

IV. Chapter 03

LAND USE PLAN ELEMENT

A. INFLUENCES ON FUTURE LAND USE

The future growth and development of Delmar will be affected, to a greater or lesser degree, by several external influences. It will be to Delmar's advantage to recognize trends and develop policies, which make the most of and reflect these externalities.

First among the various external influences will be a general trend by Wicomico and Sussex Counties to conserve rural areas for agricultural pursuits. There is recognition by farmers and others at state and local levels that policies and land use restrictions are needed to prevent loss of usable farmland to urban development. Future development policies and land use decisions by these counties will increasingly reflect this growing concern and development will be encouraged to occur in or adjacent to existing urban areas and small towns. This theme of protecting rural agriculture areas and concentrating growth in designated growth areas appears in the recommendations of the Wicomico County Quarter Century Report, *New Directions for a New Century*, presented to the County Council in August 1995. This theme is also contained in the Visions in the 1992 Maryland Planning Act that states as Vision 1, "Development is concentrated in suitable areas," and as Vision 3, "in rural areas, growth is directed to existing population centers and resource areas are protected." The Strategies for State Policies and Spending, the Livable Delaware agenda, and the Sussex County Comprehensive Plan also recognize the need to focus future development around existing urban centers. The immediate areas surrounding Delmar, in the Sussex County Comprehensive Plan is identified as either Town Center or Development Districts.

Second, the Salisbury area is expected to continue as the focal point of growth on the Eastern Shore. The increase in activity in Salisbury will engender increased growth in nearby Delmar. In fact, Delmar has been identified as part of the core development zone for Wicomico County.

Third, there is an increasing number of Federal and State programs to supplement financing of public facilities. By taking advantage of such funding, towns commit themselves to providing a full compliment of public services, which in turn attract additional growth.

B. EXISTING LAND USE

In order to become familiar with the existing land development patterns in Delmar, and its environs, a land use survey was conducted in 2004. Fourteen categories of land use were noted. The results of the land use survey are summarized in Table 12.

Table 12
EXISTING LAND USE
2004

Land Use	DE Acres	Percent	MD Acres	Percent	Total Acres	Percent
Agricultural	56	11.7%		0.0%	56	8%
Commercial	46	9.6%	13	5.1%	59	8%
Forestland	69	14.5%		0.0%	69	9%
Industrial	4	0.8%	15	5.9%	19	3%
Institutional	29	6.2%		0.0%	29	4%
Mix Use	1	0.1%		0.0%	1	0%
Mobile Home	28	5.8%		0.0%	28	4%
Multi-Family	17	3.6%	11	4.3%	28	4%
Recreational	9	1.8%	24	9.4%	33	4%
Retail	11	2.4%		0.0%	11	2%
Single Family	82	17.2%	107	42.0%	189	26%
Transportation	14	2.9%	60	23.5%	74	10%
Utility	1	0.3%		0.0%	1	0%
Vacant	110	23.2%	25	9.8%	135	19%
Total	477	100.0%	255	100.0%	732	100%

*Acreage and percentages are rounded. 0% represents less than 1%.

In addition to the land area included in the survey results presented in Table 12, the Town of Delmar, Maryland recently completed the eastside annexation, incorporating an additional 250 acres into the Town. The land includes property zoned for community business, R-1 residential, R-2 residential, R-3 residential, light industrial, and office and service.

C. ANNEXATION

Future annexations should be of sufficient size to allow for proper planning of land use and community facilities. Annexations should be in accordance with a predetermined policy, which permits smaller areas to be annexed as a part of an overall pattern. Smaller area annexations should also be undertaken to clarify boundaries and to prevent "enclaves" from occurring.

Financial considerations play the paramount role in determining the course of future annexations, both from the standpoint of the Town and its current residents and prospective Town residents in the area proposed for annexation. The Town assumes considerable obligations to supply basic Town services to these areas as they develop. Unless development occurs within the areas immediately adjacent to existing development, public funds are wasted in attempting to service remote and scattered clusters of development. Financial policy is equally important to public policy criteria for annexation and for resolving practical problems for people living in future Town areas.

To avoid Town-County conflicts, which might result from development and community facility improvements, the following broad annexation objectives are presented to establish guidelines for future annexation efforts.

1. The primary purpose of future annexation efforts should be to provide existing residents and future citizens of the area with the public facilities and services necessary for protection of health and property.
2. Proposed annexation areas should be economically self-sufficient and should not result in larger municipal expenditures than anticipated revenues, which would burden existing Town residents with the costs of services or facilities to support the area annexed.
3. The costs of providing roads, utilities, parks, and other community services shall be borne by those people gaining the most value from their existence through income, profits or participation.
4. Although, annexation areas in some places slightly exceed the development district in Sussex County's Comprehensive Plan, the Town recognizes that the County is updating its' Plan within two years, wherein, we hope to make the changes at that time.

Use of these guidelines for future annexations should result in the expansion of the Town at a pace and manner, which provide the maximum benefits of service at the lowest possible costs. Assurance is also extended to existing Town residents that new additions to the Town will be in accordance with long-range public policy.

The Land Use Plan Map shows areas of consideration for annexation during the Planning Period. These future growth areas are serviceable by the Town within the planning horizon, and offer opportunities for the Town to direct the future pattern and scale of development along its edges.

Annexation Procedures can be found in the Town Charter at www.town.delmar.md.us. In addition to the charter, state regulations apply.

D. THE LAND USE PLAN

The Land Use Plan concerns itself with the most favorable use of land by public and private development, leading toward establishment of a pattern of land use that reflects community goals and objectives, and will promote orderly growth and development. To achieve this purpose, the planning study area is divided into general land use categories showing what land and how much of it may be desirable to reserve for certain kinds of land use. Additional zoning areas and codes should be developed to further clarify appropriate land use and maintain a clear guide to development.

E. RESIDENTIAL LAND USE

Objectives

1. To protect existing and newly developing residential neighborhoods from encroachment by commercial and industrial activity that may adversely affect them.
2. To prevent scattered residential development in order to permit greater efficiency in the provision of urban services.
3. To improve the quality of residential areas through the establishment of adequate living space appropriate for each type of dwelling in terms of standards for intensity of development.

The Residential Land Use Plan

The primary goal of the Comprehensive Plan is to place emphasis on development of Delmar as a thriving residential community. Future development, whether industrial, commercial or residential, will be greatly influenced by the quality of the residential setting provided by Delmar. The following recommendations relating to intensity of development of residential areas are intended to provide a standard, to guide future residential development in conformance with the goals and objectives established in this plan and in a way acceptable to the people of Delmar. Residential land use is divided into three classifications of intensity of development:

- (1) Medium density areas with minimum residential lot size of 7,000 to 9,000 square feet;
- (2) Low density areas with minimum half acre lots; and,
- (3) Rural-agricultural areas consisting of farm and farm related dwellings.

Medium Density

Many areas within the Town of Delmar are subdivided into very small lots. In order to increase lot size gradually in these areas, larger lot sizes are recommended. In the central portion of Delmar, lots are extremely small and a minimum lot area of 7,000 square feet is recommended. In other portions of Delmar, a minimum lot area of 9,000 square feet is recommended in recognition of the general size of lots now in existence.

Low Density

Areas outside the Delmar corporate limits must be developed according to Wicomico County Health Department regulations or Sussex County zoning and subdivision regulations. When annexation is imminent or impending, residential density should be based on the characteristics of existing development in the area or of adjoining areas.

It would be advantageous to Delmar to annex land prior to development. This policy would permit development to occur at a higher density than otherwise possible for the more efficient and economical provision of public facilities and urban services.

Low-density residential development is recommended to be on land in close proximity to the present day corporate limits. In such areas, residential development will be close enough for efficient, logical extension of services, and be convenient to shopping, recreational, cultural and other public facilities in town.

It is recommended that additional residential development occur in close proximity to the north, south and east of the corporate limits. In general, substantial residential development is not recommended on the west for two reasons; first the railroad acts as a barrier separating and isolating one section of town from another, and second it will be uneconomical to provide necessary urban services. (Please see map - Areas to be given priority for annexation).

Rural-Residential

Much of the outlying portion of the Delmar Planning Area is dominated by agricultural pursuits, with a few scattered isolated residential dwellings. It is recommended that additional residential development, not farm related, be discouraged from these areas. More intensive development would lead to scattered residential development requiring public services which would be difficult, expensive and inefficient to deliver (i.e., solid waste collection, police and fire protection, etc.). In addition, soils in these agricultural areas have severe limitations for septic tank absorption fields; more intensive development could have a long-term effect on water quality and the public health of the entire planning area.

In summary, it is recommended that outlying areas be devoted to agricultural use. Residential development that does occur should be related to agriculture.

Apartments

Apartments are generally smaller than conventional homes and make more efficient use of land. Therefore apartment development may occur at a higher density and it is recommended that apartment developments occur at a density not to exceed 10 units per acre, excluding internal streets and drives needed to serve them.

It is recommended that specific areas be delineated and set aside for apartment developments in the zoning code to permit flexibility in selection of sites, however, zoning regulations should provide standards to assure greatest compatibility with surrounding development. It is further recommended that a joint policy be developed with both Counties (Wicomico & Sussex) prohibiting apartment development and manufactured housing in the Delmar area without public sewer and water or annexation.

F. COMMERCIAL LAND USE

Objectives

1. To maintain and revitalize the downtown area's Central Business District.
2. To relate future development to major thoroughfares, and simultaneously preserve the functional ability of those thoroughfares.
3. To promote clustering of commercial activity as opposed to strip commercial development.
4. To provide, at existing commercial districts in Delmar, areas for neighborhood convenience-shopping using a Town Center approach rather than strip type development.
5. To emphasize safety, convenience, and attractiveness in all commercial developments.

The Commercial Land Use Plan

This Land Use Plan has set aside more than sufficient land for new commercial activity. Areas recommended for commercial land use were chosen on the basis of optimal location on a long-term basis rather than on immediate site demand. The immediate focus of Delmar should be on revitalizing existing commercial areas, especially the Central Business District.

Land areas proposed for commercial or business use may be described by two general land use categories Central community business and highway commercial.

Central Business District

The Central Business District is an area, although not sharply defined, provided with good access via State Street, is centrally located, and functions as the focal point of commercial activity in Delmar. Currently, this area is confronted with several severe problems that contribute to its apparent decline. Among these are physical decay, some difficulty in traffic movement due to narrow streets, inadequate parking, and the close proximity of incompatible uses. A symptom of the need for a concerted improvement effort is the number of vacant stores in the area.

Because of the importance of the Central Business District as the focal point of Delmar's commercial activity, it is necessary that a concerted effort be made to revitalize the area to prevent further decline at the center of town. It is recommended that a Central Business District Committee be formed to develop a plan of action to improve and rehabilitate Delmar's Central Business District by providing off-street parking, improve traffic movement, provide street directional signs, rehabilitate buildings or properties, and other necessary actions.

Highway Commercial

Highway commercial is a land use category that recognizes the space needs of some commercial activities which cater to the motoring public; and therefore require sites with adequate access to major highways; i.e. restaurants, motels, auto dealers, repair shops, service stations, etc. This plan recognizes those areas that have developed in strip commercial fashion, but recommends that such development in the future occur in clusters or groupings. Groups or clusters of commercial development are more efficient to serve, reduce traffic hazard by confining traffic movements to an area that may easily be controlled and expose less commercial activity to nearby, essentially incompatible residential development.

Appropriate regulations should be developed to provide for off-street parking, sign control and landscaping or buffering to protect nearby residential areas.

Most highway commercial activities will require public sewerage and water mains, and should be carefully evaluated as to their impact on the capacity of the systems and other priorities. A policy requiring annexation prior to extension of public services should prevail.

G. INDUSTRIAL LAND USE

Objectives

1. To provide a variety of attractive, safe, and convenient sites that are suitable for industry in terms of size, location, physical characteristics, and accessibility.
2. To require buffering and suitable standards as a means to control undesirable influences or adverse effects of potential industrial development on surrounding areas.

The Industrial Land Use Plan

Considerably more land than may be needed in the near future is set aside for industrial development, however, because industrial operations require special sites and conditions there is a need to reserve these areas, and prevent encroachment by incompatible uses. Existing industrial development is situated along the Penn Central railroad. The railroad is the main factor influencing location of industry in the Delmar area. Industrial development located along the rail line is an appropriate land use. However, land along the rail line near and in town should be limited to development that does not produce excessive smoke, odor, or noise, or generate heavy truck traffic, because of its close proximity to residential neighborhoods. The industrial section of the Land Use Plan describes two categories light industrial and heavy industrial land use.

Light Industrial

Light industrial activity includes processing, manufacture or assembly of soft or non-durable goods, often confined to one building. They have few objectionable external effects, are labor intensive, the unit value of the product is high, and require smaller functional sites.

While light industrial development is incompatible in residential areas, with proper site treatment, it would be suitable for an in-town location. It is proposed that only light industrial uses be permitted in close proximity to residential development. It is recommended that zoning regulations be adopted to insure that light industrial developments are adequately buffered from adjoining uses and that external effects, i.e. noise, odor, traffic, etc. are minimal.

Heavy Industrial

Heavy industrial activity includes handling or storage of bulk commodities, manufacture or storage of potentially hazardous materials. Heavy industrial activity is often characterized by a need for large sites, not only because these activities are not entirely confined to buildings, but because their operation is often accompanied by objectionable external effects such as noise, odor, dust, smoke, vibration, glare, and unsightly outdoor storage.

The Land Use Plan proposes that heavy industrial development occur on large outlying sites adjacent to the railroad tracks. Such sites should be removed from residential area and have good access to the major highways. Zoning regulations should establish standards to evaluate proposed industrial uses and insure compatibility with the surrounding vicinity. This plan does not contemplate the extension of sewerage or water mains, except for minor service lines, to industries locating in the heavy industrial district for processing or manufacturing purposes or treatment of industrial waste because of the difficulty of extending service to these areas and because a single industry often requires 40 to 60 percent of the capacity of a treatment system, leaving little or no capacity in the system to accommodate other kinds of development. The extension of water mains northward along Bi-State Blvd. to serve residential areas to the west should provide adequate hydrants and water capacity to afford fire protection to adjoining industrial development on the west.