

Chapter 6 Land Use Plan

INTRODUCTION

Overview

Since the 1966 comprehensive plan, Delaware Township has experienced a large amount of growth and development, which is reflected in the township's land use pattern. The demographic analysis (Chapter 2) reveals the extent of this growth and projects that it will continue through the next 25 years. The purpose of the land use plan is to devise a strategy to effectively manage this growth, balancing the need to accommodate development with the need to preserve resources. To accomplish this objective the land use plan is coordinated with natural and historic resource protection and infrastructure planning to produce an efficient development pattern that maximizes benefits to the township by focusing the provision of services, promoting fiscal responsibility, and protecting the health, safety and welfare of its residents.

GOALS & OBJECTIVES

Goal #1

Re-establish a Town Center for the Township.

Objectives:

- Replace the community focal point previously provided by Dingman's Ferry with a new town center including housing, retail, employment, recreation, and municipal services.

- Develop a public square for civic functions and activities.

Goal #2

Preserve tracts of land that are contiguous to existing parks and open spaces as open space and conservation areas.

Objectives:

- Identify and prioritize areas to be preserved for open space.
- Protect tracts that contain significant natural, scenic, and historic resources.
- Form a connected network of open space areas to facilitate natural resource and habitat protection, as well as passive recreational opportunities (e.g. trail networks).
- Follow “smart growth” principals to promote development consistent with the rural character and natural resources of the Township.

Goal #3

Promote innovative forms of commercial development that are in harmony with the rural character of the community.

Objectives:

- Provide opportunities for innovative and community-scaled retail commercial use as opposed to strip commercial development.
- Facilitate community service uses such as a pharmacy and medical center.
- Encourage neighborhood scale professional and business offices.

Goal #4

Increase opportunities for employment within the Township.

Objectives:

- Attract “clean” industrial uses.
- Encourage development of professional and business offices.
- Facilitate community service uses such as pharmacy and medical/health center.

Goal #5

Provide adequate separation between incompatible land uses.

Objectives:

- Evaluate the location of zoning districts relative to one another.
- Eliminate incompatible uses from residential districts.
- Limit permitted uses within commercial zoning districts to retail, office, and service uses.

- Create an industrial district for manufacturing, warehousing, and similar high impact uses.
- Provide appropriate setbacks and buffers between land uses.
- Provide landscaping along road frontages in commercial and industrial areas.

EXISTING CONDITIONS

Overview

The review of existing conditions begins with an analysis of land use trends that have occurred over the past four decades (since the previous comprehensive plan). This provides an understanding of the extent and type of change that has occurred, and the processes that have led to the current land use pattern in the township. The subsequent discussion of existing land use provides a detailed inventory of current land use and the zoning regulations that have produced the development pattern seen today.

Land Use Trends

The last township land use survey was conducted in 1966 as part of the comprehensive plan. At that time, only three percent of the township was developed. Development was concentrated in Dingmans Ferry and scattered along the main transportation routes. The remaining 97% of the township was vacant and wooded and included George Childs Park and two small holdings of the Delaware State Forest. The Delaware Water Gap National Recreation Area was not yet in existence.

Direct comparisons between the 1966 survey and the current 2006 survey are difficult due to differing mapping techniques and land use assumptions. However, they do provide an indication of the changes that have occurred over the past 40 years (Table 6.1):

- The amount of developed land (residential, commercial, industrial, utilities, and transportation) increased by 2,775 acres. The most substantial change is the increase in the amount of land devoted to state and federal parkland (12,244 acres).
- Residential land use increased by 1,527 acres. This is a relatively small amount of land considering that over this same period the township's population grew by approximately 7,000 and the number of housing units is estimated to have grown by 2,740 units. The low level of land consumption is due to small lot sizes (approximately ½ acre per unit) and the conversion of existing seasonal homes to permanent homes, which precludes the need to convert acreage to new residential use.

Table 6.1. Land Use Trends: 1966 - 2006

Land Use	Acreage		Abs. Change	% Change
	1966	2006		
Residential	610	2137	1527	250%
Commercial	19	156	137	723%
Industrial	6	62	56	940%
Public & Quasi-Public (Park, Municipal, Institutional, Camp, Club)	1828	14072	12244	670%
Utilities & Transportation	200	1254	1054	527%
Vacant / Woodland	25680	10596	-15084	-59%
Water	585	1155	570	98%
Total	28928	29433		

Source: Consultant's Analysis

Existing Land Use



Commercial uses along
Rt. 739

The Existing Land Use map shows individual tax parcel coded according to the current use of the property (i.e. not according to their zoning classification) (Map A-5). Delaware Township's current land use pattern is dominated by large woodland areas, including the Delaware Water Gap National Recreation Area and Delaware State Forest, and large residential developments (Table 6.2 and Map A-5)). Small pockets of commercial development are concentrated along Route 739. Industrial uses are accommodated at the quarry on Park Road and along the northern extent of Route 739. The proportion of land devoted to the various land uses are as follows:

- 48% (14,072 acres) of the township is in park, recreation, and open space uses, including the Delaware Water Gap National Recreation Area, Delaware State Forest, municipal land, community association open space areas, camps, and rod and gun club properties.
- Another 36% of the township is in vacant and residential-woodland uses. Residential-woodland uses constitute large properties (greater than 2 acres) that contain a residential lot but are predominantly wooded. These properties total 4,064 acres (14%). Vacant lands total 6,532 acres (12%).
- 13% of the township is developed as moderate density residential, commercial, industrial, institutional, utilities, and transportation uses. Moderate density residential development constitutes properties 2 acres or less and includes the major community association developments of Marcel Lake Estates, Birchwood Lakes and Wild Acres.

Table 6.2. Existing Land Use: 2006

Land Use	Acres	% of Total
Residential (Moderate Density Residential)	2137	7%
Commercial	156	1%
Industrial	62	0.21%
Public & Quasi-Public	14072	48%
Delaware Water Gap National Rec Area	7044	24%
Delaware State Forest	3842	13%
Institutional	154	0.52%
Community Association Open Sapce	155	1%
Camp	1428	5%
Rod & Gun Club	1449	5%
Utilities & Transportation	1254	4%
Vacant / Woodland (Low Density Residential)	10596	36%
Water (Lakes, Delaware River)	1155	4%
Total	29433	100%

Source: Consultant's Analysis

PLANNING IMPLICATIONS

Summary

Delaware Township is faced with both challenges and opportunities in its current land use configuration.

- Although there are no guarantees, the township can presume that federal and state-owned land will remain undeveloped for many years to come. The township has an opportunity to supplement these existing park and open space areas by working with private interests that own properties in optimal locations (enabling the creation of open space and trail networks) or that contain valuable resources.
- Many large privately owned tracts of land exist throughout the township, some owned by camps and hunting clubs. As land values rise and membership in gun clubs declines, the likelihood of development of these properties increases. The township must begin an outreach effort and partner with landowners to preserve these properties.
- The majority of residential development is based around private community associations. Community associations originated as recreation-based developments, where man-made lakes were created around which seasonal vacation homes were built. In recent years, the community association developments have accommodated increasing numbers of permanent residents.

Because they were not originally set-up for a large, permanent residential population, the infrastructure of community association developments is stressed. Lot sizes are extremely small and the



Residential Use

amount of open space within the communities is very limited. Although this pattern of residential land use results in a low rate of land consumption (a township-wide average of 1/2 acre per housing unit) it is unsustainable from a health, safety and welfare perspective. Most homes are served by on-lot septic systems, but lot sizes are not sufficient to accommodate these systems or drainfield replacement areas. Such dense development with insufficient lot sizes increases health risks associated with failing on-lot septic systems.

- The current zoning ordinance permits residential cluster development at one unit per acre, with no open space requirement, in both the R-Residential and RR-Rural Residential districts. Maximum build-out under the cluster provision would yield an estimated 13,200 additional housing units spread across the township in a suburban sprawl pattern.
- Currently, multi-family dwellings are permitted in the C-Commercial, R-Residential, and RR-Residential Districts and under the Cluster Development provisions. Thus, multi-family development can occur essentially anywhere throughout the township regardless of supporting infrastructure capacity, compatibility with surrounding uses, and access to services.
- The RR-Rural Residential District currently permits various commercial and office uses, as well as mineral extraction. Such uses are inconsistent with the intent of the RR zoning district.
- The current zoning ordinance permits both commercial and industrial uses in the C-Commercial district with no buffer standards. Because the C-Commercial district abuts residential neighborhoods, this causes potential conflicts between residences and industrial uses and could potentially threaten public health, safety, and welfare.
- Commercial and industrial developments, especially along Route 739, lack landscaping treatments that would increase the attractiveness of these businesses and contribute to the preservation of the township's scenic roadways.
- There is no longer a community focal point in the township since the demolition of Dingmans Ferry. The town of Dingmans Ferry, with its homes, businesses, and civic uses, drew residents together for community events and socializing. The township has the opportunity to recreate that focal point in the form of a contemporary town center suited to the local vernacular.



Commercial Use

FUTURE PLANNING POLICIES & RECOMMENDATIONS

Overview



Industrial Use

Planning policies and recommendations are embodied in the Future Land Use Plan (Map A-5). The Future Land Use Plan is intended to accommodate projected growth and provide needed community services while preserving the township's rural character and natural resources. It addresses land conservation, sustainable residential development, creation of a town center, opportunities for commercial and office development, and remedies for potential incompatible land uses. The plan is also attentive to state law, which requires municipalities to accommodate all categories of land use. Therefore, where the plan proposes the removal of specific uses from one area, it concurrently proposes the establishment of other areas to accommodate those same uses (e.g. in the case of industrial and mineral extraction uses).

The development pattern proposed in the Future Land Use Plan is coordinated with the Natural Resource Protection Plan, Historic Resource Protection Plan, Transportation Plan, and Community Facilities & Utilities Plan. In general, the Future Land Use Plan forms a development pattern based on a gradient of density. It promotes the highest intensity of development in a town center area in the northern part of the Township to take advantage of road capacity, to facilitate efficient provision of utilities and other public services, and to provide a community focal point. Surrounding the town center is a transitional area of moderate density residential development. Low density rural residential use predominates in the central and southern parts of the Township. Undeveloped conservation/open space uses form the township's interior and provide a buffer and recreational setting along the Delaware River. Such areas also form an undisturbed forest contiguous with similar areas in Dingman, Lehman, and Porter Townships. This proposed land use pattern is consistent with Pike County's draft Comprehensive Plan.

Recommendations

Planning policies and recommendations to guide land use planning are as follows:

- Allow commercial, industrial, mineral extraction, and multi-family residential uses only in appropriate districts based on compatibility with surrounding land uses, access potential, and logical extension of utilities.
- Create a town center to replace the community focal point lost with the demise of Dingman's Ferry. The town center will be mixed-use, including single family and limited multi-family residential (possibly including age restricted housing), neighborhood scale commercial and office, municipal/civic uses, and active recreation. The town center is intended to promote interrelationships among various uses, pedestrian access, and community interaction. Development intensity would be higher than in the other residential districts, and the physical design would be a modern adaptation modeled on historic Pennsylvania villages such as Dingman's Ferry and compatible with the local setting.

Regardless of development intensity, the town center development will have unique and specific requirements to create a village atmosphere. Accommodations for civic facilities, such as library, post office, or municipal use will be made, and a public park or green will be provided in a prominent and accessible central location. Sidewalks will be required, as will a community water and sewerage system. Architectural, land planning, and landscaping design standards should be developed to promote aesthetics and compatibility with the township's character.

- Create moderate density residential areas, consisting of single-family detached residential, conservation, and recreation uses. These parts of the township are intended to be residential in character, but with extensive buffering and open space. The cluster density should be consistent with moderate intensity development, and significant open space should be provided. Conventional development density would be reduced to recognize the limitations in the township for on-lot septic disposal. The moderate density residential area would encompass all of the existing planned communities and transitional areas surrounding the proposed town center.
- Create low density rural residential areas consisting of single-family detached residential, conservation, forestry, recreation, and agricultural uses. These parts of the township are intended to remain rural in character, while supporting a relatively low intensity of use. The cluster density should be reduced to a level in keeping with rural character, and substantial open space should be required. Conventional development densities should be in keeping with the septic disposal limitations of the area and the desire to promote rural development that is well integrated in the natural setting. The low density residential area would include the relatively undeveloped lands extending north-south through the center of the township.
- Commercial uses include retail, office, services, entertainment, dining, and drinking establishments. These uses require good highway access and should be primarily located along Route 739. Buffering standards should be developed to ensure compatibility with adjacent residential areas, and design regulations should be created to foster attractive and well-landscaped commercial projects as opposed to dreary and conventional strip centers. Pedestrian access and interconnections should be emphasized. Areas currently zoned commercial should be expanded to include the intersection of Route 739 and Milford Road.
- Create an industrial area that will support commercial uses, plus manufacturing, fabrication, laboratory, retail warehouses, storage warehouses, self-storage facilities, and trucking. Buffering and setback standards should be developed to ensure compatibility with adjacent commercial and residential uses.
- Create a quarry area to recognize the existing quarry properties on Milford Road. In addition to the quarry use, this area would permit rural residential use. Thus, when the quarry ceases operation, it shall revert back to rural residential use.

- Accommodated active recreational uses at municipal parks. These uses include sports and playfields, playgrounds, court areas, skate parks, and fitness facilities. Currently, the township has ball fields and a skate park located near the municipal building on Wilson Hill Road. The township has expressed a need for additional sports fields, as well as playground facilities for residents not served by those in the private communities. An active recreation park should be provided in the northern part of the township, accessible to the proposed town center and moderate density residential areas.
- Accommodate passive recreational uses and open space at the Delaware Water Gap National Recreation Area, the Delaware State Forest, and nearby tracts of undeveloped land. Passive recreation/conservation describes natural areas to be retained as such. Uses are limited to pursuits such as hiking, hunting, cross-country skiing, canoeing, fishing, birding, picnicking, and limited camping. Passive recreation/conservation areas provide buffers around developed lands and connect to undeveloped and conservation areas in adjacent townships. They are intended to conserve large natural areas and corridors to promote habitat for forest interior species and migratory birds, to protect threatened and endangered species, to enhance water quality, and to preserve the rural character of the region. These considerations—contiguity to existing parkland and the presence of critical natural features, including Natural Areas Inventory sites—were taken into account when designating potential conservation areas on the Future Land Use map.

IMPLEMENTATION STRATEGIES

Overview

Implementation of the land use plan can be accomplished through the following initiatives:

Zoning Ordinance

Zoning Ordinance amendments are as follows:

- Amend the various zoning districts to provide for a “fair share” of land uses.
- Enact a Transferable Development Rights Ordinance (TDR).
- Create a TC-Town Center district based on Article VII-A of the Pennsylvania Municipalities Planning Code. In keeping with the higher intensity and mixed-use character, the town center shall be located with access to a main highway. The development shall be predominantly residential, with the highest intensities located in the center. Any commercial or office component should be located in the center of the development or proximal to an existing highway. To promote rural preservation in the Township, it is recommended that the base density for town center development be one (1) dwelling unit per net acre, with transferable development rights (TDR) utilized to increase density over the base density. Other incentives such as off-site infrastructure improvements, and land set asides for municipal or public used in conjunction with TDR to achieve a maximum density of three (3) units per acre with an office and/or

commercial component. Parks and other public spaces shall be an integral part of the Town Center and shall accommodate for civic uses such as a post office, library, or community center.

- To implement moderate density residential use, amend the R-Residential district to eliminate commercial resort and office uses. Residential density will be one (1) dwelling unit per net acre for cluster development with 40% of the gross tract area as minimum required open space. If developed conventionally without open space, the minimum lot size would be two (2) acres.
- To implement low density residential, the use regulations for the RR-Rural Residential district should be changed to eliminate commercial, multi-family, office, and mineral extraction uses. Residential density will be one (1) dwelling unit per two (2) net acres for cluster development with 50% of the gross tract area required minimum as open space. If developed conventionally without open space, the minimum lot size would be five (5) acres to accommodate such uses as animal pastures and to allow for effective buffering between adjacent residences and resource conservation.
- To implement commercial land use, industrial types of uses should be removed from the C-Commercial district. New regulations for building and parking layout, architecture, landscaping, buffering, highway access, and pedestrian access should be developed. It is recommended that single occupants be limited to less than 60,000 square feet of floor area to prevent warehouse retailers in the district, while allowing sufficient space to accommodate such uses as contemporary chain grocery stores.
- Create an I-Industrial district with density, parking, layout, and buffering standards as appropriate to the permitted uses. Industrial uses will be located near major roads and in locations where there are no impacts on residential uses, or where the impacts can be successfully mitigated.
- Create a Q-Quarry district to permit quarrying and low density residential use. Standards for low density residential use applicable to this district should be consistent with the proposed low density district (i.e. Rural Residential) described above.
- Parks and active recreation can be implemented by expanding the PP-Public Parkland District to include the existing municipal recreation facilities, and to designate proposed new active recreation in the northern part of the township. An ordinance to require developers to pay a fee in lieu of recreation facilities should be adopted to help fund active recreational needs in the township.
- Parks for conservation and passive recreation will be implemented by expanding the PP Public Parkland District to include all of the land within the Delaware State Forest, plus certain private lands adjacent to the Delaware State Forest and the Delaware Water Gap National Recreation Area. The regulations of the PP Public Parkland District should be amended to prohibit uses not consistent with recreation and conservation, such as residential development.

In order to protect the rights of landowners, private lands should remain in the RR Rural Residential zoning classification until the township and landowners reach agreement to place properties in conservation easement. Tax incentives for easements and transferable development rights could be used to facilitate the conservation of the private properties by providing a financial benefit to the landowners. The Township should create an Open Space Commission to coordinate outreach and education efforts to property owners to encourage conservation.

SLDO

Subdivision and Land Development Ordinance amendments are as follows:

- Create landscaping standards to require screening and buffering between commercial and residential uses and between industrial and residential uses.
- Create design standards to guide the architectural and exterior appearance of buildings in a manner that is suited the township's rural character.

Additional Measures

Additional measures are as follows:

- Form a Township Open Space Committee to conduct education and outreach to encourage landowners to conserve land through conservation easements, TDR, and other available means.
- Consider a township referendum on a modest earned income tax (EIT) to fund open space conservation.
- Consider other financing options (in addition to an EIT) to generate funds for open space conservation.
- Enact a Recreation Fee-in Lieu ordinance to fund active and passive recreational facilities.

BUILD-OUT ANALYSIS

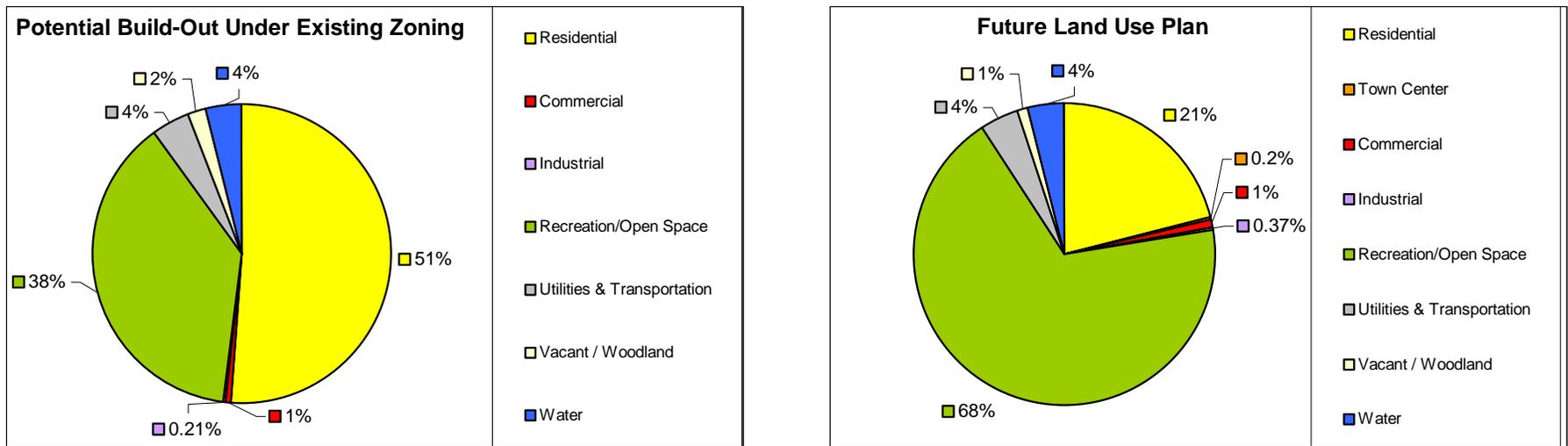
Overview

A build-out analysis was conducted to examine the effect of the recommended land use policies and implementation strategies. It compares the potential build-out of the township based on current land use policies and zoning regulations with the build-out scenario that could result from the recommended future land use policies and regulations put forth in this plan, including regulations pertaining to the net-out of environmental features in determining lot area (see Chapter 3, Natural Resources).

The build-out analysis reveals that if fully developed according to current policies and zoning regulations, one-half of the township's acreage would be devoted to residential development. Open space and recreation would amount to 38% of the township's acreage. If the policies and implementation strategies recommended in the Future Land Use Plan

were enacted, the result would be 68% open space and recreation, and 21% residential development (Figure 6.1). This shows that the township's current polices and regulations are contrary to the community's goals. However, the policies recommended in this comprehensive plan support the goals of preserving the township's open space, natural and scenic resources, and rural character, while accommodating a sustainable amount of growth and development.

Figure 6.1 – Build-Out Analysis



Source: Consultant's Analysis

Note:

1. Potential build-out acreages are based on the township's current zoning provisions (Ordinance dated December 1, 2004)
2. Future Land Use acreages are based on the recommendations contained in the Future Land Use Plan.