



# 2014

## COMPREHENSIVE PLAN

PREPARED BY



SEPTEMBER  
2014



**NEWPORT MAYOR & TOWN COMMISSION**

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John Joswick Vice Mayor  
Kathy Joseph, Commissioner  
Tim Chatburn, Commissioner  
Michele MacDonald, Commissioner

Wendy King, Town Manager

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## **1.0 INTRODUCTION: LIVABLE DELAWARE**

### **1.1 House Bill 396**

In June of 1998, the Delaware General Assembly adopted House Bill 396 ("HB 396"), which provided for each municipality in the State to undertake a community-based planning process to develop a Comprehensive Plan regulating growth in the community. The Assembly's goal in adopting HB 396 was:

*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<sup>1</sup>.*

HB 396 (b) defines a Comprehensive Plan as "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".

Once completed and adopted, a municipality's Comprehensive Plan will be used as the basis for zoning decisions, infrastructure spending, annexation decisions and redevelopment and general growth policies.

HB 396 also requires that each municipality in Delaware review its Comprehensive Plan at least every five (5) years to determine its relevance given changing conditions in a community. The Plan must be fully revised and formally readopted at least every ten (10) years.

The Town of Newport first adopted a Comprehensive Plan in May 2003. The Town was granted a waiver from the 5-year review by the Office of State Planning in 2008. Upon acceptance by the Town Commission and State, this document will constitute the mandatory 10-year Comprehensive Plan revision and reoption.

### **1.2 Managing Growth in 21<sup>st</sup> Century Delaware**

In December of 1999, the Governor's Cabinet Committee on State Planning Issues published a report focusing on how Delaware and its 57 individual municipalities can manage the explosion of growth occurring in the state. Policies related to sprawl management ("Smart Growth"), environmental issues and business concerns and their collective impact on public sector spending were addressed. The result was a series of initiatives designed to shape Delaware's future. At its heart, these growth management initiatives are grounded in sound planning principles.

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<sup>1</sup> HB 396 (a)



### **1.3 House Bill 255**

In July of 2001, House Bill 255 was signed into law. Said Bill amended various land use laws in the State of Delaware and, most notably, strengthened the role that Comprehensive Plans play in a county and a municipality. Such a document is required to, in general, review the existing conditions in a particular county and municipality, outline community goals and objectives and state policies regarding how the community plans to achieve said goals and objectives.



## **2.0 NEW CASTLE COUNTY COMPREHENSIVE PLAN**

### **2.1 Background**

The current *New Castle County Comprehensive Development Plan* was first adopted in 1988 ("1988 Plan"), and updated in 1997 ("1997 Plan Update"), 2002 ("2002 Plan Update") and 2007 ("2007 Plan Update"). The 1988 Plan superseded the County's previous plan, which had been in place since 1967.

The 1988 Plan established long-term development goals for New Castle County based on growth management principles. The 1997, 2002 and 2007 Plan Updates refined these goals in accordance with sound land use principles, demographic trends and land use patterns occurring during these planning periods. The 1988 Plan and the subsequent Plan Updates established objectives and implementation strategies to guide policy decisions for the County.

The State's 1988 Quality of Life Act requires a Comprehensive Development Plan Update to include the following elements:

- Economic Development,
- Conservation (including Agriculture),
- Recreation and Open Space,
- Intergovernmental Coordination,
- Water and Sewer,
- Future Land Use,
- Stormwater Management (optional).
- Housing,
- Historic Preservation,
- Accomplishments,
- Mobility,
- Community Facilities,
- Community Design (optional), and

### **2.2 2012 New Castle County Plan Update**

The County's 2012 Plan Update is aligned with the agenda items listed in the "Livable Delaware" program introduced in 2001. Its objectives and strategies are aimed directly at refining the County's growth management program and County Code in accordance with the State's "Spending Strategies" defined under the "Livable Delaware" initiative while still addressing the requirements of the "Quality of Life Act."

The County's 2007 Plan Update set forth a lengthy vision of New Castle County's future based on several critical components. These components remain the basis of the 2012 Vision. These key components continue to rely upon four core principles of community planning:

1. Support blending and connecting of new growth to existing communities.
2. Emphasize the need to locate appropriate new growth areas and support redevelopment in established communities as a method of preserving valuable, limited resources while controlling infrastructure costs.





3. Require the coordinated delivery of public and private sector services to meet the needs of residents.
4. Recognize that an equitable sharing of the costs and benefits of growth comes by expecting that growth in infrastructure or services should pay for itself.

Since the *2007 Plan Update*, the world experienced what has been termed The Great Recession, which had a significant adverse impact on housing, employment, and economic growth. To that end, much of the growth anticipated in the *2007 Plan Update* did not occur. Development which did occur, followed a pattern which had been planned for and anticipated.

In general, the *2012 Plan Update* is very similar to its predecessor. However, unlike prior *Plan Updates*, this *Update* will be in effect for a 10-year period. Accordingly, the focus of this *Plan Update* is to look further out than in past efforts. As a result, while long-term changes proposed will not directly impact most established residential communities in the County, residents may see redevelopment in the form of new businesses where vacant buildings now stand or new multi-story developments that contain commercial and residential spaces where strip malls sit today. Growth in southern areas of the County will continue, but may look somewhat different under the policies proposed in this *Comprehensive Development Plan* than it would under current County code.

While governed by its own zoning, the Town of Newport is located in a Professional Office Zone within what the County terms the Lower Christiana Planning District. Pertinent to Newport, the following growth management goals, objectives and strategies are established for Zone and District:<sup>2</sup>

### **Goals**

1. *Continue to designate those locations appropriate for growth and the densities best suited to meet present and future needs.*
2. *Continue to manage growth to fulfill sustainable housing and employment needs of present and future citizens while preserving vital resources.*
3. *Continue to ensure that new development and redevelopment allow flexibility for innovative planning while reflecting the design of existing surrounding communities.*

### **Objectives**

1. *Continue to manage new growth consistent with Smart Growth Principles that require adequate facilities and concurrency as well as protection of important resources.*
2. *Continue to guide new development to Northern New Castle County to achieve greater use of existing infrastructure and public resources.*

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<sup>2</sup> 2012 Plan Update: Section 3.4





3. *Continue to support new residential development strategies of the incorporated areas and municipalities to help guide new growth to cities and towns.*
4. *Continue to guide mixed use, mobility-oriented growth and infill into the Commercial/Office/Industrial Development Areas.*
5. *Continue to support infill and growth in the Existing Community Areas.*
6. *Continue to ensure that sufficient quantities of non-residential lands are preserved to support commerce and projected employment opportunities.*
10. *Continue to create greater densities and housing diversity through development and expansion of mixed-use centers and village/hamlet communities.*
11. *Continue to encourage redevelopment and infill projects that complement and enhance existing neighborhoods and restore older commercial centers as vital components in the community.*
12. *Continue to encourage the use of design guidelines to complement and enhance the area and surrounding community.*
13. *Continue to provide support and assistance to distressed communities in the Existing Community Area and reduce the number of vacant or under-maintained residential properties in the Existing Community Area.*
15. *Continue to preserve and enhance areas within New Castle County that have a unique character that are threatened by conventional suburban development.*
17. *Create additional zoning classifications to acknowledge and preserve the commercialized urban and highly developed areas of the County.*

**Strategies:**

1. *Build sustainable communities by:*
  - a. *Incentivizing high tech, research and development and small businesses;*
  - b. *Developing mobility friendly design standards;*
  - c. *Creating a mechanism for the creation and adoption of design guidelines tailored to specific mixed use areas; and*
  - d. *Continuing to support and facilitate the location of schools, parks, libraries and other public services in designated growth areas and centers.*



2. *Increase permanently preserved land through a modified Transfer of Development Rights (TDR) program which would direct development to areas which are appropriate for additional development.*
3. *Develop a practical TDR program and evaluate the size and availability of the receiving area. To the extent that the size of the receiving area expands, ideas such as offering the ability to extend infrastructure to sites outside the New Community Development Area in exchange for mandatory purchase of development rights and higher density construction may be considered.*
4. *Develop an appropriate zoning district to recognize traditional development in the older commercial centers.*
5. *Revise the UDC to reduce permissible density when only single use commercial development is proposed along existing strip corridors identified for redevelopment. Increase density to encourage mixed use on transit corridors.*
6. *Develop a zoning classification to recognize commercial areas that are neither regional nor neighborhood in nature.*
7. *Continue to adopt the most recent ICC Building Codes to ensure that new construction is built to current standards, with materials found to ensure safe structures and with energy efficient (green building) incentives.*
8. *Identify at-risk areas for property maintenance, neighborhood and open space improvement projects, including preventative measures.*
10. *Continue to partner with DNREC to update, adopt and implement a revised Water Management Code.*
11. *Complete the evaluation of stormwater management techniques, including the feasibility of a stormwater utility.*
12. *Work with government and non-profit agencies and organizations to develop frameworks for strengthening distressed and at risk communities, which may include community development corporations, home ownership assistance programs, redevelopment initiatives, application of grants and coordinated community intervention.*
13. *Work with property owners, the business community, the State Economic Development Office and elected officials to identify properties in the New Community Development Area that are appropriate for non-residential development.*



The 2012 Plan Update is effective from July 1, 2012 through June 30, 2022, and provides a blueprint for future development and redevelopment in New Castle County. Changes to the Unified Development Code, rezonings and capital programs must all be reviewed within the context of conformity with this Plan Update.

### **2.3 Relationship of County Plan to Newport Comprehensive Plan**

The concepts underlying Newport's *2014 Comprehensive Plan* are designed to work in concert with and advance the goals and objectives of the New Castle County Comprehensive Plan, as revised through the *2012 Plan Update*. As such (and in addition to the excerpts of the *2012 Plan Update* included herein), this *Comprehensive Plan* incorporates by reference the contents of the County's *2012 Plan Update*.



### **3.0 2014 NEWPORT COMPREHENSIVE PLAN**

#### **3.1 Statutory Requirements**

HB 396 (b) mandates that all municipal Comprehensive Plans address the jurisdiction's position on:

- population and housing growth
- expansion of its boundaries
- development of adjacent areas
- redevelopment potential
- community character and general uses of land within the community
- critical community development and infrastructure issues.

This section further requires:

*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.*

#### **3.2 Population Threshold**

The population for the Town of Newport as reported by the 2010 Census is 1,055.<sup>3</sup> Based on the requirements of HB 396 and the population of Newport, specific issues to be addressed in this Comprehensive Plan include:

- A Community Profile addressing population, housing, community services and infrastructure issues,
- Transportation,
- General Land Uses and development of adjacent areas, and

<sup>3</sup> US Census: 2010 Demographic Profile



- Critical Community Development issues such as expansion of boundaries (annexation) and redevelopment.

### 3.3 This Document

This document, entitled 2014 Comprehensive Plan, Town of Newport, New Castle County, Delaware (hereinafter referred to as the “2014 Comprehensive Plan” or “2014 Plan”), supersedes the Town's 2003 Comprehensive Plan (hereinafter referred to as the “2003 Comprehensive Plan” or “2003 Plan”), and provides a discussion of the issues currently faced by the resident and businesses in Newport and outlines strategies and recommendations to address those issues. The Plan was developed with the guidance of Newport's Town Commission and a steering committee / Task Force comprised of the Mayor, Chief of Police and local citizens. The recommendations contained herein, along with the maps developed for this Plan, are designed to assist Newport's leaders in their efforts to maintain and enhance the quality of life in the town.

### 3.4 Process

In the summer of 2013, Newport's Mayor and Town Commission initiated a Steering Team process for the statutorily-mandated update to the Town's 2003 Comprehensive Plan. Working with the Town Manager, the Steering Team first met on July 18, 2013 and has met regularly since. The result of these meetings, which have been open to the public, is this 2014 Comprehensive Plan.

As part of this process, the Town commissioned **Remington, Vernick & Beach Engineers** (“RVB”) to provide technical assistance to the Steering Team and to prepare the actual Comprehensive Plan document.

Revisions to the draft Plan, based on comments at the above-cited public meetings, were made and a final draft was submitted to the Town Commission on September 18, 2014. The Commission adopted Resolution No. 2014-001 referring the draft to the State Planning Coordination Office and the New Castle County Department of Land Use for endorsement.

A submission draft of the 2014 Comprehensive Plan was delivered to the Town Commission and presented at a public Commission meeting on November 20, 2014. A separate public workshop was also conducted on November 20, 2014 and a presentation of the plan was provided during two separate sessions.

After the 30-day review period, comments received from the State and County were reviewed by the Town Commission, which held a public meeting concerning these comments on December 18, 2014. After incorporating said comments as appropriate, the *2014 Comprehensive Plan for the Town of Newport* was formally adopted via Newport Council Ordinance No. 2014-001.



#### **4.0 COMMUNITY PROFILE: TOWN OF NEWPORT**

The Community Profile for the Town of Newport is provided as a description of the character of the Town (and the area surrounding Newport, as appropriate) based on the information available from the U.S. Census Bureau, the Delaware Population Consortium, various internet sources and input by and direction from Town officials.

##### **4.1 Physical Profile<sup>4</sup>**

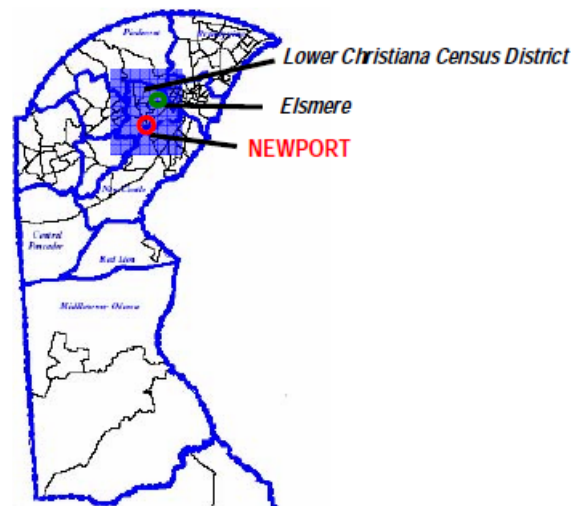
The Town of Newport is located in the north central portion of the State of Delaware in New Castle County (39.71° north, 75.6° west). Newport is located 97 miles north of Washington D.C. and 38 miles from Dover, the State capital.

The incorporated land area of Newport is 0.46 square miles, including .01 square miles of surface water areas.

##### **4.2 Location**

The Town of Newport is located above the Chesapeake and Delaware ("C&D") Canal in the northern portion of New Castle County in what has traditionally been called the "Lower Christiana Census District".

The major defining characteristic of the Town's geography is the Christina River, which forms Newport's southern boundary line.



##### **4.3 Town History**

Newport is among the oldest communities in Delaware, tracing its roots to the early colonial days of the Country. Since its inception, Newport has been a crossroad of commerce for the State. The "Old Kings Road", which traveled from Philadelphia to Baltimore, ran through the lands where Newport now stands.

In 1735, John Justis (Justis Street) purchased 100 acres of land from a Maryland Landholder in order to build a town for business purposes. Justis saw the potential for trade in this area, which bordered on the Christina Creek and thus was already in use for shipping grains and other materials.

In 1735, Samuel Marshall purchased 18 acres from Justis and laid out lots for sale. This first "town plan" marks the founding what was to become Newport. Many of the street names created during the early development are still in use today, including Ayre Street, Augustine Street, John Street and James Street.

<sup>4</sup> Exhibit 8.1, Exhibit 8.2 & Exhibit 8.3





By the late 1700s, Newport had developed into a bustling port town, with warehouses and wharves built along the shores of Christina Creek. The primary trade commodities were grain, flour and crops grown on farms in Delaware and Pennsylvania.

Newport's location as a stage coach (relay) stop along Kings Highway made the Town an important commercial hub for the young nation. Under the newly created United States Postal Service, Town resident Wm. Robeson was commissioned Newport Postmaster in 1792 and oversaw the creation of one of the first Post Offices in the United States in March 1793. The location of this structure is generally believed to be the corner of James and Market Streets in downtown Newport<sup>5</sup>.

Newport continued to thrive as a commercial center into the early 1800s. In 1818, the Newport-Gap Pike (toll road) was constructed, which attracted significant commercial development to the area.

Newport's seaborne growth continued until the mid-1800s, when the Philadelphia, Wilmington and Baltimore Rail Road Company extended its tracks through the Town. As rail service surpassed shipping for the transport of freight, Newport began to see a decline in its (port-oriented) industry.

In order to maintain a thriving economy, Newport was forced to change its commercial focus. By the latter part of the 1800s, the Town's industry had shifted to tanning and fertilizer production, thus keeping pace with the changing mode of cargo transportation.

This period saw the establishment of a significant mercantile sector in Newport, with the addition of the Newport National Bank, five (5) general stores, six (6) taverns and other commercial operations.

Newport was incorporated as a Town on April 17, 1873. The Town was formed as a Commission form of government, with five (5) Commissioners elected at large. This form of government remains in place today.

By the 1900s, northern Delaware had joined the Industrial Revolution, led by the Du Pont Company. Newport participated in the State's burgeoning chemical industry when, in 1908, Henrik J. Krebs built a chemical and pigment plant along Christina Creek<sup>6</sup>.

With the advent of mass automobile ownership and the interstate highway system of the post-war<sup>7</sup> era, the Newport area became and remains today a desirable place to live. Residential development in and around Newport<sup>8</sup> took advantage of the Town's proximity to employment centers such as Wilmington and Philadelphia to provide suburban living to City employees.

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<sup>5</sup> Original Post Office decommissioned in June 30, 1945, with services relocated to the present Post Office operation.

Information regarding the Newport Post Office was provided by Town Officials.

<sup>6</sup> Much of that plant remains today under the ownership of BASF.

<sup>7</sup> WWII

<sup>8</sup> Stonehurst, Newport Heights, Lyndalia, Silview, Gordy Estates, Westview and Forest Brook Glen





Throughout this period, the Town government provided essential services, including trash collection and police. The Town maintained a landfill near the Christina River at what is now the Newport Industrial Park.

In the early 1960s, construction of Interstate 95 (I-95) took place just south of the Newport town limits. Additionally, residential development to the north and west of Newport created the need for a major north/south thoroughway linking Kirkwood Highway to I-95. In the 1970s the Delaware Department of Transportation<sup>9</sup> planned and constructed State Route 141 through the middle of Newport. The construction of this highway, although providing a great service to the motoring public, had a negative impact on the appearance and character of the Town.

The 1980s heralded more changes for Newport. In 1984, faced with the increasing complexity of managing a municipality, the Commissioners proposed and received approval for a Charter change to allow for the hiring of a Town Manager. Also in 1984, Newport privatized its municipal water system, transferring this antiquated system to the Wilmington Suburban Water Company.

The 1980s also saw the development of the Newport Industrial Park at the site of the (former) municipal landfill. Developers<sup>10</sup> recognized the potential of Newport as a location for commercial real estate and constructed numerous warehouse-type buildings that have contributed greatly to the town's tax base. Additional development was enabled by the annexation of a tract of land in 1991, which led to the construction of over 10,000 s.f. of premium office/warehouse space.

In 2007, BASF petitioned the Town government to annex several acres of land into Newport. After annexation, the company embarked on a \$130 million project to create one of the most advanced pigment manufacturing operations in the world. The investment by BASF, along with similar initiatives at Air Liquide's manufacturing facility on Water Street, significantly reduced the environmental impacts of their operations to the benefit of the citizens of Newport.

#### **4.4 Municipal Government**

Newport has a non-partisan Commission/Town Manager form of government. The Town Commission consists of five (5) Commissioners, all of whom serves at-large for two (2) year terms. One Commissioner is selected by the body to serve as Mayor and one is selected to serve as Vice Mayor. The Mayor presides over all Commission meetings.

Day-to-day operations for Newport are the responsibility of a full-time, professional Town Manager. This individual, appointed by the Town Commission, oversees the Town's finances and personnel matters, manages capital projects and solicits for and administers grant funds, supplies and equipment. The Town Manager directly supervises all municipal employees.

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<sup>9</sup> DelDOT

<sup>10</sup> The Harvey family (Harvey & Harvey, Inc. and HDC, Inc.), the Schmuessers (Active Crane Rentals).



A Board of Adjustment, consisting of the Mayor, Town Solicitor and a resident appointed by the Commissioners, hears appeals for variance relief from the Town's Zoning and subdivision ordinance. Such relief is required when a desired use or any physical aspect of a proposed development does not conform with the requirements of the said ordinances.

#### 4.5 Population<sup>11</sup>

With a 2010 population of 1,055 and approximately 425 households, Newport is a small town with a suburban character.

Census data collected by the US Census Bureau over the decades reveals that Newport's population first topped 1,000 people during the 1940s. Since then, population has fluctuated from a high of 1,366 (1970) to the current low of 1,055. While the Town's current population is just under 6% lower than a decade ago, indications are that this shift reflects background population adjustments and is not a trend (and thus is no cause for concern).

Table 1 depicts the population of Newport and the percentage of population change from decade to decade between 1940 and 2010<sup>12</sup>. It is our opinion that the population will remain relatively unchanged in the future with modest growth in the range of 150 to 200 people over the next ten years to twenty years. The current housing stock in the Town is more than adequate to handle any modest increase in population.

Year	Newport	% Change	Elsmere	% Change	New Castle County	% Change
1940	987		1,630		179,562	
1950	1,171	18.6%	5,314	226.0%	218,879	22.0%
1960	1,239	5.8%	7,319	37.7%	307,466	40.5%
1970	1,366	10.3%	8,415	15.0%	346,674	13.7%
1980	1,167	-14.6%	6,493	-22.8%	367,562	4.5%
1990	1,245	6.7%	5,935	-8.6%	441,946	20.2%
2000	1,122	-9.9%	5,800	-2.3%	500,265	13.2%
2010	1,055	-5.9%	6,131	5.7%	538,479	7.6%

**Table 1: Population Trend Comparison (Newport, Elsmere & New Castle County)<sup>13</sup>**

<sup>11</sup> US Census: DP-1: Profile of General Population and Housing Characteristics: 2010: 2010 Demographic Profile Data

<sup>12</sup> The population growth for New Castle County is attributed to an explosion of residential construction in the southern section of the county, specifically the Middletown-Odessa Census County Division.

Included for comparative purposes is the population of nearby Elsmere as well as the population of New Castle County as a whole.

In 2010, the Delaware Office of State Planning Coordination reported\* that the State's population in incorporated places (Cities or Towns) had fallen to just over 27%. More than 72% of Delawareans live in non-incorporated areas.

\* Delaware Strategies for State Policies and Spending. 2010



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Table 2A provides population projections for the Lower Christiana Census District from 1990 to 2020, showing a decrease in population in this District of approximately 10% during this time period.



While an updated projection for the Lower Christiana Census District was not available for this 2014 Comprehensive Plan, Table 2B provides population projections for New Castle County from 2010 to 2040. These projections show an approximately 15% increase in the County's population during this time period.

Year	Population
1990	36,543
2000	35,615
2005	34,837
2010	34,059
2015	33,299
2020	32,830

**Table 2A: Population Projections  
(Lower Christiana Census Division)<sup>13</sup>**

Year	Population
2010	539,519
2015	558,408
2020	578,300
2025	595,007
2030	606,902
2035	614,716
2040	619,820

**Table 2B: Population Projections  
(New Castle County)<sup>14</sup>**

Table 3 and Table 4 present Census Bureau summaries of age, gender and race of the residents of Newport<sup>15</sup>.

Age	Male	Female	Total
Under 5 years	39	34	73
5 to 9 years	43	32	75
10 to 14 years	46	26	72
15 to 19 years	34	19	53
20 to 24 years	35	42	77
25 to 29 years	46	49	95
30 to 34 years	35	38	73
35 to 39 years	43	35	78
40 to 44 years	41	40	81

Age	Male	Female	Total
45 to 49 years	31	44	75
50 to 54 years	40	38	78
55 to 59 years	40	33	73
60 to 64 years	27	26	53
65 to 69 years	5	17	22
70 to 74 years	12	13	25
75 to 79 years	10	14	24
80 to 84 years	6	10	16
85 years +	4	8	12

**Table 3: Newport Population Demographics  
for Census Year 2010  
(Age & Gender)**

<sup>13</sup> 2002 Comprehensive Plan: p. 11

<sup>14</sup> Delaware Population Consortium: Population Projection Series (October 25, 2012)

<sup>15</sup> US Census: DP-1: Profile of General Population and Housing Characteristics: 2010: 2010 Demographic Profile Data



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Race <sup>16</sup>	Number	Percentage
One Race	1,019	96.6%
White	715	67.8%
Black or African American	194	18.4%
American Indian & Alaska Native	3	0.3%
Asian	16	1.5%
Asian Indian	4	0.4%
Chinese	1	0.1%
Filipino	2	0.2%
Other Asian <sup>17</sup>	9	0.9%
Some Other Race	91	8.6%
Two or More Races	36	3.4%
White; American Indian & Alaska Native	1	0.1%
White; Asian	3	0.3%
White; Black or African American	17	1.6%
White; Some Other Race	6	0.6%
Race alone or in combination with one or more other races: <sup>18</sup>		
White	744	70.5%
Black or African American	220	20.9%
American Indian & Alaska Native	9	0.9%
Asian	21	2%
Native Hawaiian & Other Pacific Islander	2	0.2%
Some Other Race	100	9.5%
Hispanic or Latino		
Hispanic or Latino (of any race)	202	19.1%
Mexican	108	10.2%
Puerto Rican	54	5.1%
Cuban	3	0.3%
Other Hispanic or Latino <sup>19</sup>	37	3.5%
Not Hispanic or Latino	853	80.9%

<sup>16</sup> Response of Zero for Japanese, Korean, Vietnamese, Native Hawaiian, Guamanian or Chamorro, Samoan and Other Pacific Islander deleted for brevity.

<sup>17</sup> Other Asian alone, or two or more Asian categories.

<sup>18</sup> In combination with one or more of the other races listed. The six numbers may add to more than the total population, and the six percentages may add to more than 100 percent because individuals may report more than one race.

<sup>19</sup> People whose origins are from the Dominican Republic, Spain and Spanish-speaking Central or South American countries. Includes general origin responses such as "Latino" or "Hispanic."



Race <sup>20</sup>	Number	Percentage
Hispanic or Latino & Race		
Hispanic or Latino	202	19.1%
White alone	96	9.1%
Black or African American alone	9	0.9%
American Indian & Alaska Native alone	1	0.1%
Some Other Race alone	87	8.2%
Two or More Races	9	0.9%
Not Hispanic or Latino	853	80.9%
White alone	619	58.7%
Black or African American alone	185	17.5%
American Indian & Alaska Native alone	2	0.2%
Asian alone	16	1.5%
Some Other Race alone	4	0.4%
Two or More Races	27	2.6%

**Table 4: Newport Population Demographics for Census Year 2010  
(Race)**

#### 4.6 Housing<sup>20</sup>

The 2010 Census estimates 432 housing units in Newport, representing a continuing reduction from the 490 units reported in 2000 and the 553 units reported in 1990. This 11.8% (2000-2010) decrease mirrors the 11% decrease (1990-2000) cited in the 2003 Comprehensive Plan and tracks with comments made by Town officials in the 2003 Plan regarding [then recent] demolition of residential structures for (potential) commercial development and historically faulty Census counts<sup>21,22</sup>.

Housing in Newport is extremely stable given the age of the Town's housing stock. Table 5 reveals that the 75.9% of the housing stock in Newport was constructed prior to 1950. Despite a decline in housing construction since 1989, much of the housing stock is in good condition. The 2010 Census estimates the vacancy rate at 5.1% (22 units).

Year Built	Estimate	% Total Estimate
2010 +	0	0.00%
2000 to 2009	3	0.70%
1990 to 1999	5	1.20%
1980 to 1989	40	9.30%
1970 to 1979	15	3.50%

Year Built	Estimate	% Total Estimate
1960 to 1969	41	9.50%
1950 to 1959	126	29.20%
1940 to 1949	95	22.00%
1939 or earlier	107	24.80%

**Table 5: Newport Housing Stock<sup>22</sup>**

<sup>20</sup> US Census: DP-4: Selected Housing Characteristics: 2008-2012. American Community Survey 5-Year Estimates.

<sup>21</sup> Census representatives included two mid- rise apartment buildings in the 1990 tabulations that were not located in Newport.

<sup>22</sup> Margin of is +/-63 for total housing units and between +/-6.7% and +/-9.1% for Year Built data.



Despite this decrease in total housing units, Newport's Commissioners and residents remain concerned with the relative decrease in homeownership. The 2003 Comprehensive Plan reported that Newport was experiencing a shift in its ratio of owner occupied vs. rental occupied unit mix, with the 2000 Census reporting 271 units, equating to 54.7% of the Town's total housing stock, being rental<sup>23</sup>. The 2010 Census estimates 220 rental units in Newport, translating to 50.9% of the Town's estimated 432 total housing units.

Newport's policymakers continue to believe that further decrease in home ownership will affect the Town's character and sense of community, and fear that an abundance of rental properties will lead to code and property maintenance issues. Similarly, the Newport governing body believes that an over-abundance of rental properties may weaken property values. Town policy ~ articulated in the 2003 Comprehensive Plan and restated here ~ is to retain strong property values as vital to the future of Newport<sup>24</sup>.

## **4.7 Community Services**

### **4.7.1 Town Government**

The Town of Newport is an incorporated municipality with powers granted by the State of Delaware to govern themselves through their elected officials and authorized appointees. The powers of the Town are established in its Town Charter, which was most recently amended in 2012.

Municipal offices include the Town Commission, Mayor and Vice Mayor (elected from among the Commissioners), Town Manager and Board of Adjustment. Newport has four (4) full time employees (excluding police).

Notable Town Ordinances adopted to regulate land use, development, construction and property maintenance and public health and safety are:

- **Zoning Ordinance:** Regulates uses of property (land use) throughout Newport as well as the size and location of buildings and signage.
- **Subdivision and Land Development Ordinances:** Establishes procedures for the review and approval of proposed subdivisions and development.
- **Business License Ordinance:** Requires registration of all businesses in Newport.
- **Building, Plumbing and Mechanical Codes and Existing Structures Code:** Set standards for new construction, major repairs and building system replacement. Permits are required for all but minor repair work.
- **Noise Disturbance Ordinance:** Protects Town citizens from excessive noise generated by equipment, vehicles, voices and animals.
- **Dog Ordinance:** Prohibits dogs from running loose and requiring proper disposal of animal waste.

<sup>23</sup> Conventional Planning doctrine places a 'healthy' housing rental:ownership ratio at 30:70.

<sup>24</sup> The 2010 Census estimates the median value of owner-occupied housing units in Newport as \$188,100.00 (no figure for renter-occupied units was reported).





- Graffiti Ordinance<sup>25</sup>: Defines graffiti as a public nuisance which is destructive to property rights and property values as well as the general quality of life in the community and establishes anti-graffiti enforcement tools to protect public and private property from graffiti vandalism.

#### **4.7.2 Public Safety & Emergency Services**

##### *Police*

The Town of Newport provides its residents, property owners and businesses with police protection 24 hours a day, 365 days a year. The Police Department is staffed with seven (7) full-time, certified police officers, one (1) part-time police cadet and one (1) part-time secretary. The Department has five (5) patrol cars which are dispatched by the State Police (RECOM) via a countywide Emergency Communications System (Dial 911).

The Police Department is located in the Town Administration building at 226 N. James Street.

The Town's Police Activity Summary Report for the year 2013 reported that the Department handled 1,904 complaints resulting in 105 criminal arrests, 6,459 traffic citations and 91 D.U.I.<sup>26</sup> arrests. In addition to its traditional public safety duties, the Newport Police Department continues to offer a "House Watch" program for residents who need their homes periodically checked while out of town.

In 2013, Newport Police patrols covered in excess of 39,000 total miles.

Newport has enacted a curfew for individuals under the age of 16. Such persons are not permitted to be on the Town streets or public areas between 10:00 p.m. to 6:00 a.m. unless accompanied by a parent or guardian.

##### *Fire*

The Minquas (Volunteer) Fire Company provides fire, rescue and ambulance service to a seven (7) square mile service area which includes the Town of Newport. In 2013, the Fire Company responded to approximately one thousand (1,000) fire calls and approximately two thousand (2,000) EMS (ambulance) calls. In addition to the Fire Company's (over) one hundred (100) volunteers, the service is directed by four (4) full-time professional firefighters, two (2) full-time and 20 part-time Emergency Medical Technicians.

The history of the Minquas Fire Company dates to the summer and fall of 1906, when Newport faced a series of fires. With no official Fire Department, it was left to the townspeople to fight the flames. Without the proper equipment, organization and training, their efforts were generally unsuccessful.

In response to these events, a group of concerned citizens organized and, on May 21, 1907, voted to create a volunteer fire department for Newport and its environs. Originally naming their organization the Nonesuch Fire Company (after nearby Nonesuch Creek), it

<sup>25</sup> Ordinance No. 2011-001 (adopted September 15, 2011)

<sup>26</sup> Driving While Intoxicated.



was Lieutenant Governor John M. Mendinhal who suggested that the company be named after the Minquas Indians, the original settlers of the Christiana River banks<sup>27</sup>.

The newly formed organization elected their first officers in January 1908, when Howard P. Weldin became the first President and Thomas Bullen the first Fire Chief.

The Fire Company soon purchased their first piece of apparatus - a horse-drawn chemical wagon equipped with two (2) sixty-gallon tanks, ladders and other equipment - from the Radnor Fire Company of Wayne, Pennsylvania. The \$1,000 cost of this equipment was raised by popular subscription.

This chemical wagon was motorized in 1917 and remained in active service until 1925, when it was replaced by a new, \$6,500 truck equipped with a 600 gallon per minute rotary pump, two (2) thirty-five gallon chemical tanks and ladders.

In 1948, the Fire Company purchased a Mack Type-85 truck with serverman sedan cab for \$14,500. This apparatus is equipped with a 750 gallon per minute Hale pump, a 500 gallon water tank, a 40 foot – three (3) section aluminum ladder, a twelve foot (12') roof ladder, a ten foot (10') utility ladder and other important equipment. As one of only twelve (12) such units constructed by the Mack Company outside of New York City, this piece of equipment had originally been ordered by a New York State fire company, who ultimately could not afford the purchase price. The truck is still in active service, and is scheduled for complete restoration in the near future.

At Publication, the Fire Company utilizes three (3) engines, one (1) heavy rescue apparatus, a Basic Life Support (BLS Ambulance) unit, two (2) fire boats and several support vehicles.

Unlike other volunteer fire companies, the Minquas firemen sponsor no bingo or catering services. While the Ladies Auxiliary does hold dances, strawberry festivals, soup and bake sales and rummage sales to earn money, the primary source of funding for the Fire Company remains an annual appeals drive. Request letters are sent to approximately 4,300 addresses, and 125 businesses in the immediate area are regular contributors.

Rather than sophisticated computer equipment, the Fire Company still relies on large, hand-drawn (by the firefighters themselves) maps for the precise location of every fire hydrant, housing for the infirmed, place of public assembly and drafting location in their coverage area. Additional information booklets provide names and details for infirmed residents.

The Minquas Fire Company's original firehouse was constructed in-or-about 1907 by the firefighters themselves. Located at 21 North James Street, the facility was remodeled and expanded in 1950.

The fire company moved into a new, state-of-the-art, Fire Station / Public Safety Building in 2005. This facility, located at the corner of James Street and Justis Street, includes an office for each officer, a large kitchen / banquet facility, a television room and modern fitness room.

The original firehouse was demolished upon occupancy of the new building.

<sup>27</sup> At their next (June 1907) meeting, the 68-member organization voted to change the name to Minquas Fire Company No. 1, and to adopt an American-Indian with feather headdress as their official insignia.



### *Medical Services*

While there is no hospital in Newport, the Town is well served by several first-class centers nearby, the closest being Christiana Hospital in Newark, Delaware.

#### **4.7.3 Public Works**

The Town of Newport has a maintenance staff consisting of two (2) full-time civilian employees, which are augmented by part-time workers as needed. The maintenance crew maintains the Town's street and roadway network<sup>28</sup> as well as Newport's parks and public buildings. Services include, but are not limited to, street sweeping, leaf and litter collection and snow removal.

Municipal garbage collection is provided twice weekly for residential properties of four (4) or less dwelling units, with additional charges for large household items. Special provision for tires, hazardous material, trees and building material are required. Residents may call Town Hall to make arrangements for such pick-up.

At the time of the 2003 Comprehensive Plan, residents of Newport were encouraged to participate in the State's *voluntary* recycling program. Since that time, the program has become **mandatory**. Participation reduces the amount of refuse Newport's public works department must collect and transfer to the landfill, thus reducing municipal costs and saving landfill space. While the Town formerly provided a centralized collection point at the Marshall Street Park-and-Ride under SR 141/41, curbside pickup was instituted in 2007.

#### **4.7.4 Education and Library Facilities**

The Town of Newport is part of the Red Clay Consolidated School District. The District operates fourteen (14) elementary schools, six (6) middle schools, three (3) high schools, five (5) special education schools, one (1) special focus school and one (1) charter school. Children in Newport attend the Donald J. Richey Elementary School, Richardson Park School and Henry C. Conrad Middle School of Science (a math-science magnet school serving both middle school (grades 6-8) and High School (grades 9-12) students).

For High School, children in Newport go through Delaware's School Choice Program, whereby children are afforded the chance to enroll in a public school in any school district. Despite this option, teenagers in Newport usually opt to attend John Dickinson High School on Milltown Road, Alexis I Du Pont High School in Greenville or Thomas McKean High School on McKennan's Church Road. Buses transport children residing in Newport to all schools attended.

There is no public library in Newport. The closest libraries are located in the Red Clay Consolidated School District schools. Additionally, Newport residents have access to larger libraries as part of the New Castle County Library System<sup>29</sup>.

<sup>28</sup> Not including roadways owned and maintained by the State of Delaware or New Castle County.

<sup>29</sup> Including the Wilmington Public Library, Elsmere Library and the New Castle County/Kirkwood Highway Library.



Town Commissioners and Newport residents have expressed support for the creation of a community / visitor / conference center, which could serve both local residents and the business community. One possible location identified is the Newport ~ Minquas Environmental Center, located at Thom's Drive at the Christina River in the Newport Industrial Park. It is anticipated that initial planning for such a facility will commence in 2015.

#### 4.7.5 Recreation

A. The Town of Newport offers the following parks and recreation areas as amenities. These facilities are not only designed for use by local residents, but as attractors for eco-tourists, students and residents of surrounding communities<sup>30</sup>:

- An approximately 26,000 square foot park located at W. Christian Street along the Town's westerly border.
- A 9,300 square foot park is located along the Christina River south of Water Street.
- *Newport Boat Ramp*: An approximately two (2) acre State constructed, Town operated boat ramp and nature preserve along the Christina River at Thom's Drive in the Town's Industrial Park<sup>31</sup>. Amenities include a 47' x 105' boat ramp with two (2) parallel floating boarding docks and 26 parking spaces (13 of which are sized for vehicles with trailers). The U.S. Fish and Wildlife Service and the State Department of Natural Resources and Environmental Control (DENREC): Division of Fish and Wildlife funded this amenity.
- The Richey School Playground / Park, consisting of one (1) outdoor basketball court, fixed playground equipment and two (2) baseball fields; all maintained by the Red Clay Consolidated School District and community patrons.
- *Newport Rowing Club*: Formed as a 501(c)(3) non-profit corporation to promote education, training and participation in amateur rowing, the Club seeks to help its student athletes develop healthy minds, bodies and character through training and competition. Sportsmanship, teamwork and the highest principles of amateur sports competition are emphasized in regattas held on the historic Christiana River in Newport as well as regional and national rowing venues. Since its inception, NCR athletes have been recruited by top universities and rowing programs nationwide.



<sup>30</sup> Exhibit 8.4

The former park located along S. Augustine Street adjacent to the Old Town Hall and St. James Cemetery has been eliminated.

<sup>31</sup> Access to this area is made through Harvey Drive.





- *Ella Johnson Memorial Park*: a 2.4-acre public park made possible by the donation of the W. Ayre Street land by the DuPont Company in 2003. Named for Miss Ella Johnson ~ a pioneer among Newport women ~ who served as the Newport Postmaster and founded the Women's Club of Newport (WCON<sup>32</sup>), this handicapped-accessible Park includes amenities such as a walking trail; playground and exercise equipment; benches and a gazebo; picnic tables; a community stage; and significant landscaping.

The park was formally annexed into Newport and dedicated in 2010.



- B. In addition to these traditional recreation areas, Newport is home to the privately run Newport Skate Park, a skateboard and rollerblading park located in the heart of the Town's downtown area. While this facility is Christian-oriented, it is open to all people, regardless of religion. The Skate Park boasts very low entrance fees and stages popular local and regional events and skating tournaments, providing youth activities in a fun, safe atmosphere.

Given the challenging location of the Skate Park under the SR 141/41 Overpass, a new and improved location for this facility is currently being explored.

- C. Newport is currently pursuing funding to create a recreation amenity at the Newport-Minquas Environmental Center and Oliver Evans House. While a \$335,000 grant from Ciba Chemical Company has provided an excellent foundation for the Town's vision, additional funding is necessary. Toward this end, the Town is actively seeking grants and donations to bring this project to fruition.

#### **4.7.6 Senior Services**

Approximately 10% of Newport's population is age 55 or older. The town has no senior center and does not offer senior services. The nearest senior center is the Absalom-Jones center in Belvedere. A Second center is located in Elsmere.

Resident homeowners who are 65 years of age or older, or who are under 65 but who are 50% or more disabled, are eligible for a property tax exemption equal to \$32,000 of

<sup>32</sup> Initially organized to wrap bandages for the Red Cross during World War I, the WCON had a broad array of civic and social interests, including fine arts, libraries, public health and welfare, citizenship, education, and social events.

In addition to her many civic duties, 'Miss Ella' (and her sisters Mary and Alice) touched the lives of children throughout Newport. Documents reveal that each year the sisters had a gift for every child in Newport under their Christmas Tree.



assessed value of their residential property. Single individuals are eligible to receive this exemption if their taxable income does not exceed \$15,000 annually. Married couples are eligible for the exemption if their combined annual income does not exceed \$19,000. Applications for this exemption must be filed with the Town by April 15<sup>th</sup> of each year.

#### **4.7.7 Other Services**

Several local places of worship have collectively opened a soup kitchen for those in need. This facility, hosted by the Peniel United Methodist Church (115 East Market Street), offers services on Fridays on an ongoing basis.

Newport is served by a U.S. Postal Service Office located on Stanton ~ Newport Pike. Mail is delivered to Newport residents and businesses daily.

#### **4.8 Infrastructure**

While Newport does not provide municipal utility services to property owners, the Town is serviced by private electric and gas from Delmarva Power, by public sanitary sewer (and wastewater treatment) from the New Castle County sanitary sewer system<sup>33</sup> and by private water from the United Water Company (primary service) and the Artesian Water Company (secondary service).

Communication services are available from a variety of companies. Cable television, telephone and internet is currently offered by ComCast and, on a limited basis, Verizon's FIOS service (as well as a variety of commercial satellite providers). FIOS service is expected to be more readily available in the future as infrastructure expands.

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<sup>33</sup> Exhibit 8.5



## **5.0 TRANSPORTATION**

### **5.1 Background**

Most historic towns owe their existence to a fortuitous location along water, wagon or rail transportation routes. Newport can boast of all three.

The Town of Newport became a center of commerce in the 1800s as Conestoga wagons pulled by six-horse teams transported grain, tobacco and other products from Lancaster County, Pennsylvania to Newport's docks on the Christina River. From there, supplies were loaded on ships bound for Boston, New York and Philadelphia.

In 1818, the Newport-Gap Pike (toll road) connected Newport with Gap, Pennsylvania and provided an alternate route for freight traffic.

While a network of surface roadways were developed to service Delaware, New Castle County and, by extension, Newport during the 19<sup>th</sup> and 20<sup>th</sup> Centuries, it was not until the 1980s that direct access was to come to Newport in the form of the State Route 141 - State Road 41 – Overpass system (collectively referred to herein as "SR 141/41"). Essentially an elevated highway with access ramps, this system bisects the Town, occupying the air rights over what was once the Newport-Gap Pike. SR 141/41 runs north/south through Newport and is located between Marshall and James Street.

In addition to SR 141/41, Newport is also bisected by State Route 4 ("SR 4"). Unlike SR 141/41, SR 4 is a surface road (locally known as Market Street) as it runs east/west through the center of Town. By connecting Newport to Wilmington, SR 4 has come to serve as a regional highway, despite its local function as part of Newport's center city roadway network.

As a result of SR 141/41 and SR 4, the majority of all vehicular traffic in Newport at any given time is traveling *through* the Town (as opposed to having business *in* the community)<sup>34</sup>. This traffic raises issues of noise and air pollution as well as public safety concerns due to the speed and volume of traffic through the center of Newport's business district.

Due to its proximity to I-95, I-295 and its connections to SR 141/41 and SR 4, Newport remains highly accessible and centrally located. Residents are able to work in New Jersey, Pennsylvania and other sections of Delaware. Additionally, residents enjoy their short ride to the urban centers of region as well as the Delaware and New Jersey Coastlines.

At Publication, the SR 141 Corridor through Newport is subject to a Delaware Department of Transportation ("DelDOT") re-decking, repaving and rehabilitation project. Completion is scheduled for 2015.

### **5.2 Rail**

A major railroad line runs through Newport in the vicinity of Ayre Street adjacent to the Christina River waterfront. Formerly a conduit for freight traffic, this rail line now carries the Amtrak Commuter trains, including the high speed ACELA train, on the busy Boston to Washington rail corridor.

<sup>34</sup> Not all highway traffic in this portion of Delaware runs through Newport. US Interstates 95 ("I-95") and the I 95 beltway ("I-295") pass Newport to the south.





The Wilmington Area Planning Council ("WILMAPCO") has completed an analysis to create new, modern rail stop in Newport. While this analysis proved favorable and the project is included in WILMAPCO's long range plans, funding has yet to be identified. Newport supports this initiative and encourages all parties to secure the necessary funding.

### **5.3 Municipal Roadways**

In addition to Federal Interstates (I-95 and I-295) and State Highways (SR 141/41 and SR 4), Newport is served by an approximately 7.4 mile network of municipal rights-of-way. While I-95 and I-295 move traffic *past* Town and are owned by the Federal Government while being maintained by the State and SR 141/41 and SR 4 move traffic *through* Town and are maintained by the State, smaller municipal roads facilitate the movement of vehicles *within* Newport and are maintained by the municipality with the help of State Municipal Street Aid Funding<sup>35</sup>.

Newport's municipal rights-of-way must often carry overflow traffic from I-95, I-295, SR 141/41 and SR 4 when traffic is diverted (intentionally and not) to local streets due to roadway construction, accidents or general congestion. While sufficient to handle local circulation, the Town's streets are overburdened by this volume of excess traffic.

Other Traffic Management issues identified by Town residents and officials include the use of neighborhood streets as "shortcuts" by travelers wishing to bypass more congested highways, ambient noise from the elevated SR 141/41<sup>36</sup> and a sense of too many traffic lights on James, Mary and Market streets.

- 5.3.1 In 2008, Newport completed Phase I of its downtown streetscaping project. This \$1.2 million, 4,000 linear foot streetscaping project addressed Justis Street from Marshall Street to Augustine Street, Market Street from Marshall Street to Augustine Street and for the area in front of Old Town Hall. In addition to new sidewalks and curbing, the project included new lighting, signage, street furniture and enhanced landscaping designed to entice shoppers to patronize the areas' retail offerings.



<sup>35</sup> This funding is provided to municipalities by the Delaware General Assembly based on a formula that considers the amount of roadway traffic and population.

<sup>36</sup> Said noise is exacerbated by a loss of sound-absorbing street trees around the elevated viaduct.



Phase II of the streetscape program is on-hold due to cost constraints attributable to expanded federal requirements.

- 5.3.2 The Town is in the process of identifying priority road renovation projects, including both residential districts and Water Street in the Newport Industrial Park.

#### 5.4 **Regional Roadways**<sup>37</sup>

As detailed above, SR 141/41 has caused significant impacts in Newport. In addition to traffic-specific concerns, land uses in the center of Town have also been impacted. The SR 141/41 overpass separates blocks and bisects neighborhoods and has strongly limited the continuity and success of the Town's central business district. The overpass has no landscaping or buffering, and therefore projects high speed traffic noise into the area. Additionally, the stark appearance of the overpass structure serves as a visual impediment through the heart of Town.

DelDOT monitors and records the volume of traffic passing through Newport. The measurements of traffic volumes are expressed as the "Average Annual Daily Traffic," or AADT. This measurement represents the average number of vehicles that pass through various locations on a given day. Because AADT is an average, there are some periods when traffic is much less and peak periods with greater traffic than the numbers record.

Information supplied by DelDOT for 2010<sup>38</sup> indicates the AADT for SR 141 at the Newport Town Limits as 46,981 vehicles traveling northbound and 57,004 vehicles traveling southbound. This means Newport experiences an average of 103,985 vehicles passing over Town each day. The 2003 Comprehensive Plan notes that seasonal traffic may be expected to increase as much as 20% over this average, resulting in as high as 124,782 vehicle trips per day.

- 5.4.1 At time of this 2014 Comprehensive Plan, DelDOT was in the process of making necessary improvements to SR 141, including redecking, repaving and associated repairs.
- 5.4.2 The deteriorated condition of the James Street Bridge<sup>39</sup> remains an issue for Newport. Funding for replacement has been secured by DelDOT, with construction scheduled to commence on or about April 2015. An end-2016 completion date is anticipated.

While a full review of this project are beyond the scope of this Comprehensive Plan, an graphic overview is included as Exhibit 8.12 herein.

#### 5.5 **Mass Transit**

The Town of Newport is located on a public mass transit route serviced by DART<sup>40</sup> First State. DART Bus Route #5 provides transportation from downtown Wilmington to the

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<sup>37</sup> Exhibit 8.2 & Exhibit 8.6.

<sup>38</sup> Construction of SR 141 2011 to present skews the data from this time period. 2009 - 2010 figures are therefore the most recent reliable data available.

<sup>39</sup> a.k.a. Bridge 159

<sup>40</sup> "Delaware Area Rapid Transit" (DelDOT's bus, train and intermodal transportation division)



Christiana Mall along SR 4 and includes nine (9) bus stops in Newport. Scheduled service runs every thirty minutes (43 times daily) during weekdays and on Saturdays.

DART reports Annualized ridership for Route 5 as:

Fiscal Year	Ridership
2010	613,080
2011	691,047
2012	743,990
2013	760,625
2014	Pending

These figures demonstrate that Route 5 is one of the most utilized of all DART routes. Newport residents rely extensively on this service.

## **5.6 Alternative Transportation**

In addition to traditional mass transit (bus) service, DelDOT also operates DART First State Paratransit, a door-to-door service (only) available to Americans with Disabilities Act (ADA) certified clients.



## **6.0 GENERAL LAND USES**

### **6.1 Existing Zoning**

Newport's Zoning Ordinance divides the Town's (approximately) 462 tax parcels into six (6) Zoning Districts<sup>41</sup>. Specifically:

- R-1 Residential (Single-Family)
- R-2 Residential (Single-Family & Semi-Detached)
- R-3 Residential (Garden Apartments, Other Apartments & Condominiums)
- RB Residential Business
- GB General Business
- GI General Industry

The Newport Zoning Ordinance (incorporated herein by reference) provides detailed descriptions of permitted activities<sup>42</sup> and land use controls for each zoning district. (The OS Zone, located at the southeast portion of Newport, recognizes the environmental sensitivity of the area and its undevelopable nature).

### **6.2 Existing Conditions**

The Generalized Land Use Map<sup>43</sup> prepared for the 2003 Comprehensive Plan was based on a visual inspection ("windshield survey") of Newport which identified land uses for each visually accessible parcel in the Town at that time. Visual data was augmented by land use information provided by Town officials as [then] available. Table 6 updates this land use information for this (2014) Comprehensive Plan.

Land Use	Parcels
General Commercial	90
Institutional/Educational	27
Mixed-Use	7
Open Space	4
Utility	9

Land Use	Parcels
Industrial	42
Multi-Family Residential	16
Office	1
Single-Family Residential	231
Vacant	35

**Table 6: Newport Land Uses<sup>44</sup>**

<sup>41</sup> Exhibit 8.7

<sup>42</sup> Reserved

<sup>43</sup> Exhibit 8.8

<sup>44</sup> Discrepancies between Table 6 and the General Land Use Map are attributable to parcel subdivisions and consolidations, database management conventions and the summary nature of windshield surveys.



The following land uses are relevant to Newport.

#### **6.2.1 Residential**

As evidenced by Table 6 and the color codes on the Generalized Land Use Map, the overwhelmingly predominant land use in Newport is Single-Family Residential. These uses are augmented by duplex and multi-family residential uses. Additionally, there are several residential dwellings located above commercial and office uses along Market Street and in the eastern section of Town.

#### **6.2.2 Commercial**

For the purposes of this Comprehensive Plan, the Commercial land use classification refers to those properties which are used for conducting business involving retail sales and other 'walk-up' services, including professional office and similar uses. Most of Newport's commercial activity is located in the General Business (GB) and Residential-Business (RB) Districts.

Due to the location and influence of SR 141/41, there is currently a limited amount of retail commercial or office activity in the center of Town (and accordingly, no critical mass of such businesses to act as a commercial anchor or retail attractor). At this time, much of the commercially zoned land in Newport is used for light industrial purposes. Additionally, it is noted that Newport's downtown commercial area contains a significant amount of older, obsolete structures in need of significant improvement.

Significantly, Newport Policymakers recognize that the Town is not sustainable without a suitable, critical mass of commercial development (i.e., a Commercial Center).

#### **6.2.3 Mixed-Uses**

Many older central cities or smaller downtown commercial areas have retained their traditional residential units above ground-floor retail or office space. Such configurations traditionally housed local shop keepers above their stores or professionals above their offices.

Newport has a limited inventory of such mixed-uses. However, it is doubtful that many of the dwellings house traditional owner-occupants. Rather, these units are more likely rental remnants of the Town's commercial past.

As identified by WILMAPCO's (July 2013) *Newport Train Station Feasibility Study*, "mixed-use" residential and commercial construction as envisioned is consistent with the principles of Smart Growth and walkable communities, and will help sustain a new regional commuter rail station in Newport.

#### **6.2.4 Industrial**

While not large in number, Newport's Industrial and Light Industrial land uses ~ including class A Commercial Warehouses constructed between the 1990s and the present time ~ occupy a considerable amount of the Town's land mass, mostly on lands adjacent to the Christina River. The presence and location of these uses is significant for Newport as employment centers and tax ratables.



As a community whose history includes a working-waterfront with freight rail service, it is not surprising to find residential uses in close proximity to Newport's industrial core. (Such development patterns are typical in older communities where workers lived within walking distance to their places of employment.)

Over the years, several former industrial properties have been converted into light industrial uses, especially along the interior edge of the industrial district. The result is that industrial activities are located in close proximity to residential, office and retail establishments. Residents and shoppers must contend with noise, odors and visual elements generated by these uses, whose influences are often felt far beyond their property lines. (It is noted that residential uses are not permitted in the Industrial Zone.)

While not generally undesirable, the existence of a significant number of residential dwellings in very close proximity to the Town's active industrial properties - *without appropriate buffering* - does represent a detriment to the safety and welfare of the community. This situation is expressly evident in and around Ayre Street, where automotive, processing and other land uses are exerting negative pressures on adjacent land uses.

To address these conditions, Town Policymakers are in the process of developing a streetscaping program designed to increase the 'walkability' (safety) and attractiveness of the downtown area. Additionally, this Comprehensive Plan includes the concept of a Redevelopment Overlay for the GB Zone.

#### **6.2.5 Institutional**

Institutional land uses are generally associated with governmental or community services that provided by local or State government (including Boards of Education), religious institutions and/or community groups.

The Town's tax records indicate 27 properties used for Institutional / educational purposes, including the Town Hall, the Newport Administration and Public Safety Building, schools and churches. These Institutional uses are located throughout Newport on lands zoned Residential and General Business<sup>45</sup>.

#### **6.2.6 Open Space / Recreation**<sup>46</sup>

As detailed in section 4.7.5 Recreation, Newport has a series of parks and recreation areas located throughout the Town. In addition, the Newport views the natural areas in and around the Christiana River as an open space and recreational resource.

As an "impaired water", the Christina River will be subject to the Total Maximum Daily Load ("TMDL") regulations to be issued by the end of 2004. Total Maximum Daily Load is a calculation of the amount of pollutants that a body of water can assimilate and still achieve water quality standards. The TMDL figure for a particular body of water is based on the designated use of said body.

<sup>45</sup> Traditionally, Institutional uses are permitted in otherwise restrictive zones due to their function as supports for community life.

<sup>46</sup> Exhibit 8.4





Pending release of the TMDL figures, it is possible that Newport may be required to reduce both 'point' and 'non-point' source loads of nutrients and bacteria. Such reduction may be achieved by adopting Best Management Practices such as reducing fertilizer use in parks, encouraging proper disposal of pet waste, street sweeping and other means. In addition, the Town should consider requiring developers to use Best Management Practices to systematically reduce nutrient and bacterial pollutant loading to meet the required TMDLs for the affected watershed.

#### **6.2.7 Exempt Parcels**

At the time of this Comprehensive Plan, 27 of Newport's 462 tax parcels (5.8%) were tax exempt and thus non-revenue-producing assets for the Town. Eleven (11) of these parcels were traditional tax exempt lots used for governmental, institutional, educational and religious purposes and 16 parcels were granted tax exempt status due Owner's Age (65 years old) and income criteria.<sup>47</sup>

6.2.8 As part of the 2003 Comprehensive Planning process, the uses detailed in sections 6.2.1 through 6.2.7 were cross referenced with the Permitted Uses prescribed in the Newport Zoning Ordinance to analyze the effectiveness of the Town's zoning codes. Issues identified were address in section 6.3 of the 2003 Comprehensive Plan. This analysis is updated in section 6.3 herein.

### **6.3 Current Zoning vs. Existing Land Uses**

Existing land uses in Newport continue to generally conform to the uses specified for the various Zoning Districts in the Town's Zoning Ordinance<sup>48</sup>. The exception is the General Business (GB) Zone. Nonconforming uses identified in this Zone include:

- A predominance of light industrial and single-family residential uses in the area of Ayre Street toward the southeasterly section of Town (west of James Street).
- Multi-family residential and duplex residential on the block bounded by James, Mary, Ayre and Market Streets as well as multi-family residential on the block bounded by James, John, Justis and Market Streets.
- Single-family residential fronting James Street and SR 141/41 located between commercial uses.
- Light Industrial uses adjacent to the Town's Administrative Complex at the north side of Newport.
- Light Industrial uses on the east side of SR 141/41 on both sides of Ayre Street.

The long term health of Newport will be directly impacted by how the Town addresses these nonconformities while implementing the principles of Smart Growth and New Urbanism in the comprehensive planning process.

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<sup>47</sup> Reference section 4.7.6 herein.

<sup>48</sup> Exhibit 8.7 & Exhibit 8.8



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As may be expected in a small town that has not annexed significant property in its recent history,<sup>49</sup> much of the land in Newport is developed. While there are limited opportunities for new development, the future of Newport is likely to be in the redevelopment of existing structures and land areas.

While the 2003 Comprehensive Plan included the concept of growth through selective annexation, such approach is no longer a direction that Town Policymakers wish to pursue. Instead, Policymakers will dedicate their efforts and resources toward ensuring the best possible service to Newport's residents and businesses. Accordingly, the recommendations contained in section 7.2.5 of this Comprehensive Plan address revisions to the Town's Zoning and redevelopment of existing areas.

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<sup>49</sup> Newport annexed the Grant Avenue ballfield (adjacent to Grant Avenue, Lynam Street, Ayre Street and Glenside Avenue as a recreation and open space resource in 2003. Prior to this action, Newport's most recent annexation was in 1991 (which led to the construction of over 10,000 s.f. of office/warehouse space in the (Harvey Drive) Industrial Park area.



## **7.0 CRITICAL COMMUNITY DEVELOPMENT ISSUES**

### **7.1 Goals & Objectives**

As a basis for this Comprehensive Plan, in late 2001 Newport Policymakers conducted a public opinion survey of its residents to determine their opinions regarding issues ranging from municipal spending and municipal services to traffic and congestion. After analysis of the responses, and after several public meetings to confirm and identify additional issues, the following municipal goals and objectives for the Town of Newport were developed. These goals and objectives, updated under this 2014 Comprehensive Planning process, are designed to serve as general guidelines for the development of specific Town policies and programs.

1. Provide a healthy and safe town with neighborhoods consisting of attractive homes and commercial buildings consistent with the principles of Smart Growth and New Urbanism.<sup>50</sup>
2. Continue to provide necessary municipal services and facilities.
3. Provide for the safe, efficient and convenient movement of people and goods within the Town by integrating land uses, circulation routes and transportation facilities.
4. Provide for recreational and cultural activities for all age groups and interests.
5. Encourage development of land consistent with the interests of the Town.
6. Encourage the development/redevelopment of “downtown” Newport utilizing, to the extent practical, generally accepted Smart Growth principals.
7. Strengthen the Town’s commercial areas through proper planning and regulation.
8. Update Land Use Regulations to meet the Town’s needs as well as complement the regulations set forth by New Castle County (through its Comprehensive Plan) and the State of Delaware (through the Livable Delaware Initiative).
9. Provide traffic calming and landscape techniques to mask the noise and traffic generated from State Route 141/41 and State Route 4.
10. Research funding options available through the State and County.

The Town of Newport affirms its commitment to these purposes and adopts same as general guidelines for this Comprehensive Plan, the Newport Zoning Ordinance, and for the policies and practices for all appropriate municipal agencies in the administration of their duties and responsibilities.

### **7.2 Issues & Recommendations**

The following issues (areas of concern) and recommendations to address these issues were developed as part of this 2014 Comprehensive Plan (it is recognized that many of these recommendations may overlap):

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<sup>50</sup> Exhibit 8.11



### **7.2.1 Traffic & Transportation**

The residents and Policymakers of Newport expressed concern regarding the effects of vehicular traffic on the Town. Not only is Newport impacted (directly and indirectly) by the SR 141/41 overpass, which carries large numbers of cars and trucks through (albeit above) Newport, but also by the surface traffic carried by SR 4/Market Street. Residents have voiced concern about the speed that vehicles travel on SR 4 and the impact this traffic has on pedestrian activity and business in the commercial section of Town<sup>51</sup>.

Transportation matters in Delaware are managed by the Delaware Department of Transportation ("DelDOT") and the Wilmington Area Planning Council ("WILMAPCO"). DelDOT's principal responsibility is to construct and maintain roads, but it also focuses resources on providing options to address transit, bicycle, pedestrian and freight needs. WILMAPCO is the designated Metropolitan Planning Organization ("MPO") for the regional area that includes New Castle County, Delaware, and Cecil County, Maryland, and is responsible for coordinating transportation plans of State and local governments within this region.

#### *Recommendations:*<sup>52</sup>

- Develop measures to manage traffic from the regional vehicular roadway network. Issues include limiting speed, buffering noise, reducing air pollution and addressing growing threats to pedestrians.
- Evaluate options for appropriate traffic-calming<sup>53</sup> techniques to improve both traffic and pedestrian safety, especially for the downtown commercial section of the Town.
- Explore funding mechanisms in order to insure necessary roadway maintenance.
- Explore opportunities to incorporate traffic-calming with appropriate development design standards in order to help to ensure safety and mobility for pedestrian and non-motorized modes of transport. Design standards may include, but need not limited to, shorter and narrower blocks, on-street parking, through streets and walkways and other elements designed to keep regional traffic dispersed and at low-speeds.
- Evaluate options for improving aesthetics and providing pedestrian accessibility and amenities along SR 4 through Newport, including the design and installation of signalized pedestrian crossings throughout the Market Street section of SR 4.
- Explore opportunities for developing pedestrian and bicycle pathways to link residential and commercial sections of Town as well as to link the boat ramp and nature center to the Town's residential and commercial areas. Develop and encourage the use of other alternative transportation systems, including transit rail service envisioned under section 7.2.2 herein.

<sup>51</sup> The Speed Limit on the Market Street section of SR 4 is 30 mph. The roadway has minimal traffic signals and crosswalks, which create a dangerous environment for pedestrians. Moreover, the lack of commercial activity and pedestrian traffic along Market Street provides no reason for regional traffic to decelerate while driving through Newport.

<sup>52</sup> It is recognized that implementation of many of these recommendations will require cooperation with DelDOT, WILMAPCO and other appropriate State agencies.

<sup>53</sup> Traffic Calming is the practice of using roadway geometry to improve safety. Speed bumps, rumble strips, hammerheads, flare-outs, doglegs and other combinations of geometry and streetscaping (landscaping and street furniture) can be effective in lowering drivers' speed on streets.



- Consider extending the above-recommended pedestrian/bike path along the Christiana River. The Boat ramp has potential to attract large numbers of people to Newport. A well-established pedestrian/bike path may entice tourists to walk/ride and shop or eat in local establishments.
- Develop a plan for the regular monitoring of vehicular traffic (including the vehicle mix of cars vs. trucks) and associated impacts over the next decade. The plan should include regular (annual) reporting from the appropriate agency to Newport Town Commission.
- Establish a seasonal air quality monitoring program in the vicinity of SR 141/41 and SR 4 to track changes over time.
- Develop a system of pathfinder signage throughout Newport to guide visitors to various locations, including parking lots. Such a system will reduce traffic congestion and thus noise and air pollution.
- Capitalize on Newport's accessibility to I-95, I-295, I-495, SR 141/41 and SR 4 while concurrently implement measures to manage regional traffic.
- As appropriate, coordinate all Transportation improvement efforts with implementation of recommendations outlined in this section and in section 7.2.2 Parking.

#### **7.2.2 Parking & Downtown Circulation**

Residents and Policymakers of Newport expressed concern regarding the limited parking situation in the downtown area. Currently, parking space to service the Town's commercial areas is quite limited. Such a shortage not only impacts existing businesses but deters new business from the area.

The way parking is managed has a significant impact on the type of development that takes place and the resultant look and feel of the community. Older downtowns typically do not have sufficient off-street parking due to the development patterns established prior to the advent of mass automobile usage. Business-owners attempt to address this issue by either demolishing buildings for parking lots or by converting green space or other (otherwise) unproductive areas to parking. The result is *often* a haphazard use of land and an increase in congestion. The result is *always* a reduction in the quantity and quality of the commercial downtown.

Newport has attempted to address this issue by requiring specified numbers of parking spaces for all new commercial development. This has had the effect of chilling prospects for downtown development and increasing requests to the Board of Adjustment for variance relief.

#### ***Recommendations:***

- While the Town has no specific current data, there is a need for more off street parking in Newport. No specific study has been contracted as yet by the Town or private developer.



- Explore creation of one or more centrally located surface public parking lots or parking structures to serve surrounding land uses<sup>54</sup>. While Policymakers do not favor metered public parking, a mechanism to limit parking times for premium spaces is supportable.
- Work with select business-owners with parking to institute shared parking arrangements as appropriate. Commercial tenants whose primary office hours are during the day can share parking facilities with establishments whose patronage is primarily at night. Newport can facilitate “Parking Agreements” between the parties in order to define the terms of such shared parking arrangement.
- Consider locating parking lots behind buildings or street walls. Successful urban design for commercial downtowns places retail and office buildings close to the sidewalk with no set back. Rear parking becomes a logical extension of such a design.
- Upon completion of the DelDOT SR 141 construction project currently underway, create a safe, well-lit pedestrian connector under the SR 141 viaduct ~ formerly the site of the public recycling station ~ by removing the deteriorated fence and installing landscaping / streetscaping this area. Adjust traffic light signal timing as necessary to facility pedestrian (and bicycle) circulation.
- Enter into discussions with DelDOT and other State agencies regarding the creation of a Park & Ride facility under the SR 141 viaduct.
- Request that DelDOT pave a lot at or near South James Street (parallel to SR 141) for public parking.
- Explore public/private partnerships and other creative mechanisms with the downtown business and general development communities in order to effectuate the above-recommended and other municipal parking / circulation improvements. Such mechanisms shall include, but not be necessarily limited to, increasing permitted building height in the GB Zone to accommodate parking below or within a structure, enhance quality of life, and expand economic development opportunities.
- In consultation with the PRST, explore creation of a new (or revisions to the existing) definition of Parking Garage to ensure that the prohibition against locating such structures within 50' of a residential district applies to stand alone facilities and not to parking accessory to a permitted use.
- In consultation with the PRST, explore increase in building height in the General Business Zone to accommodate structured parking.

### 7.2.3 Recreation

#### *Recommendations:*

- Coordinate with appropriate State agencies to ensure proper operation of the boat ramp and nature preserve.

<sup>54</sup> Such a plan would have the added benefit of removing certain site planning and development costs from a project's pro forma.





### *Senior and Youth Services*

Primarily attributed to a lack of funding, Newport does not offer activities or services for its senior citizens or its children. Senior-based programming for the housebound elderly (or those with limited mobility or opportunities) provides activity which has been demonstrated to enhance the quality of life for such individuals. Additionally, programs can be created whereby seniors can volunteer to assist and support local schools, the proposed library or other desired public or non-profit organizations.

Youth-oriented programs for children of different age groups reinforces lessons learned in school and provide an outlet for idle hands.

Ideally, programs for seniors can be combined with programs for young people such that the children learn from the experience of mentoring adults.

- Encourage local non-profit organizations, social clubs and places of worship to provide senior and youth activities and related services.
- Provide transportation and/or financial assistance to facilitate Newport's seniors' and youth participation in programs in neighboring communities.

### **7.2.4 Land Use & Development**

The primary Land Use and Development issues for Newport are Zoning and Redevelopment of Existing Areas. Rather than addressing these issues as distinct topics, they are discussed herein within the context of the significant land use categories existing in Newport at the time of this Comprehensive Plan.<sup>55</sup>

#### *Recommendations:*

Create a Planning and Redevelopment Steering Team ("PRST") comprised of Town (government) representatives, local business owners and residents to assist in developing specific strategies and procedures for implementing the zoning and redevelopment recommendations contained in this Comprehensive Plan.

### ***Housing***

In general, Newport's housing stock, while older, is in good to excellent condition and its residential neighborhoods are stable, both in terms of housing 'turnover' and the character and integrity of the areas.

With the exception of the residential neighborhoods bordering commercial zones, it appears that the Town's existing Zoning controls for residential districts, with minor modifications, will continue to maintain the character of these districts into the future.

#### *Recommendations:*

- Review and streamline the number and types of permitted uses in residential zones. Remove certain incompatible land uses to protect the Town's residential

<sup>55</sup> Exhibit 8.7 & Exhibit 8.8.



neighborhoods. Such revisions should reflect current land uses in these locations, reinforce the integrity of the residential neighborhoods and reflect market realities for Newport.

- In addressing issues where residential zones border commercial zones, seek to modify the existing regulations for the commercial districts as opposed to seeking changes for the residential areas. Eliminate the Residential Business (RB) Zoning District(s) to reduce potential conflicts between residential and commercial land uses. Classify these areas within the larger General Business (GB) District and/or within a new Professional Office classification.
- Develop strategies to promote future mixed-use redevelopment which, while emphasizing homeownership, includes an appropriate rental mix.

### **Commercial<sup>56</sup>**

Newport's Policymakers and residents are strongly concerned with the Town's declining economic (commercial) base. While there is no desire to significantly increase the population of Newport, there is a recognition of the need to expand its commercial center.

The Town maintains a pro-business attitude Newport's strategy is to remake its "downtown" into a commercial destination by utilizing Smart Growth and New Urbanism design principles and redevelopment initiatives. The goal is to recreate a "sense-of-place" in this area by incorporating dining, shopping, work and entertainment uses under the theory that a vibrant commercial center requires all such uses in a mutually reinforcing arrangement (no one activity can flourish in the absence of any other).

In developing recommendations to pursue this strategy, Newport proposes to employ a combination of (Smart Growth) traffic calming, streetscape improvements and land use controls, working in conjunction with available (pro- business) State programs, to attract and retain appropriate investment. Other Redevelopment programs, including façade and other improvements to existing operations, replanning land uses to produce a more efficient and effective configuration and the relocation of incompatible land uses may be used to provide a physical setting which will attract appropriate investment.

#### **Recommendations:**

- Develop a Strategic Plan for increasing and improving the use of the commercial properties in Newport. Explore marketing the Town's accessibility via SR 141/41, SR 4, I-95 and I-295, increased cooperative ventures with the State, redevelopment of certain parcels and the rezoning of selected sections of the Town. Said Strategic Plan may include, but need not be limited to, efforts to:
  - Encourage the (re)location of professional office and related businesses into appropriate Zoning Districts within Newport.
  - Encourage the (re)development of "downtown" Newport by creating a Redevelopment Overlay to a portion of the (revised) General Business Zone. Such a strategy would recognize and protect the preexisting buildings and

<sup>56</sup> Includes Newport's Residential Business (RB), General Business (GB) and General Industry (GI) Zoning Districts.



land uses in the Overlay Zone by maintaining existing zoning regulations for these parcels<sup>57</sup> while providing for new land use and zoning regulations for new or redeveloped parcels.

- As a cornerstone of any redevelopment program, enter into negotiations with each owner and/or operator of each parcel and/or facility in the Redevelopment Overlay Zone. The goal of these negotiations is to enter into a public/private partnership between the Town and each of the individual operators in the Overlay Zone to assist in the general redevelopment of this area. Such negotiations should include, but need not be limited to, voluntary actions (on the part of the owner/operator) to address adverse impacts (to the extent any such impacts exist) resulting from said operations as well as the visual improvement to the physical structure.
- Where appropriate, utilize zoning, financial incentives and other programs to (voluntarily) relocate incompatible, unattractive and undesirable land uses to a more appropriate section of Town.
- In conjunction with the above, identify a relocation site for such voluntary relocation<sup>58</sup> of incompatible land uses (if any), and institute land use and building controls in this location in order to provide for a more efficient and attractive setting for such uses to do business. Allow for general redevelopment activities in this area as well.
- Institute a program of Code Enforcement to ensure all parcels and operations conform to acceptable property maintenance and other appropriate standards.
- Revise Newport's Zoning Ordinance to support the goals of this Comprehensive Plan. Specifically<sup>59</sup>:
  - Review, streamline and reorganize the number and types of permitted uses in each nonresidential zone. Develop a schedule of permitted uses for each zoning district designed to the desired level of intensity of each district. Prohibit incompatible land uses. Revisions should reflect current land uses, reinforce the integrity of the districts and reflect market realities for Newport.
  - In addressing issues where residential zones border commercial zones, seek to modify the existing regulations for the commercial districts as opposed to seeking changes for the residential areas. Eliminate the Residential Business (RB) Zoning Districts to reduce potential conflicts between residential and commercial land uses. Classify these areas within the larger General Business (GB) District and permit all RB uses within the larger GB Zone.
  - In conjunction with the recommendations for downtown revitalization herein, create a Redevelopment Overlay Zone for the entirety of the GB Zone.
  - In consultation with the PRST, establish front yard setback requirements that are appropriate to the uses and architecture anticipated.

<sup>57</sup> Said regulations to 'run-with-the-land', thus protecting the transferability of existing businesses.

<sup>58</sup> Reserved

<sup>59</sup> Exhibit 8.9 & Exhibit 8.10.



- Separate the existing General Industry (GI) District into two (2) distinct zones; a General Industry (GI) zone on the eastern side of SR 141/41 and a Chemical (Chem) zone on the western side of SR 141/41. Develop distinct land use controls for each zone, focusing the more industrial chemical uses in the Chem zone and the more business uses in the GI zone.
- Recognize the special nature of the area between Marshall Street and SR 141/41 as a new Professional Office (PO) District.
- Revise the current parking regulations as outlined in section 7.2.2 herein to assist in attracting and retaining desired commercial uses.
- Reinforce Newport's downtown the sense-of-place by supporting a cultural facility as an anchor for the area.
- Explore improvements to Newport's business licensing process in order to accurately identify and confirm conformance with zoning, parking and other regulations.

### **Mixed-Use**

The above-cited Smart Growth design principles reinforce mixed-use development to provide a live-work-play lifestyle. Above-ground-floor apartments provide customers for shops, activity for the street and nighttime surveillance for the area. While such principles and the following recommendations are appropriate for the General Business (GB) District, they are key components for redevelopment in the proposed Redevelopment Overlay Zone.

#### **Recommendations:**

- Allow mixed-use development (residential units above ground-floor commercial and office uses) downtown. Specifically, add "*Structures of mixed residential and commercial use ("Mixed-Use Structures")*" to the schedule of permitted uses for the General Business (GB) Zone.

Define Mixed-Use Structures as:

*a building or structure containing a mix of residential and commercial uses ~ typically retail and office uses on the lower floors with residential above ~ that affirm Smart Growth Principles, including, but not limited to, stronger neighborhood character; integration of housing, workplace, retail, institutional, service and other destinations and uses; and pedestrian-friendly / bicycle-friendly environments in order to create what Planners term a "Walkable Community".<sup>60</sup>*

- Address parking issues pursuant to the discussion under section 7.2.2 herein. Additional parking considerations will arise with mixed-use development. Address residential parking either by dedicated parking areas or by shared parking arrangements.

<sup>60</sup> Exhibit 8.11



### ***Architectural Design Standards***

Communities which include well-designed buildings, attractive signage, well-maintained facades and a positive orientation of buildings to the street are often the most distinctive. As Newport establishes its own definition of a desirable look, the opportunity exists to create a unique, memorable streetscape to attract future development.

Section 7.2.2 herein discusses **site** design standards in order to facilitate parking in downtown Newport. **Architectural** design standards regulating building setbacks, street and sidewalk design, architectural styles, signage and building materials can enhance both existing buildings and new development as the community addresses its sense-of-place<sup>61</sup>. Such guidelines may be prescriptive and specific (addressing the level of detail to the size and color of signs), or they may set broad parameters for design to allow for maximum diversity among users. In either case, when applied in a clear and consistent fashion, such standards provide guidance for developers and create higher quality projects by being attentive to design from the early stages.

While such standards are appropriate for the General Business (GB) District, they are key components for the proposed Redevelopment Overlay Zone<sup>62</sup>.

#### ***Recommendations:***

- Develop clear site and architectural design guidelines so that streets, buildings and public spaces work together to create a Sense-of-Place for Newport's downtown.
- Enact appropriate lot, bulk, parking and related regulations for various uses proposed for the GB Overlay Zone based on Smart Growth / New Urbanism<sup>63</sup> planning principles to create live-work-play neighborhoods and transit-friendly, walkable communities. Concepts include, but need not be limited to:
  - Neighborhoods have a discernable center of mixed or multi-use buildings.
  - Most dwellings are within a 5-minute (2,000') walk of the center.
  - A variety of dwelling types are available.
  - Small Accessory buildings are permitted in backyards for home occupations.
  - Shops and offices can be found at the edge of neighborhoods. Commercial offerings are sufficiently varied in order to meet the weekly needs of households.
  - An elementary school is close enough for most children to walk to school.
  - Small playgrounds are convenient to residential uses.

<sup>61</sup> Architectural design standards often go hand-in-hand with Zoning and Land Use regulations. For example, mixed-uses often require multi-story buildings, whose height, in turn, contributes to defining a street as a "place".

<sup>62</sup> It should be noted that while design standards may nominally increase the cost of a project (generally estimated at 5% of total project cost), they often 'pay for themselves' in the form of lease value and enhanced customer base.

<sup>63</sup> "Smart Growth" and 'New Urbanism' are Planning terms referring to the return to the principals that made neighborhoods successful as communities. Elements harken back to the days when neighbors knew each other and the street corner and front porch were venues for friendly interaction. While all of these elements may not be appropriate for every application, they should be viewed as guides for good urban design. See Exhibit 8.11 for a more expansive discussion of these concepts.



- Streets form a connected network and are relatively narrow to promote traffic calming.
- Buildings are placed close to the street.
- Parking lots and garages rarely front the street.
- Certain prominent streets at the termination of street vistas or in the neighborhood center are reserved for civic buildings.

### ***Open Space***

#### *Recommendations:*

- Recognize the unique nature of Newport's green spaces and conservation areas by creating a new Conservation (CON) Zoning category. Permit only open space and recreation uses in these areas.
- Regardless of the yet-to-be-established TMDL requirement for Newport, the Town should implement such Best Management Practices such as may be appropriate to reduce both 'point' and 'non-point' emissions entering the Christina River watershed. Newport will conform with DENREC regulations once promulgated.

### ***Industrial Park***

#### *Recommendations:*

Expand permitted uses in the Industrial Park to include Train Station, Accessory Parking and Institutional Uses (including, but not limited to, Places of Worship and non-profit organizations, conditioned upon the provision of sufficient parking [including "shared parking"]). Insure that the schedule of permitted uses is expansive and flexible while continuing to prohibit residential uses.

## **7.2.5 Annexation & Plan of Service**

Between 2003 and present, Newport annexed the following parcels into the Town:

400 W. Newport Pike	414 Washington Avenue
301 W. Ayre Street	100 Larch Avenue
1518 E Ayre Street	1515 E. Ayre Street
118 Larch Avenue	250 S. James Street

While Newport's 2003 Comprehensive Plan included the concept of growth through selective annexation, such approach is no longer a direction that Town Policymakers wish to explore. Instead, Policymakers will dedicate their efforts and resources toward ensuring the best possible service to Newport's residents and businesses.





The lone exception to this direction is a desire to annex the Town's Maintenance Yard located at Washington Avenue between Stonehurst Drive and Newport - Gap Pike. Any such activity will be accomplished within existing State Annexation Code.

### ***Area(s) of Concern***

HB 396 requires municipalities in Delaware to update their Comprehensive Plans every five (5) years and produce new plans every ten (10). Accordingly, the Town will monitor issues pertinent to these areas and anticipates discussing them more thoroughly as part of such future document.

## **7.3 State and County Comments**

The following concerns have been raised by the State and County as part of their review of this Comprehensive Plan. The Newport Town Commission has determined that these issues shall be examined by the recently renamed Planning and Redevelopment Steering Team ("PRST"). Specifically:

- The Department of Education has indicated a desire for schools to be categorized as Conditional Uses in all zoning districts.
- The State Housing Authority encourages the Town to continue to explore innovative land use techniques, including permitting accessory dwelling units in residential areas as a matter-of-right, encouraging social and economic integration and life-cycle housing.
- The State Housing Authority considers housing for all incomes an integral part of a community's health and livability and encourages Newport to explore affordable housing as a Critical Community Development Issue.
- The State Department of Transportation recognized the fact that while the railroad runs **through** Newport, there is no passenger or freight rail service **to** Newport and inquires as to the Town's position regarding this rail line and said lack of local service.
- The State Department of Transportation notes the recommendation in section 7.2.1 regarding buffering of noise associated with the regional vehicular roadway network and requests that the Town work with WILMAPCO to have said recommendation included in DelDOT's Capital Improvement Transportation Plan.
- The State Department of Transportation notes the recommendation in section 7.2.1 regarding reduction in air pollution related to the regional vehicular roadway network but indicates that they are limited in the actions they can take to reduce such pollution.
- The State Department of Transportation notes the recommendation in section 7.2.1 regarding monitoring of vehicular traffic and associated impacts, indicates that DelDOT already has a statewide traffic count program and questions the value of Newport collecting additional data.
- The State Department of Transportation recommends that the Town discuss the recommendation in section 7.2.1 of this Comprehensive Plan regarding establishing



a seasonal air quality monitoring program with the appropriate sub-agency within DENREC.

- The State Department of Transportation notes the recommendation in section 7.2.1 regarding traffic management related to SR 141/41 and SR 4 and correctly indicates that such management is the responsibility of DelDOT, not Newport. However, a considerable amount of traffic from this regional roadway network does flow through Newport on its local streets. Management of such traffic is the Town's responsibility.
- The State Historic Preservation Office requested that Historic Preservation be included as a goal of the Town and suggested:
  - That the Town maintain a list of the 11 Newport properties which are on the National Register of Historic Places.
  - Base any architectural design guidelines on Newport's historic appearance and development, especially referencing the design of the National Register properties.
  - Establish a Main Street program through the National Trust for Historic Preservation.
  - Provide regulations for review of construction and rehabilitation of National Register properties to help maintain the historic appearance and character of these properties.
  - Provide incentives, including State Historic Preservation Tax Credits and local programs, for the owners of National Register properties to maintain the historic appearance and character of these properties and to rehabilitate them in an appropriate manner.
  - Develop a walking tour of the National Register properties as a cultural activity for Newport.
  - As appropriate, develop a plan for Woodstock, a National Register property in Banning Park as part of any future planning for this area.
  - Consider adapting the old firehouse into a cultural center and/or library facility.



## **8.0 EXHIBITS**

- 8.1 Regional Context Map
- 8.2 Aerial Photograph: Newport & Environs
- 8.3 Newport Parcel Map
- 8.4 Parks, Recreation and Conservations Areas
- 8.5 Sewer Infrastructure Map
- 8.6 Significant Transportation Routes
- 8.7 Existing Zoning
- 8.8 Generalized Land Uses
- 8.9 Recommended Amendments: Newport Zoning Ordinance
- 8.10 Proposed Zoning
- 8.11 Smart Growth & New Urbanism
- 8.12 Bridge 159 on James Street over the Christina River, Replacement, Newport (DelDOT)



# EXHIBITS



***2014 Comprehensive Plan  
Town of Newport  
New Castle County, Delaware***

**REGIONAL CONTEXT MAP<sup>64</sup>**

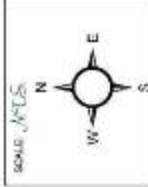
<sup>64</sup> Base mapping obtained from . Overlays modified as required.  
Accuracy is therefor dependant on accuracy of base map.



REMINGTON, VERNICK  
& BEACH ENGINEERS  
1000 OTTICUS BLVD., BELLEVILLE, OHIO 45310  
NEWPORT, DE 19802  
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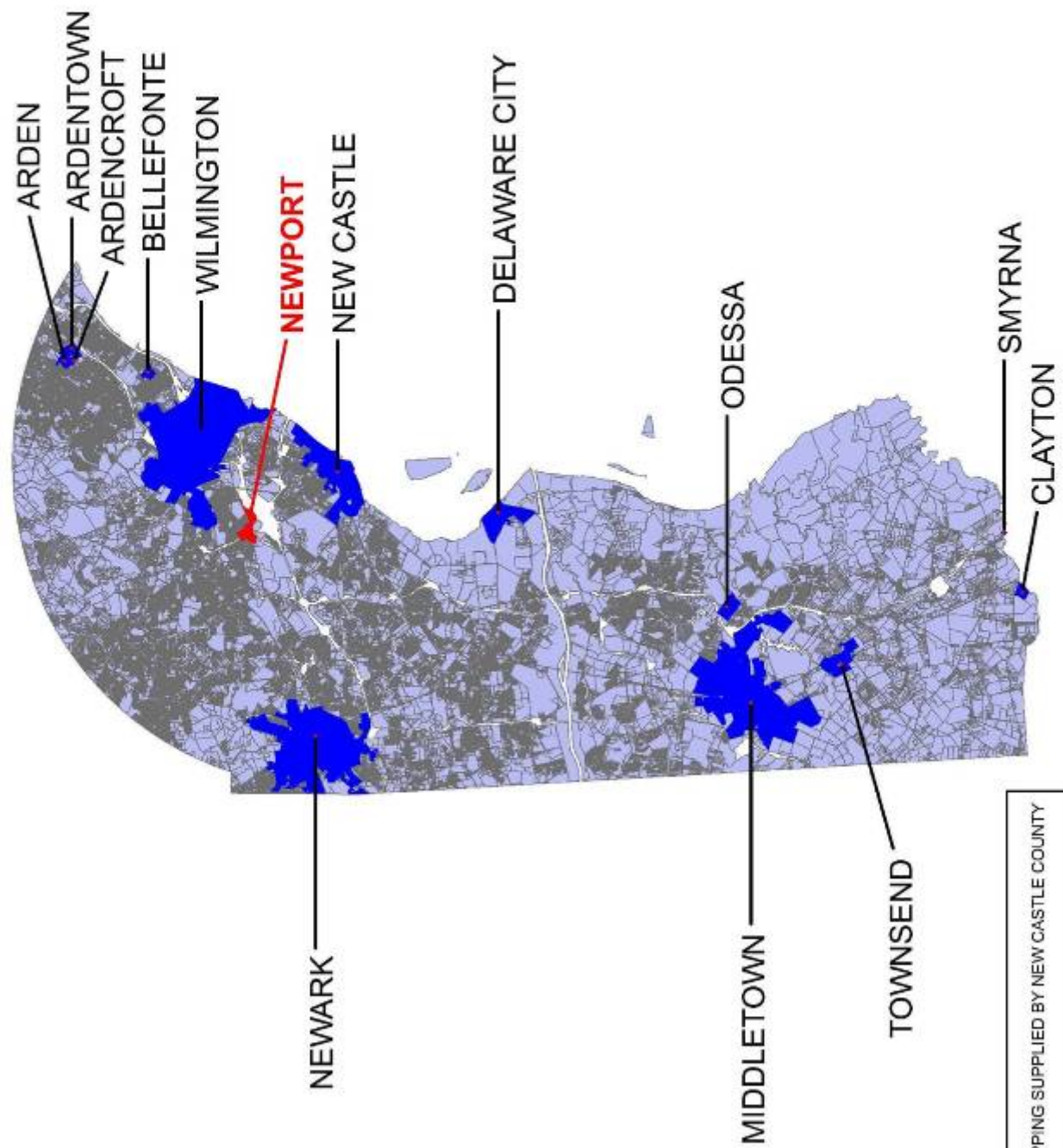
*Robert P. Vernick*  
DATE: 08/14/14  
TOWNSHIP: NEWPORT  
PROJECT: COMPREHENSIVE PLAN

1. ALL DISTANCES ARE IN FEET.  
2. ALL DISTANCES ARE APPROXIMATE.  
3. ALL DISTANCES ARE TO THE CENTER OF THE ROAD.  
4. ALL DISTANCES ARE TO THE CENTER OF THE LOT.  
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2014 COMPREHENSIVE PLAN  
TOWN OF NEWPORT  
NEW CASTLE COUNTY, DE  
REGIONAL CONTEXT MAP

EXHIBIT  
8.1



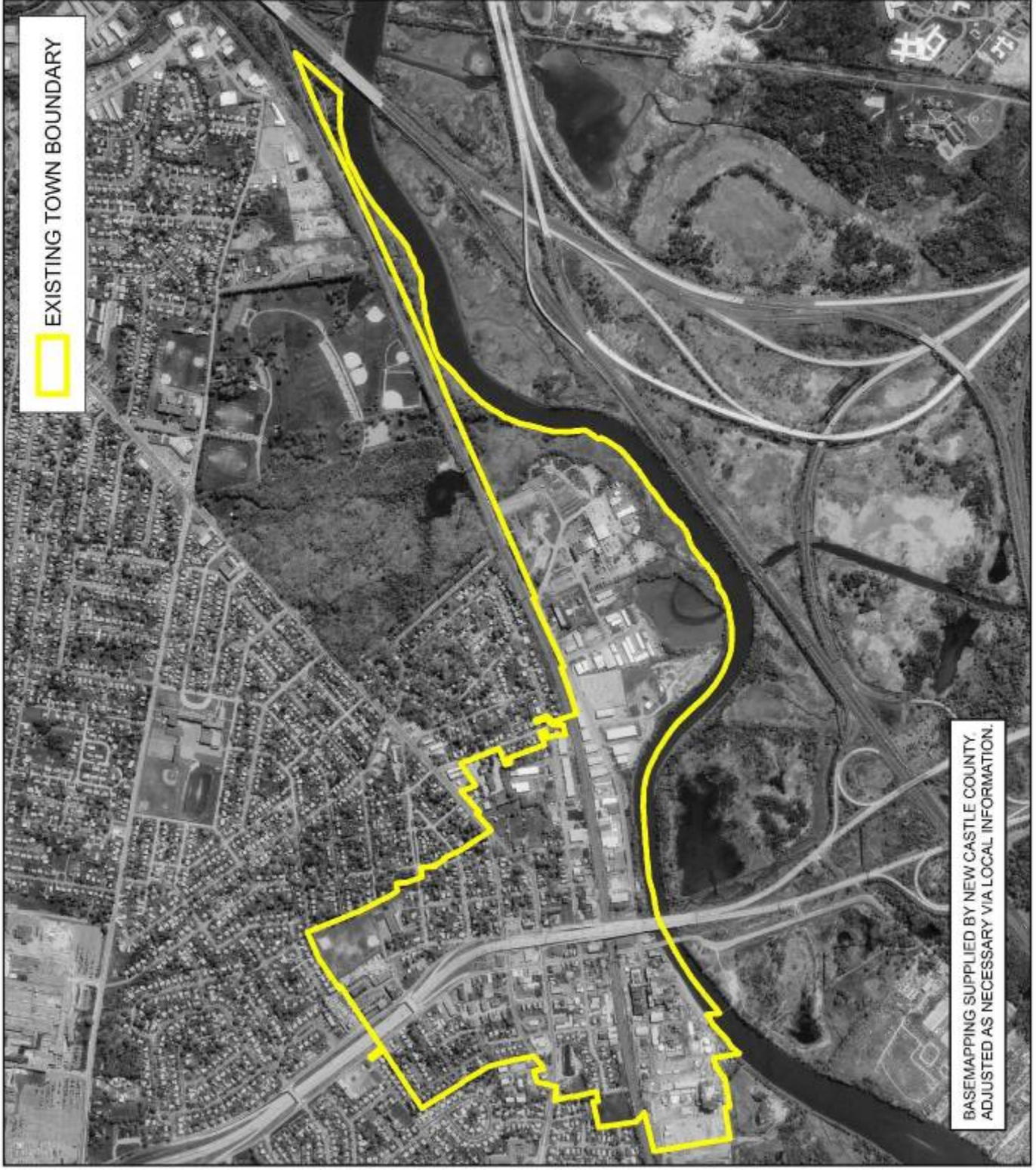




**2014 Comprehensive Plan  
Town of Newport  
New Castle County, Delaware**

**AERIAL PHOTOGRAPH  
NEWPORT & ENVIRONS<sup>65</sup>**

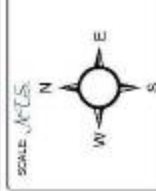
<sup>65</sup> Base mapping obtained from . Overlays modified as required.  
Accuracy is therefor dependant on accuracy of base map.



**REMINGTON, VERNICK  
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WWW.REMINGTONVERNICK.COM

*Stuart S. Wiser*  
DATE: 08/14/14  
STUART S. WISER, P.E., A.C.P.  
REGISTERED PROFESSIONAL ENGINEER  
STATE OF DELAWARE, LICENSE NO. 100000000000000

THIS PLAN WAS PREPARED BY REMINGTON, VERNICK & BEACH ENGINEERS, INC. (RVE) FOR THE TOWN OF NEWPORT, NEW CASTLE COUNTY, DELAWARE. THE PLAN IS THE PROPERTY OF RVE AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF RVE. THE PLAN IS NOT TO BE USED FOR ANY OTHER PROJECT OR PURPOSE WITHOUT THE WRITTEN PERMISSION OF RVE. THE PLAN IS NOT TO BE USED FOR ANY OTHER PROJECT OR PURPOSE WITHOUT THE WRITTEN PERMISSION OF RVE.



**2014 COMPREHENSIVE PLAN  
TOWN OF NEWPORT  
NEW CASTLE COUNTY, DE  
AERIAL PHOTOGRAPH:  
NEWPORT & ENVIRONS**

**EXHIBIT  
8.2**



***2014 Comprehensive Plan  
Town of Newport  
New Castle County, Delaware***

**NEWPORT PARCEL MAP<sup>66</sup>**

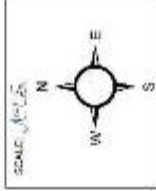
<sup>66</sup> Base mapping obtained from . Overlays modified as required.  
Accuracy is therefor dependant on accuracy of base map.





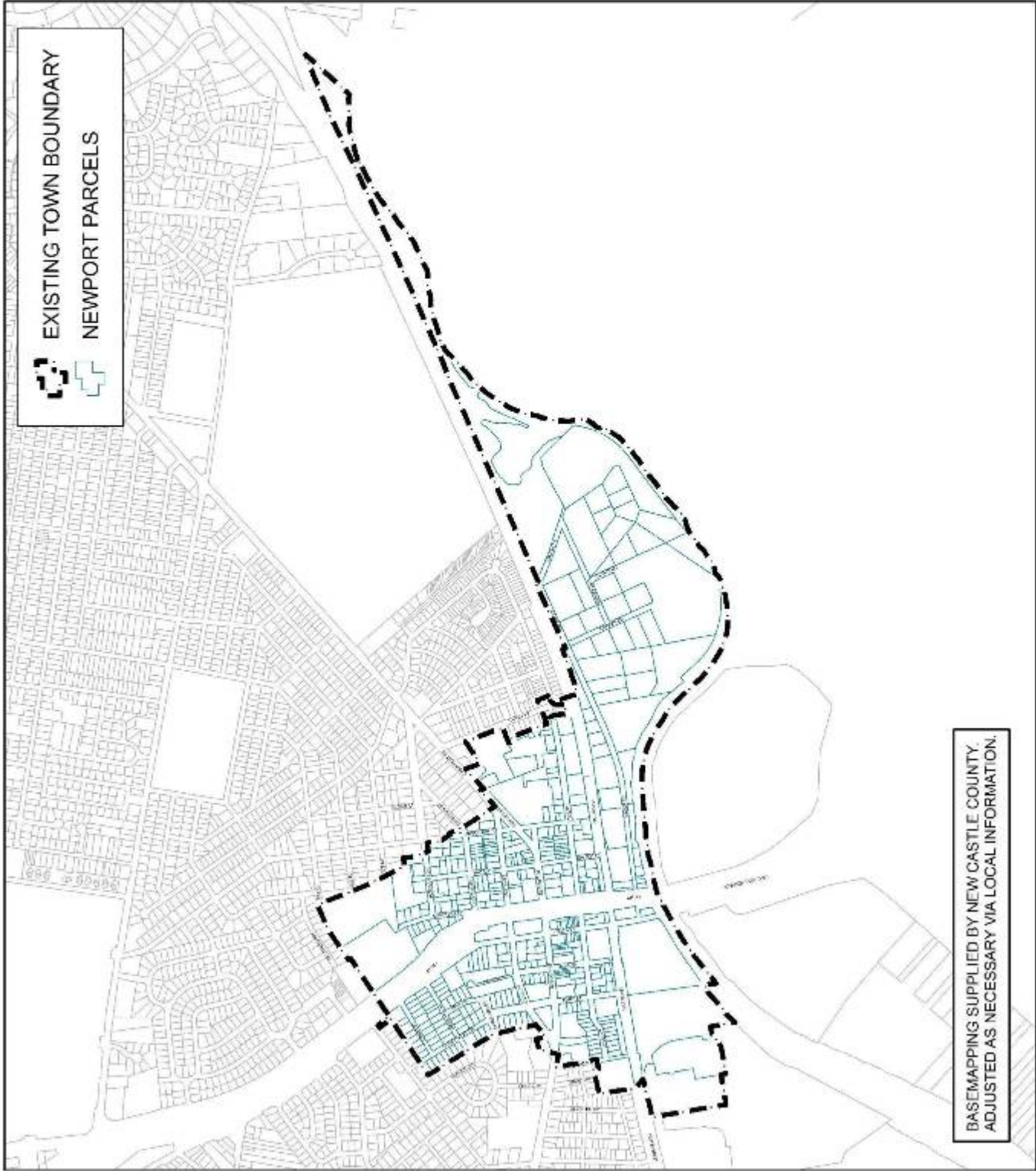
STUART & WEBER, P.P. INC.  
100 PARK AVENUE, NEW YORK 17, N.Y.  
ATTN: CHIEF OF POLICE, NEW YORK

Dr. William H. Miller, Jr., President, American Society of Plastic Surgeons, said that the American Society of Plastic Surgeons is a national organization of plastic surgeons, and that the American Society of Plastic Surgeons is a national organization of plastic surgeons, and that the American Society of Plastic Surgeons is a national organization of plastic surgeons.



2014 COMPREHENSIVE PLAN  
TOWN OF NEWPORT  
NEW CASTLE COUNTY, DE  
NEWPORT PARCEL MAP

**EXHIBIT  
8.3**



BASEMAPING SUPPLIED BY NEW CASTLE COUNTY.  
ADJUSTED AS NECESSARY VIA LOCAL INFORMATION.



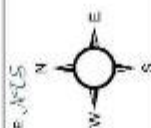
**2014 Comprehensive Plan  
Town of Newport  
New Castle County, Delaware**

**PARKS, RECREATION &  
CONSERVATION AREAS<sup>67</sup>**

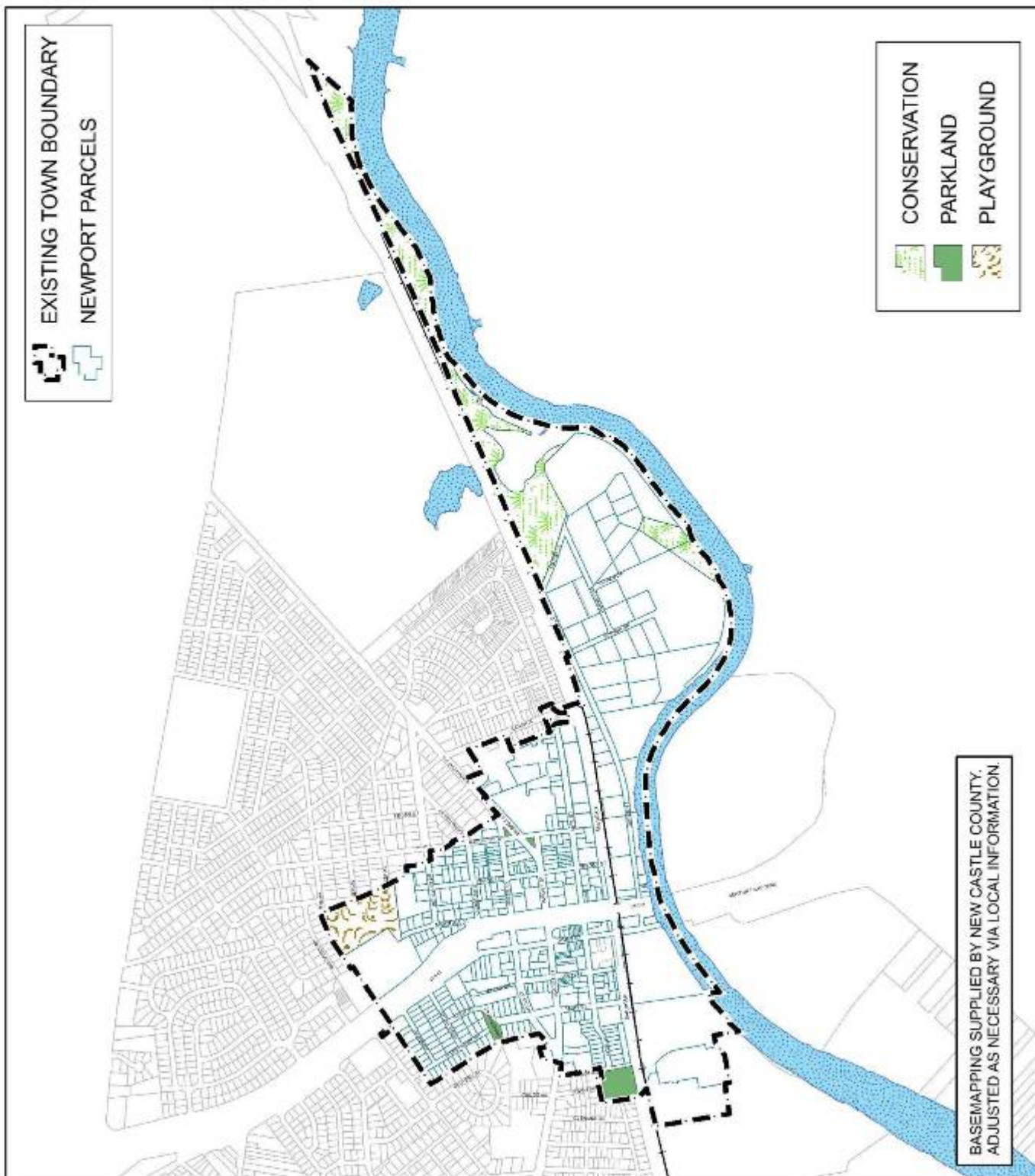
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<sup>67</sup> Base mapping obtained from . Overlays modified as required.  
Accuracy is therefor dependant on accuracy of base map.

2014 COMPREHENSIVE PLAN  
TOWN OF NEWPORT  
NEW CASTLE COUNTY, DE

[illegible]

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WASHINGTON, D.C. 20004  
(202) 638-1232 FAX (202) 638-1233  
CIRCLE 17 ON CARD







***2014 Comprehensive Plan  
Town of Newport  
New Castle County, Delaware***

**SEWER INFRASTRUCTURE MAP<sup>68</sup>**

<sup>68</sup> Base mapping obtained from . Overlays modified as required.  
Accuracy is therefor dependant on accuracy of base map.

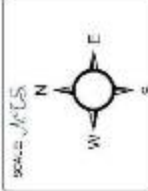


REMINGTON, VARNICK  
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NEW CASTLE, DE 19701  
302.441.1111 FAX 302.441.1112  
WWW.RVANDB.COM

*Handwritten signature*

DATE: 08/14/15  
ENGINEER: WENDY M. ACP  
PROJECT: NEWPORT SANITARY SEWER

PROJECT NO. 15-001  
SHEET NO. 1 OF 1  
SCALE: 1" = 100'



SEWER INFRASTRUCTURE MAP  
TOWN OF NEWPORT  
NEW CASTLE COUNTY, DE  
2014 COMPREHENSIVE PLAN

EXHIBIT  
8.5

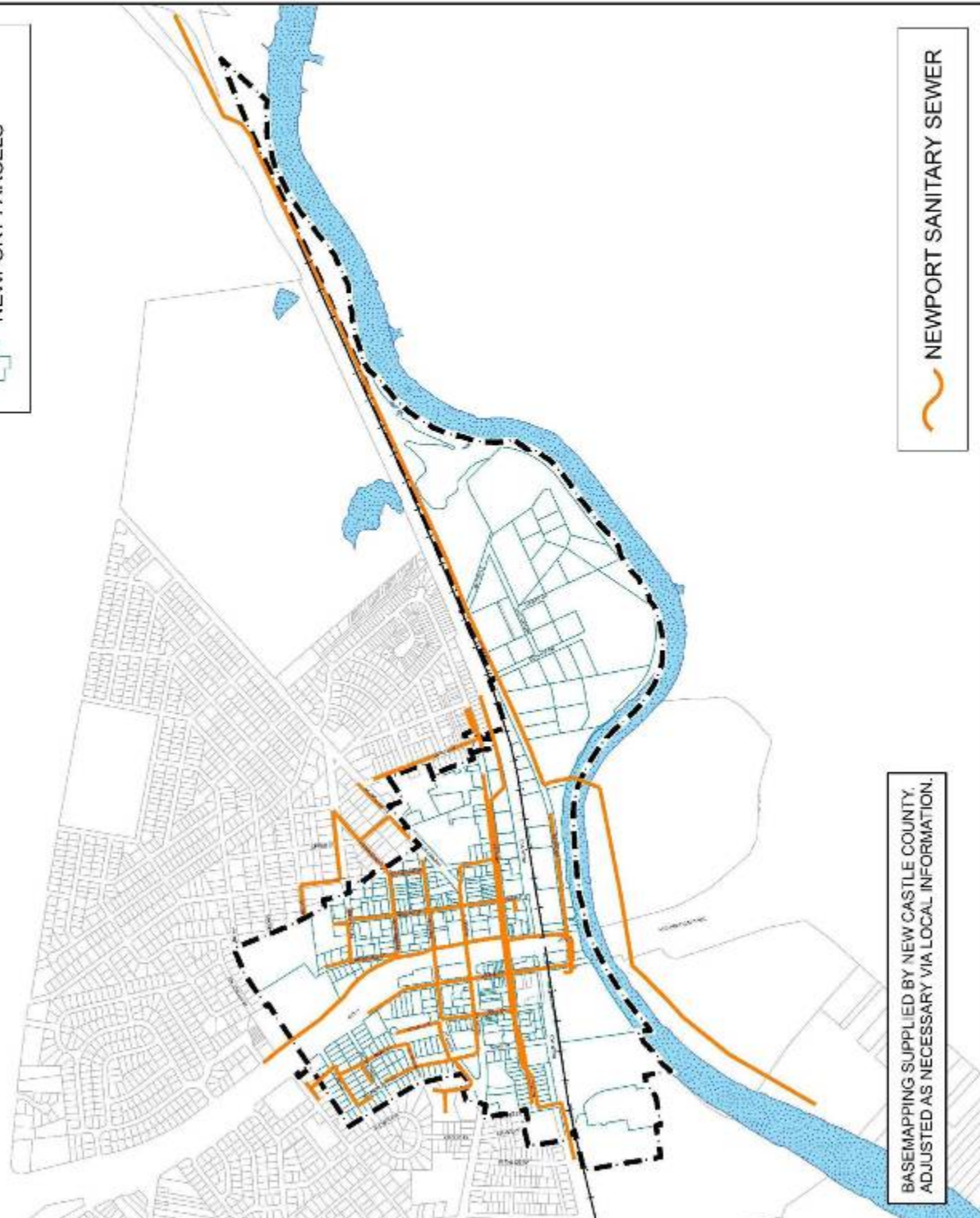
EXISTING TOWN BOUNDARY  
NEWPORT PARCELS



NEWPORT SANITARY SEWER



BASEMAPPING SUPPLIED BY NEW CASTLE COUNTY,  
ADJUSTED AS NECESSARY VIA LOCAL INFORMATION.





**SIGNIFICANT TRANSPORTATION ROUTES<sup>69</sup>**

<sup>69</sup> Base mapping obtained from . Overlays modified as required.  
Accuracy is therefor dependant on accuracy of base map.

BASEMAPPING SUPPLIED BY NEW CASTLE COUNTY,  
ADJUSTED AS NECESSARY VIA LOCAL INFORMATION.





**2014 Comprehensive Plan  
Town of Newport  
New Castle County, Delaware**

**EXISTING ZONING<sup>70</sup>**

<sup>70</sup> Base mapping obtained from . Overlays modified as required.  
Accuracy is therefor dependant on accuracy of base map.

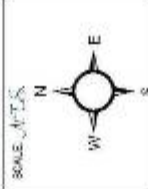


**REMINGTON, VERNICK  
& BEACHE ENGINEERS**  
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TEL: 636.336.1100 FAX: 636.336.1101  
WWW.RVBENGINEERS.COM  
COUNTY PLANNING AND ZONING DEPARTMENT

*Mark A. McGee*  
DATE: 08/14/14  
PROJECT: NEWPORT ZONING MAP

STANDARD MAP NO. 1000  
PLANNING AND ZONING DEPARTMENT  
COUNTY OF NEWCASTLE, DE

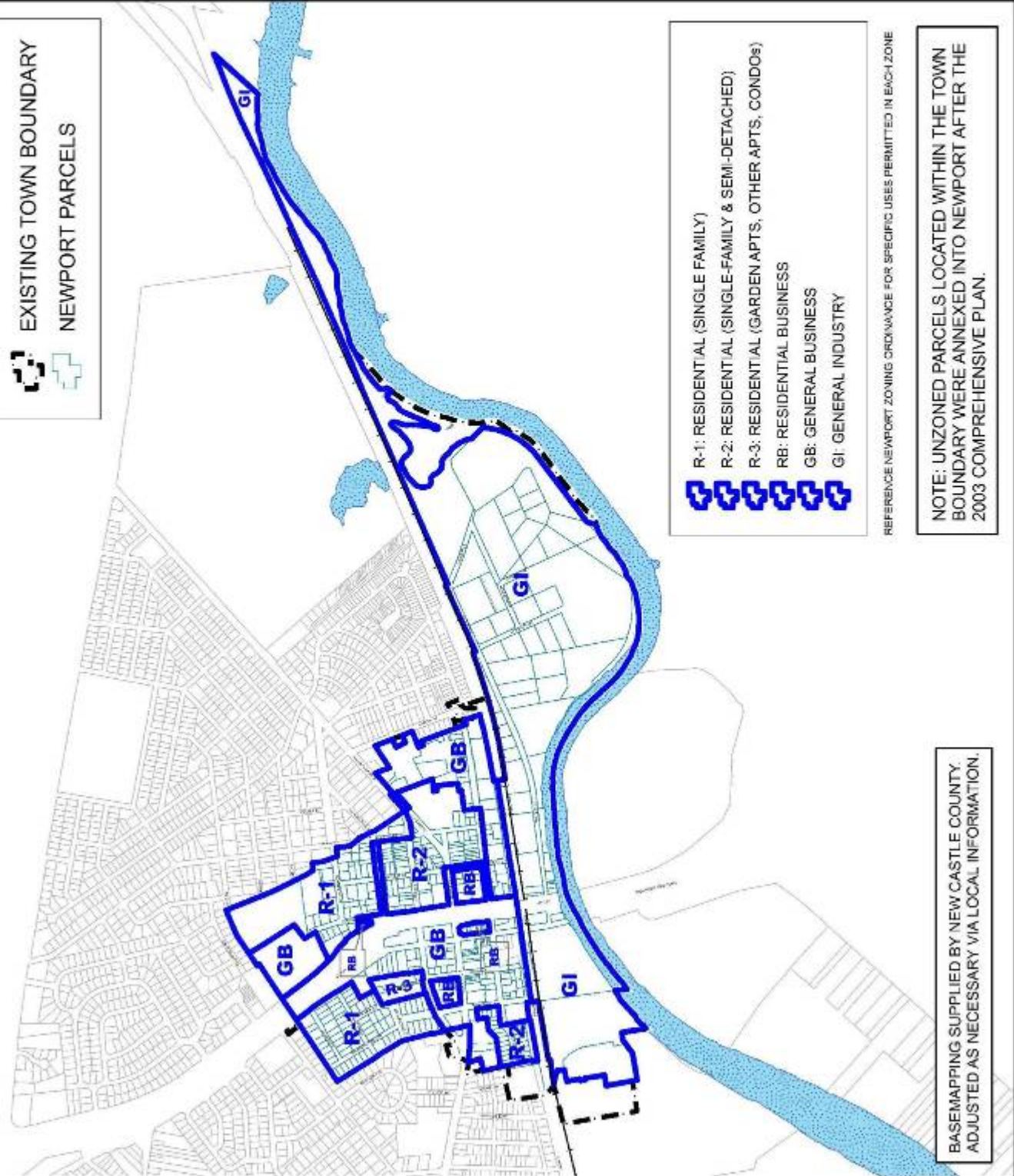
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**2014 COMPREHENSIVE PLAN  
TOWN OF NEWPORT  
NEW CASTLE COUNTY, DE**

**EXISTING ZONING**

## EXHIBIT 8.7







**2014 Comprehensive Plan  
Town of Newport  
New Castle County, Delaware**

**GENERALIZED LAND USES<sup>71</sup>**

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<sup>71</sup> Base mapping obtained from . Overlays modified as required.  
Accuracy is therefor dependant on accuracy of base map.

2014 COMPREHENSIVE PLAN  
TOWN OF NEWPORT  
NEW CASTLE COUNTY, DE



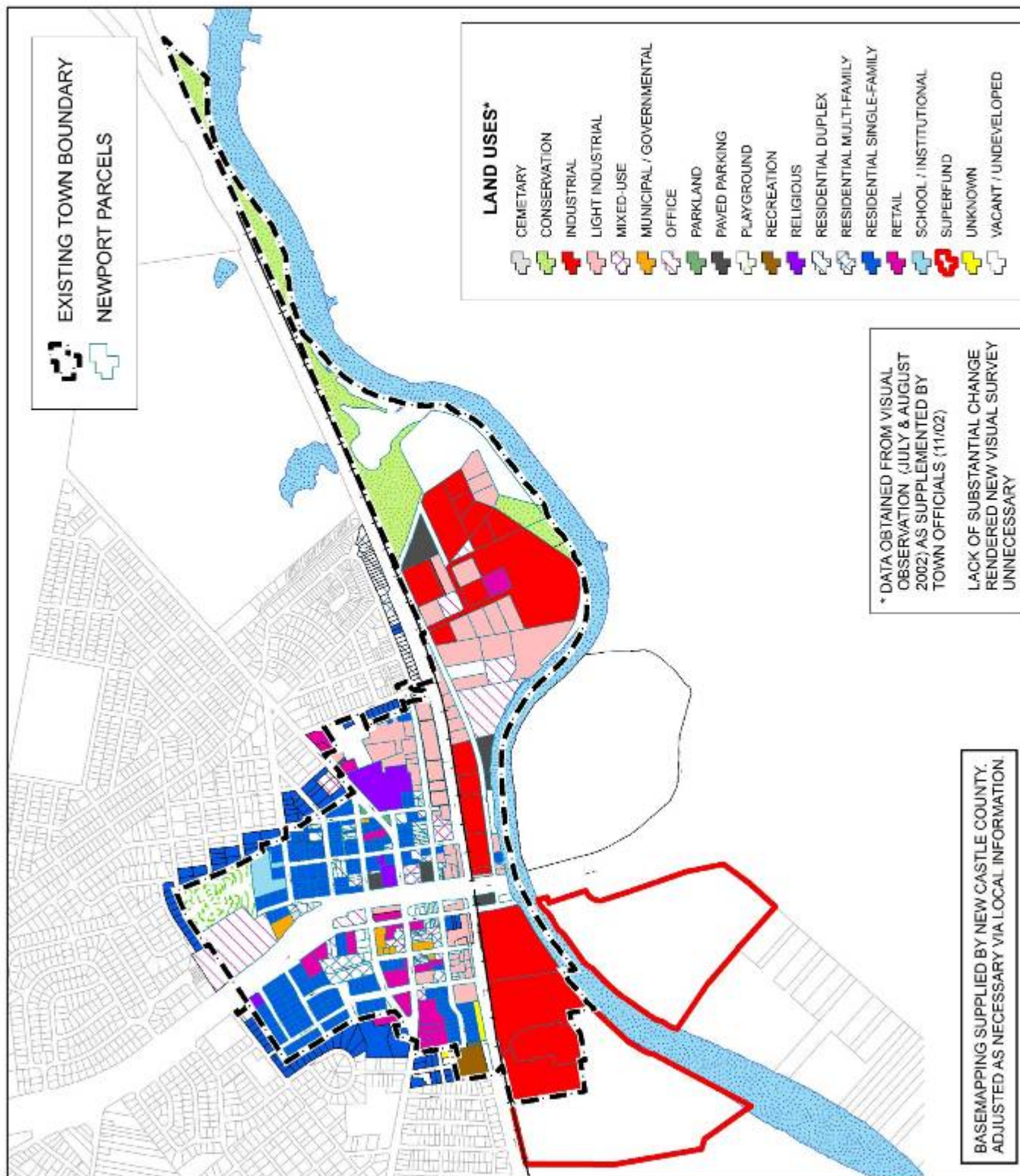
scale: 1:25000



**REMINGTON, VERNICK  
& BEACH ENGINEERS**  
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NEWARK, DE 19712  
(302) 994-1171 FAX (302) 994-0073  
9008 E. 23RD ST. WYOMING, DE 19383

Heat & Moisture

STUDENT B. WISEN, M. A. C.P.  
MAY 1984



\* DATA OBTAINED FROM VISUAL OBSERVATION (JULY & AUGUST 2002) AS SUPPLEMENTED BY TOWN OFFICIALS (11/02)

LACK OF SUBSTANTIAL CHANGE  
RENDERED NEW VISUAL SURVEY  
UNNECESSARY

BASEMAPPING SUPPLIED BY NEW CASTLE COUNTY.  
ADJUSTED AS NECESSARY VIA LOCAL INFORMATION.



***2014 Comprehensive Plan  
Town of Newport  
New Castle County, Delaware***

**RECOMMENDED AMENDMENTS:  
NEWPORT ZONING ORDINANCE**



### **ALL ZONING DISTRICTS**

1. Any use permitted and existing on any parcel at time of adoption of this Comprehensive Plan shall continue to be permitted on said parcel under the regulations existing at the time of adoption of this Comprehensive Plan.
2. Said use shall run with the land and shall survive transfer of said parcel, provided that the use is maintained by successor owners and/or operators.
3. Any new use, including uses proposed after adoption of this Comprehensive Plan or any uses existing at the time of adoption of this Comprehensive Plan but abandoned thereafter, shall not be permitted to continue under existing regulations.
4. These recommendations may be modified as necessary as part of the public process required for their effectuation by ordinance.
5. All Special Uses shall be subject to special provisions as appropriate. Specific provisions shall be established during the public process required for effectuation by ordinance.
6. No weight should be placed on the numeric order in which uses appear.



## **LOWER DENSITY RESIDENTIAL (R-1) DISTRICT**

### **Permitted Uses**

1. Single-Family detached homes.
2. Private garages, tool sheds and swimming pools as an accessory use to a home.
3. Taking of non transient boarders or roomers in a Single-Family dwelling by an owner- resident on the premises, provided there is no display or advertising on the premises in connection with such use and provided there are not more than two (2) boarders or roomers in any Single-Family dwelling.
4. Churches or other places of worship, and parish home.
5. Park, playground, and athletic field.
6. Surface parking to support any Permitted Use.
7. Public mass transit (bus) stops for loading and unloading passengers.

### **Special Uses**

1. Police and fire stations.
2. Recreation building and community center, including swimming pool, operated on a noncommercial basis for recreational purposes.
3. Professional office in a residential dwelling permitted subject to special provisions.
4. Customary home occupations subject to special provisions.
5. Day care centers, kindergartens, preschool, day nursery schools, and orphanages subject to special provisions.





## **MODERATE DENSITY RESIDENTIAL (R-2) DISTRICT**

### **Permitted Uses**

1. Unless otherwise restricted by requirements of this R-2 District, any use permitted in a Residential (R-1) District.
2. Single-Family semi-detached (side-by-side duplex) dwelling.
3. Single-Family (attached) dwellings such as town houses and row houses provided that:
  - a. The maximum number of dwelling units per building does not exceed 3 and there is 1 building per lot.
  - b. At least 40% of the total land area to be developed shall be devoted to open space.

### **Special Uses**

1. Rooming houses, boarding homes, transient rooms, excluding those uses with more than 8 rental units. A non-illuminated window or wall mounted building sign not more than 2 s.f. in area may accompany such use.
2. Nursing homes, rest homes or centers for the aged; provided that no more than 20 residents or patients are accommodated at any one time, and further provide that adequate parking facilities are designated for employees, residents and guests. Landscaped buffer zones shall be required.
3. Social club, fraternal, social service, union, and civic organization building provided that:
  - a. Buildings do not exceed 1 story or 17 feet in height.
  - b. At least 50% of the total land area to be develop[ed] shall be devoted to open space.
4. Office of public agencies
5. Undertaker, mortician, funeral home.



## **HIGH DENSITY RESIDENTIAL (R-3) DISTRICT**

### **Permitted Uses**

1. Garden apartments (as defined).
2. Apartment complexes (as defined).
3. Single-Family attached dwellings arranged as town houses and row houses provided that:
  - a. The maximum number of dwelling units per group does not exceed 5.
  - b. At least 40% of the total land area to be developed shall be devoted to open space.
4. Park, playground, athletic field, recreation building, and community center operated on a noncommercial basis for recreational purposes.
5. Public mass transit (bus) stops for loading and unloading passengers.
6. Surface parking to support any Permitted Use.

### **Special Uses**

1. Utility transmission and distribution lines.



**RESIDENTIAL-BUSINESS (RB) DISTRICT  
[COLLAPSED INTO GENERAL BUSINESS (GB) DISTRICT]**



## **GENERAL BUSINESS (GB) DISTRICT**

### **Permitted Uses**

1. Social clubs, fraternal organizations, social service groups, facilities thereof.
2. Offices for professional services such as professional medical services, architects, accountants, attorneys, professional engineers, real estate sales and appraisal, tax preparation or similar non nuisance professional services businesses.
3. Limited commercial laboratories including medical, dental, clinical, chemical, engineering, photographic and pharmaceutical, not involving noxious odors or danger from fire or explosion.
4. Personal service establishments such as shoe repair, beauty shops, barbers, tailors, dressmakers, milliners, consultants, dry cleaners, locksmiths, teaching or tutoring businesses, health and fitness clubs, optometrists contract photographers and other similar non nuisance businesses.
5. Financial institutions, banks, loan offices.
6. Offices for indoor and/or off-site repair and servicing of any articles permitted for sale in this district.
7. Retail and specialty stores such as gift stores, antique shops, flower arrangers, jewelry, newsstand, bookstores, hobby shops, art supply, stationary, clothing stores, radio, television, and appliance dealers, hardware stores, variety shops, drug and beverage stores, liquor stores, grocery stores, delicatessens, convenience stores; buildings for the display of sample merchandise.
8. Indoor storage facilities as accessory uses are permitted subject to area, parking, and landscape zone provisions.
9. Public and privately operated off street parking lot, not to include outdoor overnight parking for trucks, busses, trailers, campers, mobile homes, or temporary outdoor storage of any vehicle.
10. Public mass transit (bus) stops for loading and unloading passengers.
11. Police and fire stations.
12. Governmental offices and offices of public agencies.
13. Public and private elementary, junior, and senior high schools.
14. Parks, playground, athletic fields, and commercial or noncommercial community center operated for recreational use, including public and commercial swimming clubs.
15. Printing shops, photocopying businesses, blueprinting.
16. Restaurants, taverns, bakeries, confectioners, candy makers, gourmet shops, convenience stores, luncheonettes, meat sales, drive in restaurants, franchised sit down or fast food service.
17. Post office.
18. Petroleum product storage facilities as accessory uses to uses permitted in this district. Such facilities are subject to setback and area regulations and applicable fire codes.
19. Gunsmiths, lock sales and repair.



20. Engraving businesses.
21. Exterminator businesses.
22. Home center, excluding open storage of materials for sale.
23. Indoor theater.
24. Any use involving 3 or less coin-operated washing, drying, vending, or arcade machines for candy, soft drinks, cigarettes, or similar items when machines are located in an enclosed building.
25. Business offices of contractors, caterers, cleaners, decorators, upholsters, pest exterminators, non-retail sales businesses, or other similar non nuisance business offices; provided that no open storage of materials for sale or use by those businesses are permitted.
26. Retail feed and fertilizer sales, excluding those with on-site production facilities, provided that all operations are conducted indoors.
27. Surface parking to support any Permitted Use.

#### **Special Uses**

1. Day care centers, kindergartens, preschool, day nursery schools, and orphanages subject to special provisions.
2. Utility transmission and distribution lines.
3. Water tower, reservoir, storage tank for water, pumping station.
4. Any use involving 4 or more coin-operated washing, drying, vending, or arcade machines for candy, soft drinks, cigarettes, or similar items when machines are located in an enclosed building.
5. Any use involving the outdoor location of 1 or more coin-operated washing, drying, vending, or arcade machines.
6. Automobile service station, automobile self-service station, auto repair shop, paint shop and body shop subject to special provisions.
7. Automatic and self serve car washes subject to special provisions.
8. Security, office, or storage trailer as a temporary use subject to the conditions of the board of adjustment.





## **REDEVELOPMENT OVERLAY DISTRICT**

### **Permitted Uses**

1. Library, museum or art gallery.
2. Restaurants, taverns, bakeries, confectioners, candy makers, gourmet shops, convenience stores, luncheonettes, meat sales, drive in restaurants, franchised sit down or fast food service establishments.
3. Undertaker, mortician, funeral home.
4. Churches or other places of worship and Sunday school building.
5. Public and private elementary, junior, and senior high schools.
6. Park, playground and athletic field, recreation building, and community center operated on a noncommercial basis for recreational purposes.
7. Swimming pools, both public and private, subject to applicable area regulations.
8. Surface or structured parking to support any Permitted Use.
9. Governmental offices and offices of public agencies.
10. Offices for professional services such as professional medical services, architects, accountants, attorneys, professional engineers, real estate sales and appraisal, tax preparation or similar non nuisance professional services businesses.
11. Offices for administrative services such as advertising agencies, collection agencies, employment agencies, computer services, consultants, insurance adjusters, telephone answering services, video film companies or similar non nuisance professional services businesses.
12. Studios for artists, designers, photographers, musicians, sculptors.
13. Financial institutions, banks, loan offices.
14. Personal service establishments such as beauty shops, barbers, health and fitness clubs, tailors and dressmakers, milliners, shoe repair, dry cleaners, locksmiths, contract photographers and retail photo developers or other similar non nuisance personal service businesses.
15. Printing, photocopying businesses, blueprinting.
16. Retail and specialty stores such as gift stores, antique shops, flower arrangers, jewelry, newsstand, bookstores, hobby shops, art supply, stationary, clothing stores, radio, television, and appliance dealers, hardware stores, variety shops, drug and beverage stores, liquor stores, grocery stores, delicatessens, convenience stores; buildings for the display of sample merchandise.
17. Public and privately operated off street parking lots, not to include outdoor overnight parking for trucks, busses, trailers, campers, mobile homes or temporary outdoor storage of any vehicle.
18. Post office.
19. Indoor movie or other theater.
20. Residential above ground floor Permitted Use.



21. Automobile repair, including automotive machine shop.
22. Woodworking, sign-making and sheet metal fabrication operations (light manufacturing).

### **Special Uses**

1. Any use involving 4 or more coin-operated washing, drying, vending, or arcade machines for candy, soft drinks, cigarettes, or similar items when machines are located in an enclosed building.
2. Any use involving the outdoor location of 1 or more coin-operated washing, drying, vending, or arcade machines.
3. Utility transmission and distribution lines.
4. Tourist centers and hotels and motels.
5. Social club, fraternal, social service, union or civic organization building provided:
  - a. Buildings do not exceed 1 story or 17 feet in height.
  - b. At least 50% of the total land area to be developed shall be devoted to open space.
  - c. All parking requirements are satisfied.
6. Any use involving 3 or less coin-operated washing, drying, vending, or arcade machines for candy, soft drinks, cigarettes, or similar items when machines are located in an enclosed building.
7. Public mass transit (bus) stops for loading and unloading passengers.
8. Automobile paint shop and body shop.



## **PROFESSIONAL OFFICE (PO) DISTRICT**

### **Permitted Uses**

1. Offices for administrative services such as advertising agencies, collection agencies, employment agencies, computer services, consultants, insurance adjusters, telephone answering services, video film companies or similar non nuisance professional services businesses.
2. Offices for professional services such as professional medical services, architects, accountants, attorneys, professional engineers, real estate sales and appraisal, tax preparation or similar non nuisance professional services businesses.
3. Financial institutions, banks, loan offices.
4. Public mass transit (bus) stops for loading and unloading passengers.
5. Police and fire stations.
6. Governmental offices and offices of public agencies.
7. Post office.
8. Surface parking to support any Permitted Use.

### **Special Uses**

1. Utility transmission and distribution lines.
2. Water tower, reservoir, storage tank for water, pumping station.



## **GENERAL INDUSTRY (GI) DISTRICT**

### **Permitted Uses**

1. Commercial dry cleaning business.
2. Wholesale oil storage facilities, including pipelines for oil transport and accessory structures provided that such storage does not exceed 10,000 gallons.
3. Petroleum product storage facilities as accessory uses to uses permitted in this district. Such facilities are subject to setback and area regulations and applicable fire codes.
4. Railroads and rail yards; facilities for repair of rail machinery and equipment.
5. Public transportation facilities including public mass transit (bus) stops for loading and unloading passengers as well as depots, for loading and unloading of freight. Stations, garages, storage areas, buildings for repair and maintenance of public transportation and equipment.
6. Accessory retail sales areas provided that adequate off street parking facilities exist.
7. Warehouse sales provided that not more than 1 sale of 2 days in length is conducted in a 5 month period.
8. Limited commercial laboratories including medical, dental, clinical, chemical, engineering, photographic and pharmaceutical; academic research and testing laboratories; accessory uses of laboratories; uses may not involve noxious odors or danger from fire or explosion.
9. Public and privately operated off street parking lot, including overnight storage of cars, trucks, busses, trailers, campers, utility vehicles.
10. Surface parking to support any Permitted Use.
11. Accessory recreation facilities for the use of employees of uses permitted in this district.
12. Accessory food service and production facilities for uses permitted in this district.
13. Manufacture and assembly of the following: clothing, electrical appliances, food products preparation, leather goods, machinery and machinery parts, excluding those made with forges. In no case shall uses include processes where basic materials are converted on the premises.
14. Types of light manufacturing which are similar to [above] which employ electricity or other non objectionable machinery and processes and which are free from disturbing odors, noises, potentially hazardous conditions, or other objectionable factors.
15. Utility transmission and distribution lines.
16. Business offices, manufacturing, processing and/or assembly shops and storage facilities of contractors, caterers, cleaners, decorators, upholsters, pest exterminators, non-retail sales businesses, or other similar non nuisance business offices.
17. Wood and lumber processing facilities including mills, lumber treatment plants, lumber or furniture manufacture or finishing businesses.
18. Warehousing facilities as primary uses, provided that no highly combustive or explosive materials which are likely to burn rapidly or produce poisonous fumes are permitted. Products or materials which involve corrosive or noxious acids, alkalies, liquids, or chemicals shall not be stored within 100 feet of any property line.



19. Wholesale sales businesses with related storage and warehousing facilities; provided that no highly combustible or explosive materials which are likely to burn rapidly or produce poisonous fumes are permitted. Products or materials which involve corrosive or noxious acids, alkalies, liquids, or chemicals shall not be stored within 100 feet of any property line.
20. Water tower, reservoir, storage tank for water, pumping station.
21. Retail feed and fertilizer sales, including those with on-site production facilities.
22. Agricultural uses, excluding the raising of foxes, minks, or other rare fur animals. Commercial green houses are permitted only if any fertilizer materials are stored 100 feet away from any lot line and any heating units are placed a minimum of 50 feet from any lot line.

### **Special Uses**

1. Any wholesale oil storage facilities, including pipelines for oil transport and accessory structures, which exceed 10,000 gallons.
2. Warehouse sales which exceed the provisions of 6 above (not more than 1 sale of 2 days in length is conducted in a 5 month period).
3. A plant for the assembly of automobiles, farm equipment, or other process involving the on site processing of basic materials.
4. Automobile repair shop, paint shop, body shop, and all public garages subject to special provisions.
5. Linoleum manufacture.
6. Any manufacturing, commercial, industrial, or businesses use which, in the opinion of the building inspector, involved conditions of a hazardous, objectionable, or potentially dangerous nature that should be reviewed by the board of adjustment.
7. Outdoor display or storage areas for wholesale or retail goods permitted in this district which exceed 100 s.f. in area.
8. Security, office, or storage trailer as a temporary use subject to the conditions of the board of adjustment.
9. Automobile, boat, truck, mobile dwelling unit, motorcycle, utility trailer, rentals, retail and wholesale sales businesses subject to special provisions.





## **CHEMICAL (CHEM) DISTRICT**

### **Permitted Uses**

1. Any process involving cleansing, distribution, manufacture, processing, production, warehousing or testing except for the following categories: manufacture of corrosive acids, paints, oils, or fertilizers; production of alcohol, bleaching compounds, curing of hides, rubber products; ore smelting, blast furnaces, garbage dumping, compaction or reduction (including underground placement or incineration); asphalt production; animal rendering.
2. Commercial dry cleaning business.
3. Wholesale oil storage facilities, including pipelines for oil transport and accessory structures provided that such storage does not exceed 10,000 gallons.
4. Any process involving the refining of natural crude petroleum; manufacture of petroleum products; accessory uses to petroleum businesses.
5. Petroleum product storage facilities as accessory uses to uses permitted in this district. Such facilities are subject to setback and area regulations and applicable fire codes.
6. Limited commercial laboratories including medical, dental, clinical, chemical, engineering, photographic and pharmaceutical; academic research and testing laboratories; accessory uses of laboratories; uses may not involve noxious odors or danger from fire or explosion.
7. Surface parking to support any Permitted Use. including overnight storage of cars, trucks, busses, trailers, campers, utility vehicles.
8. Accessory recreation facilities for the use of employees of uses permitted in this district.
9. Accessory food service and production facilities for uses permitted in this district.
10. Manufacture and assembly of the following: clothing, electrical appliances, food products preparation, leather goods, machinery and machinery parts, excluding those made with forges. In no case shall uses include processes where basic materials are converted on the premises.
11. Types of light manufacturing which are similar to [above] which employ electricity or other non objectionable machinery and processes and which are free from disturbing odors, noises, potentially hazardous conditions, or other objectionable factors.
12. Railroads and rail yards; facilities for repair of rail machinery and equipment.
13. Utility transmission and distribution lines.
14. Wood and lumber processing facilities including mills, lumber treatment plants, lumber or furniture manufacture or finishing businesses.
15. Warehousing facilities as primary uses, provided that no highly combustive or explosive materials which are likely to burn rapidly or produce poisonous fumes are permitted. Products or materials which involve corrosive or noxious acids, alkalies, liquids, or chemicals shall not be stored within 100 feet of any property line.
16. Water tower, reservoir, storage tank for water, pumping station.



### **Special Uses**

1. Any wholesale oil storage facilities, including pipelines for oil transport and accessory structures, which exceed 10,000 gallons.
2. A plant for the assembly of automobiles, farm equipment, or other process involving the on site processing of basic materials.
3. Rubber production plants such as tire, tube, tire recapping, and other rubber products provided that sufficient information is given to the board of adjustment demonstrating that state of the art noise and odor reduction equipment will be included within standard operating procedures.
4. Manufacture of bleaching compounds, ammonia, chlorine, and corrosive acids such as sulfuric, nitric, or hydrochloric acids. Applications are to be analyzed on an individual bases with consideration given to planning for prevention of fire, explosion, leakage of gasses and liquids, off street parking, landscape treatment, and planning for emergency conditions which may result from an accident or malfunction of the intended use.
5. Linoleum, paint, varnish, lacquer, fertilizer, and asphalt manufacture; pesticide production.
6. Any manufacturing, commercial, industrial or businesses use which, in the opinion of the building inspector, involved conditions of a hazardous, objectionable, or potentially dangerous nature that should be reviewed by the board of adjustment.
7. Security, office, or storage trailer as a temporary use subject to the conditions of the board of adjustment.



## **CONSERVATION (CON) DISTRICT**

### **Permitted Uses**

1. Public and private open space.
2. Public and private outdoor recreation facilities.

### **Special Uses**

1. Public and private enclosed recreation facilities provided such facilities support the open space, recreational character of the district.



## **REDEVELOPMENT DISTRICT**

### **Permitted Uses**

1. Specific uses to be established as the Town advances its Redevelopment program for this area.



***2014 Comprehensive Plan  
Town of Newport  
New Castle County, Delaware***

**PROPOSED ZONING**

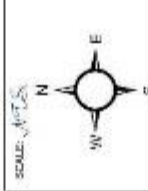




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DENVER, COLORADO 80202  
TEL: 303.733.1100  
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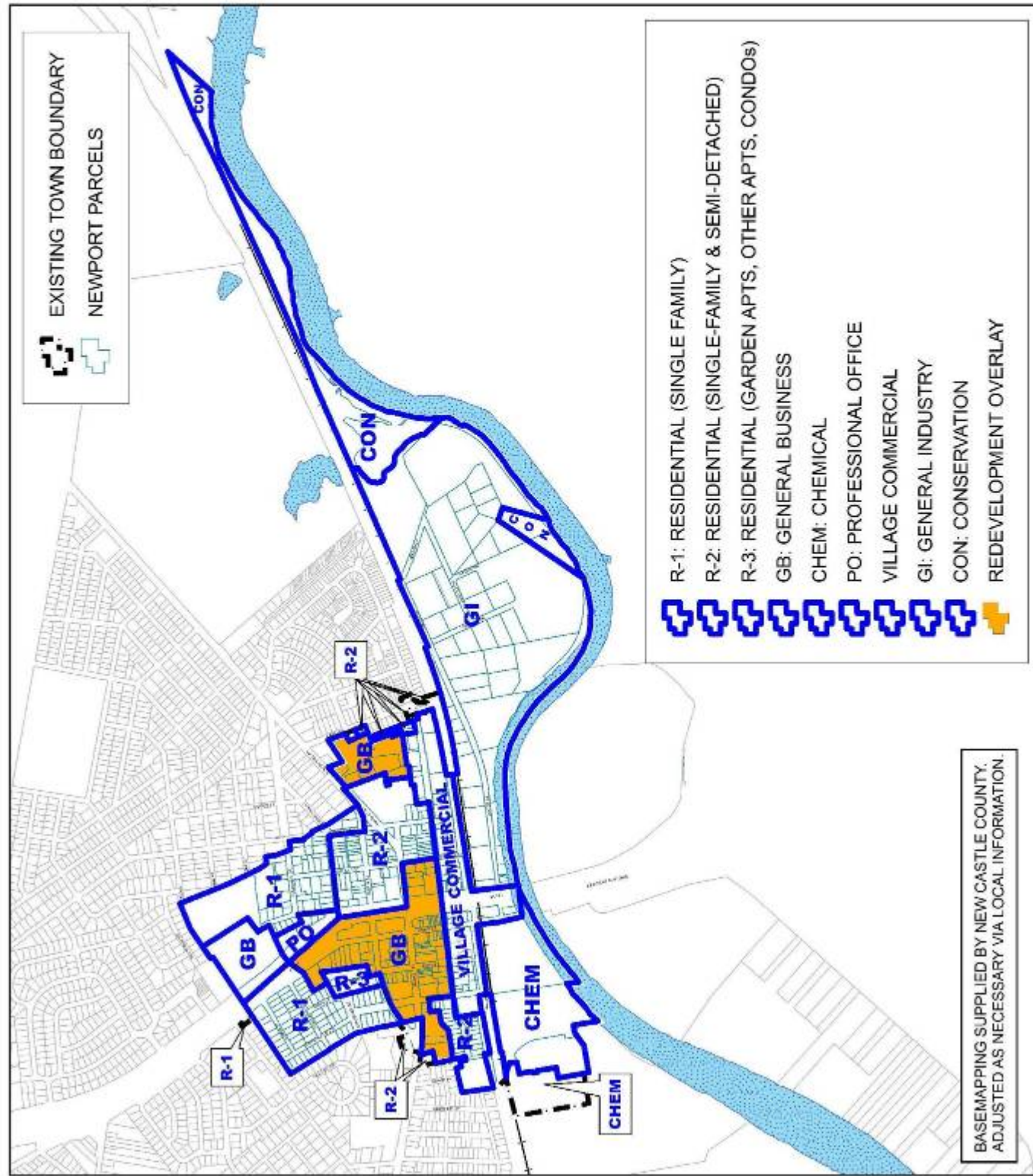
*Shawn A. Miller*  
DATE: 08/14  
STUART R. WISE, AICP  
11. FORTYFOURTH AVENUE, SUITE 100  
DENVER, COLORADO 80202

**PROPOSED ZONING**  
TOWN OF NEWPORT  
NEW CASTLE COUNTY, DE



**2014 COMPREHENSIVE PLAN**  
TOWN OF NEWPORT  
NEW CASTLE COUNTY, DE

**EXHIBIT  
8.10**





***2014 Comprehensive Plan  
Town of Newport  
New Castle County, Delaware***

**SMART GROWTH & NEW URBANISM**



**2014 Comprehensive Plan  
Town of Newport  
New Castle County, Delaware**

**SMART GROWTH  
O N L I N E**

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*Supporting the development of vibrant, healthy communities*

## WHY SMART GROWTH?

Health, schools, taxes, traffic, the environment, economic growth, fairness, opportunity—many of the things we care about—are all affected by development decisions. From the length of our daily commute to the price of a new home to the safety of our neighborhoods—what, where, and how we build have major impacts on our personal lives, our communities, and our nation.

Growth presents a tremendous opportunity for progress. Communities around the country are looking for ways to get the most out of new development and to maximize their investments. Frustrated by development that requires residents to drive long distances between jobs and homes, many communities are challenging rules that make it impossible to put workplaces, homes, and services closer together. Many communities are questioning the fiscal wisdom of neglecting existing infrastructure while expanding new sewers, roads, and services into the fringe. And in many communities where development has improved daily life, the economy, and the environment, smart growth principles have been key to that success.

Growth is “smart” when it gives us great communities, with more choices and personal freedom, good return on public investment, greater opportunity across the community, a thriving natural environment, and a legacy we can be proud to leave our children and grandchildren.

When communities choose smart growth strategies, they can create new neighborhoods and maintain existing ones that are attractive, convenient, safe, and healthy. They can foster design that encourages social, civic, and physical activity. They can protect the environment while stimulating economic growth. Most of all, we can create more choices for residents, workers, visitors, children, families, single people, and older adults—choices in where to live, how to get around, and how to interact with the people around them. When communities do this kind of planning, they preserve the best of their past while creating a bright future for generations to come.

Adapted from the PDF “This is Smart Growth,” published by ICMA and EPA in 2006.

### SMART GROWTH PRINCIPLES

- Mix Land Uses
- Take Advantage of Compact Building Design
- Create a Range of Housing Opportunities and Choices
- Create Walkable Neighborhoods
- Foster Distinctive, Attractive Communities with a Strong Sense of Place
- Preserve Open Space, Farmland, Natural Beauty and Critical Environmental Areas
- Strengthen and Direct Development Towards Existing Communities
- Provide a Variety of Transportation Choices
- Make Development Decisions Predictable, Fair and Cost Effective
- Encourage Community and Stakeholder Collaboration in Development Decisions

### SMART GROWTH ISSUES

- Partner Publications
- Community Quality of Life
- Economics
- Environment
- Health
- Transportation
- Housing
- Design

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[www.smartgrowth.org/why.php](http://www.smartgrowth.org/why.php)





# new urbanism

## PRINCIPLES OF URBANISM

The principles of urbanism can be applied increasingly to projects at the full range of scales from a single building to an entire community.

### 1. Walkability

- Most things within a 10-minute walk of home and work
- Pedestrian friendly street design (buildings close to street; porches, windows & doors; tree-lined streets; on street parking; hidden parking lots; garages in rear lane; narrow, slow speed streets)
- Pedestrian streets free of cars in special cases



### 2. Connectivity

- Interconnected street grid network disperses traffic & eases walking
- A hierarchy of narrow streets, boulevards, and alleys
- High quality pedestrian network and public realm makes walking pleasurable



### 3. Mixed-Use & Diversity

- A mix of shops, offices, apartments, and homes on site. Mixed-use within neighborhoods, within blocks, and within buildings
- Diversity of people - of ages, income levels, cultures, and races





#### 4. Mixed Housing

A range of types, sizes and prices in closer proximity



#### 5. Quality Architecture & Urban Design

Emphasis on beauty, aesthetics, human comfort, and creating a sense of place; Special placement of civic uses and sites within community. Human scale architecture & beautiful surroundings nourish the human spirit



#### 6. Traditional Neighborhood Structure

- Discernable center and edge
- Public space at center
- Importance of quality public realm; public open space designed as civic art
- Contains a range of uses and densities within 10-minute walk
- Transect planning: Highest densities at town center; progressively less dense towards the edge. The transect is an analytical system that conceptualizes mutually reinforcing elements, creating a series of specific natural habitats and/or urban lifestyle settings. The Transect integrates environmental methodology for habitat assessment with zoning methodology for community design. The professional boundary between the natural and man-made disappears, enabling environmentalists to assess the

design of the human habitat and the urbanists to support the viability of nature. This urban-to-rural transect hierarchy has appropriate building and street types for each area along the continuum.



#### 7. Increased Density

- More buildings, residences, shops, and services closer together for ease of walking, to enable a more efficient use of services and resources, and to create a more convenient, enjoyable place to live.
- New Urbanism design principles are applied at the full range of densities from small towns, to large cities







## 8. Green Transportation

- A network of high-quality trains connecting cities, towns, and neighborhoods together
- Pedestrian-friendly design that encourages a greater use of bicycles, rollerblades, scooters, and walking as daily transportation



## 9. Sustainability

- Minimal environmental impact of development and its operations
- Eco-friendly technologies, respect for ecology and value of natural systems
- Energy efficiency
- Less use of finite fuels
- More local production
- More walking, less driving



## 10. Quality of Life

Taken together these add up to a high quality of life well worth living, and create places that enrich, uplift, and inspire the human spirit.



# BENEFITS OF URBANISM

## 1. BENEFITS TO RESIDENTS

Higher quality of life; Better places to live, work, & play; Higher, more stable property values; Less traffic congestion & less driving; Healthier lifestyle with more walking, and less stress; Close proximity to main street retail & services; Close proximity to bike trails, parks, and nature; Pedestrian friendly communities offer more opportunities to get to know others in the neighborhood and town, resulting in meaningful relationships with more people, and a friendlier town; More freedom and independence to children, elderly, and the poor in being able to get to jobs, recreation, and services without the need for a car or someone to drive them; Great savings to residents and school boards in reduced busing costs from children being able to walk or bicycle to neighborhood schools; More diversity and smaller, unique shops and services with local owners who are involved in community; Big savings by driving less, and owning less cars; Less ugly, congested sprawl to deal with daily; Better sense of place and community identity with more unique architecture; More open space to enjoy that will remain open space; More efficient use of tax money with less spent on spread out utilities and roads





## **2. BENEFITS TO BUSINESSES**

Increased sales due to more foot traffic & people spending less on cars and gas; More profits due to spending less on advertising and large signs; Better lifestyle by living above shop in live-work units - saves the stressful & costly commute; Economies of scale in marketing due to close proximity and cooperation with other local businesses; Smaller spaces promote small local business incubation; Lower rents due to smaller spaces & smaller parking lots; Healthier lifestyle due to more walking and being near healthier restaurants; More community involvement from being part of community and knowing residents

## **3. BENEFITS TO DEVELOPERS**

More income potential from higher density mixed-use projects due to more leasable square footage, more sales per square foot, and higher property values and selling prices; Faster approvals in communities that have adopted smart growth principles resulting in cost / time savings; Cost savings in parking facilities in mixed-use properties due to sharing of spaces throughout the day and night, resulting in less duplication in providing parking; Less need for parking facilities due to mix of residences and commercial uses within walking distance of each other; Less impact on roads / traffic, which can result in lower impact fees; Lower cost of utilities due to compact nature of New Urbanist design; Greater acceptance by the public and less resistance from NIMBYS; Faster sell out due to greater acceptance by consumers from a wider product range resulting in wider market share

## **4. BENEFITS TO MUNICIPALITIES**

Stable, appreciating tax base; Less spent per capita on infrastructure and utilities than typical suburban development due to compact, high-density nature of projects; Increased tax base due to more buildings packed into a tighter area; Less traffic congestion due to walkability of design; Less crime and less spent on policing due to the presence of more people day and night; Less resistance from community; Better overall community image and sense of place; Less incentive to sprawl when urban core area is desirable; Easy to install transit where it's not, and improve it where it is; Greater civic involvement of population leads to better governance

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## **WAYS TO IMPLEMENT NEW URBANISM**

The most effective way to implement New Urbanism is to plan for it, and write it into zoning and development codes. This directs all future development into this form.

[Latest version of the SmartCode](#)

### **New Urbanism is best planned at all levels of development:**

- The single building
- Groups of buildings
- The urban block
- The neighborhood
- Networks of neighborhoods
- Towns
- Cities
- Regions



**2014 Comprehensive Plan  
Town of Newport  
New Castle County, Delaware**

Increasingly, regional planning techniques are being used to control and shape growth into compact, high-density, mixed-use neighborhoods, villages, towns, and cities. Planning new train systems (instead of more roads) delivers the best results when designed in harmony with regional land planning - known as Transit Oriented Development (TOD). At the same time, the revitalization of urban areas directs and encourages infill development back into city centers.

Planning for compact growth, rather than letting it sprawl out, has the potential to greatly increase the quality of the environment. It also prevents congestion problems and the environmental degradation normally associated with growth.

