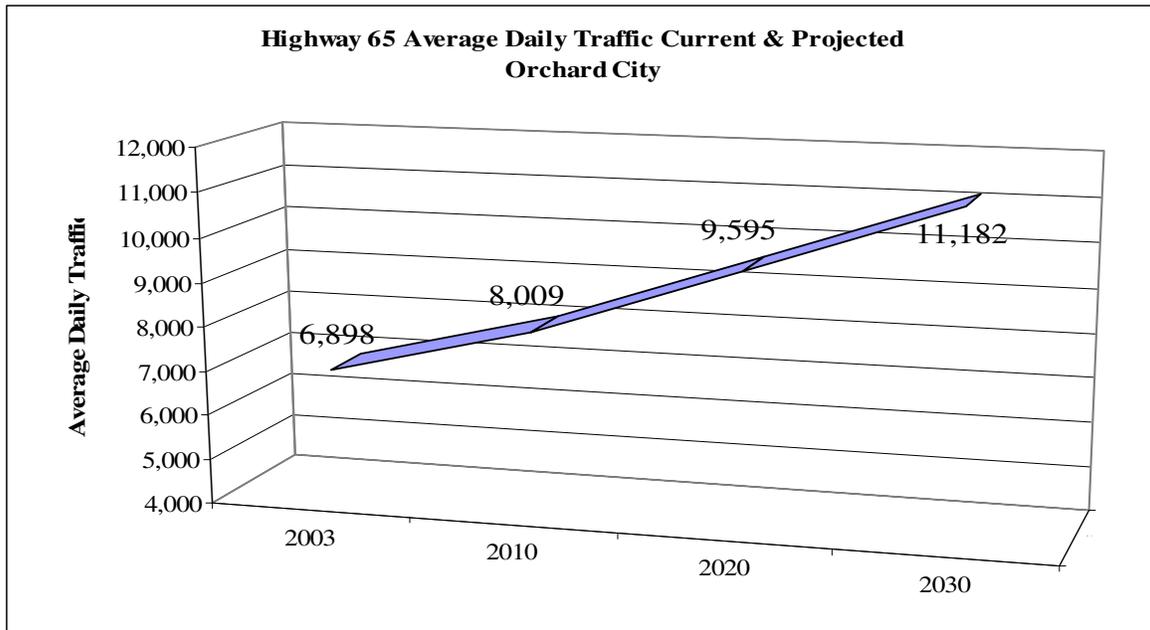
- (1) The intersection of North Road and Highway 65 at Eckert. North Road serves as a major east-west access and is impacted by significant traffic from unincorporated Delta County.
- (2) The junction of 2100 Rd. and Highway 65. The intersection is a full 90° alignment but immediately south of the intersection on 2100 Rd., the road follows a direct north-south alignment at an acute angle to Highway 65.
- (3) The bottleneck section on Highway 65 near the intersections of Fairview Road and Austin Road. Significant truck traffic accesses Highway 65 off Fairview Road at an intersection alignment that needs improvement. A new gravel pit opened recently west on Fairview Road and the closest highway access is the intersection at Highway 65.

The easterly access into Orchard City is through Austin off Highway 133 on Austin Road.



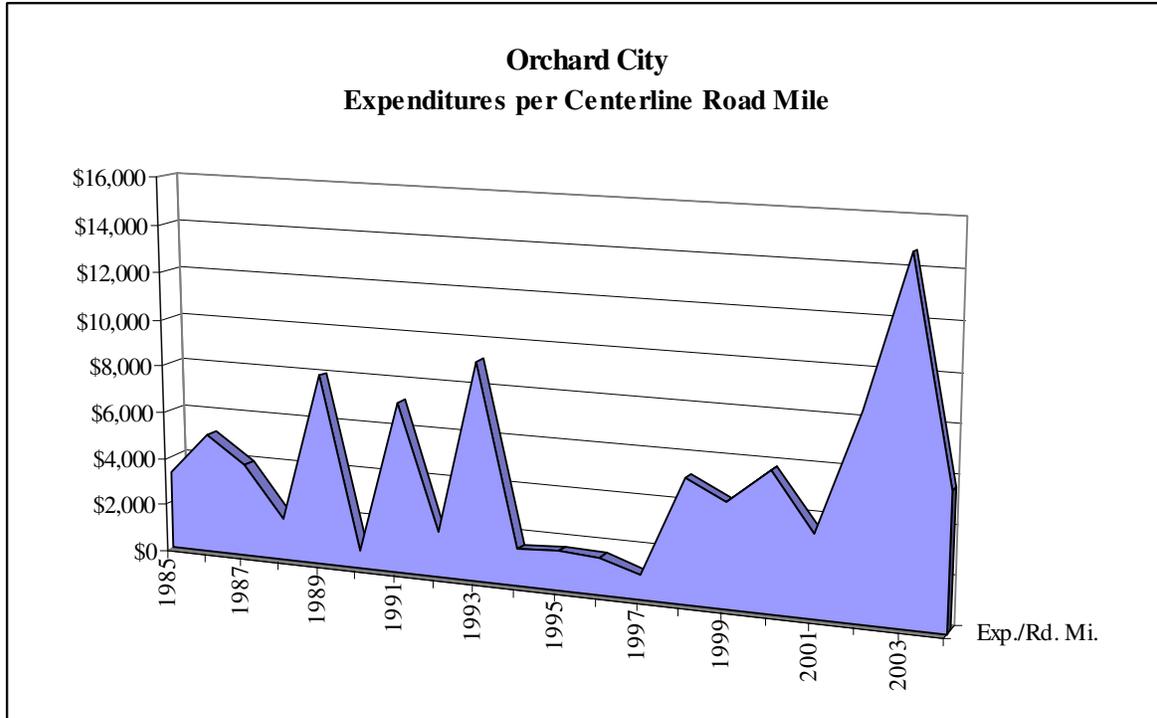
Austin Post Office - Figure 19

Highway 65 has an average daily traffic volume of 6,898² single vehicle trips and is the highest traffic volume street in town. CDOT average daily traffic (ADT) volume projections for Highway 65 are as follows: 2010 - 8,009, 2020 - 9,595, and 2030 - 11,182.

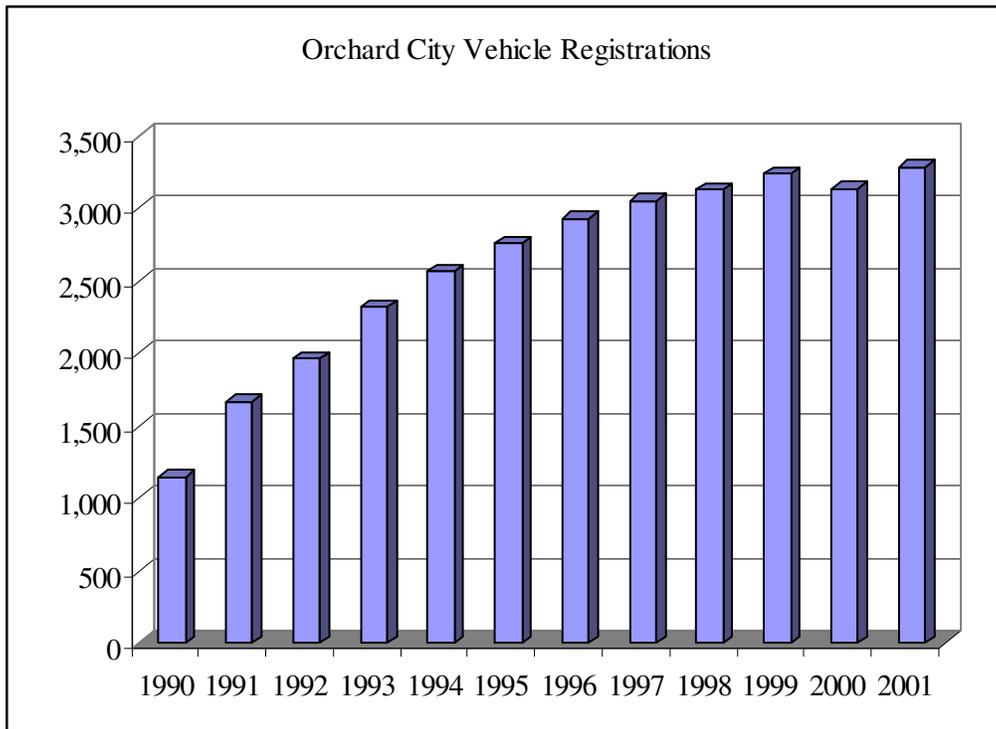


Highway 65 Projected Traffic Volumes - Figure 20

² Colorado Department of Transportation, 2003 traffic counts on Highway 65.



Expenditures per Centerline Road Mile - Figure 21



Vehicle Registrations - Figure 22

Public Places and Facilities – Orchard City and Overlapping Jurisdictions.

The Orchard City Town Hall and maintenance shops are located on Austin Road in the south central area of the community. The Town remodeled Town Hall in 2003 to expand the meeting room facilities to accommodate larger public attendance. The existing Town Hall and maintenance facility building is approximately 2,800 square feet and was constructed in the 1940s.



Orchard City Town Hall & Shop - Figure 23

This building has served the needs of the community for many years. The continued growth of Orchard City has necessitated an investigation of other larger space for Town Hall and community meeting functions. The Board of Trustees has identified the former County Shop building in the Eckert neighborhood as an appropriate location for a potential relocation of the Town Hall offices. This 4,500 square foot building has historic value and may qualify for funding assistance through state historic preservation grants. This building could include up to 2,000 square feet for Town offices and approximately 2,500 square feet for community meeting space including a kitchen and restrooms. The Town maintenance shops are proposed to stay at the existing location on Austin Road. The Trustees are considering including funds in the 2005 budget for architectural and engineering expenses associated with a new facility. Construction and remodeling at a new location is anticipated to commence in 2006.

Other overlapping governments with authority in the incorporated limits and over which Orchard City has no direct control include:

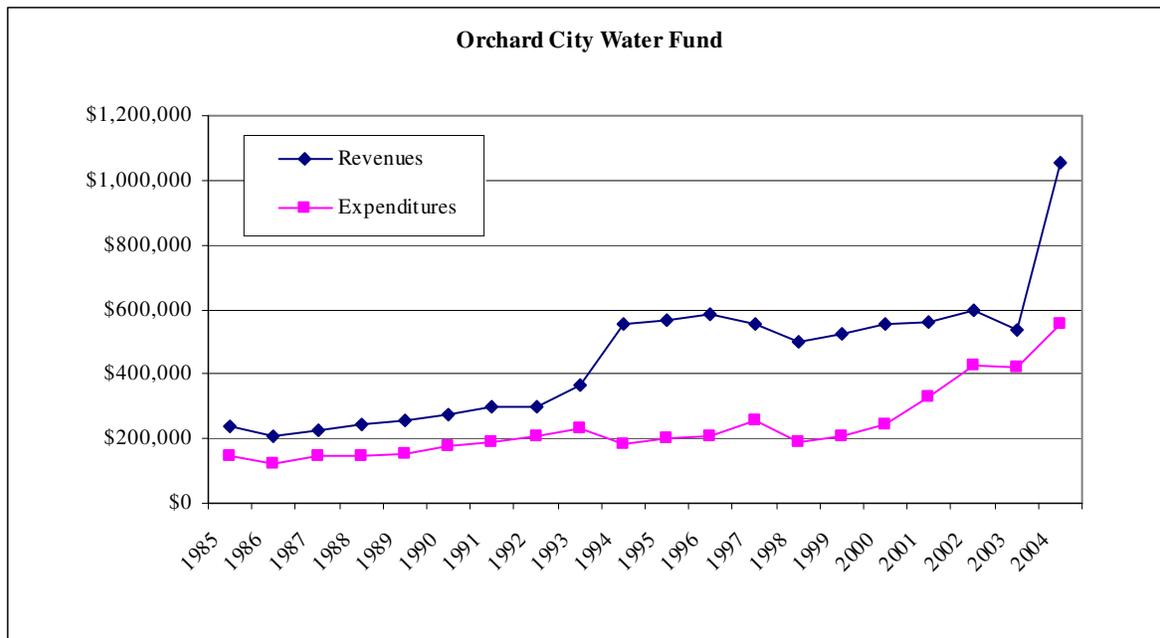
- Fire Protection District #3 - Two fire trucks.
- Delta County ambulance District #1. Discussions are taking place about locating an ambulance station in Orchard City near the intersection of Oatman Road and Highway 65.
- The Cory and Eckert Cemetery districts are located within the municipal boundaries and are responsible for operating and maintaining the cemeteries in their jurisdictions.

Utilities.

Municipal Water System.

The Orchard City water system serves as a backbone for the community. The alignment of the water mains and distribution lines has a major influence on the patterns of development in the community. The water system provides treated potable water for domestic and irrigation use. Orchard City recently revised both user and tap fees to maintain the strong financial condition of this enterprise fund. Water rates are based upon metered use and incorporate an increasing block rate structure in which the cost per gallon of water increases as larger amounts of water are used. This rate structure creates an incentive for water users to conserve and to stay within the more affordable initial water rate block. This water rate structure is commonly used throughout Colorado and has been shown to be an effective tool for maintaining the financial solvency of municipal water systems.

The chart below shows total revenues and expenditures on the water system from 1985 to 2004. In every year, revenues exceed expenditures on the water system. This chart shows the strong financial condition of the water system over time and documents operation of the water fund as an enterprise fund. The water system, as an enterprise fund, should be operated on a business basis. Enterprise funds should not be subsidized by other revenue sources and rates should be adjusted regularly based upon the water system operating costs. It should be noted that the revenue spike in 2004 shown in Figures 24 and 25 was a result of water tap purchases prior to a tap fee increase.

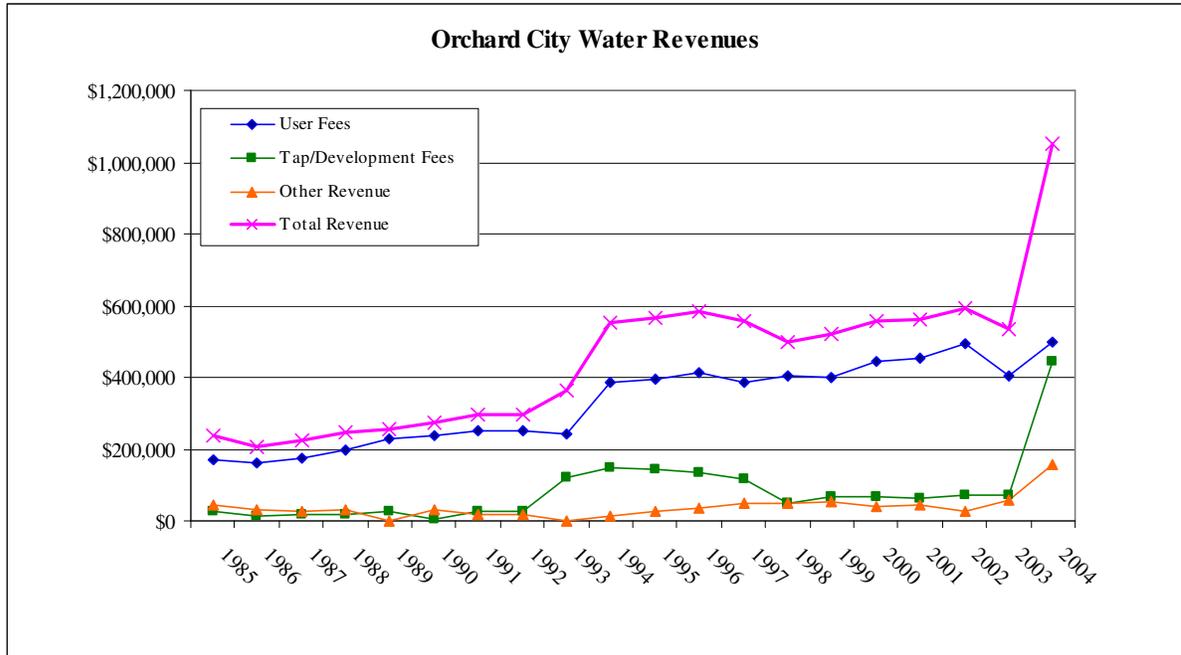


Water Fund Revenues & Expenditures - Figure 24

The following chart depicts trends in each of the revenue sources of the water fund. Revenue sources include:

User Fees - Per gallon charges based upon the cost of treating and delivering water to the user.

Tap Fees - Costs associated with water system capital facilities, water rights, and the overall physical system necessary to make water available for the community.



Water Fund Revenue Sources - Figure 25

The Orchard City water system has a daily treatment capacity of 1.7 million gallons and a maximum storage of 3.78 million gallons. The water system is capable of delivering approximately 1.9 million gallons per day in its current configuration. The Town has plans to expand the system to a future capacity of approximately 4,000,000 gallons per day. This additional system capacity will likely require additional treatment capacity, increase in size of water mains, and acquisition of additional water rights.

EXISTING TOWN WATER RIGHTS.

Surface Water.

1. Lake Fork #8 Decree - 3.6155 cubic feet per second (2,336,697.6 gallons per day)
2. Alfalfa Ditch #1 Decree - 1.0 cubic feet per second (646,272 gallons per day)

Stored Water.

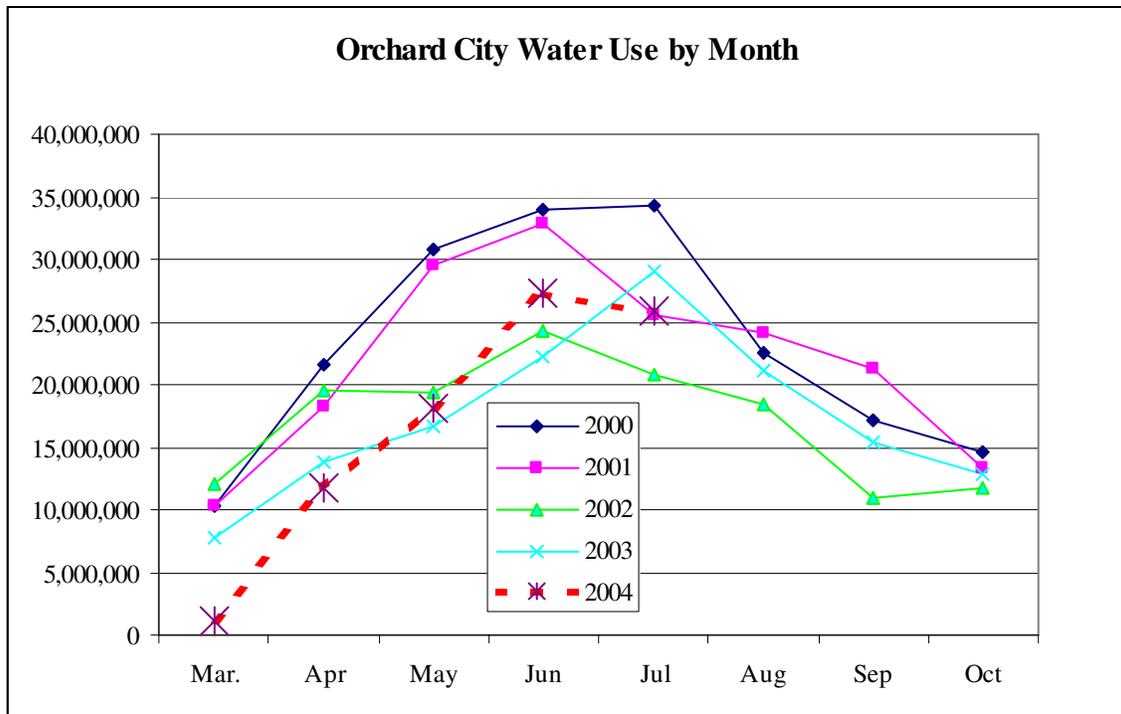
1. Little Gem Reservoir 1/2 Interest - 219 Acre-Feet at full capacity (Orchard City share 109.5-acre feet) 35,680,684 gallons agricultural water.
2. Surface Creek Ditch and Reservoir 20.95 shares (11 Acre-Feet@5.54 cubic feet per second per share) 75,092,362 gallons agricultural water.
3. Leon Lake - 20 shares@0.2 cubic feet per second per share.
4. Greenback Grave - 6 Acre-Feet (12 cubic feet per second) – Incorporated in Marcotte Reservoir.

EXISTING WATER SYSTEM STORAGE.

1. Cedaredge Tank - 2,000,000 gallons (when the new tank is completed in 2005).
2. "P" Road Tank - 1,350,000 gallons.
3. Orchard City Tank #1 - 100,000 gallons.
4. Orchard City Tank #2-300,000 gallons.
5. Austin Tank - 30,000 gallons.

Total Tank Storage - 3,780,000 gallons.

The following graph shows the total community water use by month between the months of March and October. Meter readings were not available for the winter months of November, December, January, and February. This graph reflects the reduced water use because of revised increasing block metered rates.



Orchard City Water Use by Month - Figure 26

In 2004, there were 1,952 active water taps on the system. Not reflected in this number are 96 taps that have been purchased but have not been put into service. There are 1,191 in-town water taps and 352 out-of-town taps equating to 1,543 active customers.

In August 2004, the 1,191 in-town water customers used 19,070,521 gallons or 83% of the total water consumption for that month. This equates to 16,012 gallons per month per in-town customer. The 352 out-of-town customers used 3,790,100 gallons or 17% of the total water consumption. This equates to 10,767 gallons per month per out-of-town customer.

Sewer.

Orchard City does not have a central wastewater collection and/or treatment system. Generally, wastewater treatment is accomplished with individual sewage disposal systems (ISDS) located on

each lot in Town. State health department regulations set the maximum capacity for ISDS systems at 2,000 gallons per day. This equates to a maximum of approximately 20 people per unit per day. On-site ISDS with central water require a minimum lot size of 1 acre. The one-acre lot size allows for replacement of the ISDS leach field on the property. The State requirement is the basis for the minimum one-acre lot size in Orchard City.

Orchard City has participated in discussions with adjacent Cedaredge about central wastewater treatment. Orchard City participated in a 201 study completed by Del Mont Engineering in Montrose, Colorado that analyzed the costs and feasibility associated with central wastewater treatment.

This investigation and discussion about central wastewater treatment has been motivated by a need in Cedaredge to expand or modify their wastewater treatment facility. One of the options for a new wastewater treatment plant includes a new facility near the Gunnison River with a sewer main extending along Highway 65. This option would bring a sewer collection main through Orchard City. Orchard City, after considerable discussion, has decided that it is not cost-effective for the Town to participate in the central wastewater treatment project under consideration. The rural large lot configuration in Orchard City and the large area within the Town boundaries makes it difficult and expensive on a per capita basis to extend sewer service throughout the Town.

Land Use.

Zoning.

Orchard City has not adopted municipal zoning. Citizens and the community leaders have debated this topic at length. Zoning was discussed as part of this master planning process. It is the clear consensus of the Orchard City Trustees, Planning Commission and citizens that participated in this master plan that zoning is not desired in the community. Members of the community are aware that the absence of land use regulation through zoning may result in adjoining land-use conflicts. However, they feel strongly that the free market should control land uses in the community. This philosophy is embodied in a portion of the community vision statement - "*Orchard City has adopted a land-use philosophy of "live and let live" that does not include zoning regulations. It is recognized that this philosophy can and sometimes does result in conflicting adjoining land uses. However, Orchard City residents are willing to tolerate land-use conflicts in order to minimize local government intrusion on the community's lifestyle.*"

Free market forces and private decision-making are the primary influences on current land use patterns in Orchard City. The Town does not restrict general placement of subdivisions but does impose regulations and standards regarding subdivision design and construction. Orchard City has adopted the Uniform Building Code that applies to all construction and remodeling in the incorporated limits. The Town has discouraged the development of high-density subdivisions or clustered housing for a number of reasons, including:

- High-density development would not be consistent with the open, semi-rural appearance and atmosphere of the community.
- High-density development would spur demand for public services, improvements and infrastructure that the Town is not currently prepared to implement or maintain.
- High-density development would create environmental impacts in the form of concentrated noise, lights, domestic animals and similar byproducts of intense development which would be detrimental to the community's values and lifestyle
- High-density development that generates wastewater volumes in excess of 2,000 gallons per day will require central wastewater treatment. Presently, the only available option is a package type treatment plant.
- High-density development could spur demand for commercial development that is not desired or sought by the Town.

Typical existing residential development is in the form of large-lot (i.e. one acre or greater) subdivisions or single lots served by individual septic systems.

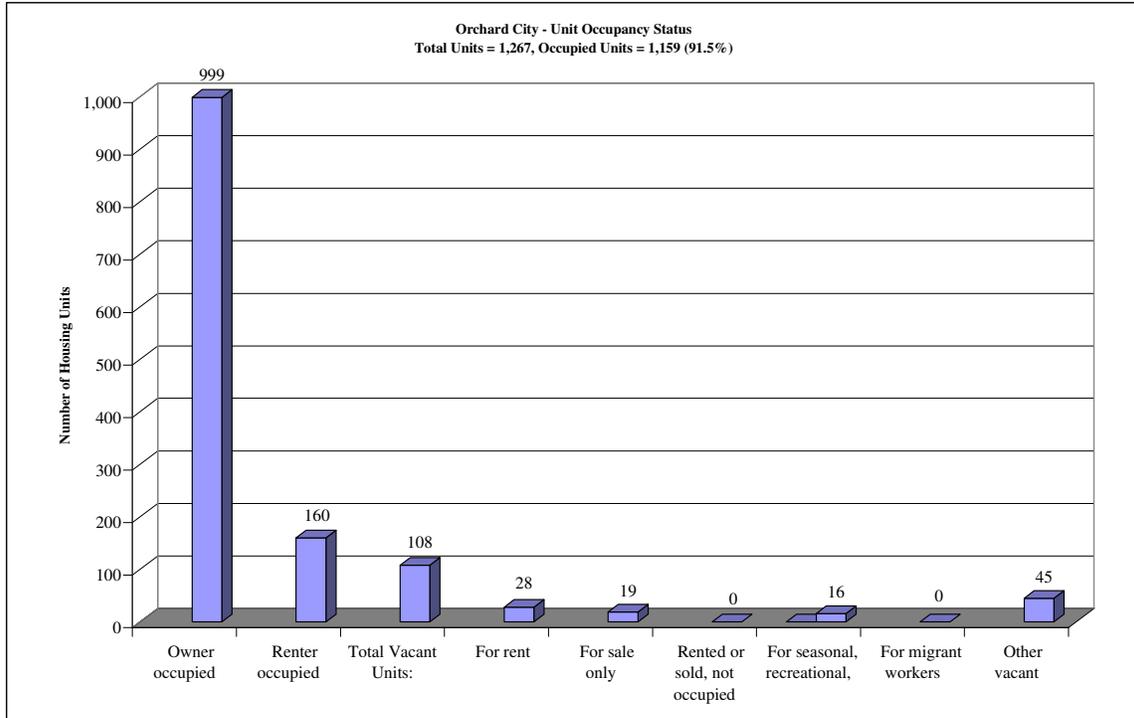
Commercial activity is clustered around the existing neighborhood centers of Austin, Cory and Eckert. Commercial retail activity is limited to gas/convenience stores, restaurants and small shops located either in the neighborhood centers or along Highway 65. A number of large-scale agricultural operations, including a dairy farm, a chicken farm, orchards and cow/calf ranches still operate within town limits. These ongoing agricultural operations make an important contribution to Orchard City's open, rural atmosphere and to the local community's sense of identity.

Housing.

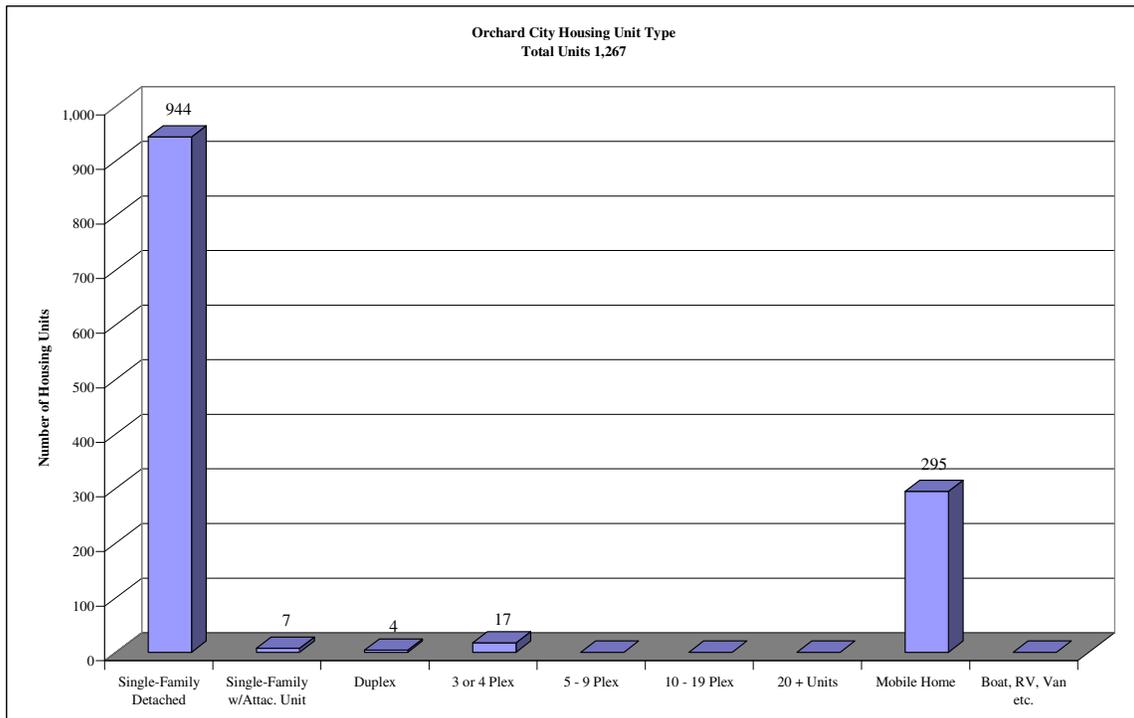
Housing patterns in Orchard City show a high percentage of owner-occupied units and a high level of total occupancy in comparison to total units. Existing conditions also show a high percentage of single-family homes in comparison to total housing types. Both of these conditions reflect a community with a stable, generally non-transient population. There is also a high correlation between home ownership and high levels of income, education, and marriage. High levels of home ownership and the relatively large number of mobile homes may also be indicative of the sizeable retirement community that has established itself in the Town. Because the Town has not restricted the availability of land for development through land use regulations and because the Town is not in close proximity to resort areas or other tourist destinations, housing remains relatively affordable. In other circumstances, for instance within commuting distance of a ski resort area, the predominance of single-family housing relative to multi-family housing and rental housing, would have the effect of foreclosing entry into the housing market by large segments of the population. In Orchard City, however, the factors noted above have kept housing relatively accessible to a broad spectrum of potential occupants.



New Single Family Residential Development - Figure 27



Unit Occupancy Status - Figure 28



Housing Unit Types - Figure 29

Parks, Open Space and Trails

Parks/Recreation.

Intent: Orchard City, in keeping with the desire for small government, does not fund or operate a recreation department. The Town has constructed and maintains the "Field of Dreams" park and recreation area located on 2100 Road. User fees for recreation programs typically cover little of the cost of operation, maintenance or new construction. The Town will continue to provide basic recreation facilities at the "Field of Dreams" and will rely on citizen groups to organize and fund recreation programs based upon community demand. Trails have also been identified as an important amenity for the Town. Orchard City encourages municipal residents to organize and work with the Trustees to develop and maintain a community wide trail system.

Policies:

1. Orchard City will work with interested citizens on developing a Trails Master Plan for the community. The plan should include identification of trail routes and destinations, trail design and construction standards, identification of trail purposes (transportation/recreation) and opportunities for acquiring trail easements or rights-of-way.
2. New subdivision proposals should be evaluated for compliance with the Trails Master Plan and dedication of trail easements/rights-of-way may be considered as part of the development review.
3. The Town may consider requiring dedication of land (or cash in lieu of land for projects that are not adjacent to trail corridors shown in the Trail Master Plan) and construction of trail segments through new developments that will logically connect to a larger trail system.

Preservation of Agricultural Land.



Agricultural Land - Figure 30

Intent: Agricultural use of land in Orchard City is considered an important land-use asset. The community encourages the continuation of existing agricultural uses and establishment of new agricultural use. It is not the purpose of these policies to force farmer/ranchers to remain in agriculture but instead, to offer protections from conflicts caused by new residential development.

Policies:

1. Orchard City will investigate and pursue adoption of a "Right to Farm Ordinance" pursuant to CRS 35-3-101 et seq. clarifying that activities and impacts associated with agricultural operations shall not be considered nuisances as long as they are operated in conformance with the law and in a non-negligent manner. Agricultural activities and impacts may include, but are not limited to, the following: noises, odor, lights, mud, dust, smoke, chemicals, machinery on public roads, livestock on public roads, storage and disposal of manure, spraying/application of chemical fertilizers, soil amendments, herbicides, pesticides, attraction/generation of insects and burning of ditches.
2. New development should protect all irrigation ditches with designated easements no less than 20 feet wide measured from the centerline of the ditch and may include covenants with the Town as a third-party beneficiary that protect the function of the irrigation ditch to allow for access, maintenance and free flow of water.
3. Residential development adjoining land used for agricultural purposes may include a buffer between the residential and agricultural use. Fencing adequate to prevent or minimize access to agricultural lands by humans or pets should be constructed on the subdivision boundaries at the developer's expense.
4. Covenants for residential development adjoining agricultural land should include language requiring kenneling of dogs, prohibition of dogs off leashes and language

- disclosing the rights of agricultural functions including notice of the "Right to Farm Ordinance".
5. The Town may support use of tools such as conservation easements, acquisition of development rights and similar techniques for purposes of preserving agricultural lands and open spaces.
 6. The Town may consider implementation of sales tax, a portion of which could be dedicated to agricultural land preservation and/or open space acquisition/preservation.

Neighborhood Identity.

Intent: Orchard City includes three important neighborhoods, Austin, Eckert and Cory that are distinguished as areas of higher settlement density, a post office and some commercial development. Each of the three neighborhoods in Orchard City has a separate zip code. The residents of these areas place a very high value on their respective neighborhood identities. These residents acknowledge that they are in the municipality of Orchard City, but they identify their place of residence as Austin, Eckert or Cory. In the past, residents of these neighborhoods have demonstrated the importance of maintaining neighborhood integrity and identity. It is important to continue to recognize each of these neighborhoods as important but distinct parts of greater Orchard City.



Austin Center - Figure 31



Cory at Fairview Rd. - Figure 32



Eckert - Figure 33

Policies:

1. Orchard City will embrace and support the distinct qualities of Austin, Eckert and Cory. Residents of these and all other neighborhoods will be encouraged to express their concerns about neighborhood identity and other issues by participating in local

- government decisions as members of the planning commission and other citizen committees of the Town.
2. Efforts will be made by Orchard City to work with citizen groups in each of the neighborhoods to identify and publicize historic buildings that represent unique characteristics of these neighborhoods. This effort may include securing funds or grants from the State Historical Society or other organizations to preserve or improve some of the important buildings and landmarks.
 3. The cemeteries in Eckert and Cory are landmarks that are of historic significance and help identify those neighborhoods. The Town will take measures to preserve and enhance the Eckert and Cory cemeteries when appropriate.



Eckert Cemetery - Figure 34

Annexation.

Annexation.

Intent: The incorporated boundaries of Orchard City cover 11.45 square miles with an average population density of 1-person/2.45 acres. Land area within the municipal boundaries is adequate to accommodate anticipated future growth for the next 30 to 40 years at a growth rate of 2.3%. Annexations of new properties will only be undertaken in limited circumstances where there is a clearly identified community need or benefit.

Policies:

1. Land may be annexed only if the specific parcel is within the designated future growth area of Orchard City and development of the property will provide a positive long-term tax return to the Town.
2. Orchard City will consider new annexations only for properties that adjoin the municipal limits that are served by the municipal water system and for which there is an identified municipal benefit from annexation.
3. Landowners that desire to annex to Orchard City should enter into an annexation agreement that includes, but is not limited to, dedication of water rights, construction of roads, extension of utilities, dedication of road rights-of-way and utility easements to property boundaries to serve potential future development, park land dedication or fees in lieu of land and other items negotiated between the landowner and the Town.
4. Annexation will be considered only for properties that are bordered on two or more sides by municipal limits or for which annexation creates a more logical municipal boundary and service area.
5. Properties that are surrounded by municipal limits (county enclaves) should be the first priority for consideration of possible annexation.
6. Development within the municipal limits is Orchard City's highest priority and annexation should only be considered where there is a demonstrated economic or other community benefit.
7. Property owners desiring annexation should submit a fiscal impact analysis completed by qualified professionals that definitively shows that there is no long-term negative fiscal impact and priority will be given to properties demonstrating a positive long-term fiscal impact.
8. The Orchard City Board of Trustees reserves the rights and powers granted by the state statutes to accept or reject any and all annexation proposals submitted to the town.

Environment and Sensitive Natural Resources.

Environmental Hazards/Hazard Areas.

Intent: Topographically, Orchard City lies on an upland plateau rising from the southerly municipal boundary along the floodplain of the Gunnison River at an elevation of 5,000 feet north approximately 7.5 miles towards the Grand Mesa where the northerly boundary crosses the 6,000-foot contour. Surface Creek and Tongue Creek border the Town on the west. They both flow south into the Gunnison River. Alfalfa Run and Dry Creek lie on the easterly portions of Orchard City.



Tongue Creek Drainage Looking North - Figure 35

In south central Orchard City are a series of three hills known as the "Mounds". Generally, lands within Orchard City are relatively flat and slope south to the Gunnison River. There are some areas with environmental constraints that include steep slopes, rock fall hazards, floodplains, wetlands and expansive clay soils. These areas are unsuitable for development because of natural hazards or sensitive environmental habitat. Slopes in excess of 20% pose serious challenges for development and may be subject to rock fall hazards or slope failure. River and creek riparian zones, including wetlands, are also sensitive resource areas. High water tables, wetlands and periodic flooding make these areas unsuitable for development. Existing irrigation ditches in Orchard City are environmentally sensitive and care must be taken to protect these watercourses and ensure their water carrying capacity.

Policies:

1. New development in areas with known or potential environmental hazards/constraints will be required to complete a geotechnical investigation of the site to identify hazards including, but not limited to rock fall, problem soils, debris flows and slope hazards.

- Developers must propose engineered mitigation actions and implement the engineer's recommendations as part of development activity.
2. Projects adjacent to drainages should complete a floodplain study and wetlands delineation.
 3. Lots in areas of identified geologic hazards, floodplains, wetlands or similar constraint areas should be discouraged.
 4. Areas with high water tables are a limitation on development potential.

Environmental Impacts.

Intent: Clean air, clean water, clear, star-filled night skies and a generally quiet setting characterize Orchard City. Except for the sounds and smells of agricultural activities, Orchard City is not impacted by industrial uses. It is the desire of community residents to maintain this high-quality environmental setting.

Policies:

1. Orchard City may develop lighting standards for new subdivisions that incorporate downcast full cut-off light fixtures for streetlights and on new structures. Lighting standards should also address overall illumination levels to ensure that areas are not over-lit and that light fixtures do not create a safety hazard or generate light pollution.
2. New development and construction may be required to submit engineered drainage and runoff plans that demonstrate compliance with all local, State and Federal runoff standards and that curtail runoff and sediment problems.
3. Streetlights will be discouraged or prohibited in new subdivisions or along public roads unless they are needed for safety reasons.
4. Orchard City should develop standards for excessive noise and should regulate noise impacts in the community.

Plan Implementation.

The following implementation measures are to provide the Town of Orchard City with a menu of action items that further the objectives and priorities expressed in this Master Plan. This list is not proposed to be compulsory, but it identifies actions that can be budgeted for or undertaken to implement the elements of this plan and are intended to maintain the Orchard City Community Master Plan as a living and relevant document.

Annual Master Plan Review and Update.

The Orchard City Planning Commission should make an annual review of this document to ensure that the various projections, assumptions and policies remain current with community philosophy and the desires of the residents. Additional review of trends in housing, land use, demand for public services, budget and other elements of public activity should be made to determine if the patterns that supported the findings and recommendations of the Master Plan remain valid and relevant. Monitoring techniques may also include informal information sharing among Town Staff, Elected Officials and local residents to formal analytical exercises such as surveys, public meetings, and statistical comparisons. Identification of one or more measurements of community growth as benchmarks can be useful. The planning commission should forward a recommendation to the Trustees each year about the status of this document and include any necessary updates or revisions.

Street Master Plan.

The Planning Commission, Road Committee and Trustees should work with their town engineer over the next 3 years to develop a Master Street Plan that sets forth a 3, 5 and 10-year plan for the town street system. This plan should include development of a street hierarchy identifying arterial, collector and local streets. Future street alignments should be included for north-south and east-west configurations. The document can be used as a guide for planning and prioritizing future road projects. Detail in the plan may address road capacity, safety, intersections, congestion points, emergency access and the relationships between new development and road service needs.

Utility Master Plan.

The Planning Commission, Water Committee and Trustees should work with the town engineer to develop a utility Master Plan that formalizes the work completed to date on the water system and future capital improvements. This plan should evaluate projected population growth and water system demands to ensure that the system has adequate legal and physical capacity to serve the population. The master plan should also evaluate and include periodic review of the user and tap fees to maintain the strong financial status of this enterprise fund.

Create a Trails Master Plan

Orchard City should create a Trails Master Plan that provides both recreational and transportation routes throughout the community. This plan could look at utilizing existing ditch alignments and portions of rights-of-way for the system. The town could enlist the assistance of local citizens on a trails task force to assist the parks committee in this effort. The Trails Master Plan should also include cost elements covering easement acquisition, construction and maintenance costs and future funding mechanisms.

Develop Regulations Governing Outside Lighting

The town may wish to consider regulations governing outdoor lighting to minimize light pollution, lighting trespass, public safety issues for pedestrians and traffic and lighting levels appropriate for various locations in the town. Standards should be developed to consider

illumination levels measured in foot-candles, fixture wattage, type of bulb (high-pressure sodium, metal halide, low-pressure sodium), use of full cut-off fixtures and downcast lighting. New development could be required to comply with any standards developed by the town as part of the subdivision review process. Useful resources are available on the Internet including the International Dark Sky Society Web Site and others. The following are useful web site resources:

<http://www.darkskysociety.org/index.cfm>

<http://www.darksky.org/>

<http://members.aol.com/ctstarwchr/>,

Establish Standards for Development in Environmentally Sensitive Areas.

Orchard City could work with the Colorado Geologic Survey, FEMA, Colorado State Forest Service, Delta County and other state or local agencies to develop standards for areas that are deemed environmentally sensitive including, but not limited to floodplains, wetlands, steep slopes, high water table, wildlife areas and similar locations. These standards could be incorporated as part of the development review process. New development could be required to mitigate impacts to these areas based upon town established standards.

Develop a Noxious Weed Management Plan.

Orchard City should consider developing an ordinance for purposes of implementing the Colorado Weed Management Act (C.R.S. 35-5.5-101, et. seq.) that was signed into state law in 1990 and amended in 1996. An ordinance could be developed to provide guidelines for managing designated noxious weeds that represent a threat to the continued economic, environmental and agricultural value of lands in the Town of Orchard City. This plan could provide for the implementation of the Colorado Noxious Weed Act by detailing integrated management options for designated noxious weeds. Options may include education, preventive measures, good stewardship, and control techniques. The plan could incorporate those options that are the least environmentally damaging and are practical, timely and economically feasible. Additionally the plan may identify the responsibilities of all landowners to use integrated methods to manage noxious weeds, and the responsibility of local governing bodies to assure that these plants are managed on public and private lands. Orchard City may wish to consider developing an intergovernmental agreement with Delta County to further assist implementation of a weed management plan.

Intergovernmental Agreements.

Orchard City should continue to maintain Communications with Delta County and the Town of Cedaredge regarding provision of services, capital improvements and growth in surrounding unincorporated areas. The town may want to consider working with other agencies such as the U.S. Forest Service, Colorado State Forest Service, Bureau of Land Management and the Colorado Division of Wildlife to ensure coordinated planning efforts and open communications.

Orchard City should consider the benefits of an intergovernmental agreement (IGA) with Delta County for services (sheriff), three-mile area road improvements and land-use surrounding the town. An IGA could also be developed to address coordinated planning services between the County and the town. Intergovernmental agreements could also address proposed capital improvements within the three-mile planning area around the municipal boundaries to ensure coordination and compatibility with County and municipal development standards.

Master Plan & Subdivision Review

Orchard City should consider incorporation and review of relevant master plan provisions applicable to new development when considering new subdivisions or land use applications. General compliance with the provisions of the Orchard City Community Master Plan could be made a requirement of the subdivision review process and part of the planning commissions review.

Use of Citizen Committees

Orchard City could expand citizen involvement to bring additional energy, ideas and resources to bear on specific issues. For example, the issue of neighborhood identity could benefit from the efforts of a Citizen Committee convened for maintaining the individual character of Cory, Eckert and Austin while acknowledging the community of Orchard City. Citizen participation at the committee level with the town is a valuable source of new ideas, guidance as well as future planning commission members or Trustees.

Appendix.

Sample Right to Farm Ordinance.

AN ORDINANCE OF THE TOWN OF ORCHARD CITY, COLORADO, ESTABLISHING
A "RIGHT TO FARM AND RANCH" POLICY.

WHEREAS, the changing nature of land use and demographics in parts of Orchard City have increase the incidence of conflicts between agricultural operators and residents of the town, and have begun to threaten the economic viability of agricultural operations; and

WHEREAS, the examples of such conflicts include, but are not limited to: harassment of livestock and livestock losses due to free roaming dogs; trespass by livestock; livestock on highways and town roads; leaving gates open; fence construction and maintenance; chemical applications; maintenance of ditches across private property; storm water management; burning of ditches; complaints about noise, dust and odor; disposal of dead animals; weeds and pest control; and trespass; and

WHEREAS, it is desirable to protect agricultural operators from complaints about legal and non-negligent agricultural operations and activities; and

WHEREAS, it is desirable to educate the public and not agricultural residents and visitors to Orchard City about the existence, validity, and importance of Orchard City's agricultural operations and activities; and

WHEREAS, it is desirable that the Board of Trustees provide a forum for the informal and nonbinding resolution of disputes between agricultural operators and not agricultural residents and visitors to Orchard City; and

WHEREAS, pursuant to this ordinance the Board of Trustees shall attempt and aspire to:

- a) Conserve, enhance and encourage ranching, farming and all manner of agricultural activities and operations within and throughout Orchard City where appropriate;
- b) Minimize potential conflicts between agricultural and non-agricultural users of land in the town;
- c) Educate new rural residents and longtime agricultural operators alike to their rights, responsibilities, and obligations relating to agricultural activities; and
- d) Integrate planning efforts to provide for the retention of traditional and important agricultural lands in agricultural production as well as the opportunity for reasonable residential and other development; and

WHEREAS, the Orchard City Board of Trustees ("the board"), pursuant to CRS 35-3-102, has the power to provide for the protection of agricultural and farming operations; and

WHEREAS, pursuant to Article 3.5, Title 35, CRS, it is the declared policy of the State of Colorado to conserve, protect, and encourage the development and improvement of its agricultural land for the production of food and other agricultural products; and further that the General Assembly recognizes that when non-agricultural land use is extend into agricultural areas, agricultural operations are forced to cease operations and many others are discouraged from making investments in farm improvements; and that it is the purpose of this Article to reduce the loss to the State of Colorado of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed to be a nuisance; and is conforming with existing state regulations; and

WHEREAS, the Board of Trustees has determined that it is desirable and beneficial to the citizens of Orchard City to establish and adopt by ordinance a Right to Farm and Ranch Policy involving the elements of protection of agricultural operations, education of property owners and the public, and resolution of disputes; and

WHEREAS, the establishment and adoption of such a Right to Farm and Ranch Policy would serve and promote the public health, safety and welfare of the citizens of Orchard City.

NOW, THEREFORE BE IT ORDAINED by the Board of Trustees of the Town of Orchard City, Colorado that:

Policy Statement. It is the policy of the Board of Trustees of the Town of Orchard City, Colorado as set forth herein that: ranching, farming and all manner of agricultural activities and operations within and throughout Orchard City are integral elements of and necessary for the continued vitality of the town's history, economy, landscape, open space, lifestyle, and culture. Given their importance to Orchard City, Colorado and the State, agricultural lands and operations are worthy of recognition and protection.

- a) Colorado is a "Right to Farm" state pursuant to CRS 35-3.5-101, et seq. Landowners, residents and visitors must be prepared to accept the activities, sights, sounds, and smells of Orchard City's agricultural operations as a normal and necessary aspect of living in a municipality with a strong rural character and healthy agricultural sector. Those with an urban sensitivity may perceive such activities, sights, sounds, and smells only as inconvenience, eyesore, noise, and odor. However, State law and municipal policy provide that ranching, farming or other agricultural activities and operations within Orchard City shall not be considered to be nuisances so long as operated in conformance with the law and in a non-negligent manner. Therefore, all must be prepared to encounter noises, odors, lights, mud, dust, smoke, chemicals, machinery on public roads, a livestock on public roads, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides and pesticides, and one or more of which may naturally occur as part of legal and non-negligent agricultural operations.
- b) In addition, all owners of land, whether agricultural business, farm, ranch or residents, have obligations under State Law and municipal regulation with regard to the maintenance of fences, livestock must be fenced out (open range). Irrigators have the right to maintain irrigation ditches through established easements that transport water for their use and said irrigation ditches are not to be used for the dumping of refuse. Landowners are responsible for controlling of weeds, keeping their pets under control, and maintenance of resources of the property wisely (water, soil, animals, plants, air, and human resources). Residents and landowners are encouraged to learn about these rights and responsibilities and act as good neighbors and citizens of the town.
- c) Conflicts include, but are not limited to: trespass; harassment of livestock and livestock losses due to free roaming dogs; trespass by livestock, livestock on highways, county, municipal and private roads; leaving gates open; thence maintenance; harvesting transportation of agricultural and silvicultural crops; agricultural and prescribed burning; complaints of noise, dust, aesthetics, and odor resulting from production and processing operations; disposal of dead animals; weed, pets and predator control.

- d) The Board of Trustees shall establish a dispute resolution procedure with mediators to resolve informally conflicts that may arise between landowners or residents relating to agricultural operations or activities.
- e) When rural residents cannot come to an agreement or understanding about fences, ditches, livestock, or other agricultural issues, this may be the forum used to resolve disputes. Mediators must be knowledgeable, solution oriented, and at least one such mediator in each dispute must be directly involved in agriculture or an agricultural producer must serve in an advisory role to the trained mediator.

Public education and information campaign. The Board of Trustees, with the primary assistance of the Colorado State University Cooperative Extension Delta County office and through the use of their staff as needed, shall support efforts to educate and inform the public of the Right to Farm and Ranch Policy.

People need to be aware that children and adults are exposed to different hazards associated with agricultural operations. Farm equipment, ponds and irrigation ditches, electrical power for pumps/center pivot operations and electrical fences, traffic, use of agricultural chemicals, weeds such as: sand burs, puncture vines that cause mechanical injury, territorial farm dogs, and livestock present real threats to children and adults. Controlling children's activities is important, not only for their safety, but also for the protection of the farmer's livelihood. Open irrigation waters are essential to agricultural and have legal rights of ways that must not be obstructed. Open ditch operations often result in seepage and spills of storm waters in unpredictable locations and times.

Property owner notification. The Board of Trustees shall notify the owners of land within Orchard City by the following means:

This document will be distributed in all possible manners that the budget allows.

Whenever a building permit is issued for new construction in the incorporated area of Orchard City, the building department shall provide the owner educational material.

The Board of Trustees shall initiate amendments to the municipal subdivision regulations to provide that notification of the policy and the policy statement shall be made at the time of any subdivision or related land use approval and a note to that effect shall appear on any plat so approved.

In addition, the Board of Trustees shall encourage title companies and real estate brokers in the municipality to voluntarily disclose the policy to purchasers of real property in Orchard City. To that effect, the Board of Trustees shall schedule presentations to the Board of Realtors and other professional organizations to explain the policy and distribute copies of the policy.

Adopted this ___ day of _____ 200__

BY THE BOARD OF TRUSTEES OF THE TOWN OF ORCHARD CITY, COLORADO.

Enabling Legislation.

35-3-102. Legislative declaration.

(1) It is recognized and declared:

(a) That the soil resources and fertility of the land of this state, and the economic use thereof, the prosperity of the farming population of this state, and the waters of the rivers of this state, and the prevention of floods are matters affected with a public interest;

(b) That the welfare of this state has been impaired and is in danger of being further impaired by destruction of its soil fertility, by uneconomic use and waste of its land, by exploitation and wasteful and unscientific use of its soil resources, by floods and impairment of its rivers as a result of soil erosion, and by the decrease in the purchasing power of the net income per person on farms in the state as compared with the net income per person in the state not on farms;

(c) That said evils have been augmented and are likely to be augmented by similar conditions in other states and are so interrelated with such conditions in other states that the remedying of such conditions in this state requires action by this state in cooperation with the governments and agencies of other states and of the United States and requires assistance therein by the government and agencies of the United States;

(d) That the formulation and effectuation by this state of state plans, in conformity with the provisions of section 7 of the "Soil Conservation and Domestic Allotment Act", is calculated to remedy said conditions and will tend to advance the public welfare of this state.

(2) In order to promote the welfare of the people of this state by aiding in the preservation and improvement of soil fertility, in the promotion of the economic use and conservation of land, in the diminution of exploitation and wasteful and unscientific use of soil resources, in the protection of rivers against the results of soil erosion, and in the reestablishment, at as rapid a rate as is practicable and in the general public interest, of the ratio between the purchasing power of the net income per person on farms and that of the net income per person not on farms that prevailed during the five-year period, August, 1909, to July, 1914, inclusive, as determined from statistics available in the United States department of agriculture, and the maintenance of such ratio, the state of Colorado assents to and accepts the provisions of the "Soil Conservation and Domestic Allotment Act" and adopts the policy and purpose of cooperating with the government and agencies of other states and of the United States in the accomplishment of the policy and purposes specified in section 7 of said act, subject to the following limitations:

(a) The powers conferred in this article shall be used to assist voluntary action calculated to effectuate such purposes.

(b) Such powers shall not be used to discourage the production of supplies of foods and fibers in this state sufficient when taken together with the production thereof in other states of the United States to maintain normal domestic human consumption as determined by the secretary of agriculture of the United States from the records of consumption in the years 1920 to 1929, inclusive, taking into consideration increased population, quantities of any commodities that were forced into domestic consumption by a decline in exports of particular commodities, and the quantities of substitutes available for domestic consumption within any general class of food commodities.

(c) In carrying out the purposes specified in this section due regard shall be given to the maintenance of a continuous and stable national supply of agricultural commodities adequate to meet consumer demand at prices fair to both producers and consumers.

Source: L. 37: p. 257, § 2. **CSA: C. 5,** § 62. **CRS 53:** § 6-3-2. **C.R.S. 1963:** § 6-3-2.