**Town of Empire**

**Comprehensive/Master plan**

**Executive Summary**

**\*\*\*\*\*\*\*\*\*\*COPIES OF THE MASTER PLAN ARE AVAILABLE AT THE TOWN HALL. PLEASE PICK UP A COPY AND GET INVOLVED!!!\*\*\*\*\*\*\*\*\*\***

THE MASTER PLAN WAS COMPILED FROM COMMUNITY INPUT AND PROFESSIONAL PLANNING INFORMATION TO BECOME EMPIRE’S VISION FOR THE FUTURE. IT PROVIDES GUIDANCE AND DIRECTION TO COMMUNITY LEADERS IN DAY-TO-DAY DECISIONS REGUARDING THE DESIRABLE DEVELOPMENT OF THE TOWN. THE PLAN ITEMIZES REALISTIC GOALS AND EFFECTIVE STRATEGIES FOR IMPLEMENTING DECISIONS REGARDING **LAND USE, TRANSPORTATION, ECONOMIC DEVELOPMENT, GROWTH, RECREATION, AND COMMUNITY FACILITIES, AND RECOURCES.** THE PLAN ADOPTED BY THE PLANNING COMMISSION AND THE BOARD OF TRUSTEES IS A PUBLIC POLICY STATEMENT REVOLVING AROUND CITIZENS NEEDS AND DESIRES. IT ADDRESSES, FOR EXAMPLE, THE FOLLOWING ISSUES:

* PUBLIC FACILITIES
* COMMUNITY SERVICES, SUCH AS WATER AND WASTEWATER SERVICE
* TRANSPORTATION AND CIRCULATION, SUCH AS MANAGING TRAFFIC VOLUME AND DEVELOPING A STREET/PARKING PLAN
* ECONOMY, HOUSING, AND GROWTH, SUCH AS ADDRESSING THE EXTENT TO WHICH THE COMMUNITY SEEKS MANAGED VERSUS AGGRESSIVE GROWTH.

THE MASTER PLAN IS AN EVOLVING DOCUMENT. AS THE TOWN CONTINUES TO GROW AND DEVELOP, ACTIONS WILL BE TAKEN, ISSUES WILL THEN BE REVISTED AND THE PLAN WILL NEED TO BE UPDATED. AT LEAST SOME OF THE ACTION ITEMS CURRENTLY IN THE PLAN ARE ALREADY UNDERWAY, ARE REFLECTED IN THE YEAR’S ANNUAL BUDGET, OR WILL BE ADDRESSED THROUGH AD HOC COMMITTEES AND INDIVIDUAL ACTION. **REVIEW A COPY OF THE PLAN AND TAKE THIS OPPURTUNITY TO BECOME MORE INVOLVED IN THE ACTIVITIES YOU CARE MOST ABOUT.** THE PLANNING COMMISSION MEETS THE LAST WEDNESDAY OF EACH MONTH IN THE TOWN HALL AT 6:30 P.M.

**COME JOIN US FOR A MEETING OR JOIN A COMMITTEE!!!**

**TOWN OF EMPIRE COMPREHENSIVE MASTER PLAN**

Town of Empire

30 East Park Avenue

PO Box 100

Empire, Co 80438

303-569-2978

**First Version Adopted: December 16, 1995**

**Mayor: Mark Cucinella**

**Planning Commission Chairperson: Heather Lopez**

**Revised Edition Adopted**: **October 4, 2000**

**Mayor: Lori Short**

**Planning Commission Chairperson: Brian Gilbert**

 Prepared by Colorado Center for Community Development

 University of Colorado at Denver

Campus Box 128

P.O. Box 173364

Denver, Co 80217-3364

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**MAPS**

**Base Map –** Digital map showing legal parcels, streets with their names and town’s legal limits.

**Land Use –** Show current uses of property in town.

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2. **Road and Topography**
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**TOWN OF EMPIRE**

**VISION STATEMENT**

**The residents and the Town of Empire wish to preserve, protect, and enhance the historic integrity and small, mountain town atmosphere of Empire and the Empire Valley. Together they strive to guide future growth and development in town and the valley. The community desires growth that is slow, managed, fiscally sound, and that does not impact the town in a negative way.**

**INTRODUCTION**

The Town of Empire and the Empire Valley are facing the pressure of change. Like many other western mountain communities, Empire and its citizens face issues and choices that will profoundly affect their quality of life in the next decades. The Town recognizes that they need to be proactive not only with land use issues within town boundaries, but exercise more extraterritorial land use review powers in areas just outside their boundaries. The goals of this plan represent an attempt to define what values are important to the community concerning the quality of life in Empire and the surrounding environs. The plan seeks to maintain a community that preserves the natural beauty and existing social character of Empire and the Empire Valley.

**PURPOSE AND CHARACTERISTICS OF THE MASTER PLAN**

The Comprehensive Master Plan represents Empire’s vision for the future and provides guidance and direction to community leaders in day-to-day decisions regarding the desirable development of the Town. The Plan provides realistic goals and effective objectives and strategies for the implementation of community decisions regarding the location, extent, and type of development in Empire by considering all elements of the community – land use, housing, transportation, economic development, growth, recreation, community facilities and resources – as separate systems and in relation to one another. As the criteria against which all other planning and policy decisions are measured, it provides continuity of land use decisions over time, and is a consistent and coordinated statement of the Town’s goals, objectives, and programs projected for 20 years, through the year 2020. By guiding decision-making toward a comprehensively considered future, this Plan sets Empire’s direction for development, protection of its physical resources, and preservation of its social and cultural heritage.

As an official public document, the Comprehensive Master Plan coordinates several planning elements into a single document that is comprehensive, general, flexible, and long-range. It is comprehensivebecause it encompasses all the physical and functional elements of the community; general because it summarizes policies and proposals in the form of guidelines and is a general indication of how residents want their community to develop; flexible because it must be able to respond to future unknown needs and conditions in order to keep pace with changes in the environment and public attitudes; and long-range because it looks beyond the present to the problems and possibilities of the future. The Plan is an efficient management tool to achieve Empire’s goals and to ensure that the community’s needs are effectively met.

**LEGISLATIVE AUTHORITY TO PLAN**

State enabling legislative gives local governments in Colorado the power to plan, to regulate land use within their boundaries, to regulate certain activities outside their jurisdictions and to contract with other jurisdictions. Specifically, H.B. 1041 (1974) enables local governments to identify, designate, and regulate 21 statutorily defined “matters of state interest,” and H.B. 1034 (1974) grants municipalities broad authority to plan for and regulate the use of land. C.R.S. 31-23-206 through 208 describes the Planning Commission’s duty to adopt the plan, the purpose of the plan, and the procedure for its adoption. C.R.S. 31-23-209 states the legal status of the plan once adopted. Additionally, other statutes referred to in the land use element of this plan, authorize interjurisdictional planning and regulations, these statutes give limited jurisdiction over land use activities beyond town boundaries.

**THE PLANNING PROCESS**

The planning process began in Empire with the recognition of the need to plan. The effects of an increasing state population, encroaching growth, development in the County, housing shortages, gaming impacts from neighboring Gilpin County, and increasing traffic on I-70 and U.S. Highway 40 were among the many reasons that it became necessary to update the Town’s 1984 Master Plan. Residents looked to the Town to control growth, provide services, and mitigate potential development pressures while maintaining services, preserving the Town’s rural mountain atmosphere. The Empire Planning Commission, Town Trustees, and citizens made a commitment to plan for Empire and the surrounding Empire Valley to preserve the quality of life which brought residents to the community.

Thus, began a data collection phase where technical information on various aspects of town life, such as water supply, services, economic growth, land use, and zoning, was collected from a variety of sources. Residents became a key resource source of cultural information, including community history, needs, and visions. To inform and involve residents, newspaper articles describing the planning effort were written, a community wide survey was distributed, and many public meetings were held to gather public comments for both the original and revised versions. Citizens involvement is important so that the Plan maintains an accurate reflection of citizens’ needs and goals for Empire.

The community survey offered a particularly unique opportunity to gather information from interested citizens on the reason’s residents chose the town, the level of satisfaction with the quality of life, and priorities for future improvements. The results of the survey are briefly summarized below. A tabulation of the results appears at the end of this document.

Generally, members of the community who responded to the survey appreciated and wanted to preserve the small mountain town environment. The area of greatest concern by far to these respondents was traffic congestion. Some citizens’ expressed concern over the influx of newcomers and the physical condition of town. Over 50% also suggested that the town should grow, but in a managed way while retaining the historic atmosphere. Priorities for the future include improving the availability of affordable housing, emergency services, fire protection, solid waste collection, and water quality. Respondents suggested that town officials focus their attention on preserving the quality of life and historic preservation of the town while attracting new business, developing local jobs, provided more housing and community services.

The Town of Empire’s Comprehensive Master Plan is constructed to address these and other priorities, as recommended by interested citizens. Many other concerns and interests can be incorporated into the plans for the community’s future with new input and involvement. After analyzing the data, the Planning Commission set forth to develop goals, objectives and actions, which would achieve the services and standards necessary for the quality of life desired by residents.

The Planning Commission pursuant to C.R.S. 31-23-206 adopts the Plan. The legal status of the Plan is described in C.R.S. 31-23-209. As adopted by the Planning Commission, and ratified by the Board of Trustees, the Plan is a public policy statement revolving around citizen needs and desires, which is intended to guide future development and growth within Empire and the surrounding valley.

**Figure 1:**

**THE PLANNING PROCESS**

Continual Update and Commitment to Plan

Adjustment

Implementation Community Information

 and Data Collection

Adoption by **EMPIRE RESIDENTS** Analysis

Town Board Public Review & Feedback

Recommendation by Development of

Planning Commission Goals & Objectives

Final Plan Draft Plan

 Public Review & Feedback

 Public Review

 and Feedback

The development of this document could be viewed as the culmination of the planning process; but it is not the end. Planning is an on-going effort to evaluate past and current proposals, face new challenges, and adapt to changing public attitudes and values while advancing the physical development of the community. It is through action that the Plan is implemented. Without action the best laid plans are nothing more than words and it is up to the citizens of Empire to bring about their hopes and dreams for their community.

**GROWTH AND OTHER ISSUES**

Currently there is a great deal of growth and activity happening around the area in terms of development proposals, currant usage, and studies being conducted, all of which could potentially affect Empire and Empire Valley. Some of the issues that are likely to have the greatest influence on future growth, size, and impact to Empire and Empire Valley are:

* Empire’s proximity to the Metro Denver Region, Summit, Eagle, Gilpin, Jefferson, and Grand Counties. These areas are all facing rapid growth. Spill over from these areas impacts increased needs for housing, services, and transportation for Empire and the surrounding county lands.
* The transfer of Bureau of Land Management (BLM) lands in Clear Creek County could increase the amount of developable land in the area.
* The costs of maintaining existing public facilities and services, as well as future needs of the community and development, especially those with serious servicing problems.
* The abundance of existing recreational opportunities found within the area, and new projects being considered, could potentially increase the number of users and visitors. Some of those projects include the Golden Water Supply Reservoir and the Berthoud Pass Research Corridor proposed recreational trail.
* Transportation issues, including the I-70 Corridor Study, U.S. Hwy. 40 Berthoud Pass improvements, and local needs, all might have tremendous impact on the Town and Valley, physically, economically, and socially. The town needs to stay actively involved in transportation agendas.
* Businesses in or near Empire or the historically uncertain future of the mining industry might influence economic changes and directions for Empire.
* Environmental hazards such as steep slopes, flooding, avalanche and wildfire risks, as well as old abandoned mining sites and tailings pose possible problems.
* Protection of environmental resources such as water supply and water quality, wildlife, wildlife habitat, wetlands, open space and view corridors that are critical in maintaining the natural character of the Empire Valley.

**THE PLANNING AREA**

**REGIONAL SETTING**

The regional setting defines the area around Empire that influences the community’s quality of life. Clear Creek County lies just north of the geographic center of the state and is part of the Region 3 State Planning Area Covered by the Denver Regional Council of Governments. At approximately 395 square miles the county makes up less than 1% of the states’ land area. Approximately eighty percent of the county is owned by various government agencies including the Bureau of Land Management (BLM) and U.S. Forest Service. Arapaho National Forest, alone, comprises nearly three-fourths of the entire county land area. With the Congressional transfer of approximately 10,500 BLM controlled acres to local control, the amount of developable land in the country will increase and has the potential economic benefit of creating new taxable property, spawning new businesses, and expanding the job market within the county.

Historically Clear Creek’s development has been directly related to mining. Today retail trade, recreation, bedroom communities, and tourism also shape the county. Idaho Springs, eight miles east of Empire, is the prime local service center for the county, while Georgetown, 6 miles west, is the center of governmental services. With only four incorporated municipalities – Idaho Springs, Georgetown, Empire, and Silver Plume – county residents rely heavily on both, the Denver Metropolitan region and Summit County, for major retail, employment opportunities, and medical services; over one-half of residents’ work outside the county. The decline of the mining industry combined with the general downturn of the state economy attributed to a county population decrease during the 1980’s. A population boom is now occurring and since 1990 the majority of growth has been in unincorporated areas, including; Lawson, Downieville, and Dumont, as well as, several smaller pockets of residential sites. State demographers estimate the current population to be 8500 and project a population increase of 1.9% per year between 2000 and 2020 resulting in a 2020 Clear Creek County population of 11,924.

Major county attractions include Mt. Evans and its roadway, Loveland Ski Area, Georgetown Loop Railroad, Georgetown National Historic Landmark District, and wildlife viewing. Clear Creek County connects the Denver Metropolitan population to a cast amount or recreational areas, communities, national forest land and national parks.

**LOCAL SETTING**

Empire is in the north central portion of Clear Creek County at an elevation of 8,601 feet. Surrounded completely by BLM and Forest Service property, the Town is a unique hamlet. Within 40 minutes of the Denver metropolitan region, its culture, and global access, Empire’s closest neighbors are still the grazing Rocky Mountain sheep, elk, and many other mountain inhabitants who frequent town limits.

The town is approximately forty miles west of Denver and ten miles east of the Continental Divide and at a point two miles west of the Interstate-70. Empire lies wedged in the middle of a star-shaped valley framed by the mountains Douglas, Lincoln, Covode, and Eureka. Oriented with the points of the compass, the sun rises in the eastern valley and bathes Empire in sunlight until is sets in the western notch, which forms the base of the famous Berthoud Pass. The town lies along the West Fork of Clear Creek. Lyon Creek flowing from the north valley and Bard Creek from the South, converge with the West Fork of the Clear Creek near the middle of town.

Steep mountain slopes rise to the north and Douglas Mountain and Union Pass lie to the south. Climatic conditions are characteristic of a high altitude, dry continental climate surrounding. Northern facing slopes are characterized by tall pine forests and dotted with aspens.

U.S. Highway 40 bisects the town and serves as a major conduit and alternate route between Denver and points west, including Winter Park Ski Area, Granby, and Grand Lake, Rocky National Park, Steamboat and Salt Lake City.

With the last decline of the mining industry in the 80’s, the population also declined. The current population of just over 400 people has remained fairly constant for the last two decades. State demographers project an approximate 50% increase in the population to just under 700 persons by 2020.

The gold miners who founded the Town are gone, but they left Empire with a rich legacy. Numerous mine sites, homes, many of which were built in a miner/Victorian style, a business district dominated by traditional western facades, along with a historic cemetery, all chronicle Empire’s long and varied past.

Empire today, although small, has approximately fifteen businesses, which include the historic Peck House restaurant and hotel, several other fine eating establishments, gas stations, antique shops, bed and breakfast, convenience/liquor store, coffee shop, gift shop, and laundry. In addition, the town has a fine visitor’s center and park on the main highway, with public restrooms, parking, and space to enjoy the scenery.

Within proximity to several major ski areas, and a gateway to the Rocky Mountain National Park, Empire’s future economic and domestic growth will only continue.

**HISTORY**

In January 1859, gold was discovered on the banks of Chicago Creek near its confluence with Clear Creek. Prospectors Henry DeWitt, Clinton Cowles, and Edgar Freeman discovered gold on Eureka Mountain. A year later, Cowles and Freeman, along with Dr. Richard Bard, formed the Union District Valley City Company and began recording mining claims. During the gold rush days, the community was known as Valley City.

In 1861 Cowles discovered the Ida Silver Iode containing over 100 ounces of silver per ton and renamed Valley City, “Empire City” in honor of New York State, the Empire State. By this time the town had a general store, post office, a few cabins, and several mills for processing one from the North Empire mines. The Peck House had opened a year earlier and today remains the oldest continuously operating hotel in Colorado.

Empire was on the old stage route from Central City to Georgetown via Union Pass. In March 1861, seeking to take advantage of the development of a mail by the Federal Postal Route Bill, Empire City and surrounding communities proposed a route up Clear Creek Canyon to Empire City and then west into central Colorado. A party led by civil engineer Edward C. Berthoud explored the proposed route, which later became Berthoud Pass.

The Town was incorporated on April 4, 1882, as Empire. The population reached its peak of about 500 people in the late 1880’s and remained at that level well into the next century.

**Figure 2: Town of Empire Historic Population**

Source: Colorado Demographic Information Service

**INTERGOVERNMENTAL AGREEMENTS**

The Town of Empire is an integral part of Clear Creek County and the larger region. Actions occurring in one community affect other areas and the region as a whole. Because issues are not solely faced, caused, or solved by one jurisdiction alone, it is vital to improve and maintain relationships with surrounding jurisdictions to solidify a regional approach to land use planning and community well-being.

Intergovernmental agreements are a cooperative tool among local governments designed to provide improved, coordinated, and non-duplicated services or facilities to a region. In Colorado, local governments are authorized to contract with one another to provide any function, service, or facility that each is lawfully authorized to provide. As part of these agreements the contracting governments can agree to exercise joint power or can create a new entity to exercise the power for them. Further, municipalities have the authority to plan areas outside of the town, but the plans for areas outside the town carry no weight unless the county adopts them. Intergovernmental planning cooperation also occurs in activities or areas designated as being of state interest. This legislation, commonly called the 1041 bill, is intended to identify specific types of development projects that may impact the state beyond their immediate scope, and to provide for a review process for regulating such projects.

Empire participates in various regional and cooperative planning efforts coordinated by the agencies listed below.

**Clear Creek County Fire Authority:** Cooperative agreement to provide fire protection, ambulance service and hazardous material response. The authority leases equipment and facilities from the municipality and the Town contributes to the Fire Authority from its general budget.

**Clear Creek County Metropolitan Recreation District:** Cooperative agreement to provide recreational and leisure activities throughout the district, it is funded by a mill levy 3,267 and Conservation Trust Fund (Lottery Funds).

**Denver Regional Council of Governments (DRCOG):** State Planning Region 3, is composed of participating jurisdictions within Adams, Arapahoe, Boulder, Clear Creek, Denver, Douglas, Gilpin, and Jefferson Countries. As the regional planning commission, DRCOG is responsible for adopting and updating a regional plan for the physical development of the territory within the region by generally following the standards and procedures applicable to county master plans and county planning commissions. The Council also retains a number of federal designations for regional planning, coordination activities and can provide some technical assistance in planning and related areas. DRCOG has initiated a multi-entity intergovernmental agreement between cities and counties called the Mile-High Compact. Its purpose is for its participants is to voluntarily agree to develop and update comprehensive plans for their planning area, included specific elements in the plan, and share information with others, as an effort to contribute to a regional approach to land use issues, while retaining local control. Empire is a participant of the Mile High Compact and this comprehensive plan includes those specific elements and more.

**Upper Clear Creek Watershed Association:** Empire works in joint participation in planning, coordinating, and reviewing activities for the purpose of implementing a continuing area-wide Water Quality and a Wastewater Management Planning program for the Upper Clear Creek Basin.

**FRAMEWORK OF THE PLAN ELEMENTS**

The Comprehensive Master Plan, a framework or guide for Empire’s future direction, is based on a hierarchy of written statements, from the general to the specific, which were derived from the needs and wishes of the community. These statements are defined as:

**GOAL** – an ideal of what the community wants to achieve.

**POLICY** – a realistic and achievable statement or guideline of how the community will reach a particular goal

**IMPLEMENTATION** – a specific action undertaken to accomplish a particular policy.

As was previously stated, the Town of Empire Comprehensive Master Plan is an evolving document. As the town continues to grow and develop, actions will be taken, issues will then be revisited, and the plan will need to be updated. By having a clear, and legal framework of Empire’s direction, the town will be able to use its resources wisely, maintain its quality of life, and to act responsibly for its citizens. Not all actions have been identified, and not all actions will be completed simultaneously. At least some of the action items should be reflected in each year’s annual budget, capital budget, or will be addressed through ad hoc committees or individual action.

It should further be noted the order of appearance in this Master Plan of elements, policies, or actions is not a statement of priority.

Some of the action items currently under way or for consideration include:

* Historic Renovation of Empire’s Town Hall- A Historic Grant has been attained with matching funds from the Town.
* Replacement of a central water main from Freeman to Ball streets, south side of US 40.
* U.S. Highway 40 drainage improvement project, south side of street. C.D.O.T. will be funding the landscaping and adequate parking plans are being developed.
* Working with the County, Emergency Services, and The Fire Authority to analyze existing fire hall and emergency service facilities and future regional needs.
* Construction of a pavilion on existing foundation at Minton Park.
* Capping of tailing property (Ball Placer), creating Community Park and recreational space.
* Revising Ordinance 170 create more cohesiveness between comprehensive plan and 170

**PLANNING ELEMENTS**

**COMMUNITY ENVIRONMENT**

Empire is and has always been a small, mountain town. In the 1994 Community Survey the most common reasons for why residents moved to and remain in Empire is small town atmosphere and mountain environment. Further, over half of the respondents indicated it was “very important” to preserve existing open space, wildlife habitats, and scenic views. It is rustic, convenient to get around in, friendly, and close enough to major services yet distant enough to be peaceful. Preserving and enhancing that character, or sense of place, is important to residents.

Various elements that make up Empire’s community environment are:

**Historic character:** Many historic buildings remain in town, evidence of its early mining beginnings. Landmark’s such as the Historic Peck House and the newly renovated Town hall help preserve history. More needs to be done to encourage future preservation of historic structures without limiting use.

**Floodplain:** Empire does not participate in the National Flood Insurance Program because studies by the Federal Emergency Management Agency identified no special flood hazard area within the corporate boundaries of the town. Potential development along the West Fork of Clear Creek could alter those findings. Minimum building distance from the creek bed should be considered. Unincorporated lands surrounding the town are identified as Zone C: areas of minimal flooding.

**Wildlife:** Bighorn sheep, deer and elk habitats and migration routes exist near Empire. Efforts must be coordinated with other jurisdictions and agencies to protect these areas from human encroachment and reduce traffic fatalities of herds. Empire Junction is particularly hazardous to Bighorn Sheep. Other wildlife is abundant and wildlife needs must be recognized and balanced with any future development and growth.

**Views:** Among the many reasons people settle in the Colorado Mountains are having a sense of space and spectacular open views. Protecting area view sheds (open space scenic vistas) by discouraging development on surrounding slopes is important to retaining the rural character of the area. Public Service, cable and phone lines are strung all over town impeding view corridors. Burial of all lines is a goal.

**Town Image:** For years, Empire has been known as the “speed trap.” That is the perceived image from beyond the town. The important point is to generate an image of a friendly place to stop and visit. The commercial strip along U.S. Highway 40 is devoid of trees and landscaping. Providing sidewalks, trees, and adequate and convenient parking would greatly help to enhance the local image.

**Quality of Life:** Basic needs are readily available in Town and the lack of major services such as full-service grocery and retail shopping does not detract from life in Empire because the surrounding natural mountain environment and rural character far outweigh the conveniences of “city” life. The addition of several small commercial enterprises that would reflect the unique character of town would add tax base and employment opportunities for local residences.

**COMMUNITY ENVIRONMENT CONT.**

**GOALS:**

To preserve, protect, and promote Empire’s historic heritage and small, mountain town atmosphere.

To enhance Empire’s image as a safe healthy community in which to live, conduct business, and visit.

To avoid or reduce harmful impacts to the natural environment that results from existing or future development.

**POLICIES**

* Encourage architectural and landscape styles that are compatible to the area.
* Preserve historical buildings.
* Protect wildlife habitat from development impacts.
* Protect natural resources from degradation.
* Protect open space boundaries and view corridors around town as it grows.
* Improve the visual quality of the town by landscaping with native trees and plantings.
* Improve the sense of community and town pride.
* Encourage community improvements through citizen involvement.
* Use Ordinances to direct and control growth, maintaining a small mountain town atmosphere, without dense development.
* Support reclamation projects to address mine tailings in the community.
* Encourage a unique business base on Park Ave. to broaden employment opportunities,

Convenience to citizens and increase tax revenue base.

**IMPLEMENTATION**

* Create a Town bulletin for announcements.
* Develop an expanded schedule of Town events.
* Improve and use the Theobald Visitors Center for town activities.
* Hold an annual Empire clean-up day.
* Conduct do-it-yourself seminars on home improvements, maintenance, and other topics.
* Enforce existing nuisance laws to ensure the health, safety, and welfare of the community.
* Develop a program to reestablish vegetation in riparian zones to control erosion and improve the visual quality and reclaim mine-tailing areas.
* Update inventory and bibliography of historically significant structures in town.
* Work with the County open space commission to preserve areas outside town boundaries.
* Work on transportation issues with all stakeholders.
* Ensure water quality through ordinances and enforcement.

**ECONOMY & BUSINESS OPPORTUNITY**

Empire’s commercial district, located along Park Avenue, is zoned residential-commercial (R-C) and is interspersed with residences. Most in town depend on and serve the tourist industry. Businesses geared to the traveling public; especially recreation seekers include; fuel, food, and guest accommodations. Tourism supported businesses typically need a high volume of traffic coupled with visibility, access, and convenient and adequate parking. Empire suffers from not being able to capitalize on its strengths mostly because of parking problems.

Empire’s economic strengths include:

* Visibility because it is on a major highway
* Volume of customers because of traffic flows
* Location and easy access to the interstate
* Small town atmosphere maintained by limited locations for commercial enterprises
* Proximity to natural amenities

Weaknesses that affect Empire’s economic vitality are:

* Parking and stopping is inconvenient
* Lack of pedestrian walkways
* Dependence on traveling public
* Lack of diversity and number of businesses

Historically Empire has relied heavily on mining for employment. Currently approximately 60 people, 5 more than DRCOG projections, are employed by local businesses. One area of employment increase in Empire has been in the census category “all other”, which typically represents those who work at home. This sector is growing rapidly in many rural areas as part of the “lone eagle” phenomena of highly educated professionals relocating to areas with high quality of life.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2000 | 2005 | 2010 | 2015 |
| Population | 435 | 569 | 630 | 697 |
| LocalEmployment | 60 | 66 | 72 |  79 |

**Table 1: Town of Empire Population and Employment Projections**

Source: DRCOG

Empire’s future economic vitality will most likely capitalize on the region’s natural amenities.

Current trends of increased tourism and recreational use, combined with proximity of trails, skiing, National Forest access, easy access to the highway systems, makes Empire a natural setting for a wide range of businesses that can accommodate and cater to the multitude of visitors that pass through daily.

**GOAL:**

To promote a diverse business base in town that balances the needs of the Town with needs of the visiting patrons, that will increase the local tax base, provide basic services and enhance the small, mountain character of town.

**ECONOMY CONT.**

**POLICIES**

* Encourage development of an accessible commercial area within the R-C zone.
* Encourage development and expansion of locally owned and operated businesses.
* Encourage businesses that support and complement the historic character of the town and the surrounding natural amenities of the region.
* Encourage businesses that provide year-round employment opportunities.
* Encourage and strengthen ties with the Clear Creek Economic Development Corporation.
* Discourage multi-family housing units within commercial area.
* Encourage tourists to stop, walk, and shop.

**IMPLEMENTAION**

* Capitalize on the tourist volume on the U.S. Hwy. 40 corridor to increase town sales revenues.
* Adopt an architectural code and unified theme of street features along Park Avenue.
* Install signs indicating public parking is available at the visitor’s center and explore other parking solutions, creating a parking plan.
* Create a pedestrian system along Park Avenue to encourage tourism and enhance the Town’s image.
* Target new businesses that offer convenient services, are environmentally appropriate and nuisance free.
* Maintain and update infrastructure necessary to support business development.
* Change ordinance 170 to eliminate the future use by right of multi-family R-3 dwellings in the R-C district.
* Investigate opportunities to provide convenient public services to those travelling the Highway 40 corridor.
* Initiate discussions with the Clear Creek County Tourism Board regarding ways to promote Empire.
* Initiate discussions with the Clear Creek Economic Development Corporation to research alternative economic opportunities available to the Town through diversification.
* Initiate better communication with town businesses, by inviting business owners to town board meetings at least bi-annually, to listen, discuss and address concerns and future needs.
* Initiate reestablishment of the Empire Business Association.

**TRANSPORTAION AND CIRCULATION**

Empire’s circulation system is dominated by U.S. Highway 40 which bisects the town and serves as the major transportation corridor between Denver and Grand County and as an alternate route to points west.

U.S. Highway 40 is a three-lane road from I-70 exit to the eastern edge of Town with a speed limit of 45 mph. Within Town boundaries the road is three lanes wide, with the center lane serving as a turn lane, and the speed limit is 35 mph. On the West Side of Empire, the road has three lanes with initial speeds of 35 raised to 55 mph as it begins the winding climb toward Berthoud Pass. The Colorado Department of Transportation (CDOT) considers the highway to be in “good” condition.

The widening of U.S. Highway 40 to four lanes between I-70 and the Berthoud Pass approach and a rerouting of the highway to bypass the Town have been suggested. CDOT recognizes that either scenario would have significant problems with disturbing either the historic structures in Empire or the floodplain in the valley.

CDOT’s ongoing improvements include the eventual completion of a climbing lane at Berthoud Pass and a proposed future snow shed. These features provide needed safety and mitigate environmental impacts on U.S. Highway 40. Traffic increases through Empire and along the corridor will continue as a result of booming population along the Front Range and neighboring Gilpin, Summit, and Grand Counties.

In the Town the Average Daily Traffic (ADT) exceeds 5000 vehicles and the Volume to Capacity ratio (V/C) is approaching fifty percent. Peak weekend summer traffic counts taken west of Empire at the base of Berthoud Pass, where are well in excess of 10,000 and rising while peak winter traffic counts exceeds 8000 and rising. CDOT’s V/C ratios show that U.S. Hwy. 40 presents a safety issue. Empire is a relatively small, compact community with a grid-based street system, which allows for efficient and direct pedestrian travel within the town. The perceived safety and convenience of walking primarily influence the ability and likelihood of people to make walking trips. The relationship of the pedestrian to motorized vehicles and the ability to safely cross U.S. Hwy. 40 during peak seasonal traffic are of concern to residents. The following factors affecting pedestrian safety are most significant along U.S. Hwy 40:

* High traffic volumes
* High motor vehicle speeds
* A roadway system generally designed only for motor vehicles
* Lack of space on or off roads for pedestrian

Speeding through Empire has been an issue in the past and has been mitigated to some extent by the two traffic lights at either end of town. Studies indicate that if Empire wanted to lower the speeds through town, design changes, such as pedestrian crosswalks, neck-downs, and other pedestrian oriented improvements, might be effective. A secondary effect of these design changes would be an improvement in the visual quality of the commercial district. Empire is working closely with CDOT on such improvements.

**TRANSPORTATION AND CIRCULATION CONT.**

A further consideration of pedestrian travel relates to the requirement of the Americans with Disabilities Act (ADA). The Act requires the provision of safe and efficient access for persons with disabilities and requires certain design characteristics for pedestrian facilities in public rights-of-ways. ADA requires curb ramps at all street crossings, and minimum sidewalk widths unless physical conditions prohibit these. ADA guidelines are available through CDOT. All development or redevelopment works in town should meet those guidelines.

Main Street is the only paved local street. All other Town roads are gravel, which generate dust during the summer months. Sidewalks exist only in front of a few commercial structures along U.S. Hwy. 40. Empire is not served by mass transit, leaving residents dependent on the automobile as the dominant mode of transportation beyond the Town. Parking is also a concern. It is recognized that convenient and adequate parking is necessary for commercial enterprises in Town to attract customers. A public parking lot is available at the Theobald Visitors Center, but no signage directs traffic to this lot and most vehicles park in the right-of-way along U.S. Hwy 40. Another area of parking congestion is on North Main where four-wheel enthusiasts leave vehicles during the say as they use Forest Service trails north of Empire.

**GOALS:**

To provide efficient circulation of people, goods, and service in the planning area.

To develop a road and street plan which will serve as an organizational framework for future growth and development.

**POLICIES**

* Encourage a cooperative relationship with CDOT
* Work with CDOT to address issues of traffic speed and pedestrian walkway upgrades along U.S. Hwy. 40 (Park Avenue).
* Work with CDOT in any U.S. Hwy 40 relocation plans.
* Support regional alternative modes of transportation.
* Upgrade public parking facilities.
* Encourage residents and visitors to use off-street parking to relieve congestion on town streets.
* Encourage Clear Creek County and USFS to develop a trail head/ staging area including parking at the old dump site in North Empire to reduce parking on North Main Street.

 **IMPLEMENTATION**

* Install signs indicating public parking is available at the Theobald Visitors Center.
* Develop and adopt a major street/parking plan.
* Develop and adopt a parking ordinance.
* Initiate a task force to coordinate and enhance Empire’s pedestrian and motorized environment.

**LAW ENFORCEMENT**

The Empire Marshal’s office is located in the Town Hall. One full time police officer, one part-time officer, and one reserve officer currently serve Empire. Jurisdictional limits of the Town Marshal’s office are the Town boundaries. Hours of coverage vary but the Marshal is on call and backup coverage is provided by the Clear Creek County Sheriff’s Department, located in Georgetown. All 911 emergencies, including police, fire, rescue, ambulance, and hazardous materials are coordinated through the Sheriff’s Department. Enhancement of their system is now in process. The Marshal’s office also aids agencies where needed along U.S. Hwy. 40 and along Interstate 70.

**GOALS**

To provide a safe environment for residents and visitors, and to serve and protect.

To provide a Marshal’s office that is accessible, efficient, and encourage communications with citizens and other agencies.

**POLICIES**

* Encourage a community watch program.
* Determine the need and cost-effectiveness, as Empire grows, of expanding the Marshal’s office.
* Develop a keep are “kids safe” program.
* Encourage the Marshal’s office to participate in all town events.

**IMPLEMENTATION**

* Develop a Community Watch program.
* Adopt a capital budget for the update and purchase of equipment.
* Establish a program of annual inventory and review of public safety needs.
* Monitoring a kid watch program.
* Help implement a volunteer school crossing guard program.

**FIRE PROTECTION**

Volunteers staff the Empire Fire Department. The Department consists of 1 large pumper (500 gals.),

and one highway rescue truck. The rescue truck is approximately 15 years old. The present fire station is located at the intersection of Pioneer and Guanella Streets. It lacks running water, storage, or assembly areas. Empire’s ISO rating is 7.

As part of the Clear Creek Fire Authority the Department’s prime area of coverage extends from Interstate 70 mile post 235 to 228, and from Empire Junction to the top of Berthoud Pass on U.S. Hwy. 40. The Fire Authority leases equipment and facilities from the Town, and Empire contributes to the District through direct payments to the Authority from the Town’s General Fund revenues.

Hydrant coverage is within the Town’s boundaries. Presently 400,000 gallons of stored water are available for firefighting. Recent system improvements including new and larger looped distribution lines, additional hydrants, and isolation valves greatly improved coverage and water availability.

**GOAL**

To enhance and update fire protection and services to provide a higher level of fire protection and safety to the community.

**POLICIES**

* Support the Fire Department and its volunteer members.
* Continue to work cooperatively with the Clear Creek Fire Authority to provide community-wide protection.
* Ensure adequate fire protection is available or is a condition of development before new development is approved.

**IMPLEMENTATION**

* Develop a volunteer training and certification program in cooperation with the Fire Authority.
* Continue planning and implementation of water distribution system improvements.
* Analyze current facility and future needs.
* Hold a Town supported fund-raiser to benefit the Fire Department.
* Hold annual membership drives for volunteers.
* Develop a capital improvement plan for facilities and water distribution lines.
* Improve communications with Fire Authority and maintain town representation to the Fire Authority Board.

**EMERGENCY SERVICES**

The Clear Creek Fire Authority encompasses that part of the county generally encompasses that part of the county generally described as the Clear Creek Watershed and serves as Empire’s Designated Emergency Response Authority for hazardous materials. The fire department of Idaho Springs, Dumont, Empire, Georgetown, and Silver Plume have intergovernmental agreements which are cooperative agreements where the District leases equipment and facilities from the municipality and the town contributes to the District from the general fund. St. Mary’s Fire Department, York Gulch F.D., Hazardous Materials Team are internal components of the District.

All 911 calls including police, fire, ambulance, rescue, and hazardous materials are coordinated and dispatched through the Clear Creek County Sheriff’s Department. All local law enforcement agencies have an open channel to dispatched 911 calls.

**GOAL**

To provide citizens of the Empire Valley the best-coordinated emergency services possible.

**POLICIES**

* Continue to work with the Fire Authority, Ambulance Association and Sheriff’s Department to provide community-wide emergency services.

**IMPLEMENTATION**

* Update addresses in the County’s rural address system.
* Clearly mark street signs to aid in emergency response.
* Develop program to clearly mark addresses on all structures within Town boundaries.
* Adopt an Emergency Services Plan coordinated with the Fire Authority.
* Adopt a Disaster Plan.
* Adopt a Wildfire Plan.
* Adopt an Avalanche Road Closure Plan.
* Distribute emergency plans to the public.

**WATER**

The Town of Empire recognizes that clean water is a priority for the health and safety of residents and visitors. Clean water is important to the Town’s economic viability and image.

Empire obtains raw water from Mad Creek, a tributary of the West Fork of Clear Creek. Water rights owned by the Town Consist of decreed flow of 1.82 cubic feet per second (cfs) (equivalent to 1.18 million gallons per day (MGD)). The treated water facilities consist of a 400,000-gallon storage tank, chlorination facilities, and approximately 14,000 feet of distribution line. The average dry year consumption rate listed in the Metropolitan Water Requirements and Resources: 1975-2010. Secondary Study Appendix Report (DRCOG 1975) is 230 gallons per capita per day (g/c/d). Water supply requirements, based on an average consumption value per capita, projected through the planning period are shown in Table 1.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2000 | 2005 | 2010 | 2015 |
| Population | 435 | 470 | 500 | 568 |
| Per Capita Consumption(g/p/d) | 230 | 230 | 230 | 230 |
| Per Capita Consumption(MGD) | 0.118 | 0.131 | 0.145 | 0.160 |
| Per Capita Consumption (ac-ft/yr.) | 132 | 147 | 162 | 180 |
| Available Supply (MGD) |  |  |  |  |
| Available Supply (ac-ft/yr.) |  |  |  |  |

Source: DRCOG **Table 2: Town of Empire Water Supply Projections**

Based on the water supply demand forecasts for the Town of Empire and the decreed water rights, there is more than enough raw water available to meet the projected needs of the Town through the 2020 planning period. No flow information is available for Mad Creek and the actual amount of available raw water under various hydrological conditions is not known.

**GOAL**

To provide a safe, clean, affordable water supply and the efficient operation of Town water facilities.

**POLICIES**

* Develop a plan for repair, replacement, and maintenance of the Town’s water system.
* Maintain water quality to consistently meet or exceed health standards.

 **IMPLEMENTATION**

* Replace old and undersized water lines with new adequately sized distribution lines.
* Investigate the need for increased water storage facilities.
* Investigate the need for additional water production capacity at the slow sand filter plant.
* Investigate installation of filtration to remove Iron and Magnesium from well.

The Town obtains additional water from an augmentation well located near the intersection of Hanchett and Hanchett Alley. Quality of the Mad Creek supply is ensured by a Watershed Protection Ordinance and the well is protected by a Wellhead Protection Ordinance.

**WASTEWATER SERVICE**

The 1994 sewer plant bond allows for more efficient processing and nutrient removal capabilities.

The existing tier 1 service area for the Town of Empire is consistent with the Town boundaries which encompasses about 185 acres. The DRCOG Clean Water Plan identifies additional tier 2 and tier 3 service areas surrounding the town limits. This tier service area is hydraulically up-gradient of the wastewater treatment facility and future service could be accommodated by gravity sewer lines. While the Clean Water Plan anticipates that future wastewater treatment will use the existing wastewater treatment facility, other means of treatment might be appropriate. The Clean Water Plan is a policy document, which will track wastewater development in the Town of Empire. In addition to DRCOG’s Clean Water Plan, Empire recently obtained engineering services for a Wastewater Feasibility Study for areas outside town boundaries. This study analyzes costs and alternatives for expansion of services. Extension of service boundaries must be consistent with the goals of the Town’s extraterritorial land use plan.

Planning information for the Town of Empire wastewater treatment facility is shown in Table 6 and Table 7 shows the effluent limits (See References). In order to predict a range of needed wastewater and water service within new development area an evaluation was made of the existing growth assumptions and a worst-case situation. The existing growth projections were taken from the 1994 update of the DRCOG Clean Water Plan (Table2). Corresponding wastewater flow projections which match the population categories are shown. A basic assumption is that the county predictions through 2015 would not change from the currently adopted projections. The Clean Water Plan predicts the population of Town of Empire through 2015 for the existing service area.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2000 | 2005 | 2010 | 2015 |
| Population | 435 | 470 | 500 | 568 |
| Wastewater(MGD) | 0.050 | 0.055 | 0.061 | 0.067 |

Source: DRCOG **Table 3: DRCOG Clean Water Plan Projections**

**GOAL**

To ensure efficient operation of the Town’s wastewater facilities to provide adequate treatment capability, monitoring of effluents, and protection of surface and ground water supplies.

**POLICIES**

* Develop a plan for the replacement, repair, and maintenance of the wastewater system.
* Require adequate sewer capacity as a condition of development before new development approved.
* Expansion of wastewater system beyond town boundary requires town approval.

**IMPLEMENTATION**

* Continue to monitor effluents to ensure safe discharge
* Review state and federal regulations to meet changing requirements and conditions
* Enter into IGA with the County and/or annex any lands included in service system extensions to ensure compliance with the wishes of the Town as expressed in this document and the extraterritorial three-mile plan.
* Review all development plans that impact our wastewater system as a means of control.

**SOLID WASTE**

Trash collection in the Town of Empire is an individual decision. Households may contract with private disposal companies for trash collection or choose to haul trash to the county transfer station on Soda Creek Road, above Idaho Springs. There is a dump fee and the trip is approximately 15 miles, one way. A program for composting is underway at the Soda Creek site. Commercial establishments and the Town also contract with private companies for disposal. Some illegal dumping is accruing around town. Blowing trash in town is also a problem.

**GOAL**

To enhance and update solid waste management to ensure a safe and healthy environment.

**POLICIES**

* Increase enforcement to prevent illegal dumping and trash accumulation on private property, in and around Town limits.
* Encourage residents to maintain yards and property.
* Encourage dumpster enclosures for Mobile home district, R-2, R-3, and commercial uses.
* Encourage the use of cans with lids for single family residences.

 **IMPLEMENTATION**

* Conduct an annual Empire clean-up day.
* Enforce zoning regulations and Empire Nuisance Ordinance No. 177.
* Hold a community roadside clean-up day.
* Investigate establishing municipal trash collection.
* Investigate enforcement of use of trashcans with lids.

**CORRIDOR VIEW IMPROVEMENT PLAN**

**OVERHEAD LINES**

Empire valley is congested with power, telephone, fiber optics and cable poles throughout town. Main view corridors to the South, West, and East are marred by the abundance of overhead wires. In town there are several poles that are abandoned, while other sites have two poles that might be combined reducing congestion.

**PUBLIC SERVICE**

Existing in Empire is a system of overhead Public Service of Colorado power lines, which form a grid system east to west and north to south. These overhead lines have a drop line to a weather head at nearly every residence and commercial building in Empire.

**U.S. WEST**

Sharing the Public Service Poles are the U.S. West telephone lines which service with an overhead drop line to nearly every residence and commercial building in Empire.

**TELEVISION/CABLE CO.**

Sharing the Public Service Poles are the local Television Cable Company’s overhead lines which service with an overhead drop line to nearly every residence in Empire. The current franchise for the cable industry does not require buried lines in Empire.

**TELECOMMUNICATION FACILITIES**

The Town has been approached by a telecommunication operator and has recently amended ordinance I70 to regulate facilities within the Town boundaries. Utilizing appropriate zoning will encourage site locations that will preserve and protect view corridors and keep the visual impact of these types of facilities to a minimum.

**GOALS**

To negate the adverse impact of overhead lines down every corridor in Town.

 To minimize the obstruction of views through the valleys and view corridors.

**POLICIES**

* Create an ongoing program to methodically bury every overhead power, phone, and television cable line, which adversely impact corridor views in the Town of Empire.
* Review all telecommunication proposals for compliance with zoning ordinance I70 minimizing visual impact.

 **IMPLEMENTAION**

* Revise ordinances so all new development is required to bury lines, including cable companies.
* Develop a master plan with the Utility companies to bury the overhead lines.
* Establish a capital budget program to fund the burial of lines.
* Investigate other sources of funding for the burial of lines.
* Identify and work with homeowners in upgrading utility boxes that are outdated, so that when lines are buried individual connections will meet the standards of the utility companies.

**PARKS AND RECREATION**

Empire has two Town owned and operated parks: Minton Park and the Theobald Memorial Visitors Center. The Town performs maintenance at each park.

Minton Park (11 acres) is located on the flats south of the developed area of Town. Facilities include a ballpark, picnic pavilion, restroom, playground equipment, parking, and open space. On a year-round average, the park is used approximately 5 hours per day with the predominant use in the summer by local residents. The town holds its annual Easter egg hunt and the summer Frog Rodeo at the park. The ball field is the only regulation sized ball field in the county and is used by baseball teams from the Recreation District, Little League, and High School. A sprinkler system and sod were installed in 1997, along with new bleacher stands, and a score board. An ADA accessible bathroom and storage shed were constructed in 1999.

The Theobald Visitors Center, located on East Park Avenue (Highway 40), is approximately ¼ square city block in size with parking facilities, an information building, and the original Empire School. Public parking is provided for visitors at the park with handicap access. The park is used mostly by local residents for the annual Christmas party and other town functions. Parking is being limited to the public because Town Vehicles are currently stored there, and no signage exists. Visitor parking signs along U.S. Highway 40 would encourage utilization of existing parking.

Empire is part of the Clear Creek Metropolitan Recreational District that provides recreational and leisure activities throughout the district. A mill levy (3,267 for 1994) and Conservation Trust Fund (Lottery Funds) provide funding for the District. A recreation center is located in Idaho Springs and additional facilities are located in Idaho Springs, Floyd Hill, and Georgetown.

The Ball Placer (approximately 9.5 acres) of mine tailings North of Minton Park is being transferred to the Town of Empire for additional recreational space and opportunities. The land will need to be reclaimed, requiring further environmental studies, capping, and reseeding.

**GOAL**

Develop recreational facilities and opportunities to meet the needs of town and county residents.

**POLICIES**

* Establish and maintain a working relationship with the Clear Creek Metropolitan Recreation District.
* Work with the Recreation District to encourage use of Minton Park facilities for fairs, concerts, and other public activities.
* Expand Town Park facilities and uses to meet residents’ needs.
* Develop seasonal activities and recreational programs accessible to all ages and groups.
* Preserve and increase available parking for the public.
* Develop a maintenance program to ensure park upkeep.

**PARKS AND RECREATION CONT.**

**IMPLEMENTATION**

* Adopt a capital budget for improvement and maintenance of public recreational facilities.
* Increase youth activities, such as, youth soccer and softball at Town Parks.
* Contract for Town maintenance personnel.
* Hold the annual Town of Empire from Rodeo at Minton Park.
* Construct an enclosed pavilion on an existing foundation at Minton Park.
* Determine the need for such improvements as a multi-use court, skateboard, and rollerblades area, walking paths, etc. at a Town Park.
* Investigate the feasibility of a Town-owned and operated concession stand at Minton Park.
* Find alternative secured parking for Town vehicles now parked in Theobald Park.
* Investigate funding sources for development for the newly acquired Ball Placer.
* Work with citizens and town youth in design alternatives for the ball placer.

**WATERSHED**

The Town of Empire is recognized in the Denver Regional Council of Government’s Clean Water Plan as an operating agency and a member of the Upper Clear Creek Watershed Association. The Association is the designated water quality and wastewater management agency for the Upper Clear Creek Watershed. As the management agency, the Association is directly affiliated with the regional council, which is designated planning agency under section 208 of the Federal Clean Water Act. Empire is responsible for section 201 wastewater facility planning as defined in the Federal Clean Water Act specified in the region Clean Water Plan.

The Town of Empire is served by a community wastewater system permitted by the Drinking Water Division of the Colorado Department of Public Health and Environment. Empire has two sources of water: a surface water intake on Mad Creek and a well. The actual amount of water available from Mad Creek under various hydrological conditions is not known. The Empire water treatment plant operator estimated that the minimum yield of Mad Creek could supply a population of approximately 500 people.

The Town of Empire is supplied from the Mad Creek source, unless low flows prevent the creek from satisfying demand. Water from Mad Creek is of much higher quality than water from the well. The well water has high concentrations of iron and manganese. Empire treats water from Mad Creek using a slow sand filter.

The Upper Creek Watershed Association is responsible for implementing a water shed protection approach in the Upper Clear Creek Watershed as defined in the regional Clean Water Plan. This approach involves an integrated, holistic strategy to protect or attain the desired beneficial uses of waters within the watershed including, where appropriate, protection, of human health and aquatic ecosystems. The underlying assumption is that such an approach will be more effective than isolated efforts under existing programs that do not consider the watershed.

**GOAL**

To protect the watershed and to preserve Empire’s water resources.

**POLICIES**

* Continue open dialogue with the National Forest Service to protect the watershed.
* Fully prosecute polluters to the maximum extent of the law.
* Encourage mine site cleanup (tailings) within the watershed.
* Encourage open communication with the county regarding land use in watershed area.

  **IMPLEMENTATION**

* Review and utilize the provisions of Empire Watershed District Ordinance No. 187.
* Protect the water resources of the Empire Valley and downstream water supply by restricting storm runoff in potential development areas.
* Protect the water resources by reviewing sewage disposal procedures upstream.
* Work with county on a feasibility study for the extension of a sewer line to protect the watershed District.
* Continue to work with various agencies to ensure water quality.
* Review all development plans within the watershed area so that impacts to water are mitigated.

**EMPIRE CEMETARY**

The earliest monumented grave in Empire’s Cemetery reads: Peter Geary, shot by G.V. Hunter, 20 September 1864, age 35 years”. The cemetery, located ½ miles south of the center of Town, is platted.

**GOAL**

Provide an appropriate and respectful setting at the Cemetery.

**POLICIES**

* Ordinance 206 regulates Cemetery use and sets forth fees.
* Encourage a neighborhood watch to protect the Cemetery from vandalism.

**IMPLEMENTATION**

* Hold a semi-annual cemetery clean-up.
* Initiate a neighborhood watch program.

**SCHOOLS**

Empire School, located on East Park Avenue, is part of Clear Creek School District RE-1. It will be used as an alternative high school in fall 2000. A Head Start program uses an auxiliary school building, for preschoolers. Elementary students are bussed to schools in Idaho Springs, Georgetown, or Evergreen, while middle and high school students are bussed to Idaho Springs. District wide, the student to teacher ratio is 18:1 at the primary level and 20:1 at the intermediate and secondary levels. The annual dropout rate in 10.2% and the graduation rate is 89.8%. 80% of graduates pursue some form of post-secondary education. A bond issue passed will have the new high school build on Floyd Hill.

**GOALS**

Develop, in cooperation with District RE-1, a range of educational activities and programs for Town and County residents.

To develop alternative uses for the Empire school facility.

**POLICIES**

* Encourage communication and cooperation with District RE-1 to maximize use of facilities.
* Encourage use of the Empire School campuses as a community center.
* Encourage use of the Empire School for adult education and after school youth activities.
* Encourage the District to expand the Empire School prior to expansion elsewhere in the District.

**IMPLEMENTATION**

* Develop a program of adult and information seminars.
* Keep opening communication with the school district regarding all possible uses of the Empire School.

**TOWN HALL**

Offices of the Town Clerk, Treasurer, Marshal, and a central meeting room are located on the second floor of the Town Hall which is located on East Park Avenue in the center of the business district. Town offices are not ADA (Americans with Disabilities Act) accessible. Ground floor retail space is leased from the Town.

Empire Town Hall is listed on the Colorado Register of Historic Places and a grant has been secured from the State Historical Fund to restore the interiors and exterior of the building. The work should be completed by 2002.

**GOALS**

To make Town Hall facilities as accessible as possible to all citizens.

Renovate the Town Hall to its original historical configuration and appearance.

Increase access to public information.

**POLICIES**

* The Town Hall community room is available to citizens and community service organizations without charge. A rental fee is charged to organizations deriving profit from use of the facility.
* Continually monitor and update information systems.

**IMPLEMENTATION**

* Use the conference phone during official town functions.
* Investigate the possibilities for disability access, including the feasibility of an elevator.
* Investigate grant funding for creating an Empire Town web site and associated costs.
* Investigate use of Town Hall for Youth Activities.
* Continue to address maintenance and renovation of the Historic Town Hall.

**LIBRARY SERVICES**

The Empire Library contains approximately 5,000 holdings. Donations and the honor system currently fund the library. At present, the library does not have access to CARL (Colorado Alliance Research Library). Libraries with CARL access is located in Georgetown and Idaho Springs. Currently the library is temporarily located at the Empire School.

**GOAL**

To increase and enhance library services to all citizens.

**POLICIES**

* Support the library as a necessary educational and community resource.
* Increase services to all library patrons and especially children.

**IMPLEMENTAION**

* Create a volunteer library guild to develop a long-range plan for acquiring a permanent library facility.
* Offer children’s story hour.
* Offer access to the computer.

**HOUSING**

Shelter is a basic need of any community. Empire has limited housing opportunities. A range of housing types, from log cabins, trailers, and late 1880’s structures to modern homes are found with the majority being single-family.

The Advent of limited stakes gaming has resulted in an explosive employment increase in Gilpin County and has generated spill over effects on social service and housing needs within Clear Creek County and the Town of Empire. While public officials recognize the need for housing, the community only wants growth that is slow and that does not impact the town in a negative way.

**GOALS**

To promote the adequate supply of safe, decent, and affordable housing to meet current and future needs of Empire residents.

To protect Empire’s single-family residential character.

**POLICIES**

* Encourage upgrading existing housing stock.
* Preserve historic structures by encouraging maintenance, rehabilitation, and registration with state historical society.
* Encourage site design of new developments consistent with the small, mountain town atmosphere.
* Disallow further R-3 uses in R-C district.
* Restrict mobile home parks to current locations.
* Encourage mobile home parks to be compliant with all applicable building, fire mechanical and other applicable codes.

**IMPLEMENTAION**

* Sponsor programs to promote home maintenance (e.g. paint-up, fix-up week, annual trash clean up, contests).
* Sponsor a paint-up; fix-up event for a deserving family.
* Strictly adhere to non-expansion of Zoning Ordinance I70 of mobile home parks.
* Amend Zoning Ordinance I70 to restrict R-3 housing within R-C district.
* Encourage energy efficient housing.
* Work with county agencies on housing needs and opportunities.
* Take an account of existing housing stock to better analyze future needs.
* Designate new residential areas, which are contiguous with existing development to minimize infrastructure costs.

**LAND USE PLAN**

Land use planning is important because it establishes the character and form of the community. Land use describes the existing land use patterns and recommends policies for future development, which are compatible with the Town’s character. The intent of this section is not to determine whether growth is desirable, but to provide a framework whereby Empire’s development constraints and opportunities can be understood. The Town accepts that some growth is inevitable. Taken in association with town ordinances, and inter-governmental agreements, land use planning will help to regulate the timing and location of growth based in part on the availability of public services, community need and community desire for growth. By publishing this plan, it is hoped that developers and owners of land will know, before they purchase or design developments, what the policies are for the Town and surrounding area. Growth must pay its own way.

Within Town limits, zoning, water supply, and the ability to provide services are recognized as the process to regulate land use and town character. Surrounding the town are large parcels of privately owned and federally owned lands. It is in these areas in which Empire must be proactive in voicing Town attitudes regarding potential development.

A first step in land use planning is identification of developable land and establishing an acceptable density for future development based on the ability to provide local services to those areas.

This plan is based partially on a study of the environmental constraints of the area, natural resources, and carrying capacity of the land, which is identified in a series of maps and descriptions following this section. If some lands have attributes making it difficult for construction, they have less carrying capacity. If other lands have resourced the community values and wish to preserve, such as view corridors or wildlife habitat, they have little or no carrying capacity. Those lands that have neither resources nor construction limitation should be considered for future growth.

**GOALS**

To ensure directed and fiscally sound development within the guideline of preserving Empire as a small, mountain community.

Preserve as much as possible, the natural character of the valley and surrounding mountains, including view corridors, fragile environments, wetlands, wilderness, and bird sanctuaries.

Recognize the limitations the environment and Town resources places on safe and healthy human activities.

Protect the health, safety, and welfare of the public by preventing inappropriate land use.

Maintain the availability and quality of water in Empire’s watershed, and recognize the important issues associated with being at the headwaters of seven states.

Strive to share the valley with other endogenous species that should be allowed to continue living and thriving in the valley.

**LAND USE CONT.**

**POLICIES**

* Ensure future growth does not negatively impact the town.
* Evaluate development on a case-by-case basis within guideline of maintaining Empire’s historic integrity, and mountain town atmosphere.
* Encourage in-fill development over annexation.
* Promote development in an orderly manner according to the Town’s ability to provide services.
* Protect Empire’s watershed, and the alluvial plain of the municipal water well, ensuring water quality and quantity.
* Discourage development that will adversely impact wildlife, wildlife habitat, migration corridors or riparian areas.
* Require developers to recognize environmental constraints i.e. 30% slope flood plains, wetlands (see land use studies).
* Minimize pollution to land, air, water, disposal sites, etc., through proper location of industry, commercial and residential properties.
* Protect the openness of the valley, by encouraging developers to donate open space.
* Protect view corridors.
* Provide adequate provisions for parks and recreation.
* Annex areas that would be logical extensions of Empire boundaries, town facilities and services.
* Provide adequate provisions for non-motorized transportation throughout the valley and inter-county connections.
* Development should be pay its own way.
* Encourage the single-family character of the community.
* Prohibit expansion of the Mobile Home Districts.
* Retain the mixed-use pattern of development along Park Avenue, with no R3.

**IMPLEMENTATION**

* Develop a current land use map for both town and the Urban Boundary area to identify suitable areas for development.
* Determine the density those areas could support based of local services.
* Eliminate non-suitable areas from development consideration.
* Allow additional water taps on parcels that satisfy the requirements of the Comprehensive Master Plan.
* Require the full cost of extension of water and other utility services to be paid by the developer requesting the extension.
* Monitor growth and development through the recording of building permits and subdivision requests in order to assess yearly growth.
* Restrict development to the provision of ordinances: I70 Zoning, 186 Subdivisions, 187 Watershed and 216 Storm Drainage.
* Update land use ordinances to reflect the goals of the Comprehensive Master Plan.
* Require adequate provisions for open space in development plans.
* Eliminate R3 uses in the R-C District through zoning.

**LAND USE CONT.**

* Require development to incorporate erosion control features and re-vegetation plans as well as wildlife mitigation measures.
* Develop a checklist for private developers describing land use rules and regulations
* Develop clear intergovernmental agreements for a regional approach to land use decision-making.

**Internal Land Use Control Mechanisms:**

* Zoning Ordinance I70
* Zoning Map
* Land Use Map and potential build out analysis
* Ordinance 186 regulating subdivisions
* Ordinance 212 Storm drainage
* Ordinance 187 Watershed
* Major Street Plan, applicable statues
* Capital budget provisions for streets, water, sewer, and other services
* The public purse (including taxation policies)
* Health codes, fire codes, and similar regulations

**Extraterritorial Land Use Review Mechanisms:**

* Ordinance 187 Watershed Protection and Colorado Revised Stature (C.R.S.). 31-15-707(l)(b) Five Miles outside town boundary within watershed area
* Major Street Plan for the three-mile area-surrounding town, C.R.S. 31-23-212&213
* Extraterritorial/Urban boundary subsection Land Use Plan
* 3-Mile planning maps
* Annexation Policies and related Colorado Revised Statues in following section.
* Intergovernmental Agreements
* C.R.S. 30-28-110 (5)(a) and 30-28-136 (l)(b) County’s requirements to submit to a municipality copy of any preliminary plan as defined by C.R.S. 30-28-101(6) within two miles of town.

These are current statues, ordinances, and regulations that apply, but as with the entire comprehensive master plan, there will be additions and deletions as new laws are passed to help guide growth and development.

Empire and the Empire Valley are so closely related that the following land use studies apply to both. To separate them would be illogical and ill serve the needs of the citizens of Empire and the Valley.

The Extraterritorial Land Use plan is a subsection of the overall land use plan, sharing the goals, and studies of the area, and is an element of the overall Comprehensive Master Plan for planning purposes. The extraterritorial land use plan also stands alone with limited jurisdiction for implementation of policy and meets requirements of annexation rules.

**LAND USE STUDIES**

**ENVIRONMENTAL CONSTRAINTS**

Many physical conditions can create constraints to future expansion and development of the town; therefore, an environmental analysis is presented to plan future development.

**Geological Hazards**

Geological hazards were mapped for Empire and the three-mile planning area and most of Clear Creek County by the Colorado Geological Survey (CGS). It has been estimated that the significant property and loss of life resulting from landslides, mudflow subsidence avalanches and other common earth movements “ could be reduced by 90% or more by a combination of appropriate development measures. Measures include adequate enforcement of legal restraints on land use and disturbance.”

Geological hazards in Empire and the three-mile planning area are natural geologic conditions, and processes that, if unrecognized or inadequately planned for, can result in damage to structures and costly maintenance, (especially for homes, other buildings, roads and utilities) or loss of life.

**Slopes**

Most slopes that offer an opportunity for development with views in Empire and the extraterritorial area are in excess of 30% slope and are restricted from development. In certain parts of the area, slopes may be less than 30% but still undesirable for future development because of the potential to interrupt the views and vistas of the town. Some hillsides are prominent, attractive, or fragile and should be preserved in their natural state. Others may be suitable for development, provided it is carried out sensitively and within acceptable limits. The town’s height restriction of 36 feet shall be applicable within the three-mile territorial area.

Slopes from 1% to 4% are usable for all kinds of intensive activity. Slopes between 4% and 10% are suitable for informal movement activity. Slopes over ten percent seem steep, make unfavorable roads, and can be actively used only for hill sports or free play. Gradients above this point require noticeable effort to surmount. Streets and roads should never be over 8% maximum grade. Maximum road gradients must be reduced in consideration of snow and icy conditions. Driveways over 10% exceed the County Fire Authority’s recommendation. 15% slopes approach the limit that an ordinary loaded vehicle can climb for a sustained period. Lawn areas should not exceed 25% slope, as this is the steepest grade recommended for a power mower. Excessive slopes, those 30% and greater are depicted on the 30% slope map.

**Wildlife Hazards**

Colorado defines a wildlife as: a wildfire phenomenon which is so averse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health and safety or to property. The term includes, but is not limited to slope and aspect, wildfire behavior characteristics, and existing vegetation types. The three major criteria in determining wildfire hazard are fuels, slope, and aspect.

**ENVIRONMENTAL CONSTRAINTS CONT.**

**Wildfire Hazard Cont.**

Land use in wildfire areas should take into consideration the fuel type and the slope of the hillside. Fire spread rates increase with slope. Fire spreads twice as fast on 30% slopes as on flat ground. When the slope reaches 55%, the rate of spread doubles again. Due to these natural uphill phenomena, homes or home sites should be restricted from vegetated hillsides until an evaluation by the Colorado State Forest Service has been completed with recommendations. Developers need to understand and address wildfire hazard issues and plan for mitigation. Adequate defensible space around structures is recommended.

**Sensitive Wildlife Habitats**

There are several wildlife habitats and corridors that are important to the region. These habitats are critical for the survival of the area species as well as the quality of life. Wildlife habitat and migration corridors considered as an environmental constraint include beaver colonies, the winter range, and calving area for elk; winter concentration area for deer; winter concentration and lambing area for Bighorn Sheep. These areas are all mapped. Also mapped out are the rare sighting of black bears and mountain lion. Currently there are known endangered species found in the area. It is recognized that this status could change over time and the plan will respond to include those changes.

**Floodplains and Drainage**

Empire does not participate in the National Flood Insurance Program because studies by the Federal Emergency Agency identified no special flood hazard within the corporate boundaries of the town. Development along with the West Fork of Clear Creek could alter those findings. Unincorporated lands surrounding the town are identified as Zone C: areas of minimal flooding. Minimum building distance from the creek bed should be considered for these areas.

Flooding is a natural process that has only become a hazard to people since they have located in those areas. The intention of this comprehensive master plan is to restrict development in the flood-prone areas.

The most cost-effective way to minimize flood damage is to avoid development on floodplains. Essential improvements such as highways, bridges, and utility lines can be designed to withstand floods. Preservation of natural drainage ways as open space in developed areas permits land to serve more than one beneficial use. In developing areas, detention basins can effectively store and slow down the velocity of high water, lessening the likelihood of flood damage. These activities are to be encouraged in this plan.

Information for the floodplain map for the Empire Comprehensive Master Plan was taken from the Flood Insurance Rate Map produced for the National Flood Insurance Program, Clear Creek County, Colorado, 1980.

**ENVIRONMENTAL RESOURCES**

This section briefly describes the various environmental resources found in the study area, Empire and the Empire Valley. These resources are considered valuable to the community because they contribute to the quality of life enjoyed by the residents, visitors, and other species. The impact to these resources should be considered when proposing development.

**Wildlife**

The study area supports a variety of mountain wildlife. Common large mammals include elk, deer, fox, bobcat, mountain lion, big horn sheep, beaver, porcupine, and black bear. Small mammals include mice, squirrels, martens, chipmunks, boreal toads, mountain cottontails, and bushy tailed woodrats. Owls inhabit most of the area as well. The more common birds are the Mountain Bluebird, Chestnut-backed Chickadee, Red-breasted Nuthatch, Magpies, Hummingbirds, Ruby-crowned Kinglet, Gray Jay, Stellar Jay, and Clark’s Nutcracker. Blue and Ruffed Grouse are the most common upland game birds.

**Physical Character**

Rugged glacier mountains, steep valleys, and rough topography characterize the study area. Elevations in Clear Creek County range from 6,880 to 14,270 feet at the top of Gray’s Peak. There are 24 peaks rising above 13,000 feet and four peaks with elevations exceeding 14,000 feet. The core of the Front Range is predominantly pre-Cambrian granite, schist, and gneiss. Steeply tilted Paleozoic sedimentary rocks border the eastern edge of Clear Creek County. The Idaho Springs formation dominates surface geology in Clear Creek County and consists of highly metamorphosed pre-Cambrian sedimentary rock. Other major formations in Clear Creek County are Boulder Creek granite, Silver Plume granite, and orthogneiss. The creek bottoms consist of recent alluvial deposits. Most of the higher alpine valleys contain moraines. All these formations are highly mineralized.

**Vegetation**

Well-marked vegetation zones are striking features in the study area. Their distribution is controlled most by a combination of altitude, latitude, direction, or prevailing winds, and slope exposure. The upper montane zone dominates the study area. It is found just below the sub-alpine forests at roughly 8,000 to 9,000 feet. Willows, alder, birch, grasses, and sedges cover the valley floors. The valley walls and ridge tops host dense stands of aspen, ponderosa pine, Douglas fir, limber pine, and lodge pole pine.

Sub-alpine forests of Engelmann spruce, sub-alpine fir, limber pine, and bristlecone pine occur just below alpine areas in elevations from 9,000 to 11,000 feet. Wet meadows and bogs are common. The principal vegetation series are willow-birch and sedge-grass meadows on the valley floors, with limber pine, lodge pole pine, aspen, Engelmann spruce, and sub-alpine fir on the slopes and ridge tops.

Alpine tundra occurs at the highest elevations and consists of low shrubs, cushion plants, forbs, sedges, lichens, and mosses. The alpine tundra is found from about 11,000 feet to the tops of the peaks. This tundra occurs mostly along the Continental Divide.

**ENVIRONMENTAL RESOURCES CONT.**

**Wetlands**

The U.S. Department of Interior, Fish, and Wildlife Service’s Office of Biological Services for the National Wetlands Inventory mapped the wetlands of the Empire area. For the purposes of this study, wetlands are saturated or flooded, at least seasonally. The abundant water creates unique ecosystems that provide some or all the following:

* water quality enhancement.
* Fish and wildlife habitat.
* groundwater recharge.
* flood water retention, detention, and storage.
* shoreline anchorage.
* sediment trapping.
* food chain support and places for active and passive human recreation.

The abundant water also allows primary and secondary biological production to be significantly higher in wetlands than in most surrounding uplands.

Riparian areas support many non-game species such as beaver and waterfowl. Although there are not species of high concern, environmentally, the riparian area is significant from a biological standpoint due to the large number of species found there.

**EXTRATERRITORIAL LAND USE PLAN**

**INTRODUCTION**

Extraterritorial Land use review mechanisms and requirements all vary on where and how far a municipality can or must plan, and what type of jurisdiction they have. The major street plan allows certain jurisdiction and review over the subdivision of land within three miles of a municipal boundary with reference to a major street plan. Annexation policies require planning in a three-mile area prior to any annexation. The well head protection ordinance allows certain control within five miles of watershed source. This plan addresses state requirements for planning and Empire’s concerns and desires for areas outside town boundaries.

This plan is designed to encourage sound planning practices that reflect the growth and annexation policies of the Town of Empire, and facilitate communication between government entities, the county and other towns for a regional approach to land use. It will help serve the needs of applicants seeking annexation to the Town, the general public seeking an understanding of the annexation process, and to be used by Empire as the basis for comments when reviewing land use proposals outside the Town’s boundary.

**Purpose**

The purpose of this plan is to serve as a tool that the Town can employ in making decisions regarding:

* making comments about development by another governmental entity but not proposed for annexation to Empire.
* any annexation for development to the Town.
* any application for development of land, whether at the time of annexation or later.
* defines our urban boundary district.

**AREAS OF CONCERN**

The area encompassed by the Extraterritorial plan will be referred to as the Empire Valley. Approximately defined here by the old Empire dump to the north, Empire Pass to the south, Blue Hill to the west and the present wastewater facility to the east, and development in the areas surrounding Interstate 70 and U.S. Hwy. 40 junction (refer to maps). The urban boundary district is more specific and outlined on maps and defined in detail by sub-area in our wastewater feasibility study.

Much of the land surrounding Empire is owned by government agencies including the U.S. Forest Service and Bureau of Land Management. Due to public ownership of these lands as well as slope restrictions, much of this land is regarded as un-developable. Most development currently is located along the I70 and U.S. Hwy. 40 corridors. The land along these corridors is considered more developable, where the slope is appropriate and access to services can be easily gained and there are few to none of the environmental constraints. It is thought that keeping development within these corridors makes sense.

The following areas are several unincorporated sites found in Empire’s Urban Boundary District. These areas already have some development and offer other possible locations for guided growth. They are also areas that could, in the future, seek annexation. The biggest challenge with some of the sites is the septic systems. Several of the sites are up hill from the service and therefore pose some servicing problems.

**EAST**

**Empire Junction**

Formally an old mill site, it is 2.6 acres zoned mostly MR 1, Mountain-Residential. Currently, there are 9 housing units, single-family homes, mobile homes, and cabins. The site has private wells (1,500 gallons) and septic systems (4,750 gallons). This area is suffering from failing septic systems. Excess nitrogen is being released into the West Fork of the Clear Creek.

* There is a proposal to the county to add 10-20 modular moderate housing units in this area.
* The Town would like to see this area continue to be developed as residential use. We encourage low-density affordable housing units, including modular units, over expansion of mobile home use.
* Empire supports light commercial in this area over industrial zoning.
* This area is not considered a serviceable area to Empire’s wastewater system because it would require a lift station. Empire considers gravity feed areas a priority.

**East/South East to Wastewater Facility**

* Gravity feed area for wastewater.
* Low Density Residential with the goal to protect and enhance the entryway (U.S. 40) into the Empire Valley in order to preserve the natural setting and appearance of the community.
* This area is also a wildlife migration route and habitat area. Development in this area needs to be sensitive to wildlife concerns.
* Pals Property proposed 12 homes grated community on flat meadow, 9-hole golf course, and several small water storage features. Development would require a Planned Development zoning if annexed into the town, with sewer capacity issues driving potential buildout.

**WEST**

**Rocky Meadow Mobile Home Park**

This court is on 2.5 acres and used mostly by mobile homes. Currently there are 11 units plus owner’s house. -on site well and a 3,500-gallon ISDS (individual sewage disposal system).

**Arapahoe Mobile Home Park**

12 units – on site well and ISDS

**Versailes Property**

Single family residence with well and ISDS

**Empire West Townhouses**

12 two-bedroom units – on site well with drip chlorinator and 10,000-gallon aerobic digestion plant with leach field.

* Proposed expansion to 24 units. The existing leach field poses problems for expansion, too close to neighboring wells.

**WEST CONT.**

**Robeson Property**

Single family residence with well and ISDS.

**Ables Property**

Duplex with well and ISDS.

* Proposed constructed of 2-3 more duplexes. Facing wastewater limitations.

**Mountain Meadows Campground**

The campground consists of approximately 40 RV campsites with sewer hookup – on site well-owner’s residence. Presently operated from June 1 through October 1, only.

**Marietta**

Year-round restaurant and bar- single family residence and duplex also on property, all on well and ISDS.

* Proposed enlarging seating capacity for restaurant from 70 to 120 with deck and side room expansions.

**Morrison Lane**

There are several summer cabins and homes in the area but no more than 3-4 permanent residences, including the Morrison estate, all with well and ISDS’s.

**Guanella Ranch**

Single family residences with well and septic and most property owners west of town.

**Mountain Aggregates**

Gravel pit- property leased from Guanella Ranch. Continued operation is expected. Part of the gravel pit will be leased to the City of Golden for a reservoir to supply Golden with water. Dam construction to start 2002 (see reference letter).

**Emrick & Hill**

Light industrial company leasing part of the gravel pit area from the Guanella Ranch.

**Berthoud Pass Research Corridor**

The Berthoud Pass Research Corridor for Universal Design is a project sponsored by Partner for Access to the Woods, a not-for-profit organization. The Research Corridor is 26 miles long and located on Highway 40 between Easter Seals Rocky Mountain Village and Winter Park. Research is being conducted on the Corridor for outdoor recreation facilities, programs, and prototypes. This research is to be used for education. The research is being conducted with participation of the public, with special input from persons with disabilities. There are six motorized pull-off sites planned for the Corridor and a library that will require utilities in the future.

* Empire supports low-density residential development West of Town of the single family, duplex or Townhouse type. Housing mix encouraged, including affordable housing.
* High-density residential development such as large apartment complexes is strongly discouraged.
* Expansions of mobile home districts West of Town are discouraged. Empire supports modular housing units over mobile homes.
* Empire supports commercial development along U.S. Hwy. 40 characterized by unique businesses that provide a service that cannot be accommodated within town boundaries and preserves the existing Town character.
* Strip commercial development and mass merchandisers are strongly discouraged along the arterial highway West of Town.
* Empire supports restrictions to prevent “Billboard type structures” on land adjacent to the U.S. Hwy. 40 Corridor.

**NORTH**

6 – single family residences are on property North of Town towards the Old Dumpsite. All have well and septic.

* Several property owners in this area have questioned the availability of town water and sewer.
* Several building sites are available North of Town boundary. Low-density single family or duplex, building would be the most appropriate land use in this area.

**SOUTH**

**Bard Creek Lake Estates**

Consists of 10 homes in a grated community with a water storage facility and their own sewer treatment plant. This property is located right below Empire Pass.

**Newton Ranch Property**

The majority landowner on the West Side of Bard Creek Road from the Town boundary south to Bard Creek Estates. This property has an individual well and septic system. Much of the property is being preserved as open space. Mr. Newton is in the process of transferring the mine tailing property (Ball Placer Plat) to the Town to be used for parks and recreation.

**Bill Sparks** property owner East Side of Bard Creek Road. A private anglers clubs uses the ponds on property.

Two other residences exit south of town on Bard Creek Road. All property owners have own well and septic systems.

* Property owners in this area are not currently interested in any development.

**UTILITIES STUDIES**

A feasibility study for extension of Empire’s wastewater services is currently being conducted. The objectives of this study are to determine if the expansion of Empire’s wastewater system within the areas described will improve the water quality within the area and provide capability for growth. This study defines our **Urban Boundary District.**

**GOALS**

* Cost estimates for line expansion for each specified area
* Evaluate the impact on the existing wastewater plant and any necessary improvements that would be required
* Identify planned growth and potential growth
* Estimate the improvement to the water quality of the West Fork of Clear Creek, if any

**Study Areas**

* West along U.S. Hwy. 40 approximately 1.5 miles leaving U.S. Hwy. 40 and going up Morrison Lane to white gate, an additional 1.2 miles
* North up Main street to ¼ mile past existing town boundary
* South on Bard Creek Road from end of existing line crossing over West Fork of Clear Creek to the Bard Lake Estates
* The fairly level ground on the south side of Clear Creek from Bard Creek Road to just east of sewer plant. Proposed development site of 12 houses

**POLICIES**

* Expansion of wastewater system beyond town boundary requires town approval
* Review of all development plans that impact our wastewater system as a means of control
* Annexation may be required in some cases

**IMPLEMENTATION**

* Record Comprehensive Master Plan, maps, and all documents with county so other entities know Empire’s desires and review procedures
* Update maps to reflect Urban Boundary District
* Communicate with other jurisdictions on development proposals within our extraterritorial region

**ANNEXATION POLICIES**

**AUTHORIZATION**

The Town of Empire is required by Colorado Revised Status (C.R.S.) Section 31-12-105 (l) (e) to adopt a plan prior to completing any annexation within an area, which extends three miles in any direction from any point of the municipal boundary. The statute also requires that a three-mile annexation plan must contain information on the proposed location, character, extent of land use, public facilities, and public utilities within three-miles of the municipal boundary. This plan must be updated at least once annually.

**IMPACT REPORT**

C.R.S. Section 31-12-108.5 requires an annexation impact report for any annexation greater than 10 acres in size, unless the Board of County Commissioners governing the area proposed to be annexed agrees that the report may be waived. If the report is not waived, it must be filed with the Board of County Commissioners within 20 days of the annexation hearing. The annexation impact report shall contain the following:

* maps describing present and proposed municipal boundaries.
* streets and utilities in the vicinity of the proposed annexation.
* existing and proposed land uses.
* copy of any pre-annexation agreement.
* plans for extending and/or financing municipal services.
* statement identifying existing districts within the area to be annexed.
* statement analyzing the impacts of annexation upon the local school district systems.

**ANNEXATION CONT.**

**STATUTORY REQUIREMENTS**

The purpose of this section is to provide a brief outline of the statutes addressing annexation eligibility, limitations, requirements, and procedure. This outline does not contain the complete wording of the statues and reference to the statute itself, should always be made when considering an annexation proposal. It is also recommended to refer to the Colorado Municipal League’s “Annexation in Colorado” handbook. It provides an excellent overview of the law and practice of annexation.

(C.R.S. 31-12-104) Eligibility for Annexation

(C.R.S. 31-12-105) Limitations

(C.R.S. 31-12-106) Annexation of Enclaves, Partly Surrounded Land, and

 Municipally Owned Land

(C.R.S. 31-12-107) Petitions for Annexation and Annexation Elections

(C.R.S. 31-12-108) Setting Hearing Date – Notice Given

(C.R.S. 31-12-108.5) Annexation Impact Report – Requirements

(C.R.S. 31-12-109) Hearings

(C.R.S. 31-12-110) Findings

(C.R.S. 31-12-111) Annexation without an Election

(C.R.S. 31-12-112) Election – Annexation Pursuant to Election

(C.R.S. 31-12-113) Effective Date of Annexation – Required Filings

(C.R.S. 31-12-115) Zoning of Land while Annexation is Underway – Zoning of Newly Annexed Land – Subdivision of Land while

 Annexation is Underway

(C.R.S. 31-12-121) Provisions of Municipal Services to Outside Consumers-

 Agreement to Annex

In appendix A, there is a sample of the following documents required for Annexation; Application for Annexation, Petition for Annexation, Affidavit of Circulator of Petition for Annexation and requirements for an Impact report. These are only examples. Both the Town of Empire and the party should obtain legal counsel or parties requesting annexation to ensure all filing requirements are met.

**ANNEXATION CONT.**

**GOALS:**

Maintain a community that preserves the natural beauty and existing social character of Empire and the Empire Valley.

Ensure orderly and fiscally sound development and to preserve Empire as a small mountain community.

Preserve the goals of the Land Use Plan.

**POLICIES**

* Developers shall mitigate impacts resulting from the development of land within the Extraterritorial Land Use Plan by eliminating the impact or by providing land or paying an impact fee to mitigate the impact(s) prior to annexation to the Town.
* Developers should pay the costs incurred by the Town for reviewing proposals, including fees charged by State agencies and fees changed by specialists to address important issues.
* No new development in the Urban Boundary District area shall occur until and unless adequate facilities and services to serve and the development proposed for annexation are provided by and funded by the developer and not by residents of Empire.
* Adequate facilities and services include public water, public sewer, fire protection, emergency medical care, police protection, transportation, developed parks, and addressing school district needs. These are only an example of the minimum services necessary and other services may apply.
* The Town strives to maintain and enhance an open land buffer that separates Empire from surrounding communities and contributes to a distinct community identity for the Town.

**IMPLEMENTATION**

* Review and comment on all development proposals within a 3-mile radius of Empire.
* There will be no annexations of areas outside the boundaries of Empire’s Urban Boundary District, except for annexation to acquire open space.
* Develop agreements with Clear Creek County, other municipalities, districts, and federal agencies to develop a regional strategy for directing growth and development to enhance the quality of life for Empire residents.
* Develop and adopt realistic and practical conditions, which protect the public interests.
* Developers shall identify the impacts to the Town’s services, infrastructure, and amenities; support improvement to services and amenities; and provide enough funds to identify impacts to infrastructure.
* Encourage developers to donate open space land.

**ANNEXATION CHECKLIST**

This section provides a quick checklist of annexation questions based on the statutory requirements and the policies of this Three-Mile Plan.

* Does the annexation meet all the requirements of the Colorado Municipal Annexation Act and its Amendments along with the criteria adopted by the Town of Empire?
* Is there an accurate map of the proposed Annexation that includes:
	+ All street rights of way connections to the existing street system?
	+ Location of the current and the proposed boundaries?
	+ Location of utilities that the annexation will connect to?
	+ The proposed land uses and zoning requests?
* Is the proposed use consistent with the Town of Empire’s Comprehensive Master Plan and Counties Master Plan?
* Has Town staff prepared a list of the benefits and liabilities to the Town of Empire for the proposed Annexation?
* How will the development be serviced? Who will pay?
* Does the site have any serious servicing problems?
* Does the proposed development have servicing agreements with the special districts?
* How does the proposal impact the Town character?
* Does the proposal have any adverse impacts such as but not limited to:
* Views
* Wildlife
* Water
* Air
* Noise

If so, how are they mitigated?

* Are the financial benefits and costs to the taxpayers of the Town of Empire and the annexing area clearly defined?
* What are the fiscal benefits to the Town of Empire?

**REFERENCES**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Activity | 1990 | 1991 | 1992 | 1993 | 1994 |
| Total calls for service | 551 | 288 | 271 | 231 | 201 |
| Total reports written | 310 | 138 | 197 | 103 | 65 |
| Total physical arrests made | 31 | 14 | 11 | 7 | 6 |
| Total assists to other agencies | 16 | 105 | 84 | 80 | 75 |
| Total case reports referred to DistrictAttorney | 23 | 26 | 10 | 7 | 9 |

**Table 4: Town of Empire** Source: Empire Marshal’s Office

Public Safety Statistics

**Figure 3: Selected Town of Empire**  Source: Empire Marshal’s Office

Note: 1990 – 2 full time officers, 3 reserve officers

 1991 – 1 full time officer

 1992 – 1 full time officer, 1 reserve officer

 1993 – 1 full time officer, 1 reserve officer

 1994 – 1 full time officer, 1 reserve officer

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | 1940 | 1950 | 1960 | 1970 | 1980 | 1990 |
| population | 174 | 228 | 110 | 249 | 423 | 401 |

**Table 5: Town of Empire Historic Population**

Source: Colorado Demographic Information Service

|  |  |
| --- | --- |
| Service Area | Town of Empire- Town limits define tier 1 service area with tier 3- service area defined for developable land adjacent to Town limits. |
| NPDES | CO-002057504/30/1996 |
| Management Agency | Upper Clear Creek Watershed Association |
| Operating Agency | Town of Empire |
| Treatment Facility Type | Aeration Basin; Secondary Clarifier;Chlorine Disaffection |
| Five-year Capital Improvements | Facility Upgrade |
| Proposed Construction Schedule | 1995-1996 |
| Discharge Location | West Fork of Clear Creek, Segment 5 |
| Water Quality Issues | Mine drainage- point and nonpoint; Superfund ROD for selected stream clean- up; excessive metal loadings; phosphorus loading in downstream water supplies; fish propagation/habitat; high downstream fecal coliform |
| Wastewater Issues | Advanced treatment for removal of phosphorus and nitrogen; biosolids disposal; site limitations for future expansion |
| WQCC Stream Classification | Recreation 2; Aquatic Life 1(cold); Agriculture |

**Table 6: Town of Empire Wastewater Service Area Planning Data** Source: DRCOG

|  |  |
| --- | --- |
| Design Capacity (MGD) | 0.06 |
| 1990 Discharge Rate (MGD) | 0.045 |
| 1995 Discharge Rate (MGD) | 0.042 |
| Needed 2015 Capacity (MGD) | 0.083 |

|  |  |
| --- | --- |
| Year 80% Capacity | 1999 |
| Year 90% Capacity | 2010 |
| BOD (mg/l) | 30/45 |
| TSS (mg/l) | 30/45 |
| NH3-N (mg/l) | Monitor Only |
| Res. Chlorine (mg/l) | 0.22 |
| Fecal Coliform (cts/100ml) | 6,000/12,000 |

 **Table 7: Town of Empire Wastewater Effluent Limits** Source: DRCOG