

The 2004 Greater Laurel Comprehensive Plan

III. The Laurel Comprehensive Planning Process

Preparations for The 2004 Greater Laurel Comprehensive Plan began during the Fall of 2002. A representative of the Delaware Office of State Planning Coordination contacted the Town regarding the desirability of having a Comprehensive Plan. The Town had contracted with George, Miles and Buhr to prepare engineering analysis and designs for upgrading Laurel's municipal water and sewer systems. Delaware's adoption of House Bill 255 in 2001 required that all land proposed for annexation be included in a locally approved and state-certified Comprehensive Plan. The Governor's Livable Delaware program offers new directions and incentives for communities in updating their planning.

The Town then received state grants that defrayed part of the cost of the Plan. The grants were awarded competitively from the Livable Delaware Program and the Limited Funding Pool of the Infrastructure Planning Assistance Fund as administered by the Governor's Cabinet Committee on State Planning Issues. Town discussions took place and it was decided to seek professional assistance in preparing the plan. Proposals were received from qualified planning consultants. After deliberation by the Town Council, Nutter Associates, Community Planners, of Salisbury, Maryland, a highly experienced planning firm, was selected to assist the Town with the Comprehensive Plan project.

The planning work began in January of 2003. Since the Town had not had a comprehensive plan since 1968, there was the need for extensive discussion and data collection. Also, Laurel was under State Audit and many records were sequestered. A new professional Town Manager, Mr. W. Glenn Steckman, III, was appointed in December 2002 and began work in January 2003. The Town of Laurel Planning and Zoning Commission, which had been inactive for some time, was reactivated at this time. Copies of the 1968 Town of Laurel Comprehensive Development Plan were distributed by the Town Manager to members of the Town Council and Planning and Zoning Commission. Interviews took place in February with Town Council members regarding their vision for the best future for Laurel. A Town election took place in March.

In March, the Director and Sussex County Circuit Rider of the Delaware Office of State Planning Coordination discussed The Livable Delaware Program and comprehensive planning with the Commission. Discussions were also held with representatives of the Laurel Redevelopment Corporation (LRC), the Laurel Historical Society and the Laurel Chamber of Commerce regarding their ideas and initiatives for Laurel. Interviews were held with community institutions and State of Delaware and Sussex County agencies.

A photographic reconnaissance was made of Laurel and its environs. Walking and driving tours were made. Demographic, population and land use data was assembled and evaluated. Design and architectural traditions were evaluated. Laurel's rich and deep history was reviewed. Extensive discussion of Laurel's culture took place.

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Discussions were held with the Town Code Enforcement Officer and Town Manager to assess the strengths and weaknesses of the Town Zoning Ordinance and other codes. A detailed Zoning Analysis, a Water And Sewer Needs Analysis and a draft Vision and Goals statement were prepared and discussed with the Planning and Zoning Commission and Town Council.

After lengthy discussion, it was decided to add computerized Geographic Information Systems (GIS) mapping to the project. The Town Council approved this expansion of the project in June. At that time, Salisbury University's Mapping Sciences Group joined the Comprehensive Plan Team and began preparation of a database and computerized maps for the study area. The Team prepared a photographic overlay of the 2.5-mile radius study area centered on the crossing of Broad Creek and Central Avenue. Work was begun on existing land use, transportation, current Town and County zoning, environmentally sensitive areas, the Laurel Historic District and proposed extensions, water and sewer systems, a Framework for Future Land Use analysis, a Potential Growth and Annexation Area and a Future Land Use Plan.

Nutter Associates prepared a design concept for revitalizing the Town Center portions of the Broad Creek Greenway. The concept included the important idea of abandoning the use of existing Wastewater Treatment Plant Lagoon #3, because it is in the 100-year floodplain of Broad Creek. The planners and engineers recommended transforming this key 10-acre site into a Broad Creek Small Boat Recreational Harbor. The concept was presented favorably to the Planning and Zoning Commission and the Town Council. The Design Concept Analysis was also discussed with the Laurel Redevelopment Corporation, State Senator Robert L. Venables, Sr. and Governor Ruth Ann Minner and her staff at this time.

During August and September of 2003, Nutter Associates assisted George, Miles and Buhr and the Town Manager in preparing an analysis of anticipated future development for the purpose of designing upgrades to the Laurel Water and Wastewater Systems. Based on this development capacity analysis, the Town of Laurel submitted a 2003 Water Pollution Revolving Loan Fund Application to the State of Delaware on September 29, 2003 for the upgrade and expansion of the Laurel Wastewater Treatment Plant. During this time, a computer-controlled SCADA system was installed to coordinate the operation of Laurel's two freshwater wells. During the Fall of 2003 and Winter of 2004, plans were completed by George, Miles and Buhr for all aspects of the utility system upgrades.

In early October, a draft Greater Laurel Comprehensive Plan was prepared by the Project Team. Copies were placed in Town Hall and at the Laurel Public Library. An Executive Summary of the recommendations of the Plan was included in Laurel's Fall Newsletter and mailed to citizens and businesses. A Community Meeting was held at the Laurel Fire Hall on Wednesday, October 8, 2003. The draft plan was presented with the help of color

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maps and slides. There followed a lively discussion of the draft plan and its ideas. Town staff made a record of the meeting.

Following review of the draft by the Town and consideration of citizen comments, the Comprehensive Plan Team revised and supplemented the draft plan.

On November 6, 2003, the Draft Plan was submitted for review to the Delaware Office of State Planning Coordination, Delaware State agencies and Sussex County. Official LUPA comments from the State were received on January 12, 2004. Sussex County comments were received on February 2, 2004. On February 23, 2004, a special meeting was held in Laurel with State and County agencies to discuss the Potential Growth and Annexation Area recommended by the Plan.

The Mayor and Town Council conducted a work session on the plan on March 15, 2004. The Town of Laurel Planning and Zoning Commission approved The 2004 Greater Laurel Comprehensive Plan on March 25, 2004. The Town Council conducted a public hearing on the plan on March 29, 2004, responded to comments and adopted the Plan by ordinance as the official Comprehensive Plan of Laurel.

The Plan is now being transmitted to the Delaware Office of State Planning Coordination and Governor Ruth Ann Minner for certification by the State of Delaware.

Purpose of the Plan: Vision, Policy & Action Projects

The 2004 Greater Laurel Comprehensive Plan presents a vision, goals, objectives, policies and action projects for the future development of Laurel. The process is one that has engaged the Laurel community through interviews, discussions, a community meeting conducted in the Fire Hall, monthly meetings of the Planning and Zoning Commission and a Town Council public hearing.

The Plan presents concepts for new projects and initiatives. These include creation of a Broad Creek Small Boat Harbor that will recreate the water relationship between Laurel and the Nanticoke River. Also included are action projects to upgrade Laurel's water and sewer systems, revise its Zoning Ordinance and related codes, strengthen Town Center revitalization, continue the work of establishing a Broad Creek Greenway and Trail, improve Laurel's park system, strengthen planning for community facilities, establish a new Town economic development program, outline a public-private partnership for Town Center and Broad Creek revitalization (, improve transportation, identify land conservation measures for the surrounding countryside, provide a plan for potential growth and annexation areas and strengthen Laurel's planning relationships with Sussex County and the State of Delaware.

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Legal Basis of the Plan

In Delaware, Title 22, Chapter 7, Section 702, of the Delaware Code identifies the requirements for the Comprehensive Plan. These in turn are based on the Standard City Planning Enabling Act created for the nation by the Hoover Commission in 1926.

“§ 702. Comprehensive development plan.

(a) A planning commission established by any incorporated municipality under this chapter shall prepare a comprehensive plan for the city or town or portions thereof as the commission deems appropriate. It is the purpose of this section to encourage the most appropriate uses of the physical and fiscal resources of the municipality and the coordination of municipal growth, development and infrastructure investment actions with those of other municipalities, counties and the State through a process of municipal comprehensive planning.

(b) Comprehensive plan means a document in text and maps, containing at a minimum, a municipal development strategy setting forth the jurisdiction's position on population and housing growth within the jurisdiction, expansion of its boundaries, development of adjacent areas, redevelopment potential, community character, and the general uses of land within the community, and critical community development and infrastructure issues. The comprehensive planning process shall demonstrate coordination with other municipalities, the county and the State during plan preparation. The comprehensive plan for municipalities of greater than 2,000 population shall also contain, as appropriate to the size and character of the jurisdiction, a description of the physical, demographic and economic conditions of the jurisdiction; as well as policies, statements, goals and planning components for public and private uses of land, transportation, economic development, affordable housing, community facilities, open spaces and recreation, protection of sensitive areas, community design, adequate water and wastewater systems, protection of historic and cultural resources, annexation and such other elements which in accordance with present and future needs, in the judgment of the municipality, best promotes the health, safety, prosperity and general public welfare of the jurisdiction's residents.

(c) The comprehensive plan shall be the basis for the development of zoning regulations as permitted pursuant to Chapter 3 of this title. Should a jurisdiction exercise its authority to establish municipal zoning regulations pursuant to Chapter 3 of this title, it shall, within 18 months of the adoption of a comprehensive development plan or

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revision thereof, amend its official zoning map to rezone all lands within the municipality in accordance with the uses of land provided for in the comprehensive development plan.

(d) After a comprehensive plan or portion thereof has been adopted by the municipality in accordance to this chapter, the comprehensive plan shall have the force of law and no development shall be permitted except as consistent with the plan.

(e) At least every 5 years a municipality shall review its adopted comprehensive plan to determine if its provisions are still relevant given changing conditions in the municipality or in the surrounding areas. The adopted comprehensive plan shall be revised, updated and amended as necessary, and re-adopted at least every 10 years.

(f) The comprehensive plan or amendments or revisions thereto shall be submitted to the Governor or designee at such time as the plan is made available for public review. The municipality shall provide sufficient copies for review by the Governor's Advisory Council on Planning Coordination. The Advisory Council, within 30 days of plan submission, shall conduct a public meeting, at which time the municipality shall make a presentation of the plan and its underlying goals and development policies, except when the Advisory Council determines that the comprehensive plan, amendments or revisions are fully consistent with statewide land development goals, policies and criteria as adopted by the Governor or Cabinet Committee on State Planning Issues. Following the public meeting the plan shall be subject to the state review and certification process set forth in § 9103 of Title 29. If the Advisory Council determines that a public meeting is not required as provided above, the plan shall be submitted directly to the Governor or his or her designee for certification provided in § 9103 of Title 29. Any proposed comprehensive plan that has been submitted to the Office of State Planning Coordination prior to July 13, 2001, for review shall be exempt from the requirements of this subsection.”

Delaware requires that local Comprehensive Plans be certified by the Governor after review by state agencies. Also, as a result of Delaware’s passage of House Bill 255 in 2001, the Comprehensive Plan will play a significant role in decisions pertaining to potential growth and annexation. House Bill 255 requires that in order to be eligible for future annexation, a property must be evaluated for this purpose in a municipality’s adopted, and state-certified, Comprehensive Plan.

Once the Comprehensive Plan is certified, the Town has 18 months to upgrade its Zoning Ordinance to be “. . . in accordance with. . .” the Comprehensive Plan.

Section VII describes additional Plan implementation measures.