Current Land Use

In Odessa’s 1969 Comprehensive Plan, maps were developed depicting Land Use within the town at that time (Map 3) and a Land Use Plan for the Town (Map 4). During the last 30 years, the Land Use Plan has served as a guide for town officials for making land use decisions in Odessa. The two maps from 1969 are provided for reference. A key part of Odessa’s Comprehensive Plan 2001 is a reevaluation of land use within...
the town and a comparison of the older Plan to the current uses. From this
and in consideration of the Town’s current goals, a new Land Use Plan map
was developed.

Map 5 displays the current land use in Odessa. As would be expected in a
small historic town that has not annexed any property in its recent history,
much of the land within Odessa has been developed. However, there are
some parcels where new development or redevelopment is possible. There
are also two small residential subdivisions in town that have been plotted
and recorded but not developed to date.

Odessa has also recently amended its Zoning Ordinance to improve land
use management. The Ordinance, adopted by the Town Council in 1997,
establishes two basic zoning categories in the town – Single Family Resi-
dential and General Commercial. There is also a third zoning district,
Historic, that serves as an Overlay District. An Overlay District provides
an additional management tool for governing specific areas for a specific
purpose. Land uses within overlay zones are initially governed by the base
zoning, in this case either residential or commercial, and then governed by
the additional provisions specified in the overlay zone. Odessa established
the Historic District zone to ensure that the historic character of the town,
including its valued architecture, will be preserved for the future.

The Zoning Ordinance provides very detailed descriptions of the land use
activities permitted in each district. Map 6 displays the current zoning in
Odessa, including the historic district, and Map 7 provides the zoning in the
New Castle County area surrounding Odessa. The following land uses are
relevant to Odessa.

   Agricultural

In the 1969 Plan, a significant portion of the land in Odessa was used for
agriculture. Thirty years later, the agricultural land use that remains within
the town is relatively small and on lands prime for future development.
There are also a few parcels on the outer boundaries of the town where
there is agricultural activity. Some of those parcels are split by the Town’s
boundaries and are adjacent to developed areas within town. Therefore, in
the 2001 Plan the agricultural land use designation within Odessa has been
eliminated and lands where there may be some limited agricultural use are
now labeled as vacant.

   Residential

The predominant land use in Odessa is residential. Within the town there
are single-family detached homes and single-family attached homes, but no
multi-family dwelling units (apartments). The majority of residential
properties in Odessa are single-family detached homes. There are several
duplexes in Odessa, but no townhouses. The Town’s Zoning Ordinance,
revised in 1997, only permits the new construction of single family
detached homes.
Commercial

Commercial land use refers to property that is used for conducting business involving retail sales or services. Odessa has followed its 1969 Land Use Plan by locating most of the commercial activity in the western side of town along U.S. Route 13 south and within the island area between Route 13 north and south on the northern end of town. These areas are the only areas zoned commercial by Odessa. Unlike many towns, there is a very limited amount of commercial activity on Odessa’s Main Street and the businesses (bank, small shop) that are on Main Street are pre-existing uses to the 1997 Zoning Ordinance. There is also one pre-existing business (used car dealer) on the east side of Route 13 north.

At this time, much of the commercially zoned land in Odessa is either vacant or contains older structures that could be improved. The existing commercial activities in town include a gas station/convenience store, two day-care centers, a dance studio, an administrative office for a water utility, a pizza shop, a bank, a used car dealer, a karate studio, and a couple of small specialty shops.

Government/Community Services

These land uses, also called institutional land use, are associated with services that are provided by a local or State government or community groups. There are a significant number of properties used for government or community services, including the Old Academy Building (town hall), the Post Office, Volunteer Fire Company, Winterthur’s Historic Homes, the Odessa Women’s Club, the Delaware State Police, the Appoquinimink School District offices, and several churches. These institutional land uses are located on land zoned residential and have been included in the zoning ordinance as permitted uses in a residential district.

Parks/Recreation

There are three properties currently used for parks and recreation in town. On the western part of Odessa is Memorial Park, about 4 acres of grass field surrounded by trees owned and maintained by the Town for mostly passive recreation. Second, behind the Old Academy Building is land owned by the Town where there is a tennis court and some play-ground equipment for the public. The third property is a parcel on the east side of the river owned by the State that is used for launching small boats. The State also owns the parcel directly across the river from the boat ramp.
Open Space/Environmentally Sensitive Areas

This category of land use consists of lands that have no development on them and will never have development on them due to natural features or legal restrictions associated with the property. These lands generally include floodplains, wetlands, and steeply sloped areas. There are a couple of these areas in and adjacent to the northern and eastern part of town, in some instances forming a natural municipal boundary. There is also an open space area to the east of the Corbit-Sharp House adjacent to the River owned by the Buckworth family. Most towns provide some open space, including land that will remain in a natural state. Map 8 provides a general view of the 100-year FEMA floodplain and topography in and around Odessa. Although the floodplain boundaries would have to be surveyed for their exact location, most of these lands within the floodplains and steeply sloped areas should not be developed in the future due to the adverse environmental impacts of development.

Utility

Two small parcels in town are used for utilities. Both parcels are located on the west side of southbound Route 13 north of the intersection with Main Street. One of the parcels is owned by Chesapeake Utilities Corporation and used for a natural gas substation. The other parcel is owned by Bell Atlantic and used for telecommunication equipment.

Vacant

Vacant land refers to property on which there is currently no structure or on which there is a structure that has been abandoned. There are two basic types of vacant land – land that could and probably will be developed, and land that is usually associated with a nearby parcel and is unlikely to be developed (due to size, access, use as garden, etc.).

Land Use Plan

The Town’s Comprehensive Plan provides the legal basis to ensure that future development is consistent with this formally adopted vision for the Town. The Land Use Plan, Map 9, provides guidance for making future land use decisions by designating the type of land use desired for various sections of the town. The biggest impact of the Land Use Plan is its effect on the future use of vacant parcels.
Odessa has followed the Land Use Plan from the 1969 Plan fairly well during the last 30 years. It is basically a historic residential community with a few commercial services. In 1969, commercial land use was scattered throughout the town located among the residential properties. There were also a significant amount of agricultural and wooded areas around the interior perimeter of the town. The Land Use Plan proposed the commercial activity be concentrated on the west side of southbound Route 13, with residential and institutional activities dominating land use east of southbound Route 13. In 1997, Odessa added strength to many of the Plans intentions with a revised Zoning Ordinance and Map.

Most of Odessa is zoned residential with commercial zoning located only in the areas adjacent to Route 13 south on the western side of the roadway. The only exception to that is a parcel located between Route 13 north and south where a convenience store/gas station is located, and the parcel adjacent to this parcel to the south. There are a few other commercial operations within town on lands zoned residential, but they are non-conforming uses that were there for years preceding the zoning. The Zoning Ordinance specifies that if these properties discontinue commercial use for the period of one year, future use of the property is limited to residential.

There are a variety of land use issues that will have significant impacts on Odessa during the next ten years. The main issues that need to be discussed are presented here.

- The impact of SR1 and the Route 299 interchange located near the western boundary of the town. These impacts include the development of vacant land between Odessa and SR1, the traffic impacts on the town from Route 13 and Route 299, the potential for increased traffic on SR1 and its impact on air quality and noise, and the potential for increased development surrounding Odessa.

- The under-utilization of commercially zoned property within the town, much of which is currently vacant.

- The future development of key developable parcels.

- The increased development that is forecast to occur on lands surrounding Odessa. Additionally, the new Sanitary Sewer District proposed by New Castle County may enable the development of some lands that otherwise could not be developed because of the unsuitability of soils for septic systems.

**State Route 1**

The new toll road being constructed in Delaware as the major north-south transportation corridor for the state, SR1, will have direct and indirect impacts on most of the land along its path. Since the right of way of this limited-access road is very close to Odessa, cutting into the northwest corner of the town, and there is an interchange on Route 299 about a half
mile from the Town’s western boundary, there will be significant impacts on Odessa. At this time, SR1 is completed from I-95 near the Christiana Mall exit to just south of Odessa and from north Smyrna to Dover. The last phase of work, which will complete SR1 by connecting south of Odessa to north Smyrna, is scheduled for completion in the year 2003. Therefore some of the impacts to Odessa may not be fully realized for several years.

The most direct impact will be an increasing pressure for development of parcels between Odessa and SR1. Most of this land is currently vacant fields and there are few environmental constraints for development. Most of the parcels within Odessa are zoned Residential; those in New Castle County are zoned either Suburban (which allows a range of residential uses) or NC 40, which only permits single family residential on minimum 40,000 square foot lots.

Additionally, Odessa may experience a gradual decrease in the traffic passing through town on Route 13 as more vehicles choose the convenience of SR1 with its tolls over the stop and go hassles of the “free” Route 13. It is also likely that much of the peak traffic occurring during summer weekends will utilize SR1. However, the interchange may also attract traffic from the east which would use Route 299 and pass through town.

**Underutilization of Commercial Property**

A windshield survey of commercially zoned properties in Odessa indicates that much of the commercial land is either vacant or underutilized. Since these properties have the potential to provide necessary services to residents of the town in addition to greater tax revenues for the Town’s operating budget, efforts should be made to improve the use of these properties. This will be a challenge, since the benefits for the residents of decreased vehicular traffic on Route 13 will probably have the opposite effect on the viability of existing and potential commercial establishments. Traditional commercial uses for the vacant commercial properties located along Route 13 within town, like retail stores or restaurants, might have a difficult time attracting sufficient customers. However, the Town is one of the most unique historic communities in the State and may be able to utilize that unique characteristic in assisting the property owners in marketing these properties. The Town should discuss the development of a strategy to try to maintain the viability of the commercial activity in town. The Town should also consider encouraging an alternative use of some of some vacant commercial property, particularly areas that sit back from the Route 13 frontage.

**Key Vacant Developable Parcels**

There are six parcels in Odessa that are currently vacant that will impact the Town when developed. These parcels are numbered 1 through 6 on Map 9, the Land Use Plan.

**Parcel 1** is commercially zoned land at the northern entrance to Odessa west of Route 13 south. The rear part of this parcel was bought by the State
for SR1. The parcel has significant frontage on Route 13 south, but is
difficult to reach because of the configuration of the roadways. It is
important that the commercial use proposed for this site is attractive since it
is at the entrance to Odessa. The parcel has good exposure to regional
traffic since it backs to SR1, helping to make it a marketable property for
the right use and if roadway access can be improved.

Parcel 2 is residentially zoned property located adjacent to Memorial Park
between the Park and SR1. Since the land is adjacent to the Park, there is
currently a unique opportunity for Odessa to double the size of its main
Park. An expanded Park would provide the opportunity to accommodate
more active recreational facilities, like fields for softball or soccer and pet
walking areas. Vehicular access could also be improved with the additional
parkland, providing more space for a small parking lot and entry way. Since
this parcel is located adjacent to SR1, the rear of the property could be
developed with trees or plantings to help screen the negative visual and
noise effects of this roadway. It is recommended that Odessa initiate
discussion with the State to determine if there is funding assistance avail-
able since Odessa does not have the financial capability to purchase this
land without assistance.

Parcel 3 is a large residential zoned property located along Route 299 to
the west of the town that is partly within Odessa and partly in New Castle
County. Since this parcel is split by the two jurisdictions, the owner may
approach Odessa for annexation. The Town’s current policy towards
annexation has not been clearly articulated, although there has not been an
annexation in Odessa for decades. The Town Charter requires a general
referendum of the voting residents for approval of an annexation. This
procedure can be found in other towns in Delaware, however it is more
common to have the power to approve annexations provided to the Town
Council. After discussing this issue, it is clear that Odessa wants the power
to annex to remain an issue to be decided by the residents.

This large parcel to the west of Odessa is partly within the town and partly
within New Castle County. Currently, both Odessa and New Castle County
zone this property for some type of residential development. Although the
property may be attractive for some commercial development due to its
proximity to SR1, it is best suited for residential use. Certain community
uses, such as schools, would also be acceptable.

This parcel has a fairly unique
and prominent location in the
town. Because it is situated
near SR1 and along Route 299,
it serves as an important and
visible gateway into Odessa.
The property is also adjacent to
Memorial Park, and is currently
within a residential area. If a
residential use is developed on
this property, consideration
should be given to alternative
design strategies for the parcel. The goal of these strategies would be to allow a development that is compatible with the style and character of the town and the existing neighborhood, to encourage the integration of open space with Memorial Park, and to ensure adequate buffering of the residences from the highway. Two design strategies that may be used on this parcel are Cluster Development and Neo-Traditional Design.

Cluster Development is a design strategy that encourages the preservation of open space and environmentally sensitive features. In traditional suburban style zoning regulations, all land must be contained within lots. In this style of development there is usually no opportunity for parks or other open spaces to serve the development. Also, it is difficult or impossible to preserve important environmental features of the site, such as wetlands, woodlands, and farmlands. These features are typically incorporated into individual lots and transformed into private yard areas.

Cluster development techniques regulate the density of development on a parcel, while allowing some design flexibility in order to preserve open space. The number of houses will be the same with either style of development. The difference is a cluster development might have smaller lots and narrower streets in order to preserve open space. The preserved open areas might be managed in common by the homeowners association, transferred to the town as parkland, or leased to a local farmer.

Another option for the Town to consider would be to allow developers to utilize Neo-Traditional Design techniques. These design techniques seek to mimic and improve upon design styles that were prevalent before World War II. Some characteristics of these styles include grid street patterns, shallow front and side setbacks that place the front of the houses close to the street, narrow lots, and sidewalks. Although these characteristics describe most of the historic areas of Odessa, the current Zoning Ordinance would not allow these styles to be used in new developments. As a result, any new development on this parcel will more closely resemble the homes currently being constructed in suburban New Castle County rather than the typical homes found in Odessa.

This parcel may be the perfect opportunity to combine Cluster Development with Neo-Traditional Design techniques. Through the cluster techniques, open space could be preserved for active recreation adjacent to Memorial Park and also for a substantial buffer along the SR1 right of way. Within the remaining buildable area on the parcel a housing development utilizing neo-traditional design techniques could be constructed which would complement the historic character of Odessa. There are several areas in Odessa where this type of design could be used.

There would be traffic impacts from any type of development on this property, but the interchange would provide some relief to downtown Odessa. A change in the Odessa Zoning Ordinance would be needed to enable Cluster Development and Neo-Traditional Design.

Parcel 4 is a property located to the west of Route 13 south that is currently zoned commercial. This area has some frontage on Route 13 but the rear of
the property extends completely along a developed residential area. The area along Route 13 is adjacent to a couple of small commercial uses and this area should remain commercial. However, the area behind this commercial strip could be developed as a neo-traditional designed residential area. This mixed-use for this property should make it more attractive for development, should lessen the traffic impacts that would result if the entire area was developed commercial, and would keep the area consistent with the adjoining land uses to the rear of the property which is its longest boundary. It should be noted that the Land Use Plan from 1969 also envisioned the use of this land for residential purposes. The properties adjacent to Route 13 should remain for commercial use. A change in the Odessa Zoning Ordinance would be needed to permit this land use.

Parcel 5 is a plotted tract of land consisting of 13 subdivided lots on about 9 acres. The subdivision was recorded before the Zoning Ordinance was adopted in 1997, but no improvements have been made to the site to date. The design of this proposed subdivision, consisting of three curved streets ending in cul-de-sacs and curvilinear building lots, is out of character with the overall layout of the town. This parcel is another example where if the Zoning Ordinance permitted clustering and neo-traditional design techniques, there could be an opportunity to improve this subdivision to better fit the character of the town.

Parcel 6 consists of about 20 acres of open space located behind several parcels to the south of Main Street near the Appoquinimink River. The property has limited accessibility and is reportedly deed restricted to remain as open space, but deed restrictions can vary in their enforceability and will always require legal council. This open land provides a nice vista from the front of the Corbit-Sharp House as well as from several of the adjoining properties. Development of this parcel would have a number of impacts on the Town including traffic, noise, and the visual aesthetics of this part of historic Odessa. Additional actions may be needed to ensure it remains as open space.

Effects of Southern New Castle County Sewer District

Recently New Castle County has released its boundaries for the development of a Southern New Castle County Sanitary Sewer District, shown in Map 10. All new major development within the district is proposed to be connected to this sewer system. The construction of this new sewer system will help to ensure that groundwater in this area will not be contaminated by the effluent from septic systems. However, the availability of sanitary sewers may also facilitate the development of land that could not be developed with septic systems due to poor soils. It may also facilitate the development of homes on smaller lots than would be permitted if the lands were developed with septic systems. This coupled with the improved transportation corridor provided by SR1 would probably increase development around Odessa during the planning period.
RECOMMENDATIONS

1. The Plan recommends that the potential annexation of properties to the west and south of the town be discussed; no consideration should be given to the annexation of land to the north and east. The evaluation should include the ability to manage the new development and the revenues versus the costs to the Town. Any annexation to Odessa must be approved by a town referendum.

2. A strategic plan should be developed for increasing and improving the use of the commercial properties in Odessa. This plan could include increased marketing of the historic character of the town, increased cooperative ventures with the State including improved access to Odessa’s commercial properties, and the rezoning of selected parcels.

3. An amendment to Odessa’s Zoning Ordinance should be considered to permit the option of clustering residential dwelling units in order to promote neo-traditional housing designs that would complement the historic character and small town feeling of Odessa.

4. The Plan recommends that the Odessa Zoning Ordinance be amended to allow recorded development plans to be unrecorded, or “sunset” when no improvements have been made to the site within a specified time period.

5. The Plan recommends that the Zoning Ordinance be amended to prohibit the construction of any structures in environmentally sensitive areas, including the 100-year floodplain and on steeply sloped areas.
6. The Plan recommends that the Town pursue the development and adoption of Historic Design Guidelines.

7. The Plan recommends an assessment of the costs and benefits of acquiring the property adjacent to Memorial Park for expanding the Park. This assessment should include future uses of this property for recreation, the funding assistance that may be available, and the long-term maintenance costs. If this property is included as part of the development plans for the adjacent parcels, efforts should be made to dedicate some of this land for open space as a buffer between the Town and the new development.