# 2016/2022





# City of Newark COMPREHENSIVE DEVELOPMENT PLAN V 2.0

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#### Front cover

# Newark's 250th Anniversary Print Artist: Carol Dyer Permission granted from Vance A. Funk, III

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(2022 Review Adoption)

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(2016 Adoption)

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# City of Newark COMPREHENSIVE DEVELOPMENT PLAN V

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#### **PREFACE**

#### WHY WE PLAN

"Who would invest in a corporation if it didn't have a business plan?
...The same is true for a community if it doesn't have a plan. Every successful institution, whether a corporation or a community, needs a plan."

#### Ed McMahon

Charles E. Fraser Chair on Sustainable Development at the Urban Land Institute (1)

At Newark Day, June 2, 2012, the City of Newark held its kickoff for public outreach on the fourth update to the City's *Comprehensive Development Plan*, a document adopted by the City that puts forward in words, maps, illustrations, and tables the City's goals, aspirations, policies, and guidelines intended to direct the City's future land use, as well as its physical, environmental, social and economic development. The *Plan* is a blueprint for the City to achieve a vision, address short- and long-range planning concerns, and provide a rational basis for local land use decisions.

Why are comprehensive plans important? Why do local governments need to plan?

The City of Newark adopted its first formal *Comprehensive Development Plan* in 1969. Since 2001, the State of Delaware also requires municipalities to adopt a comprehensive plan (Title 22, Section 702). We plan first and foremost to create a foundation for decision making, but there are a variety of other reasons:

We plan to establish a shared vision for the future. A comprehensive plan looks at the "big picture" and how it relates to regional trends as well as to the community's "sense of place." Planning is an opportunity to take a broad look at issues including housing, economic development, transportation, public infrastructure, and environmental quality.

We plan to think regionally and coordinate local decision making. By adopting a series of goals and strategies that guide the City in its daily decisions, the comprehensive plan provides a basis for coordinating the actions of our City government with other local government agencies. Our city is small; City residents routinely use the services and amenities of surrounding

communities. We also rely on regional cooperation for the protection of the environment and for economic development.

We plan to give guidance to landowners and developers. The Comprehensive Development Plan is a statement of how the City intends to use public investment and land development controls. Therefore, the private sector can use the Plan to get a sense of where the community's priorities are and the direction that it is headed in terms of the physical, social, economic, and transportation future.

We plan to establish a sound basis in fact for decisions. The Comprehensive Development Plan provides information and analysis that gives policy makers a factual basis for land-use decisions. As a result, the Comprehensive Development Plan supports consistency of government action and limits potential for arbitrariness. (2)

We plan to involve a broad array of interests in a discussion about the future and vision for our City. Citizen participation in planning is an essential part of a democratic system of government. The planning process involves outreach and active participation by a variety of stakeholders, including elected and appointed officials, city staff, business and civic leaders, and residents from all areas of the community to engage in a discussion about the community's major physical, environmental, social, and economic development priorities. The *Plan* seeks to bring these varied interests together in a shared vision for the community they are trying to create. (3)

We plan to build an informed constituency. Planning workshops, meetings, surveys, and public hearings create a two-way dialogue between citizens and city officials regarding a vision of the community and how that vision is to be achieved, establishing a basis for collaborative implementation. By anticipating change and development, the community is in a better position to shape its future and address concerns to preserve its core values. (2)

Having defined what a comprehensive plan is, and why it is important, it is also useful to clarify what a comprehensive plan is not. (4)

A Comprehensive Plan is not designed to prevent change. Instead, a comprehensive plan serves as a means to control and direct a community's continuing evolution. Within the guidelines established by the Comprehensive Plan, elected and appointed officials will have to make decisions for the specific circumstances that will arise. As the needs and wants of the community evolve, the Comprehensive Plan itself and its land use prescriptions may have to be updated. Such changes, however, shall not be taken lightly since the *Plan* reflects the consensus derived from a lengthy process.

A Comprehensive Plan is not a detailed prescription of future development. A good plan is a guide, giving shape and direction to a city's anticipated future needs, particularly its physical

development. But what, where, and how to build within these guidelines is ultimately a decision of private businesses, individual landlords and investors, and the public through City government.

A Comprehensive Plan is not zoning. Zoning is one of many administrative tools that communities use to implement and refine a long-range plan. A zoning map must, under state law, be consistent with the general land uses indicated in the Comprehensive Plan. However, a Comprehensive Plan encompasses much more: It establishes the community's vision and goals that define appropriate land uses within the framework of Newark's physical, social, and economic environment.

This Comprehensive Development Plan is an officially adopted, legally required, and legally binding public document designed to establish strategies and guidelines for our community's growth over the next five to ten years. The Plan incorporates, expands, and updates previous planning efforts. It includes a detailed examination of the physical, environmental, demographic, and economic conditions that provide the parameters within which future growth will occur.

Under State of Delaware Law, the *Plan* is the legal planning document upon which our zoning code and zoning map are based. Specifically, *Delaware Code Title 22*, §702, stipulates that, "The comprehensive plan shall be the basis for the development of zoning regulations (...) [and] shall have the force of law and no development shall be permitted except as consistent with the plan."

"If we understand the Plan as a tool for building and rebuilding our changing city that assists all of us — City officials, residents, land owners and developers — in making good and equitable decisions on Newark's growth, then the Plan will be a working document rather than a dust collector." (4)

Roy H. Lopata
City of Newark Planning & Development Director, 1975–2012
Comprehensive Development Plan IV

#### Sources:

- 1. Wayne Senville, "What's the Market Telling Us?"; PlannersWeb; 2012
- 2. John Wiley & Sons, Planning and Urban Design Standards; American Planning Association, 2004
- 3. Grabow, Killiker, Morkal; *Comprehensive Planning & Citizen Participation*; University of Wisconsin-Extension; Community, Natural Resource and Economic Development Programs; 2006
- 4. Comprehensive Development Plan IV, 2008

# Chapter 1 INTRODUCTION

#### The Setting

Newark is located within the Northeast Corridor, which includes major metropolitan areas along the eastern seaboard, stretching from New England to suburban Virginia, south of Washington, D.C. On the local level, the City is part of the Delaware River Valley at the western end of New Castle County's primary development core, running from Wilmington along Kirkwood Highway to the Maryland boundary.

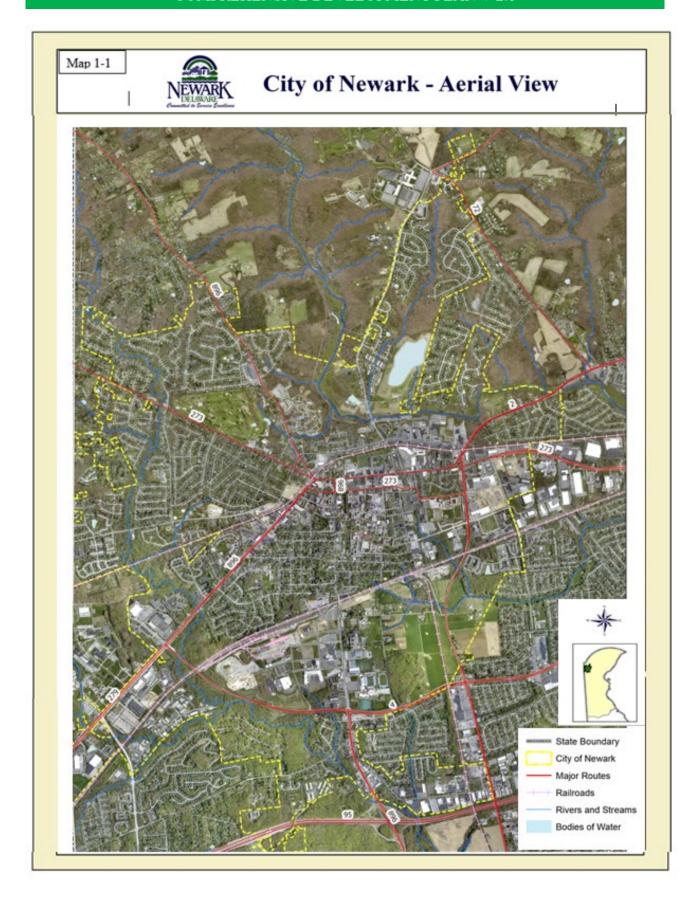


Source: Google Maps, 2015

Newark lies within two geologic regions: the Appalachian Piedmont and the Atlantic coastal plain. The two regions are divided by a "fall line", the interface where streams pass from rocky upland to the sandy and softer plain, often marked by rapids or waterfalls, hence the name. Because of the availability of waterpower, cities have developed along the fall line. In this way, Newark's heritage is linked with other eastern cities like Philadelphia, Baltimore, Washington, Richmond, Trenton, Columbia, and nearby Wilmington. In Delaware, the fall line runs from Wilmington to Newark, roughly along the route of the Northeast Corridor railroad (Conrail/Amtrak) right-of-way and through Newark to the Maryland line along Cleveland Avenue and the CSX Railroad right-of-way.

The Appalachian Piedmont is a region of gently rolling hills between the Appalachian Mountains and the coastal plain that reaches from the New York/New Jersey state line to Alabama. This area in Newark includes the upper portions of the White Clay Creek and Christina River valleys with elevations ranging from about 100 to 260 feet above sea level. The rolling hills north of the City, along State Route 896 and Paper Mill Road, best exemplify the Piedmont landform. Slopes ranging from 3% to 15%, suitable for most development, predominate in this geological region north of the fall line. Soils in this area tend to be well drained and moderately fertile; obstacles to development tend to be related to high soil erodibility in the more steeply sloped sections.

The Atlantic Coastal Plain is the principal landform for most of Delaware, including the central, southern, and eastern portions of Newark. The coastal plain is relatively level with average



elevations less than 100 feet above sea level and slopes ranging from 0% to 3% and, coupled with the local soil's conditions, is generally suitable for all types of development. The Christina and White Clay Creeks provide the City with its major drainage systems. The Christina Creek flows eastward, eventually ending at the Brandywine River just before the Brandywine reaches the Delaware River, whereas the White Clay Creek stream valley acts as the termination of drainage basins running from Pennsylvania and Maryland to the Christina River near Newport. The associated floodplains of the White Clay and Christina Creeks contain wet soils and fall within the City's strictly regulated Special Flood Hazard Area (SFHA) zoning district. Development in this area is severely limited, restricted primarily to recreational and agricultural uses. While the White Clay Creek valley is considerably larger than that of the Christina in Newark, both creeks provide attractive, tranquil, and forested greenways running through the northern and southern sections of the community.

In terms of climate, Newark is noted for warm summers and mild winters. The City's typical January temperatures range from lows around 24° to highs around 42° Fahrenheit. Typical July temperatures range from lows around 66° to highs around 88° Fahrenheit. Total precipitation for the Newark area averages 46 inches per year. (1)

Newark evolved over the centuries from a very small community centered along Main Street and the intersection currently known as South College Avenue, physically dominated by surrounding farmland, to a much more varied landscape with larger commercial areas, industrial sites, and suburban tracts with much more extensive wooded areas in lands previously utilized for agriculture. The Newark reservoir has also become a dominant physical feature of the City's landscape.

#### A Brief History of Newark (2)

Little is known of Newark's initial settlements. It appears that the community's early growth, like most villages of colonial America, owed much to its natural features and location. In Newark's case, in the early 1700s, a small English, Scots-Irish, and Welsh hamlet grew along two old Native American trails and the fall line where the Christina River and White Clay Creek turn sharply eastward toward the Delaware River. The area soon began to serve travelers moving between the Chesapeake Bay, Maryland, and colonial Philadelphia. In addition, the streams flowed with sufficient velocity to power the grist and saw mills that soon were located on their banks. Rich soil meant that wheat, corn, and vegetables were plentiful, and the available ore from nearby Iron Hill fed the forges of a small country iron works. Soon a tannery and brickyard were added to the village. By 1758, the bustling local market and country crossroads received recognition in the form of a Charter from King George II, and Newark was officially born.



King George II (2)

While the village's history soon followed the typical late 18th and 19th century Mid-Atlantic development pattern of agriculturally based trade coupled with steam- and water-powered industry, Newark departed from this course in the 20th century as its primary driver for growth became the University of Delaware — now the City's largest landowner — as it evolved from a local private academy.

In 1765, a small preparatory and grammar school moved from New London, Pennsylvania, to Newark. The school, renamed the Newark Academy, flourished during the years prior to the American Revolution. Newark was described at the time as a "suitable and healthy village, not too rich or luxurious, where real learning might be obtained." During the war, the Academy was closed and its funds seized by the British.

Following the Revolution, the Academy and the town grew slowly. In 1833, recognizing the need for local higher education, the State of Delaware granted a Charter to a new institution in the town, Newark College, later renamed Delaware College. The next year, the College merged with the Academy, and shortly thereafter the grammar and preparatory portion of the school was closed. The college itself shut its doors in 1858 as a result of a student fracas and the run-up to the Civil War. When Delaware College reopened in 1870, it was a land-grant institution assisted by federal funds. In 1914, a Women's College physically adjacent and linked administratively to the men's school began operations. The two institutions were not formally combined until 1944. Prior to that, in 1921, the men's college received a revised State Charter and a new name: the University of Delaware. In the meantime, the village of Newark had become a small town around the college as well as a local crossroads market.

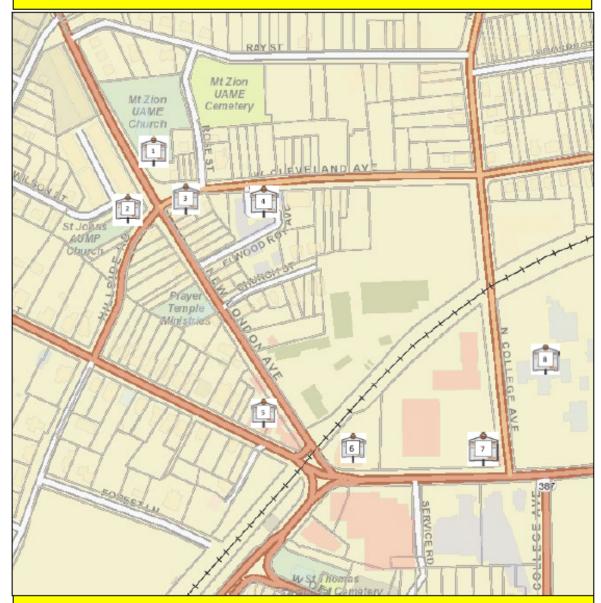
As early as 1786, free black families began settling in the area around the current-day New London Road, Cleveland Avenue, Corbit Street, and Ray Street. By the mid-1800s, approximately 21 African American families lived in the New London Road Community. Many of the residents worked on nearby farms or mills, whereas others worked in the New London Community. At a time when there were restrictions that prohibited African Americans from purchasing homes, attending school, patronizing businesses, and being included in opportunities of the town, the inhabitants of the New London Road formed their own community that was both "dynamic" and "self-sufficient." This included home ownership, a school, and several churches, as well as amenities such as a barbershop, a gas station, a pool hall, a convenience store, and an ice cream parlor. The New London Community continued to prosper, and by 1940 there were more than 130 African American households recorded in the U.S. Census. (3), (4) & (5) Map 1-2 shows the Historical Markers located in New London Community and surrounding area designed by the Delaware Public Archives and the Historic Markers Commission.

In 1837, the Philadelphia, Wilmington, and Baltimore railroads—today's Northeast Corridor Conrail/Amtrak line—linked Newark to points north and south. Industrial concerns like the Curtis Paper Company (reestablished in 1848 from the older Meeter Paper Company), Continental Fiber and National Vulcanized Fibre helped diversify the local economy. In 1855, the town's first bank was established. The Baltimore and Ohio Railroad, predecessor of the modern CSX system, came in 1886 and provided additional passenger and freight rail service to Philadelphia and points west and south. The town's population grew rapidly through the 1920s, and a substantial retail market developed in conjunction with the University and industrial expansion.

#### Map 1-2

## **City of Newark**

## Historical Markers Designated by the Delaware Public Archives



#### Historical Markers

- 1. Mt. Zion Union American Methodist Episcopal (UAME) Church
- 2. St. John African Methodist Church
- 3. New London Road Community
- 4. Pride of Delaware Lodge #349 IBPOEW
- 5. R.T. Foard and Jones Funeral Home
- 6. Deer Park Hotel
- 7. Raub Hall
- 8. Old College

Source: HMdb.ord: The Historical Marker Database

While the Great Depression slowed economic growth, the pace of industrial and commercial development increased dramatically during World War II and the subsequent Korean conflict. For example, several DuPont facilities opened in the 1940s, and in 1951 the Chrysler Corporation constructed its Newark Assembly Plant. Coinciding with the arrival of Chrysler, the State of Delaware granted the City a new Charter that doubled the City's size. Before the City Charter change, Newark had encompassed an area roughly bounded by the White Clay Creek and what is now the University's Laird Campus to the north, the Newark Country Club and the approximate location of Old Barksdale and Beverly Roads to the west, the Pennsylvania Railroad on the south, and the present site of Library Avenue on the east. The new 1951 Charter resulted in the basic outline of the Newark we know today.

In 1965, the State of Delaware granted the current Charter to Newark, significantly strengthening its Council-Manager form of government. In that decade and earlier, in the 1950s, Newark's development pattern closely followed the postwar national economic boom. For Newark, this meant that the population increased from just over 11,000 in 1960 to almost 21,000 in 1970.

These residential tracts still provide excellent housing for Newark's citizens and expanded the City's boundaries. In addition, during the same time period, the Diamond State Industrial Park was annexed, providing the present home for DuPont Electronics & Industrial, DuPont Vespel, GE Aviation, and other nationally known firms.

In the 1970s and early 1980s, as the national and regional economy suffered from oil-price shocks, Newark's growth stabilized. In the latter part of the 1980s, however, the City's pace of development quickened with the completion of the Stafford and Barksdale Estates communities, the approval of the new Sandy Brae industrial park, and the annexation and subdivision approval of the Christianstead and West Branch residential communities. The late 1980s also saw the City's first sustained initiatives to upgrade and improve its downtown area, including the issuance and adoption of the City's *Downtown Economic Development Plan*, the first of many annual Newark Nite events, the development of the downtown parking waiver system, and the active encouragement of mixed commercial/residential uses on Main Street.

Also in the late 1980s, in response to continued growth in the University's enrollment coupled with a shortage of on-campus housing, the City began to face increasing problems with students living in traditionally single-family owner-occupant neighborhoods, including housing in the New London Community, which began transitioning from an predominately African American community with high levels of home ownership to single-family homes rented primarily to university students. As a result, the City adopted a series of ordinances and regulations intended to limit the increase in rentals of single-family-type housing for students, increased rental fees, and developed regulations intended to limit as much as possible the impacts of the "conflict of lifestyles" between students living off-campus and nonstudent residents. Apartment projects, also intended to help relieve the off-campus housing pressure on Newark's traditional and central-city residential neighborhoods, were approved on Elkton Road (now South Main Street) and downtown. See *Chapter 2: Community Profile* for additional information on student housing trends.

The early 1990s saw continued City efforts to improve Main Street, especially with the issuance of the *Downtown Streets Tree and Sidewalk Program* report by the Planning and Development

Department and the subsequent installation of new downtown-street trees and the brick-sidewalk treatments that, to this day, help define Main Street as a distinctive place for shopping and dining. In addition, the City adopted a tax incentive program to encourage the adaptive reuse of historic buildings and a downtown façade—improvement program.

In the meantime, in response to continued growth in the Newark region, City Council requested, and the Newark voters approved by an overwhelming margin, a bond issue for open-space land acquisition. As a result, beginning in 1993, the City began the purchase of several large tracts of land throughout Newark for active and passive open space. Development projects approved and completed in the mid-1990s included the White Chapel Village 55-and-over cottages and assisted-living facility off Marrows Road, the Hunt at Louviers and Woods at Louviers large-lot single-family home developments off Paper Mill and Possum Park Roads, the Yorkshire Woods single-family home developments, the Paper Mill Falls 55+ community on Old Paper Mill Road, and the Southridge 55+ community off West Chestnut Hill Road.

The mid-1990s also saw considerable commercial and industrial development as the local and national economy began to improve. These projects included the Interstate Business Park on Elkton Road adjacent to the Maryland state line; the Marrows Road Sports Complex, including "The Pond" ice arena; the Traders Alley subdivision that is now the home of the original Iron Hill Inn (now the Iron Hill Brewery and Restaurant); the Main Street Galleria project, reflecting increased investment in Newark's reviving downtown; the Astra Plaza Main Street project at Main Street and South Chapel, with commercial uses on the first floor and upper-floor apartments that then represented the cutting edge in national downtown redevelopment planning; and the redevelopment of the old Newark Farm and Home site for commercial and upper-floor apartments. The decade culminated with approval of The Mill at White Clay project, which called for the redevelopment of the historic National Vulcanized Fibre (NVF) site for a restaurant, commercial uses, office space, and residences. This outstanding example of adaptive reuse of historic old mill buildings was featured in an article in the Sunday *New York Times* (November 11, 2001).

The late 1990s culminated with the City's renewed commitment to downtown through the selection of the HyettPalma Consultants to perform a downtown market analysis, which resulted in the *Downtown Newark Economic Enhancement Strategy*, which is discussed further in Chapter 9. In 1998, as part of the HyettPalma Study, the City, under the supervision of the Planning and Development Department, assumed responsibilities of the Newark Parking Authority and the Newark Business Association. The Newark reservoir site acquisition, design, and construction began in 1998, and the facility was completed in 2006.

The 2000s began with the City's approval of the renovation and restoration of the historic Deer Park Restaurant and Tavern. This project, designed in full compliance with the City's recently adopted Historic Preservation Ordinance, helped anchor the western end of our thriving Main Street. At the same time, the Planning and Development Department began aggressively improving existing parking with new automated equipment, the combination of the privately owned Wilmington Trust (now M&T Bank) parking lot with the existing public parking lot (#3) to create the City's largest municipal parking lot, the purchase and development of a new monthly parking lot (#5), as well as the relocation of the Downtown Parking Office into the Main Street Galleria. Beyond that, as part of the growing list of downtown projects, the Department also spent

considerable time on the CSX Bridge Mural fundraising and painting project. At the same time, the City initiated the planning for and construction of the James F. Hall Bike Trail. Other major development projects included the Fountainview 55+ community; the Newark Charter School (middle and elementary schools); and a major redevelopment effort on Main Street involving one of Newark's most well-known entertainment venues, the Stone Balloon Tavern and Night Club, which led to the construction of the City's first major downtown "upscale" condominium apartment project, the Washington House.

In 2007, Chrysler announced that its Newark automotive assembly plant, a mainstay in the regional and state economy since the early 1950s, would be closing in 2009. This meant that Newark would have new challenges in the future that would call for the kinds of careful and pragmatic planning that have been hallmarks of the City's successes in the past. In 2010, the University of Delaware announced its purchase of the site and coordinated with the City to develop a new STC (Science and Technology Campus) zoning classification, adopted in 2012, to develop the site into the Science, Technology, and Advanced Research (STAR) Campus. That year, Bloom Energy agreed to locate its East Cost fuel cell manufacturing center at the site, opening its doors a year later. The STAR campus also hosts UD's Health Sciences Complex and the Electric Vehicle to Grid (eV2g) project.

Since 2010, the City has received several important recognitions. In 2010 and 2014, the League of American Bicyclists designated the City of Newark as a "Bicycle Friendly Community" at the bronze level. This was largely a result of Newark Bicycle Committee's efforts to increase bicycle amenities throughout the City and improve bicycle safety. In 2011, Newark's downtown and the Downtown Newark Partnership's success in revitalizing our downtown was recognized with the Great American Main Street Award by the National Trust for Historic Preservation. Finally, in 2013, the City was recognized as a "Sterling Community" by the National Arbor Day Foundation for achieving the "Tree City USA Growth Award" ten years in a row.

The City's downtown district has expanded southward on the western end of Main Street. The portion of Elkton Road from West Main Street to West Park Place was renamed "South Main Street" in 2012 to reflect the City's intent for the street to continue to redevelop with downtown style, mixed-use, and pedestrian-friendly developments. Most recently, the City started seeing major expansion of existing housing stock with two new apartment complexes: the approved redevelopment and facelift of the existing Newark Shopping Center along with 220 two-bedroom apartments and the "The Waverly" at Suburban Plaza with 168 new apartment units. Along with other infill projects that included apartments mostly targeted to students, the City approved more new apartment units within the first six months of 2013 than it had in the previous 12 years combined. This pace of growth has continued. From 2016 to 2021, the City has approved an additional 863 new apartment units.

Over the course of its history, Newark has experienced much change, growing from a small hamlet between the creeks to the bustling small city it is today. Guiding documents like this Comprehensive Development Plan can help ensure that the change ahead of Newark will preserve what its stakeholders value most and transform it into an even better city consistent with their vision.

#### Comprehensive Planning in Newark

This document represents the fourth update to Newark's comprehensive development planning document since the City's first *Comprehensive Development Plan* of 1969. This *Comprehensive Development Plan V* (Plan V) builds on and revises the four previous plans. To put this plan in historical context, the history of comprehensive planning in Newark is provided below. *Comprehensive Development Plan (1969)* 

In 1967, the Philadelphia planning consulting firm of Kendree and Shepherd began working with the City of Newark Planning Commission to develop the City's first long-range development plan. In October of 1969, the final draft was presented to City Council, who adopted it on September 29, 1970. The plan consisted of three parts. Part One, titled "Basic Studies," included a detailed analysis of population trends, the local economy, natural features, existing land uses, existing roadway-circulation problems, existing community facilities, city finances, and individual neighborhoods. Part Two included land use, traffic, community facilities, and development plans. It also included an "area-wide generalized plan" for areas adjacent to the City that might be considered for development and annexation by the City or future development in New Castle County. Part Three proposed a plan for guiding improvements in Newark's downtown business area.

#### Comprehensive Development Plan II (1987)

The Planning and Development Department began developing an initial outline for an updated and revised comprehensive development plan in the early winter of 1985, primarily because of the increase in development proposals that began in 1985. Moreover, fifteen years had passed since the original *Comprehensive Development Plan* was adopted. While much of the background and supporting material in the 1969 plan remained relevant, the population projections upon which much of the landuse portion of the plan was based had been grossly overestimated.

After gathering input from all City operating departments; regional, state, and federal agencies; and the public, the Planning Commission approved the *Comprehensive Development Plan II* (Plan II) on April 7, 1987, followed by City Council's public hearing and final adoption on June 22, 1987.

Plan II was divided into three chapters. Chapter One, the "Introduction," summarized comprehensive planning efforts in Newark, including the *Adjacent Areas Land Use Plan* (1979), the *Newark Beautification Plan* (1979), *Historic Preservation* (1980), *Water 2000* (1980–1984), *Open Space and Recreation Facilities* (1977), and the *UNICITY Bus System Five-Year Plan* (1983). Chapter Two, "Conditions Affecting Growth and Development," contained a brief history of Newark, existing landuse patterns, and population trends, as well as planning elements such as transportation, environmental quality, housing and community development, economic development, parks and recreation, and infrastructure. Finally, Chapter Three, "Land Use Guide," contained the community's land-development goals, land-use definitions, and planning section maps.

#### Comprehensive Development Plan III (2003)

Drafts of the *Comprehensive Plan III* (Plan III) were reviewed by the Office of State Planning Coordination and discussed in public meetings before the final version was adopted by City Council on May 12, 2003. Plan III updated information regarding community character, the City's economic profile, water and sewerage system, electricity service, public works service, parks and open space, transportation, housing needs and opportunities, population trends, and then-current land-development patterns. The City's land-use and development goals were also revised, and a section-by-section review of all "Planning Areas" was conducted. In addition, Plan III incorporated an updated *Adjacent Areas Land Use Plan*.

#### Comprehensive Development Plan IV (2008)

The Planning and Development Department began work on the *Comprehensive Development Plan IV* (Plan IV) in June 2007. Following staff review and a series of public meetings, amended copies were sent to the Office of State Planning Coordination for its PLUS (Preliminary Land Use Service) process meeting on March 26, 2008. City Council adopted the final draft on October 27, 2008.

Plan IV was divided into four chapters. Chapter I, "Introduction—Purpose and Plan Design," detailed the planning process, intergovernmental and agency cooperation, and implementation. Chapter II, "The History of Comprehensive Planning in Newark," included the City's planning efforts, the *Old Newark Traffic Calming Plan* (2007), the Elkton Road Planning Study (2004–2007), the *Downtown Newark Economic Enhancement Strategy* (2007), and *Design Guidelines for Main Street* (2007). Chapter III, "Conditions Affecting Growth and Development," provided background and descriptive information regarding Newark's history, physical setting, existing land-use patterns, community character, transportation, community development and housing, environmental quality, infrastructure, and economic development (particularly downtown and the location of the former Chrysler plant, referred to then as the "Chrysler Opportunity Site"). And finally, Chapter IV, "Land Use Guide," contained proposed land-use recommendations in existing Newark communities and neighborhoods, as well as for Adjacent Planning Areas the City might consider for annexation.

#### Comprehensive Development Plan V (2016)

The Planning and Development Department began the process of updating Plan IV with exhibits at Newark Day on June 2, 2012, and Community Day on September 16, 2012, to alert and inform members of the community of the City's update of its comprehensive development plan. Throughout the process, input from a diverse range of stakeholders—including, first and foremost, the City's residents—has been sought.



#### Identification of City of Newark Stakeholders

A "stakeholder" is considered to be any individual, group, organization, or agency that has a vested interest, present or future, in the outcomes of the planning process. The Planning and Development Department identified and engaged representatives from as diverse a range of stakeholders as possible.

#### These key stakeholders included:

- 1. Community residents, including those historically left out of the decision-making process, such as low-income residents, minority groups, and young people;
- 2. Business, industry, and civic leaders;
- 3. The development community, including real-estate professionals;
- 4. City staff and elected officials;
- 5. Churches, civic clubs, students, and service organizations; and
- 6. The University of Delaware.

#### **Public Participation**

The Public Participation Plan was designed to offer opportunities for all citizens, businesses, interest groups, relevant units of government, and other stakeholders to participate in a meaningful way throughout the entire planning process, with the primary purpose of addressing the ultimate planning question: "What is the vision stakeholders of Newark have for their community?"

#### The public participation process:

- 1. Ensures all comprehensive planning decisions are open to public comment;
- 2. Produces better planning decisions;
- 3. Supports and adds credibility to all City decision-making processes;
- 4. Provides opportunities to disseminate information about the *Comprehensive Plan* to the community;
- 5. Strengthens the relationship between our decision makers and citizens; and
- 6. Develops a shared vision for the future of the City of Newark. (44)



A series of public events was held, in addition to outreach via a monthly e-newsletter to more than 200 subscribers, a dedicated page on the City's website, and Twitter. More than 400 individuals participated in approximately 47 public meetings, representing residents, elected and appointed officials, business owners, landlords, community and interest groups, and representatives from collaborative agencies such as DelDOT, WILMAPCO, the University of Delaware, New Castle

County Departments of Land Use and of Community Services, the Newark Housing Authority, DNREC, the Downtown Newark Partnership, and the Greater Newark Economic Partnership.

#### Comprehensive Development Plan V 2.0 (2021)

In October 2020, in accordance with State requirements under **Title 22, Section 702(e),** the Planning Commission adopted a "Plan for Planning" to conduct a *five-year review* of the City's <u>Plan V</u> (2016). The purpose of the review was to update <u>Plan V</u>'s goals and action items, make amendments and corrections to the future land use maps, and revise tables and charts with the most recent available data. The revised <u>Plan V</u> would be referred to as Plan V 2.0.



The Planning Commission established a "Steering Committee," made up of a diverse range of stakeholders, to facilitate the process and prepare the revised document. Taking place during the COVID-19 pandemic, the Steering Committee held virtual monthly meetings from December 2020 through January 2022. In addition, the Steering Committee hosted a series of five (5) virtual public workshops titled "Virtual Coffee Breaks." The hour-long workshops served to educate the public on local planning issues and engage participants in focus-group discussions.

#### Plan Organization

Chapter 1, Introduction, addresses the question "Where have we been?" by outlining the setting and a brief history of Newark and summarizing past comprehensive planning in the community. Chapter 2, Community Profile, covers both past and current trends to address the questions "Where are we now?" and "Where are we going?" Chapter 3, Vision, offers a proposal for "Where do we want to go?" The remaining chapters expand on "Where do we want to go?" and cover "How do we get there?" Each chapter starts with the City's vision and how each element (Housing, Transportation, Economic Development, etc.) advances the vision. In that sense, Plan V is organized differently than previous plans. The intent is to create a more reader-friendly document, wherein information is organized by subject matter.

#### Key Terms

Adaptive Reuse	Creating new uses for old buildings other than those for which they were designed. (7)
Annexation	The process by which unincorporated county land is incorporated into a municipality. (7)
Charrette	An intensive, multidisciplinary, collaborative planning process involving professional facilitators, planners, designers, and citizens, usually taking place over 1–3 days. The process includes developing alternative concepts, feedback loops with stakeholders, and adoption of a plan. (8)
Cohort	A group of persons sharing a particular statistical or demographic characteristic. (5)
Complete Streets	Streets and roadways to safely accommodate the needs of motorists,

	T
	pedestrians, public transit, bicyclists, and commercial and emergency vehicles to offer a balanced transportation network for users of all ages and abilities. (6)
Household (U.S. Census)	A household consists of all people who occupy a housing unit. A house, an apartment or other group of rooms, or a single room, is regarded as a housing unit when it is occupied or intended for occupancy as separate living quarters; that is, when the occupants do not live with any other persons in the structure and there is direct access from the outside or through a common hall.
	A household includes the related family members and all the unrelated people, if any, such as lodgers, foster children, wards, or employees who share the housing unit. A person living alone in a housing unit, or a group of unrelated people sharing a housing unit such as partners or roomers, is also counted as a household. The count of households excludes group quarters. There are two major categories of households, "family" and "nonfamily"
Household, Family (U.S.	A family is a group of two people or more (one of whom is the
Census)	householder) related by birth, marriage, or adoption and residing
	together; all such people (including related subfamily members) are
	considered as members of one family. Beginning with the 1980
	Current Population Survey, unrelated subfamilies (referred to in the
	past as secondary families) are no longer included in the count of
	families, nor are the members of unrelated subfamilies included in
	the count of family members. The number of families is equal to the
	number of family households; however, the count of family members
	differs from the count of family household members because family
	household members include any non-relatives living in the
	household.
Household, nonfamily	A nonfamily household consists of a householder living alone (a one-
(U.S. Census)	person household) or where the householder shares the home
	exclusively with people to whom he/she is not related.
Housing: Multi-Unit	Apartments or condominiums, managed collectively, with two or
Structure	more units. (7)
Housing: Single-Unit	One unit, detached, such as a single-family house, a duplex with one
Structure	shared wall, and townhomes or row homes on individually owned
	lots.
Infill Development	Infill is the use of land within a built-up area for further construction.
	(8)
Master Plan	A land-use plan, created through a collaborative process involving
	stakeholders, government agencies, and decision makers, focused on
	one or more sites within an area, intended to coordinate growth and
	development in order to implement a comprehensive development
	plan. (11)
Parkland (active):	Parks that include recreation facilities for baseball, soccer, or other
	sports. (10)

Parkland (passive):	Parks that feature paths for walking and places to sit, as well as		
	undisturbed or natural open space. (9)		
"Sharrows" or Shared-	Pavement markings showing a bicycle and a chevron used on urban		
Lane Markings	roads without sufficient width for bicycle lanes to indicate that		
	bicyclists are permitted and expected to use a full traffic lane. (9)		
SWOT Analysis	A study undertaken by an organization to identify its internal Strengths		
	and Weaknesses, as well as its external Opportunities and Threats. (8)		
Traffic Calming	The practice of slowing vehicle traffic and/or channeling traffic away		
	from impacted neighborhoods in order to address concerns of volume,		
	speed, and safety of traffic. (8)		
Transit-Oriented	Development that is ideal for transit by being higher density,		
Development (TOD)	pedestrian- and bicycle-friendly, and including mixed-use development		
	near transit stops so that more people can use transit conveniently. (8)		
Zoning	A legal device used to divide a community into separate districts and		
	regulate land-use activity and intensity of uses. Used as an "exercise in		
	police power" to protect the public health, safety, and welfare. (8)		

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- 11. AICP Exam Prep 1.0; American Planning Association, 2005.
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# Chapter 2 COMMUNITY PROFILE

## Hometown College Town



**Memorial Hall** memorializes Delaware's World War I dead. It was dedicated on May 23, 1925, as a library between the Men's and Women's Colleges. Funds were raised for the building from the people of Delaware, including a parade of school children soliciting funds through the streets of Wilmington. Source: www.udel.edu/TheGreen/buildingN.html

In 2009, the City of Newark completed the Newark Resident Survey, which was sent out to approximately half the City's residents and, for the first time, included a community-visioning component. One of the questions asked residents to list up to three things they liked about living in the City of Newark. The most frequent response was that they liked that Newark was a "college town." Indeed, the City's strongest association is as the home of the University of Delaware. Approximately 21,000 people are enrolled in classes, several thousand people are employed at or retired from the University, and hundreds of thousands of people throughout the world are alumni of the University of Delaware.

A second theme to come out of the Newark Resident Survey was that residents viewed Newark as their "hometown." Indeed, many Newark residents have lived here all or much of their lives. Newark is a place where families raise their children; where children grow up, attend school, play in parks, participate in sports and educational activities, and hold jobs. Most "hometown" residents enjoy many of the aspects of living in a "college town," but their primary relationship to the community is built around the quality of life in their neighborhoods.

This chapter examines the demographics that contribute to Newark's "sense of place" and uniqueness. Although Newark is constantly evolving and continues to experience development pressure, the City is committed to protecting and enhancing those qualities that make Newark a wonderful place to live, study, work, raise a family, visit downtown, and enjoy recreation and the natural environment.

Note regarding Census data: Data from 1990 and 2000 were taken from the Decennial Census's short-form, containing basic counts and demographics, and the long-form, which included detailed questions about population and housing characteristics. In 2006, the long form was discontinued

and replaced with the American Community Survey (ACS). The ACS contains the questions previously contained in the Census long form. Data from the ACS is expressed as "estimates" from data collected over 5 years. At the time of this report, the latest data available is from the 2019 American Community Survey.

#### **College Town Attributes**

In his book *The American College Town* (2008), Blake Gumprecht identifies several distinguishing traits common in college towns that make them fundamentally different from comparative (non-college) towns in the United States. Among the common traits of college towns, that also characterize Newark, using the five-year estimates from the U.S. Census American Community Survey, are the following:

#### College Towns Are Youthful Places

During the school year, Newark's median age is 24.9; compared to the median age of the United States, 38.5. Nearly half of Newark's population (40%) is in the 18–24 age range (Chart 2-1). The 2016 results, using the data set for 2014, showed the 44% of Newark's population was in the 18-24 age range. The greatest shift seems to be from the 25-34 age group, which increased from 11% of the population to 13% of the population, and from the 65 and over age group, which increased from 11% of the population to 14% of the population.

While American Community Survey data are estimates that fluctuates each year, the data appears to indicate that our population has gotten somewhat older and more diverse in age ranges.

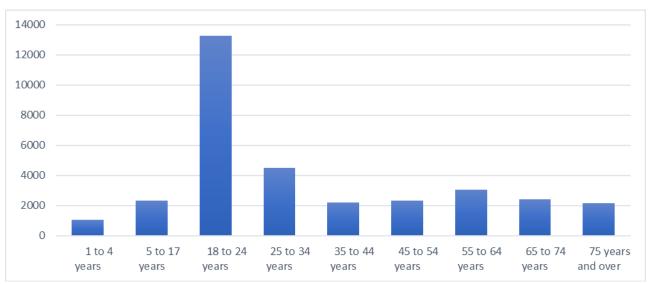


Chart 2-1: City of Newark Population by Age (2022 Update)

Source: 2019: American Community Survey (ACS), 5-Year Estimates Data Profiles; U.S. Census

#### College Towns Have Highly Educated Residents

Because many universities have a large graduate school enrollment and require faculty and some staff to have Ph.D.s, college towns have a high concentration of highly educated residents. Chart 2-2 shows a comparison of educational attainment of Newark residents compared to that of Delaware residents. Among adults 25 years of age or over, Newark has nearly double the percentage of residents who have a "graduate or professional degree" (27% vs. 14%) and significantly higher percentage of residents with a bachelor's degree (26% vs 19%). 53% of Newark's population are college graduates, compared to 33% of Delawareans. Likewise, Newark has less than half of the State of Delaware's percentage of residents age 25 and over who do not have a high school diploma (4% vs 10%).

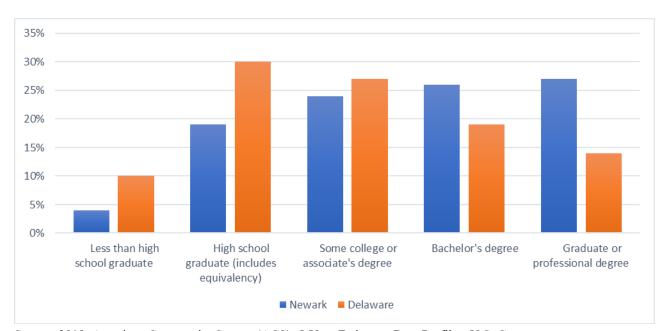


Chart 2-2: Educational Attainment (Population 25 years and over) (2022 Update)

Source: 2019: American Community Survey (ACS), 5-Year Estimates Data Profiles; U.S. Census

#### College Towns Are Comparatively Affluent

College towns tend to be more affluent and economically stable. Nonetheless, 23.6% of Newark residents actually have income levels *below* the federal poverty level. As shown in Table 2-1, the per capita income of Newark residents is \$28,092, below that of both the United States and the State of Delaware. However, these figures are skewed by the high percentage of Newark residents who are full-time college students, who tend to either not work or work part-time in low-wage jobs. The difference becomes apparent when separating and examining median "family income" and "non-family income." Newark's median family income is \$115,607, compared to the Delaware median family income of \$109,065 and United States median family income of \$108,587.

Because of the economic stability brought by universities and supported by state appropriations, endowment income, and tuition revenues, college towns are more insulated from economic recessions than other cities and towns. In addition, residents of college towns tend to be more

highly educated, be more stably employed, and make more conservative investment choices that foster slow but steady prosperity.

**Table 2-1: Newark Income Comparisons (2022 Update)** 

	United States	Delaware	Newark
Median Family Income	\$ 80,944	\$ 87,148	\$ 94,583
Mean Family Income	\$108,587	\$ 109,065	\$ 115,607
Median Non-Family Income	\$ 39,871	\$ 44,071	\$ 29,968
Mean Non-Family Income	\$ 58,110	\$ 58,190	\$ 46,605
Per Capita Income	\$ 35,672	\$ 36,858	\$ 28,092

Source: 2019: American Community Survey (ACS), 1-year & 5-Year Estimates Data Profiles; U.S. Census

#### College Towns Are Cosmopolitan

The University of Delaware attracts students and faculty from all over the world. As a result, Newark tends to be more diverse than other municipalities its size. Table 2-2 shows the percentage of Newark's population who are foreign-born.

Table 2-2: Foreign-Born Newark Residents (2022 Update)

	% Foreign-Born
New York, New York	37%
United States	14%
Newark, Delaware	14%
Philadelphia, Pennsylvania	14%
New Castle County	12%
Delaware	10%
Middletown, Delaware	9%
Dover, Delaware	8%
Wilmington, Delaware	8%
Effingham, Illinois	4%

Source: 2019: American Community Survey (ACS), 1-year & 5-Year Estimates Data Profiles; U.S. Census

By this metric, Newark is the most diverse area within the State of Delaware. The percentage of Newark's population who are foreign-born (14%) surpasses those of New Castle County, the State of Delaware, Wilmington, and Dover. Perhaps surprisingly, Newark's percentage of foreign-born residents equals that of Philadelphia and the United States. By contrast, one of the most cosmopolitan cities in the United States is New York City, with 37% of its population having been

born outside the U.S. Only 4% of the population of Effingham, Illinois, a Newark-sized small city without a major university, were born outside the U.S.

#### **Newark's Population Trends**

When Newark received one of its early charters from the State of Delaware in 1852, it was estimated that the town comprised 700 inhabitants. As shown in Table 2-3, during the latter half of the 19th century, our small village grew at a relatively leisurely pace, influenced primarily by the coming of the railroads and industry. By 1900, the population in Newark had nearly doubled. During the ensuing half century, from 1900 to 1950, the City's population quadrupled to a total of 6,731 persons. These decades were marked by considerable population growth, largely as a result of the impact of additional industrialization and the development of the City as a center of trade. When the pace of industrial growth slowed—for example, during the Great Depression of the 1930s — the City's population grew at a correspondingly slower rate. Typical of many smaller cities during economically difficult times, a slowing of the growth rate was brought about by a decrease in the birth rate and an increase in migration from the community.

Following the economic slump of the 1930s and the end of World War II, Newark's population resumed a more rapid rate of growth. For example, between 1960 and 1970, Newark's population increased 82% (more than three times that of New Castle County during the same time period)—by far the highest ever recorded for the City. The second highest decade of population growth (69.4%) occurred between 1950 and 1960. This trend is attributed to regional development pressures, which were related to a rapidly expanding suburban industrial base, the further development of the City as a center of western New Castle County trade, and the significant increase in University of Delaware enrollment. The severe recessions of the 1970s and early 1980s, associated primarily with the increases in the cost of oil, slowed Newark's post—World War II population boom. More recently, the City's rate of increase in population has followed the relatively slow growth that began in the 1980s.

As Table 2-3 implies, the ebb and flow of Newark's population since the Civil War has been linked generally to changes in the national economy. While this should not be construed to mean that local and regional events do not matter, the obvious impact of macroeconomic conditions on Newark's historic rates of growth underscores the inherent limitations on local efforts to overcome market and demographic forces beyond the City's control.

Table 2-3: City of Newark Population, 1860-2019 (2022 Update)

CENSUS YEAR	POPULATION	NUMERICAL CHANGE	PERCENT CHANGE	NATIONAL EVENTS
1860	787			
1870	915	128	16.3%	
1880	1148	233	25.5%	Post–Civil War Period
1890	1191	43	3.7%	Recovery/Industrialization
1900	1213	22	1.8%	Depression of 1893
1910	1913	700	57.7%	Panic of 1907
1920	2183	270	14.1%	World War I
1930	3899	1716	78.6%	Depression 1920–1921/"New Era Boom"
1940	4502	603	15.5%	The Great Depression
1950	6731	2229	49.5%	World War II
1960	11,404	4673	69.4%	Postwar Expansion
1970	20,757	9353	82.0%	The Go-Go Years
1980	25,247	4490	21.6%	Oil Price Shocks
1990	26,463	1216	4.8%	Recession/Recovery
2000	28,547	2084	7.9%	Prosperity/Internet "Bubble"
2010	31,454	2907	10.2%	Great Recession/Recovery
2019*	33,448	1994	6.3%	

Source: U.S. Census Bureau, Census of Population 1860–2010

#### Age Characteristics

The examination of population by specific age groups is important in order to determine the kinds of housing and community services needed in Newark. Table 2-4 shows important population trends over the past 30 years.

- 1. The proportion of Newark's population less than 5 years of age has fallen from almost 4% in 1990 to less than 2.9% in 2010. However, according to ACS estimates, the population of residents under the age of 5 has rebounded to near 1990 levels as a portion of the population. This trend is not seen among ages 5-9 and 10-14 demographics that have been decreasing as an overall portion of the population.
- 2. Approximately 36% of the total 2019 City population estimate were between the ages of 20–34, the "childbearing cohort." Such a high percentage of the population within prime childbearing age might indicate a surge in births over the next 10 years in Newark; however, since a significant portion of this population are University of Delaware students, many of whom will relocate after they complete their studies and before they start families, Newark's birthrate is anticipated to remain comparable to the national average over the next 10 years.

<sup>\*</sup>Source: 2019: American Community Survey (ACS), 1-year & 5-Year Estimates Data Profiles; U.S. Census

- 3. The college-age cohort (highlighted in yellow in Tables 2-4), primarily represented in the U.S. Census in the age groups 15–19 and 20–24, has increased from a combined 11,426 residents in 1990 to a combined 15,683 in 2010, a net gain of 4,257 residents. This accounts for nearly 67% of Newark's population growth over that census period. However, according to ACS estimates for 2019, the college-age cohort decreased to 13,934, a net loss of 1,749 residents. Over that same period, the age cohort of 25-34, the Millennial demographic just above the college-age cohort, increased from 2,947 residents to 4,485 residents, a net gain of 1,538 residents. As a result, this age group representing approximately 9.4% of Newark's population in 2010 to 13.4% of Newark's population in 2019. This increase in the post-college age Millennials may represent both an increase in graduate students and young professionals/families living in Newark. Coupled with this trend is an increase in children ages 0-4, as described in # 1.
- 4. The "baby boom" cohort (highlighted in blue in Tables 2-4), primarily represented by the age groups 35–44 and 45–54 in the 1990 Census, represented approximately 17% of the City's population with 4,274 residents. By the 2000 Census, these baby-boomers were primarily represented by the age groups 45–54 and 55–64. While their population totals stayed approximately the same from 1990 to 2000 (down slightly to 4,252 residents), their overall percentage of Newark's population decreased to 14.9%. By the 2010 Census, these baby-boomers were primarily represented by the age groups 55–64 and 65–74, their total population decreased to 3,902 residents (a loss of 350 residents) and made up approximately 12.4% of Newark's population. In the 2019 ACS estimates, the Baby Boom cohort, now represented by the age groups 65-74 and 75+, has increased to 4,541 residents, a net gain of 639 residents. This may indicate that a large portion of Newark's "Baby Boom generation", many of which are in retirement age, are not only choosing to "aging in place" in their home or in an "Adult Community" neighborhood, but also many new residents of this age cohort are choosing to move to Newark as part of their retirement.
- 5. The fastest growing age cohort in Newark is the age group 75+. In 1990, the population of Newark residents age 75+ was 833 (3.3% of the population). By 2019, Newark residents 75+ now total 2147 (6.4% of the population), a net increase of 1314 residents and nearly tripling in size. This trend is likely due to three factors. First, the Baby Boom cohort, one of the country's largest generations, is gradually shifting into this age-cohort. Second, since this age group includes everyone age 75 till the end of life, Newarkers are living longer (like people nationwide), and this age group is increasing in number. And third, Newark, like many "college towns" in the United States, is a favorable destination place for people to retire and live a culture-filled life. As the baby-boomer generation continues to age into this cohort ages over the next 10 years, it is also anticipated this age group will continue to grow in number and increase as a portion of Newark's overall population.

Table 2-4: City of Newark Population, 1990 – 2019 (2022 Update)

#### City of Newark POPULATION CHANGE BY AGE GROUP (1990 - 2019)

Age	1990	1990	2000	2000	2010	2010	2019	2019	% Change
Group	Population	% Pop	1990-2019						
0-4	988	3.9%	857	3.0%	886	2.8%	1244	3.7%	26%
5-9	944	3.8%	1003	3.5%	956	3.0%	864	2.6%	-8%
10-14	982	3.9%	1072	3.8%	926	2.9%	818	2.4%	-17%
15-19	4845	19.3%	5379	18.8%	6072	19.3%	6364	19.0%	31%
20-24	6581	26.2%	7726	27.1%	9611	30.6%	7570	22.6%	15%
25-34	2821	11.2%	3187	11.2%	2947	9.4%	4485	13.4%	59%
35-44	2491	9.9%	2477	8.7%	2167	6.9%	2181	6.5%	-12%
45-54	1783	7.1%	2557	9.0%	2528	8.0%	2323	6.9%	30%
55-64	1531	6.1%	1695	5.9%	2393	7.6%	3058	9.1%	100%
65-74	1299	5.2%	1321	4.6%	1509	4.8%	2394	7.2%	84%
75+	833	3.3%	1273	4.5%	1459	4.6%	2147	6.4%	158%

Total 25098 28547 31454 33448

SOURCE: U.S. Census Bureau, Census of Population 1990, 2000, 2010

Source: 2019: American Community Survey, 5-Year Estimates Data Profiles; U.S. Census

#### University Population

The University of Delaware (UD) is an integral part of Newark's economic, social, and population profiles. The students living within Newark boundaries, on- or off-campus, are *included* in the U.S. Census population counts, as well as those of the Delaware Population Consortium, as Newark residents.

In 1950, the University student body living in Newark was estimated to represent approximately 29.5% of the population. By 1960, that percentage had dropped to 24.4%. This decrease occurred as a result of the City's rapid growth during that same period, including annexations. While full-time University undergraduate enrollment remained as low as 6,500 in 1968, enrollment jumped to 9,000 by 1970 and to 12,000 by 1974. As Table 2-5 illustrates, the total number of undergraduates at UD as a percentage of Newark's population increased dramatically between 1970 and 1995 and has remained high ever since. Note, as well, that these figures do not include the approximately 3,504 current full-time University graduate students who, by and large, live off-campus.

As a result of the size of the University population, the City faces unusual planning and development issues. As a university community, Newark has had to respond to the impact of off-campus student housing on the local rental market and the related problems of the late-night noise and disorderly conduct sometimes associated with off-campus living. The combination of students in off-campus housing, especially downtown, and the daily influx of University faculty and staff commuters also impacts off-and on-street parking throughout the City. Beyond that, hourly class changes significantly impact automobile traffic flows on roadways near UD, and University special events (such as football games and graduation ceremonies) tax the local transportation system. On the other hand, the University student population, faculty, and staff provide a ready market for local businesses, and the University provides employment for many Newarkers. Finally, the University

expansion has obvious and direct impacts on the City's land-use patterns, utilities, and tax base. UD has announced plans to keep its undergraduate enrollment steady, but the slow growth seen in the last few years is likely to continue.

While it is likely too early to measure the impact of the COVID-19 pandemic, initial observations based on enrollment figures provided by the University of Delaware suggest that enrollment for both undergraduate or graduate students remains stable. Furthermore, there does not seem to be a significant increase in the number of students attending classes virtually, but living outside of Newark, that would impact future housing needs in Newark.

Table 2-5: City of Newark Population and UD Full-Time Undergraduate Enrollment (2022

U	pd	ate)

	1970	1995	2000	2005	2015	2021
UD Undergrads Newark Campus (1)	9,000	14,668	15,463	15,498	16,789	17,986
Total City Population (2)(3)	20,757	27,777	29,037	30,009	32,278	33,448
UD Undergraduate Enrollment as % of City Population	43.4%	52.8%	53.3%	51.6%	52.0%	53.7%

(1) Source: University of Delaware, udel.edu/ir/facts-figures/2021-2022

(2) Source: Comprehensive Development Plan IV

(3) Source: 2019: American Community Survey (ACS), 1-year & 5-Year Estimates Data Profiles; U.S. Census

#### Race and Ethnicity Composition

In 1950, as shown in Table 2-7, 93,1% of Newark's population were reported by the U.S. Bureau of Census to be White, while 6.9% of the population were non-White, nearly all of them Black/African-American. The racial patterns remained similar for the next two decades, with slowly rising representation of non-White/non-Black residents, accompanied by a slow decline in the proportion of Black residents. By 2010, Black/African-American residents represented 6.7% of the population, as they did in 1950. As of the 2019 ACS estimates, the Black/African-American population now represents 9.3% of the population, the highest percentage in 70 years or more. In addition, other non-White populations are increasing in Newark, as well, representing an additional 13.8% of the population. According to the 2019 ACS estimates, approximately 8.6% of Newark residents identify as Asian, and 3.2% of Newark residents identify as "More than one race." Also, the number of Newark residents indicating that they are of Hispanic origin rose from 1.6% of the population in 1990 to 7.1% in 2019.

The demographic trends, particularly over the last 30 years, are showing that Newark is becoming a more racially and ethnically diverse place. Newark's increased diversity is likely due, in part, to trends nationally as the United States becomes more diverse. Other factors may include increased diversity in the University of Delaware population, as well as the efforts of organizations and individuals in Newark, such as the NAACP, local churches, and The Newark Partnership.

Table 2-6: Racial Mix of the City of Newark, 1950-2019 (2022 Update)

	1950	1960	1970	1980	1990	2000	2010	2019
	Percent	Percent	Percent	Percent	Percent	Percent	Percent	Percent
White	93.1	93.2	94.8	93.2	90.4	87.2	82.4	76.9
Black	6.7	6.5	4.3	4.5	5.7	6.0	6.7	9.3
Other	0.2	0.3	0.9	2.3	3.9	6.8	10.9	13.8
% Hispanic Origin*	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>1.6</u>	<u>2.5</u>	<u>4.8</u>	<u>7.1</u>

<sup>\*</sup>Of any race (as a result, some totals exceed 100%)

Source: U.S. Census Bureau; Census of Population 1950, 1960, 1970, 1980, 1990, 2000, 2010 Source: 2019: American Community Survey (ACS), 5-Year Estimates Data Profiles; U.S. Census

While Newark may be becoming more diverse, we are less diverse than both the United States and Delaware. In the U.S., Black/African Americans make up 12.8%, Asians make up 5.7%, and Hispanic/Latino make up 18.4% of the population. In Delaware, Black/African Americans make up 24.4%, Asians make up 4.7%, and Hispanic/Latino make up 9.6% of the population.

#### Growth Estimates for the Future

Newark population projections for the years 2008–2030 (Chart 2-3) are provided by the Delaware Population Consortium. Organized in 1975 as a federation of local data users, the Consortium produces a set of Delaware population projections for the counties and incorporated areas. These projections are based on assumptions of birth, death, and migration rates, including the major drive in Newark's current growth - UD enrollment. The accuracy of the projections, of course, is dependent upon the soundness of these assumptions.

Present projections, based on the assumption that current demographics and employment trends will continue, forecast a continued steady increased rate of population growth over the next 30 years. The City should continue to monitor growth in UD's enrollment and development trends for multi-family (apartment) development. Consequently, this *Plan* designates the City's existing single-family neighborhoods for low-density land use. Higher densities continue to be shown in the areas with existing apartment complexes. The Population Consortium projects that Newark's population will increase by approximately 7,079 persons by 2050 (Table 2-7). Newark's growth rate projections outpace Delaware, New Castle County, Wilmington, and Dover. The land-use recommendations in Chapter 10 reflect that trend. Note that these projections do not take into account any substantial annexations or economic development activity by the City in the future.

45000 40000 35000 15000 10000 5000 10000 5000 Year

Chart 2-3: Total Population Changes and Projections (1870–2050) (2022 Update)

Source: Delaware Population Consortium, October 31, 2020

Table 2-7: Population Growth Projections: 2020 to 2050 (2022 Update)

	30-Year Total Population Increase	30-Year Growth Rate
Delaware	75,369	7.7%
New Castle County	7,501	1.3%
Wilmington, Delaware	-824	-1.2%
Dover, Delaware	6390	16.6%
Newark, Delaware	7,079	20.8%

Source: Delaware Population Consortium, Annual Population Projections; October 29, 2020

The demographic information contained in this report is a *snapshot in time* using the best available information at the time of <u>Plan V 2.0</u>'s adoption. More recent demographic information may be available at the following links:

United States Census Bureau – Explore Census Data <a href="https://data.census.gov/cedsci/">https://data.census.gov/cedsci/</a>

The Delaware Population Consortium <a href="https://stateplanning.delaware.gov/demography/dpc.shtml">https://stateplanning.delaware.gov/demography/dpc.shtml</a>

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# Chapter 3 VISION

A community's *vision* is a set of shared aspirations for how the community wants to evolve. It illustrates the values of its residents, sets the purpose of the town, and provides a foundation for other community plans, policies, and decisions. It guides public investment and private development decisions and describes the community's goals.

The City of Newark's Comprehensive Development Plan V (Plan V) is a vision-based, community-driven plan. Its vision, goals, and strategies are based on an extensive public-participation process, including a variety of stakeholders and residents.

The visioning process began with a SWOT analysis: **Strengths**, **Weaknesses**, **Opportunities**, and **Threats**. A SWOT analysis is a study undertaken by an organization to identify its internal strengths and weaknesses, as well as its external opportunities and threats, defined as follows:

*Strengths:* Characteristics of Newark that give the City an advantage over other communities.

**Weaknesses:** Characteristics of Newark that are a disadvantage relative to other communities.

*Opportunities:* Elements of what the community/City could utilize to its advantage.

**Threats:** Elements in the environment that could cause trouble for the community in the future.

# SWOT ANALYSIS



Source: Xhienne; Wikimedia Commons; September 30, 2007

The following major elements were common responses (in order of frequency) from the 2008 Newark Resident Survey and the SWOT Analysis completed at six Comprehensive Development Plan Workshops:

**Strengths:** City's parks and trails; natural environment; community events; good selection of restaurants; college town; downtown Main Street; city services (responsive city employees/elected officials, Parks and Recreation programs, garbage pick-up, etc.); location near major cities; excellent place for senior citizens to live; downtown events; near I-95; pedestrian- and bicycle-friendly; attractive neighborhoods; excellent police presence; affordability/low taxes.

*Weaknesses:* Downtown Main Street parking; traffic; some poorly performing K-12 public schools; behavior issues with of some UD student behavior problems; no grocery stores downtown; Main Street too student-oriented; poorly timed traffic lights; lack of frequency/reliability of transit service; half-filled/unattractive shopping centers.

*Opportunities:* Better train service; bury power lines downtown; decrease traffic congestion; diverse and growing international business community; University STAR Campus; improve bike/pedestrian facilities; more cultural events; green energy.

**Threats:** Crime; city revenue tied to electric sales; student rentals in single-family neighborhoods; big box stores (poor architecture); apathy of residents; sprawl.

The following vision grew out of this and similar analyses.

#### Newark's Vision

Newark's future growth and development will seek to advance the following vision elements:

- **Healthy and Active Community:** A community that provides safe infrastructure and amenities to allow opportunities for a healthy and active lifestyle, to include aspirations such as these:
  - o Bicycle and pedestrian accessibility to encourage exercise.
  - "Complete streets" to support all transportation options, including walking or bicycling.
  - Ample parks and open space to provide opportunities for active and passive recreation.
  - Compact and mixed-use development for a pedestrian-friendly environment.
  - Access to healthy foods.



- Sustainable Community: A community that will be sustainable, both economically and environmentally, for generations to come, to include aspirations such as these:
  - Promoting transit and other alternative transportation modes for reduced dependence on fossil fuels.
  - O Stream valley/watershed protection.
  - o Energy conservation and recycling.
  - o High air and water quality.
  - o Diverse economic base and welcoming business climate.
  - o Effective stormwater management.
  - o Preserving historical resources.
  - Maintaining and improving basic infrastructure.
  - Efficient use of public resources.



- **Inclusive Community:** A community that embraces diversity and enables different lifestyles, to include aspirations such as these:
  - Access to transit and other alternative transportation modes for increased choice.
  - Range of housing choices and affordability levels.
  - o Fair housing.
  - Access to a variety of options for employment, commerce, and entertainment
  - o Access to good schools.
  - Parks and open spaces that offer a range of passive and active recreational activities.
  - Support services such as dependent care, health care, and retrofitting houses.
  - Better community representation on volunteer boards such as Planning Commission.



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Newark's community vision defines the aspirations for the individual elements of this *Comprehensive Development Plan*. Each of the following chapters addresses strategic issues facing the City of Newark for one of these elements through a series of goals and associated action items.

# Public Utilities and Infrastructure (Chapter 4)

Provide high-quality services to residents and businesses, as well as to efficiently accommodate future growth.

# **Strategic Issues:**

- ➤ Management and funding of electric infrastructure to accommodate future growth and the development of the STAR Campus.
- Management and funding of stormwater infrastructure to address flooding issues.
- > Source water protection to ensure the quality and supply of surface water and groundwater.
- Meeting new state and federal environmental quality regulations.
- ➤ Developing Newark's Renewable Energy Programs to achieve the City of Newark's goal to procure 100% renewable generation resources from the distributed electric mix by no later than 2045.

# Housing and Community Development (Chapter 5)

Encourage diverse housing choices that contribute to attractive and unique places to live, work, play, and attend school.

## **Strategic Issues:**

- > Supply and demand for rental and owner-occupied housing.
- > Recognition of the rights of tenants and landlords to ensure safe and attractive housing stock while balancing quality-of-life issues.
- > Preservation of existing housing stock.
- > Pathways to homeownership.
- Addressing impediments to fair housing.

#### *Transportation (Chapter 6)*

Provide feasible and attractive transportation choices for all citizens through an efficient transportation network that encourages a healthy lifestyle and promotes environmental and economic sustainability.

#### **Strategic Issues:**

- ➤ Balancing the needs of automobile, transit, bicycle, and pedestrian traffic for a multimodal transportation network.
- > Traffic congestion, safety, and mobility.
- Adequate parking for automobiles and bicycles to support local businesses.
- > Methods to evaluate the relationship between transportation and land uses.

# Environmental Quality and Natural Resources (Chapter 7)

Preserve and protect Newark's natural resources and wildlife for current and future generations.

# **Strategic Issues:**

- ➤ Balancing environmental protection with economic and physical development.
- Resident cooperation in City initiatives to reduce environmental impact such as conservation, recycling, and reuse.
- > Protection of the natural environment, water and air quality, habitats, and stream valleys.
- Clean and sustainable energy.
- > Environmentally friendly design.

# Parks, Recreation, and Open Space (Chapter 8)

Ensure abundant safe, attractive, and well-maintained city parks, trails, and indoor recreation facilities for active and passive recreation opportunities and protect natural areas, all of which enhance the community's quality of life and sense of place.

#### **Strategic Issues:**

- Parks and recreation programs catering to diverse ages, interests, and abilities.
- Maintaining existing park amenities.
- > Connectivity, safety, and accessibility of City parks and trails.
- > City beautification and preservation of the natural environment.

# Economic Development (Chapter 9)

Promote a sustainable economic future for the City by encouraging a diversified local economy, creating a quality place for people to live and work, and attracting a highly qualified workforce.

#### **Strategic Issues:**

- > Business diversification and business-friendly environment.
- > Physical and economic vitality.
- ➤ Continued redevelopment of the Downtown Central Business District and surrounding areas.
- Leveraging the asset of the University of Delaware.

### <u>Land Development (Chapter 10)</u>

Effectively manage neighborhood preservation and high-quality development and redevelopment that meet the City's housing, employment, transportation, and recreational needs.

#### **Strategic Issues:**

- Adequate options for housing, employment, recreation, commerce, and entertainment.
- ➤ Proactive planning for growth, development, and redevelopment to anticipate environmental, housing, transportation, and economic development needs

# **Growth and Annexation (Chapter 11)**

Restrict growth to orderly annexations that protect the environment and minimize the financial burden on the city, residents, and businesses.

# **Strategic Issues:**

- ➤ Coordination between the City and all relevant state and county agencies with any proposed expansion of the City's municipal boundaries.
- > Prioritizing environmental and financial sustainability when making annexation decisions.
- > Keeping the long-term interests of the City and its current constituents as paramount considerations for any annexation plans.

# Chapter 4 PUBLIC UTILITIES AND INFRASTRUCTURE

The City of Newark is a full-service utility provider, overseeing water, wastewater, and electricity to residents, businesses, industry, and the University of Delaware. The City also maintains and manages a stormwater-sewer system that channels and carries stormwater runoff from City streets to surface water or stormwater management facilities.



Newark Reservoir by Mel Brooks, Jr.

# **Source Water Protection**

The Safe Drinking Water Act Amendments of 1996 mandated that each state develop a Source Water Assessment and Protection (SWAP) Program to protect public drinking water sources. The three basic components of all SWAP Programs include:

- Delineation of the boundaries of land areas most important to public water sources.
- Identification of the potential sources of contamination within those boundaries.
- Assessment of the susceptibility of the public water source to these contaminants.

Delaware's SWAP Program standards are in Title 7, Chapter 60, Subtitle VI, Section 6082 of the Delaware Code. The program is coordinated by the Department of Natural Resources and Environmental Control (DNREC) and the State Division of Public Health. DNREC developed the source-water assessments for most public water systems in Delaware, including Newark. Newark's assessments were updated on December 18, 2001 and May 1, 2002; the reports can be found at <a href="http://delawaresourcewater.org/assessments/">http://delawaresourcewater.org/assessments/</a>.

Title 7, Chapter 60, Subtitle VI, Section 3 of the Delaware Code requires counties and municipalities with populations greater than 2,000, as determined by the most-recent census, to implement measures to protect sources of public drinking water within their boundaries. The City was required to adopt such measures.

In 1991, Newark adopted an ordinance amending the City's zoning and subdivision ordinances to protect the source water protection areas delineated on the "Source Water Protection Areas Map" (illustrated in Map 4-1 on page 34). Development in these areas must adhere to the criteria established in Newark's source water areas protection ordinance. The State is responsible for updating and

revising the source water protection areas maps. The City is responsible for applying the provisions of the source water protection ordinance to the areas identified in "Source Water Protection Areas Map" as adopted in this Plan or hereafter amended. Source water protection datasets can be found at <a href="https://den.dnrec.delaware.gov">https://den.dnrec.delaware.gov</a>

# Source Water Protection Areas

The City of Newark has three unique Source Water Protection Areas protecting the public water system. The zones are identified as either excellent recharge, wellhead or surface water protection areas.

# **Excellent Recharge Areas**

Excellent recharge protection areas are lands consisting of highly permeable geological deposits necessary for the adequate recharge and health of the subsurface aquifer. An aquifer is an underground water bearing zone consisting of fractured rock or unconsolidated materials such as gravel, sand, or silt. Aquifer recharge occurs when precipitation infiltrates through the ground consequently replenishing, or "recharging", the aquifer and increasing the amount of groundwater available for beneficial use. Maintaining high quality groundwater is extremely important as roughly 40% of the drinking water produced by the City comes from wells installed into three different aquifers. To protect the excellent recharge areas the City's ordinance may require landowners to conduct hydrogeological studies to ensure adequate recharge is maintained. Additionally, restrictions prohibit any land use associated with the disposal of waste in these areas. Below ground or above ground storage of oil and petroleum products is also restricted, regulated, and requires approval. For the areas outside of the City municipal limits, development and various land use practices are subject to the New Castle County Code and review by the Resource Protection Area Technical Advisory Committee.

# **Wellhead Protection Areas**

Wellhead protection areas are the surface and subsurface locations surrounding a well or wellfield through which contaminants are likely to reach the well or wellfield. The City of Newark uses 13 wells to provide drinking water to the public. Four of these wells are screened in a confined aquifer (Potomac aguifer). Four other wells are in the crystalline bedrock (Wissahickon formation). Five wells are located in the unconfined aquifer (Columbia aquifer). The City of Newark wells have been previously delineated as part of the New Castle County Water Resource Protection Area (WRPA) mapping efforts. Wells for the City of Newark fall into three distinguishable Class C wellhead WRPAs and one Class A wellhead WRPA. Class C wellhead WRPAs have been delineated by the Delaware Geological Survey (DGS) and DNREC through the interpretation of geologic and hydrologic reports and maps, water table maps, and professional judgment. Class A wellhead WRPAs are the area within a 300-foot radius circle around all public water supply wells that are classified as community, non-transient non-community, or transient non-community wells. The northernmost Class C wellhead WRPA (Laird Tract) contains the four wells that have been drilled into the fractured bedrock. The central Class C wellhead WRPA (North) contains seven wells that have been drilled into the coastal plain aquifers. The southernmost Class C wellhead WRPA (South) contains one well that was drilled into the unconfined aguifer of the coastal plain. Only one well for

the City of Newark does not fall inside of a Class C wellhead WRPA. Well #19 has been delineated as having a 300-foot radius circle wellhead protection area. In regards to the City's ordinance, the wellhead protection areas have similar restrictions to the recharge protection areas. Additional restrictions call for all structures and paved areas to be at least 150 feet away from the wellhead and impervious surface coverage percentages to be limited to 10-50% depending on the land use. Additionally, the use, storage, treatment, or disposal of hazardous substances as defined in CERCLA §101(14) shall be prohibited, except that subject to the approval of the Public Works and Water Resources Director. For the areas outside of the City municipal limits, development and various land use practices are subject to the New Castle County Code and review by the Resource Protection Area Technical Advisory Committee.

# Surface Water Protection Areas

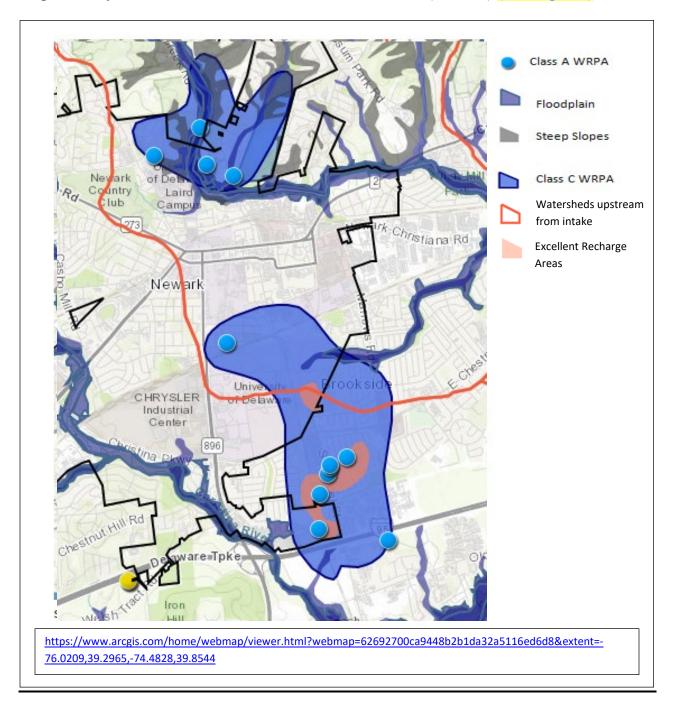
To protect the City's surface water source, the delineated source water protection area is the White Clay Creek watershed upstream of the intake of the Newark Reservoir and Curtis Water Treatment Plant. Theoretically, any potential source of contamination located within this area upstream of the intake could enter the White Clay Creek and flow into Newark's intake. It is important to note that the majority of the source water area for Newark is located in Pennsylvania. A small part of this source water area is in Maryland, but this area is only a fraction of a square mile in size, is undeveloped, and currently has little effect on the source water area. The delineated source water protection areas for surface water intakes have been separated into Level 1 and Level 2 areas. The Level 1 areas are the lands closest to the mainstream and its tributaries. These lands have the greatest impact on water quality. They include the Level 1A areas defined as the 100-year floodplain and erosion-prone slopes adjacent to the floodplain and the Level 1B areas defined as a buffer area of 200 feet on both sides of the stream. The erosion prone slopes are only designated on the Delaware portion of the watershed and were obtained from the New Castle County Water Resource Protection Area program developed years ago to protect public drinking water sources in New Castle County. The entire watershed area upstream of the intake is labeled as the Level 2 area. Potential contaminants in the Level 2 area are important to water quality, but their impacts will usually be less than those located in Level 1 areas because of the greater distance they must travel to enter a stream. The City protects its surface water source via regulation and restriction of various land use types and practices within the floodplain and erosion prone slope areas. Floodplains are regulated under City Zoning Code, Article XXVI, Special Provisions for Floodplains and Land Adjoining Floodplains. Erosion prone slopes are regulated under Chapter 27, Subdivisions, of the City's Municipal Code.

# Water Supply

In 2015, the City withdrew 775 million gallons from its White Clay Creek intake and 505 million gallons from its wellfield, well within the City's allocation permit of 1.8 billion gallons and 1.5 billion gallons, respectively.

As seen in the City's 2015 water usage, there is not a considerable amount of expansion of supply that needs to be done to be able to meet future demand. Although it is fortunate that very slow growth of resident population is expected, the proposed plan does not address water used by students, who compose approximately 34% of the City's total population when they are present.

Map 4-1: City of Newark Water Resource Protection Areas (WRPAs) (2022 Update)



For additional information, the City's *Water Resources Protection Regulations* are found in Chapter 30, Article VII of the City of Newark <u>Code</u>, and can be accessed through the links below:

https://library.municode.com/de/newark/codes/code of ordinances?nodeId=CD ORD CH30WAARTVIIWAREPRRE

The Public Works and Water Resources (PWWR) Department continually monitors water supply lines and water quality. Moreover, City regulations prohibit the discharge of harmful and toxic liquids, vapors, and materials into Newark's sanitary sewers. Heavy metal concentration is also specifically limited by ordinance; pretreatment standards and facilities are also specified. In addition, new septic systems are not permitted in the city. Newark's Subdivision and Development Regulations also include strict erosion- and sediment-control standards, which are designed to minimize land disturbance, runoff, and erosion during construction. Uncontrolled runoff and erosion can have obvious and direct negative impacts on Newark's creeks and streams. The Subdivision and Development Regulations also include specific standards to ensure that new developments have properly designed and installed water systems and sanitary sewer systems that will not result in discharges into Newark's streams. The PWWR Department also monitors new development proposals in terms of their impact on the City's water-supply aquifers, located in the southeastern and northern portions of the City, based on Newark's Water Resources Protection Regulations, which were adopted in 1991. In addition, the Department reviews development proposals to assure compliance with all the applicable provisions of the Delaware Code, Title 7, Part VI, Conservation Natural Resources, Chapter 60, Environmental Control, subchapter VI, "Source Water Protection," which is incorporated in this plan by reference.

# Water Treatment

The department is responsible for the maintenance and operations of all the equipment and facilities for surface water treatment, nine active water supply wells, and a groundwater-treatment plant to ensure that the water quality meets the standards of the State of Delaware Division of Public Health. The water-treatment process includes aeration, filtration, chlorination, lime addition, iron sequestering, and fluoridation. Water is supplied by the South Well Field Treatment Plant and the Newark Water Treatment Plant. The South Well Field Treatment Plant removes iron and manganese from several wells that the city uses depending upon demand. The Newark Water Treatment Plant draws water from the White Clay Creek. During droughts and periods where the water quality in the creek is unsuitable for treatment, the City draws its water from the Newark Reservoir. The reservoir holds approximately 318 million gallons and is designed to supply Newarkers during a 90-day drought—the longest drought on record.

#### Water Distribution

The water distribution system provides water services to more than 34,210 customers, including 31,454 full time residents and University students. More than 1.24 billion gallons of water is pumped by six booster pumping stations through 150 miles of pipe and nine finished water tanks annually to serve more than 10,000 water-service connections, of which there are more than 1,300 commercial and industrial accounts. Average daily water usage in the city is approximately 3.5 million gallons per day (mgd). The City's maximum daily production is approximately 6 mgd. A 2008 project at the Newark Water Treatment Plant brought the total capacity of that plant to 5 mgd. When this project was completed, the total system capacity, including the South Well Field and backup wells in the Laird tract, provided a total production capacity in excess of 8.5 mgd—well above current daily usage.

Flow and pressure in the city is good, with few exceptions. The sum of groundwater allocations for the City is more than 1.5 billion gallons per year, enough to cover the expected demand over 20 years without relying on any surface water supply. While water availability for future development is clearly adequate, new projects may require system improvements to convey water to the site in some cases. Developers, of course, are responsible for all improvements associated with and made necessary by their projects.

#### Wastewater

The department transports over 2.2 billion gallons of wastewater annually through the city's 95 miles of sewer-distribution lines. The City operates a wastewater-collection system that conveys sewage to the New Castle County interceptors located at city limits. Sewage is treated at a regional wastewater-treatment plant located in the City of Wilmington. Under the City's agreement with New Castle County, which transmits sewage to Wilmington, City of Newark sewage is regulated for quality. The majority of Newark's local sewer lines are capable of conveying additional flow. Generally, infill developments in older sections of the city may require system improvements to adequately convey wastewater generated by the development if it is significantly more than the previous use.

# Stormwater Management

The PWWR Department oversees the stormwater system—capacity evaluation and develops detailed recommendations for system expansion and capital-maintenance projects through the City's annual Capital Improvements Program. Utilizing the Capital Program departmental review system, the Planning and Development Director and Planning Commission must review the proposed projects prior to Council's approval to evaluate Program recommendations in light of the City's short-range land-use and development projections. The PWWR Department maintains detailed records showing all storm-drainage and stormwater management facilities.

Also, regarding the City's stormwater and drainage system, the PWWR Department is responsible for Newark's compliance with the EPA's National Pollutant Discharge Elimination System (NPDES) Permit Program. Newark has been designated a Phase II city under this program based on its population. The City has received a five-year NPDES permit from DNREC and is currently preparing to receive a draft of its next five-year permit. The City intends to improve stormwater quality based on its submitted permit, addressing the six required EPA permit Minimum Control Measures (MCM). Once the requirements for Total Maximum Daily Loads (TMDLs) are finalized by DNREC, these requirements will be incorporated into the City's stormwater management—quality program, as mandated by DNREC.

In light of the City's policy regarding the municipal responsibility for long-term maintenance of stormwater management retention and/or detention basins in single-family developments, the Department will continue to closely scrutinize these aspects of development proposals to insure that proposed site plans include adequate access for City maintenance and repair and, perhaps most importantly, maintenance-free or low-maintenance design.

The *Delaware Sediment and Stormwater Regulations* have been revised and became effective on January 1, 2014. A three-step plan review process is now prescribed in the regulations. Proposed

development projects must submit a Stormwater Assessment Study for the project limits of disturbance and hold a project application meeting with the reviewing delegation agency as the first step, prior to submitting stormwater calculations or construction drawings, which are the second and third steps, respectively. Resulting from the project application meeting, a Stormwater Assessment Report will be completed by the reviewing agency and the developer and forwarded to the City. This Stormwater Assessment Report will rate the anticipated engineering effort necessary to overcome certain stormwater assessment items such as soils, drainage outlets, and impervious cover. The Sediment and Stormwater Program recommends that the City consider the ratings from the Stormwater Assessment Report in making a decision to issue preliminary approval for any development request by incorporating the Stormwater Assessment Report as a required element when a plan is submitted into the municipal preliminary plan approval process.

# Hillside Park Stormwater Drainage Pond (2022 Update)

In 2021, the City of Newark completed construction on a new stormwater detention pond in the newly established Hillside Park. The location is the former site of the University of Delaware's Rodney dorm complex. Much of the surrounding neighborhoods were built in the 1950s and 60s, before it was understood that the implementation of stormwater management tools improved stormwater quality and reduced flooding. Rather, many neighborhoods were designed with pipes to only divert water away to the creeks as quickly as possible.

The Hillside Park pond intercepts water coming from above the watershed, in the Oaklands and Nottingham Green neighborhoods, and slowly releases the water into the downstream system. Approximately 70 acres of land drain into the pond. Before the pond was available, the downstream system would often become overwhelmed, flooding areas of South Main Street and creating even more problems further downstream. (1)

# **Remediation Sites and Brownfields**

A brownfield is a property for which the expansion, redevelopment, or reuse may be complicated or hindered by the presence (or potential presence) of a hazardous substance, pollutant, or contaminant. Thirty-four (34) remediation projects, either past or current (including brownfields), exist within the city limits of Newark. The City of Newark supports the productive use of these idle properties by providing "new" areas for economic development, primarily in former industrial/urban areas with existing utilities, roads, and other infrastructure. Prior to transfer of property ownership, a Phase I Environmental Site Assessment should be conducted by the developer. A Phase I Assessment investigates past uses on the property and seeks evidence of possible contamination. If a Phase I Assessment raises reason for concern, then a more detailed investigation should be conducted. DNREC's Remediation Section can aid in investigating, remediating, and redeveloping brownfield sites.

#### Electric Utility Service

The City operates its own electric distribution utility to provide electric services to commercial and residential customers within the city limits. Power is purchased on the wholesale power market through the Delaware Municipal Electric Corporation (DEMEC) of which Newark is one of eight full requirements municipal members within the state of Delaware. Several outgoing distribution

circuits at 34.5kv, 12.5kv and 4kv (being phased out) distribute power throughout the city. Over 12,000 customers are supplied power through these lines from distribution transformers, which reduce the voltage to levels appropriate for end users. The responsibilities of the Electric Department include the maintenance of substation sites, substation units, circuit breakers, transformers, and more than 165 miles of electric distribution lines. In addition to maintenance requirements, new power lines, substations, and underground electric utilities are constructed and installed to expand services to new customers. All of the City's electricity originates at one substation. While back up transformers and circuits serve to reduce the incidence, frequency and duration of outages, the city is currently focused on developing a separate substation connected to the regional transmission system for additional redundancy and reliability.

By operating its own electric service, the City is able to provide a reliable, efficient service at rates that are typically lower than the rates of private power companies. The average estimated monthly electric utility payment for Newark utility customers is \$149. By comparison, the average estimated monthly utility payment for residents in all surrounding areas of northern New Castle County and Wilmington is \$159. (Note: Electric rates reflect a seasonal average of monthly rates for residential customers consuming 1,000 kWh per month.)

In addition, electric revenues account for about 36% of the City's net revenue, while Electric Department operations use only about 9% of the city budget. Therefore, the extra revenues stay in the community by means of a general fund margin transfer which heavily offsets the need for higher taxes. This hometown power model provides great advantages when compared to for-profit utility providers where the substantial margin funds would go to stockholders instead of the local community in the form of services. Newark also benefits from the opportunity to self-serve city facilities such as street lights, pump stations, traffic signal, etc. at its wholesale rate.

A new 15-year Electric Service Agreement (ESA) was entered into with the University of Delaware in 2013 providing long-term revenue stability from our largest customer and some rate relief to the University associated with subsidies of residential customers identified in our most recent cost of service rate study. While we fully expect to maintain the current ESA relationship with the University following the term of the current agreement, the city's electric revenue concentration risk (UD accounts for approximately 28%, or about \$14 million of our annual electric utility revenue) is mitigated by its ownership and investment in distribution assets. Newark will remain the owner of the retail distribution system.

The Electric Department participates in the annual development of the City's Capital Improvements Program. The Department recommends specific system-wide capacity and capital-maintenance projects for consideration by the Planning Commission and ultimate Council approval. To accomplish this task, the Department maintains a sophisticated GIS computer-based system that records all transmission lines, transformers, substations, poles, streetlights, and aerial facilities. Project-specific infrastructure recommendations are made through the Planning and Development Department's coordinated development-review process and, where necessary, are incorporated into the City's development agreements.

# City Renewable Energy Sources

McKees Park is a 3.91-acre brownfield site off East Cleveland Avenue that was redeveloped into a 244.8-kilowatt solar farm. This behind-the-meter renewable power source serves all residents by reducing the City's peak power demand, lowering the wholesale cost of power, generating solar renewable energy credits, bringing locally produced green energy to the City's electric users, and reducing the City's carbon footprint. The 900-panel array produces enough electricity to power approximately 26 to 36 homes, depending on the season.

In 2013, City Council voted to enter into a contract with Delaware-based solar-energy contractor Solair, LLC, to construct the solar facility. Funding assistance was also provided by the Delaware Municipal Electric Corp (DEMEC) to finance the project through purchasing the system's Solar Renewable Energy Certificates (SRECs) for a 20-year term. The *Delaware Renewable Portfolio Standard* requires every retail seller of electricity in Delaware to meet an annually escalating percentage of electricity needs from renewable resources. As of 2020, approximately 18.5% of the City's power was derived from renewable energy sources (wind and solar). The *Sustainable Newark Plan* adopted by Council in 2019, set the City's target to procure renewable generation resources for our distributed electric mix to at least 30% by 2025, 65% by 2035, and 100% as soon as possible but no later than 2045.

The City is also investing in additional solar infrastructure to provide approximately 1,376 kW of new solar generation on City buildings and land that will be used to fulfill some of the need to source RECs once these projects are fully completed. These projects include:

- Municipal Center: Rooftop solar on City Hall and Police Department (111.5 kW)
- George Wilson Center: Rooftop solar (46 kW)
- Field Operations Complex: Rooftop solar on Building #1(56.9 kW) and Building #2 (228.2 kW)
- Newark Reservoir: Field adjacent to the reservoir (429.3 kW)
- McKees Solar Park: Expansion of existing solar (between 200 and 504.9 kW\*)

# Newark's Renewable Energy Programs (2022 Update)

The City of Newark is striving to become a more sustainable community by establishing goals related to how they provide electric power to customers. In 2019, Council adopted the <u>Sustainable Newark: The City of Newark's Plan for Sustainability</u> which includes a goal to procure renewable generation resources for our distributed electric mix of at least 30% by 2025, 65% by 2035, and 100% as soon as possible but no later than 2045. Currently, only about 18.5% of the City's power is derived from renewable energy (solar and wind).

# 100% Renewable Energy Fee

In 2021, Council amended the City Code to create a new optional renewable energy fee for all electric customer classifications. The new rate automatically applies to all new electric accounts created after

<sup>\*</sup>Final kW output still being calculated and discussed with DEMEC and HelioScope. If the output is 504.9 kW, the inflows and outflows for this project will remain fixed. If fewer solar panels can be added to McKees than previously thought, the inflows from solar energy and outflows associated with panel installation will decrease.

May 26, 2021, and existing customers can opt into this program if they so choose. The fee is set on a charge per kilowatt-hour (kWh), and the revenue derived from this fee is used to purchase renewable energy credits (RECs) of sufficient quantity to cover all usage from accounts that have opted to participate in the program. The RECs will then be retired on behalf of those customers.

RECs will come from wind, solar, and other eligible energy resources as defined in §352, Title 26 of the Code of the State of Delaware. This is the same requirement used for RECs included in the Municipal Renewable Portfolio Standard (MRPS) program. RECs charged against the program would be only those RECs needed to close the gap between the MRPS renewable percentage minimum and 100%.

There is a default hierarchy of preference for jwhere to source RECs. The hierarchy, in descending order of preference, is:

- 1. Generation from City of Newark owned assets.
- 2. Generation from DEMEC member communities.
- 3. Generation from Delaware municipalities.
- 4. Generation from within the State of Delaware, including its coastal waters.
- 5. Generation from within the States of Maryland, Pennsylvania, and New Jersey, including the coastal waters of each state.
- 6. Generation from within the PJM Market (Pennsylvania, New Jersey, Maryland and also now serves Delaware, Illinois, Indiana, Kentucky, Michigan, North Carolina, Ohio, Tennessee, Virginia, West Virginia, and the District of Columbia).
- 7. Other grid-interconnected sources

Purchases will be generally made in alignment with the above order while also taking into consideration REC prices. (2)

# Plan Goals and Action Items: Public Utilities

Provide high-quality services to residents and businesses, as well as to efficiently accommodate future growth.

# **Strategic Issues:**

- ➤ Management and funding of electric infrastructure to accommodate future growth and the development of the STAR Campus.
- Management and funding of stormwater infrastructure to address flooding issues.
- > Source water protection to ensure the quality and supply of surface water and groundwater.
- Meeting new state and federal environmental quality regulations.
- ➤ Developing Newark's Renewable Energy Programs to achieve the City of Newark's goal to procure 100% renewable generation resources from the distributed electric mix by no later than 2045.

# Community Vision: Sustainable

Goal 1	Maintain and improve the City's existing utility and infrastructure system (water, wastewater, electric, and stormwater) so it will adequately meet the needs of current and future residents and businesses as well as the University.
	Maximizing the existing utility and infrastructure systems for water, wastewater, electric, and stormwater is the most environmentally and economically <i>sustainable</i>
	approach to providing reliable service.

#### Action Item 1

Develop a Full Asset Inventory and Management System of existing treatment and distribution resources to proactively address aging infrastructure and impacts of future developments. A comprehensive inventory and management system would advance Newark as a "Sustainable Community" by creating a systematic approach to replacing aging infrastructure and a predictive model for how growth and development will affect existing conditions.

2022 Status: On-going

Partnering agencies:

Department of Public Works and Water Resources University of Delaware Water Resources Agency

# Action Item 2

Leverage partnerships to improve water quality and reduce flooding. The City advances its vision as a "Sustainable Community" by coordinating with local, state, federal, and regional planning agencies to address water-quality and flooding issues regionally and to improve conditions within the City.

**2022 Status:** On-going. In 2021, the City of Newark completed construction of Hillside Park at the location of the former Rodney dorm site. The seven-acre site is a multi-faceted park that provides

stormwater management to the surrounding neighborhoods, reducing flooding and increasing water quality. More information can be found in this chapter on page 35.

Partnering agencies:

Department of Public Works and Water Resources
University of Delaware Water Resources Agency
United Water
DNREC
Brandywine Conservancy
New Castle County Conservation District
State of Maryland
Commonwealth of Pennsylvania
United States Department of Agriculture (USDA)

## Action Item 3

**Develop a sustainable funding source to manage stormwater infrastructure.** The City should evaluate approaches to create a sustainable funding source in order to optimize resources to reduce damage and inconvenience from flooding, promote aquifer recharge, and minimize degradation.

**2022 Status**: Complete. In 2017, Council approved the adoption of a stormwater utility, which launched in 2018. All property owners, whether residential, business, non-profit, government or institutional, pay a fee each month, based on the property's amount of impervious area, to support stormwater activities. The fee raises approximately \$1.7 million each year to improve the City's stormwater system and facilities.

Partnering agencies:

Department of Public Works and Water Resources University of Delaware Water Resources Agency The development community

# Action Item 4:

Create a centralized database in a GIS Mapping System for all utilities. Using the data recorded through the full asset inventory, GIS mapping creates a visual model that enables the City to more effectively manage its existing resources, focus on problem areas, and better predict future development needs.

2022 Status: On-going

Partnering agencies:

Department of Public Works and Water Resources

# Community Vision: Sustainable

Goal 2	Ensure that City utilities meet or exceed all federal and state environmental-
	quality demands. Meet all federal and state environmental-quality regulations and,
	where feasible, implement best practices that go beyond what is required.

Action Item 5

Meet or exceed new state and federal requirements of the National Pollutant Discharge Elimination System (NPDES) permit and Stormwater Management Plan. As authorized by the Clean Water Act, the NPDES permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or manmade ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. The NPDES permit program is administered by the State of Delaware.

**2022 Status:** The City continues to meet or exceed all state and federal requirements.

Partnering agencies:
Department of Public Works and Water Resources
Delaware Water Resources Agency
DNREC

#### Action Item 6

Meet or exceed Delaware's new Sediment and Stormwater regulations. The revised *Delaware Sediment and Stormwater Regulations* have a goal of reducing stormwater runoff for the rainfall events up to the equivalent one-year storm, 2.7 inches of rainfall in 24 hours. Runoff reduction encourages runoff to infiltrate back into the soil as in the natural predevelopment system and results in pollutant removal and stream protection. Best management practices that encourage infiltration or reuse of runoff, such as porous pavements, rain gardens, rain barrels and cisterns, green roofs, open vegetation swales, and infiltration systems should continue/expand for new development sites with the City. Furthermore, the City may wish to consider policies such as limiting land disturbance on new development projects, limiting impervious surfaces by allowing narrower street widths, reducing parking requirements, and allowing pervious sidewalk materials.

**2022 Status:** The City continues to meet or exceed all state and federal requirements.

Partnering agencies:
Department of Public Works and Water Resources
Delaware Water Resources Agency
DNREC

# Action Item 7 (2022 Update)

Implement the Goals and Actions of "Theme 1" from Sustainable Newark: The City of Newark's Plan for Sustainability (2019). In order to respond to and help mitigate climate change, "Theme One" of Newark Sustainability Plan focuses on transitioning the City's electric utility to 100% renewable energy sources in an equitable manner and decreasing Newark's greenhouse gas (GHG) emissions. Goals include increasing renewable generation resources for its distributed electric mix to reach 100% renewables by 2045 or sooner, as well as preparing a GHG emission inventory to establish a baseline and track progress to reduce the GHG emissions to net zero by 2060. Additional information on the Newark Sustainability Plan can be found in Chapter 7, and at the link below:

https://newarkde.gov/1067/Newark-Community-Sustainability-Plan

Partnering agencies:
Department of Electric
Department of Finance
Delaware Municipal Electric Corporation (DEMEC)

#### Sources:

- 1. Delaware Live; Goodby, Rodney dorms. Hello, Hillside Park's play areas, fishing, trail; Dec 20, 2021. <a href="https://delawarelive.com/goodbye-rodney-dorms-hello-hillside-park-with-play-areas-fishing-trail/">https://delawarelive.com/goodbye-rodney-dorms-hello-hillside-park-with-play-areas-fishing-trail/</a>
- 2. Newark's Renewable Energy Program. <a href="https://newarkde.gov/1193/Newarks-Renewable-Energy-Program">https://newarkde.gov/1193/Newarks-Renewable-Energy-Program</a>

# Chapter 5 HOUSING AND COMMUNITY DEVELOPMENT



Photo: Newark Preserve

This chapter anticipates the effects of City services, incentives, and policies on housing needs, goals, and strategies to provide safe, affordable, and quality housing to Newark's current and future population. Newark is a home where people grow up, raise families, attend university, work, play, and retire. Housing is an essential element of the City's vision as a "Healthy and Active Community," a "Sustainable Community," and an "Inclusive Community."

**Healthy and Active Community:** Ensure that existing and future housing developments are built to safely accommodate pedestrian and bicycle traffic, including connectivity to parks, commercial and employment centers, and other residential areas.

**Sustainable Community:** Provide safe and sanitary housing that preserves quality housing stock; protects against blight; and improves the appearance and function of older housing stock through rehabilitation and redevelopment.

**Inclusive Community:** Ensure policies that support a varied supply of housing choices and styles, eliminate impediments to fair housing, and implement programs that create opportunities for more affordable housing.

The 2009 Newark Resident Survey and Planning Commission Workshops identified several key findings:

- Newark is an "excellent place for senior citizens to live," based on variety and affordability of housing, as well as the available AC zoning, which age-restricts occupants to 55 and older.
- While residents express a high level of satisfaction with the attractiveness of their neighborhood, they also express concern about property maintenance and the proliferation of single-family dwellings converted and used for student rentals.
- Mix of housing types, choices, and affordability levels were cited as strengths; however, the "student housing market" was blamed for inflating housing costs and creating a lack of housing choices for low- to moderate-income households/families to buy or rent.
- Strong support for City programs that promote owner occupancy by providing financial incentives to first-time and low- to moderate-income homebuyers.
- Strong concerns regarding the conversion of single-family homes into student rentals, as well
  as frustration about a perceived lack of code enforcement on single-family homes used as
  student rentals.

• Concern regarding the "overdevelopment" of apartment housing targeted as student rentals, particularly downtown, where there is a desire to see more owner-occupied housing.

### **Housing Inventory and Assessment**

**Note regarding Census data:** Data from 1990 and 2000 were taken from the Decennial Census's short-form, containing questions about basic counts and demographics, and the long-form, which included detailed questions about population and housing characteristics. In 2006, the long-form was discontinued and replaced with the American Community Survey (ACS). The ACS contains the questions previously contained in the Census long form. Data from the ACS is expressed as "estimates" from data collected over 5 years.

U.S. Census data show shifts in new housing construction in Newark over the past 30 years. Table 5-1 shows housing figures for Newark from the 1990 Census, the 2000 Census, and estimates from the 2008-2012, and the latest available 2014-2019 American Community Survey.

Table 5-1: Increased Construction of Multi-Unit Structures

2022 Update

Types of Housing Structures	1990	2000	# Increase		2008-2012 Est.	# increase	% Increase	2014-2019 Est.	# increase	% Increase
Single-unit structures	5,167	6,052	885	17.1	6,928	876	14.5	7,196	268	3.9%
Multi-unit structures	2,639	3,252	613	23.2	4,205	953	29.3	4,698	493	11.7%

Source: U.S. Census, 1990, 2000, and 2008-2012 & 2014-2019American Community Survey

From 1990 to 2012, there was a shift in the types of new housing construction from a majority of single-unit structures to a majority of multi-unit structures. In 1990, the City of Newark contained approximately 7,806 housing units, of which 66.2% were single-unit structures and 33.8% were multi-unit structures. Between 1990 and 2000, 1,498 housing units were constructed, of which 59.1% were single-unit structures (885 additional units/17.1% increase) and 40.9% were multifamily structures (613 additional units/23.2% increase). From 2000 to 2012, an estimated total of 1,829 new housing units were constructed, of which 47.9% were single-unit structures (876 additional units/14.5% increase) and 52.1% were multi-unit structures (953 additional units/29.3% increase). This trend continued over from 2012 to 2019, with an estimated total of 761 new housing units constructed, of which 35% were single-unit structures (268 additional units/3.9% increase) and 64.8% were multi-unit structures (493 additional units/11.7% increase). Changes in new housing construction continue to cause a shift in the overall makeup of our housing stock. Table 5-2 shows that by 2019, approximately 60.5% of the City's housing was single-unit structures and 39.5% was multi-unit structures — continuing a trend towards multi-unit structures. Wilmington has also shown a similar shift towards multi-unit developments as shown in Table 5-3.

Table 5-2: Shift in the Overall Makeup of Housing Stock

2022 Update

Types of Housing Structures	1990	2000	2008-2012	2014-2019	
City of Newark			Estimates	Estimates	
% Single-unit structures	66.2	65	62.2	60.5	
% Multi-unit structures	33.8	35	37.8	39.5	

Source: U.S. Census 1990, 2000, and 2008-2012 & 2014-2919 American Community Survey

Table 5-3: Single-Unit Structure vs. Multi-Unit Structure Comparison

2022 Update

Middletown, Delaware	2008-2012	2014-2019
ivilddietown, Delaware	Estimates	Estimates
Total Housing Units		
% Single-unit structures	85%	85%
% Multi-unit structures	15%	15%
Delaware		
Total Housing Units		
% Single-unit structures	82%	82%
% Multi-unit structures	18%	18%
New Castle County		
Total Housing Units		
% Single-unit structures	77%	76%
% Multi-unit structures	23%	24%
United States		
Total Housing Units		
% Single-unit structures	74%	74%
% Multi-unit structures	26%	26%
City of Newark		
Total Housing Units		
% Single-unit structures	62%	61%
% Multi-unit structures	38%	39%
Dover, Delaware		
Total Housing Units		
% Single-unit structures	67%	67%
% Multi-unit structures	33%	33%
Wilmington, Delaware		
Total Housing Units		
% Single-unit structures	64%	61%
% Multi-unit structures	36%	39%

Source: 2008-2012 & 2014-2019 American Community Survey 5-Year Estimates

Table 5-3 shows a comparison of Newark's housing stock. The City of Newark has approximately the same percentage of multi-unit structures as Dover and Wilmington and a higher percentage of housing in multi-unit structures than Middletown, New Castle County, the State of Delaware, and

the United States. Nationally and state-wide, there has been a shift towards multi-unit developments, however it has not yet resulted in a percentage change in total housing.

Newark residents are less likely to own their homes compared to the rest of the state and the country. Table 5-4 shows that approximately 54.3% of Newark housing units are owner-occupied, compared to New Castle County (70%), the State of Delaware (72.7%), and the United States (65.5%). Because Newark is a "college town" with a larger percentage of the population who are transient, Newark's home ownership rate is more comparable to metropolitan areas such as Wilmington, Delaware (47.9%) and Dover, Delaware (55.1%).

**Table 5-4: Newark Home Ownership Comparison** 

2022 Update	Newark	United States	Delaware	Wilmington, Delaware	New Castle County	Dover, Delaware
% Owner-Occupied (2012)	54.3%	65.5%	72.7%	47.9%	70.2%	55.1%
% Owner-Occupied (2019)	52.0%	64.0%	71.2%	43.4%	67.9%	48.3%
Median Value (Owner- occupied units) (2012)	\$281,400	\$181,400	\$241,100	\$179,300	\$251,200	\$187,500
Median Value (Owner-occupied units) (2019)	\$277,800	\$217,500	\$251,100	\$168,000	\$260,800	\$175,300
Median Monthly Owner Costs (Housing units with mortgage) (2012)	\$1,681	\$1,618	\$1,617	\$1,419	\$1,685	\$1,558
Median Monthly Owner Costs (Housing units with mortgage) (2019)	\$1,681	\$1,595	\$1,587	\$1,368	\$1,670	\$1,368
% of owners with monthly housing costs ≥ 30% of household income (2012)	21.1%	35.3%	36.2%	34.8%	32.9%	39.9%
% of owners with monthly housing costs ≥ 30% of household income (2019)	23.8%	27.8%	28.0%	34.9%	26.6%	33.8%

Source: 2008-2012 & 2014-2019American Community Survey 5-Year Estimates

Among owner-occupied units, Newark homes tend to be more valuable, and Newark homeowners tend to be better positioned to afford them. Table 5-4 shows the median value of an owner-occupied unit in Newark is approximately 6.5% higher than those in New Castle County and 10.6% higher than those in Delaware. Yet, among owner-occupied units with a mortgage, the median monthly owner costs are only 5.9% higher than those in Delaware and approximately the same as in New Castle County. An important measure of housing affordability is the monthly owner cost as a percentage of household income. Among the sample in our region, Newark has the lowest percentage of households who pay 30% or more of their income for housing costs. Although the gap has

narrowed in the past seven years, the comparisons in Table 5-4 suggest that Newark homeowners are affluent enough to afford more expensive housing and tend to make more conservative and long-term mortgage choices, which keep their housing costs affordable over time.

**Table 5-5: Median Rent Comparison** 

2022 Update	Newark	United States	Delaware	Wilmington, Delaware	New Castle County	Dover, Delaware
Median Rent (2012)	\$1,008	\$889	\$975	\$890	\$1,003	\$955
Median Rent (2019)	\$1,308	\$1,062	\$1,130	\$1,001	\$1,163	\$1,038
% of renters with monthly gross rent ≥ 30% of household income. (2012)	67.9%	52.1%	53.0%	57.2%	51.5%	53.6%
% of renters with monthly gross rent ≥ 30% of household income. (2019)	60.0%	49.6%	49.1%	52.2%	46.9%	58.9%

Source: 2008-2012 & 2014-2019 American Community Survey 5-Year Estimates

Table 5-5 shows that the median rent in Newark is higher than those of other jurisdictions. The median rent in Newark is 11.1% higher than New Castle County, 13.6% higher than Delaware, 20.6% higher than Dover, and 23.5% higher than Wilmington. In 2019, approximately 60% of Newark renters paid 30% or more of their household income on rent. This percentage has decreased in Newark, as well as nation-wide. Comparatively, for 2019, approximately 52.2% of Wilmington renters, 49.1% of Delaware renters, and 46.0% of New Castle County renters pay 30% or more of their income on rent. Newark's figures tend to be skewed by the high percentage of Newark residents who are full-time college students and are not employed or work part-time in low-wage jobs.

# Existing Land Use and Density

According to the 2014-2019 American Community Survey, Newark's population is 33,515 with an average density of 3,646 residents per square mile. As shown in Table 5-6, the City's population density exceeds the densities of Dover, Middletown, and New Castle County. In Delaware, only the City of Wilmington's population density exceeds Newark's. For the purpose of comparison, the population density of the City of Philadelphia was included to contrast Newark with a major urbanized area. The comparison shows that Newark's population density is more comparable to a small city such as Wilmington than it is to more "suburban" Delaware towns or cities such as Middletown and Dover.

**Table 5-6: Population Density** 

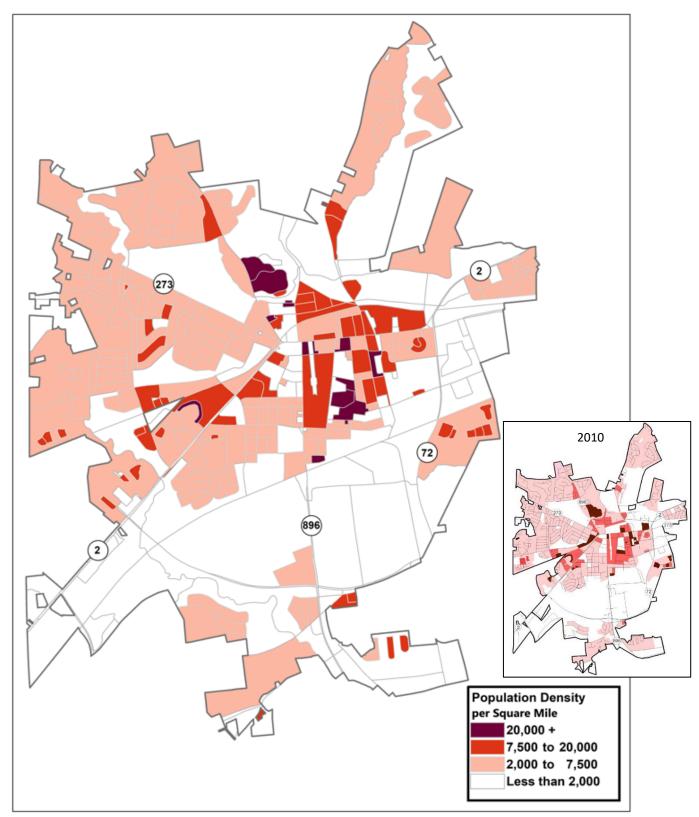
2022 Update

		2022 e pance
	Population per	Population per
	Square Mile	Square Mile
	(2010)	(2019)
Philadelphia, Pennsylvania	11,379	11,812
Wilmington, Delaware	6,437	6,437
Newark	3,424	3,646
Middletown, Delaware	1,617	1,972
Dover, Delaware	1,558	1,648
New Castle County	1,090	1,305
Delaware	361	499
United States	81	93

Map 5-1 shows Newark's population density by Census block and illustrates where the City's residents are living. The map shows area densities ranging from less than 2,000 to over 20,000 residents per square mile, with most residential districts having between 2,000 and 7,500 people per square mile. The pockets of the City with the highest density (20,000+) are shown in dark red and include major University of Delaware–owned housing complexes on the Laird Campus, Main Campus, and South Central Campus, as well as some privately owned apartment complexes. These areas are zoned UN for University or RA for high-rise apartments. Some townhome areas, such as College Park, White Chapel, and Blair Court, are also included as higher density and have RR zoning, which allows row homes. Most of downtown Newark, between East Main Street and Delaware Avenue, with its mixed-use development, shows population density between 7,500 to 20,000 persons per square mile. Areas shaded in a light red represent densities between 2,000 and 7,500. This includes most of the suburban-style single-family housing developments, which make up most of the residential districts in the City, with lot sizes ranging from 6,250 square feet to more than half an acre. Finally, areas shown in white tend to be open space, commercial and industrial areas, and the University of Delaware's athletic fields and farmland.

The updated Map 5-1 shows some shifts in density from the Census 2020 map from the Census 2010 Map. Most notably, the closing of the Rodney and Dickinson residential complexes in 2015 has shifted density from Hillside Road to new dormitories on Academy and Haines Street. Increased densities also show at recently developed apartment complexes at the Newark Shopping Center and redevelopments around South Chapel Street.

Map 5-1: Population Density in Newark, Delaware 2022 Update



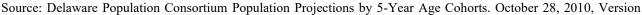
Source: WILMAPCO; 2020 Census P.L. 94-171 Redistricting Data

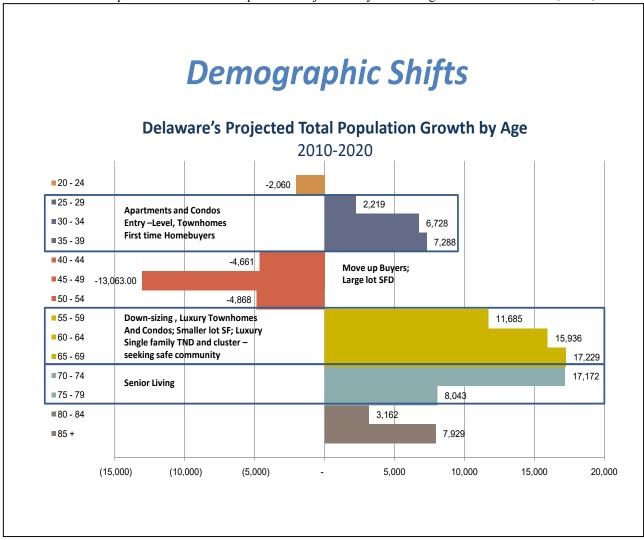
#### Housing Needs and Trends

Chart 5-1 illustrates these demographic shifts and the types of housing choices the respective population cohorts are making.

Numerous publications and studies indicate that Delaware, like the rest of the nation, is in the midst of a demographic and market shift that will significantly change consumer demand for various styles and types of housing over the next 20 years. This market shift is being driven by two population cohorts: the baby-boomers, generally considered persons born between the years 1946 and 1964, and the millennials, generally considered persons born between the years 1984 and 2002.

**Chart 5-1: Demographic Shifts** 





2010.0

Baby-boomers were once the prime market for the single-family houses in the suburbs. Today, this cohort is looking to downsize into more manageable housing and is moving to communities that are walkable and transit-oriented in order to be less dependent on their automobiles. Millennials, on the

other hand, were the first American generation in which the majority had grown up in suburban neighborhoods. Market research indicates that this generation is less interested in purchasing a home or automobile and wants to live in places that are pedestrian- and bicycle-oriented and that offer a wide variety of entertainment and lifestyle choices. In other words, millennials are not interested in living in the suburbs in which they grew up. The population cohort in between, often referred to as Gen X, persons born between the years 1964 and 1983, are now the primary market for single-family houses in the suburbs. However, this is a smaller cohort than the baby-boomers and millennials. As a result, Delaware Population Consortium (DPC) projections indicate that there will be a large number of suburban homes placed on the market by baby-boomers and that there will be a decline in the number of buyers who typically seek larger homes.

# **University Housing**

Fall 2019 enrollment at the University of Delaware was 24,120 students, with 19,060 of those students' considered undergraduates. In 2020, during the pandemic, the number of undergraduates enrolled was down slightly to 17,896, although many of these students did not live on campus or in Newark during the academic year. Projections of the number of undergraduates by 2021 show an increase with an estimate of 19,500 undergraduate students expected. The University has an oncampus housing capacity for 7,415 residents, with approximately 42% of full-time undergraduate students housed on campus. Total student numbers reflect all students, including those enrolled in an online graduate program or attending classes at the Georgetown, Dover, and Wilmington campuses

In terms of university housing, the University's strategy is to replace or rehabilitate its existing housing stock, and not increase on-campus residential units (dorm rooms). Residence halls such as Dickinson and Rodney have been removed and replaced with new units on the central campus. In 2019, the University vacated the Christiana Towers and replaced a portion of those lost units with the acquisition of the University Courtyard Apartments. As a result, university housing has become more centralized on-campus around *The Green* and Laird Campus, whereas their housing capacity has remained approximately the same. However, the acquisition of University Courtyard removed 296 units (880 bedrooms) from the private rental market, which offset some of the new private development in the city in recent years. The University may consider adding residential units during future developments of the STAR Campus.

# Rental Housing

The City of Newark has experienced significant growth in multifamily off-campus units targeted for students of the University of Delaware. Since the 1980s, the City's strategy has been to limit the conversion of single-family homes into student rentals while encouraging the development of mixed-use buildings with apartments in the downtown business district, as well as allowing greater densities for infill projects in locations around the University campus. This strategy has been instrumental in revitalizing Newark's downtown into a vibrant mixed-use commercial district with upper-floor apartments or condominiums. Other projects involving infill or redevelopment and consisting largely of apartments have been approved in areas within walking distance of the campus. Much of this redevelopment has been the result of the demonstrated demand and success of the student-rental market.

The City is also evaluating the size and type of apartment units that will best meet the rental housing needs of the future and where those units should be located. Proposals for very large townhouse-style apartments (5–6 bedrooms each) are targeted to undergraduate students; however, while the market for student rentals is high currently, new multi-unit housing is being constructed "condo ready," to include adequate firewalls and utility hook-ups so that the apartment units could be sold individually as condominiums, should demand increase for such housing types. Given demographic trends with baby-boomers looking to downsize and millennials looking for more compact, urban living, Newark housing stock seems well positioned.

The City has also implemented density bonuses for one- and two-bedroom apartment units in the downtown district in hopes of attracting graduate students, young professionals, and couples. The effort has resulted in a large number of newly approved two-bedroom units in the downtown core, with larger townhouse-style apartment units on the outskirts of downtown, most within walking distance of the UD campus.

As of 2021, the City continues to experience significant growth in multi-family rental housing. Table 5-7 shows that annual number of new multi-family units (and bedroom count) approved since 2016. Significant developments approved include redevelopment of College Square (The Grove at Newark) with 305 units, the redevelopment of the former Dickinson Hall at 321 Hillside Road (now known as The Railyard) at 320 units, and the redevelopment of 141 East Main Street with 80 units.

Table 5-7: Market-Rate Multi-Family Housing Approved – 2016-2021\*

	Units Approved	Total Bedrooms
2021	240	482
2020	29	121
2019	509	1286
2018	23	110
2017	7	42
2016	55	147

<sup>\*</sup>Represents total number approved by year, not built units.

# Affordable Housing

The Delaware State Housing Authority's *Delaware Housing Needs Assessment 2015-2020* concluded the following for the City of Newark:

- 1. Given the demand for rental housing, rents are disproportionately high. Only 8% of units have contract rents less than \$500 per month; 26% of units cost more than \$1000 per month, making Newark's rental market the second most expensive in the state after South New Castle.
- 2. While rental housing is more expensive, the homes for sale are moderately priced, with 66% of units valued below \$300,000 (compared to 67% statewide).

The City of Newark's Affordable Housing Plan has three aspects. First, the City provides programs and incentives that help qualified applicants become homeowners in the City. For Newark homeowners who have low to moderate income (those who make 80% or below of the area median income), the City offers a variety of programs to help repair homes. And, finally, the City supports agencies and efforts to help make renting in Newark more affordable to low- and moderate-income households. The complete report is available on the link below:

http://www.destatehousing.com/FormsAndInformation/needs.php

# Public and Subsidized Housing

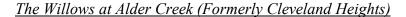
The Newark Housing Authority (NHA) was established under the provisions of the State of Delaware *Code* (Title 31, Chapter 43, approved April 24, 1934), following an initiative by the League of Women Voters. On September 24, 1960, the State Board of Housing issued a certificate of its determination to the Mayor of the City of Newark that there was a need for a Newark Housing Authority. Eventually, NHA was formed under state requirements.

NHA is the smallest of four housing authorities in Delaware whose primary source of funding is federal. NHA receives no state funds. As a result of the Joint Sunset Review in 2010, the Board was expanded from six members to seven. The Mayor has the ability to appoint four Board members at his or her discretion, which are approved by City Council. The Governor of the State of Delaware appoints the remaining three.

NHA administers two federally funded affordable-housing programs within the City limits, including Low-Income Public Housing (LIPH) and a Housing Choice Voucher Program (Section 8). The LIPH program, authorized by the U.S. Housing Act of 1937, provides rental housing for eligible families making less than 80% of the area median income, including the elderly and persons with disabilities. The Housing Choice Voucher Program, authorized by the Federal Housing and Community Development Act of 1974, gives eligible families the opportunity to rent from a private landlord. Because of high rents, payment standards, and competition with student housing, NHA is limited as to the number of participants it can assist. NHA has 209 vouchers associated with the Section 8 program but is only able to assist approximately 100 families. NHA owns and manages 98 LIPH units, including 20 scattered sites, 36 units for the elderly, and 56 multifamily units (to be constructed in 2015). Both programs have waiting lists with a combination of approximately 1,500 families in need of affordable housing.

In 2011, NHA was ranked as a "high performer" in both the LIPH and Section 8 programs. Under the LIPH program, NHA was evaluated under the Public Housing Assessment System (PHAS). Under the Section 8 program, the Section 8 Management Assessment Program (SEMAP) enables HUD to better manage the voucher program by identifying NHA's capabilities and deficiencies related to the administration of the program. In both of these programs, NHA was scored by individual indicators that include, but are not limited to, lease-ups, property selection from the waiting list, recertifications, annual inspections, capital-fund obligation, and expenditure of funds and financials.

From 2015 to 2021, the City of Newark provided more than \$350,000 through its Community Development Block Grant (CDBG) program to NHA for assistance in rehabilitating public housing units in Newark, as well as funding for the "transformation plan" for the future redevelopment of George Reed Village II.





Rendering of Alder Creek provided by NHA

In September 2013, the Planning and Development Department received an application from the NHA and Newark Housing Redevelopment, LLC, for the redevelopment of 6.77-acre property located at McKees Lane and Cleveland Avenue, also known as Cleveland Heights. The application requested development approval to demolish the existing structures on the site and build 13 new three-story buildings containing a total of 56 apartments, along with other site amenities and improvements, as part of an affordable-housing project. To accommodate the development, the applicant requested the City vacate Terrace Drive, a City-owned and -maintained street, in favor of a privately owned and maintained access way. The project also included a 3,500-sq. ft. community center for social activities and community services, including after-school and day care programs, for the residents of the new development and other NHA-managed properties in the City. The project was approved by Newark City Council in 2014 and completed in 2015.

# Special-Needs Housing

The City of Newark recognizes that individuals and families who are homeless or at risk of being homeless, as well as persons with disabilities, face significant obstacles accessing affordable housing. Through the City's CDBG and Revenue Sharing Program, the City has assisted in the rehabilitation of group homes and provided services for persons with disabilities.

Most of the group homes are operated by Chimes of Delaware and the Arc of Delaware. Newark follows Delaware State Law c.22 309(a), which states:

For purposes of all local zoning ordinances, a residential facility licensed or approved by a state agency serving 10 or fewer persons with disabilities on a 24 hour-per-day basis shall be construed to be a permitted single-family residential use of such property.

As a result, group homes are allowed "by right," without need of a special-use permit, in any residential district.

# George Reed Village Public Housing Redevelopment



Rendering of George Reed Village II provided by Leon N. Weiner & Associates, Inc.

The City of Newark is anticipating the redevelopment of George Reed Village at Independence Circle and 313 E. Main Street. The existing George Reed Village public housing community ("GRV") represents a prime location with more than 2.4 acres of high value land fronting E. Main Street. An increase in affordable rental housing is identified as an area of need for City of Newark based on the *Analysis to Impediments to Fair Housing (2020)* (See page 65). Affordable Housing is an essential element of the City's vision as a "Healthy and Active Community," a "Sustainable Community," and an "Inclusive Community."

The proposed project would demolish the existing 60-year old apartments in favor of a modern, mixed-use building fronting East Main Street, and apartment buildings developed along Independence Circle, to increase the total affordable units (restricted to household making below 60% of the area's median income) by fifty new units for a total of 100 affordable apartments.

The project is scheduled to be reviewed by City Council in 2022.

# Community Development and Revenue Sharing

The Federal Housing and Community Development Act of 1974 established the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant Program (CDBG). The primary objective of the program is to assist in the development of viable urban communities by providing decent housing, providing a suitable living environment, and expanding economic opportunities primarily for low- and moderate-income residents. The CDBG replaced several earlier federal grant and loan programs like Model Cities and Urban Renewal. In 1977, Congress reauthorized the CDBG and added a new objective that linked economic development to the principal goal of improving housing conditions.

In addition, in 1986, City Council adopted a Revenue Sharing Program to continue to support social service agencies following the demise of the Federal Revenue Sharing Program. The Community Development/Revenue Sharing Advisory Committee, with staff and administration support from the Planning and Development Department, reviews requests from local social service and related nonprofit agencies for local municipal-funding assistance and makes annual recommendations to City Council for both programs.

Newark, as part of an "Urban County," receives CDBG funds through New Castle County under an entitlement formula based on population. Under the entitlement program, Newark must submit a yearly application to the County after holding public hearings on current and proposed programs. Newark's Community Development/Revenue Sharing Advisory Committee provides direct community participation in the CDBG program, and the final project decisions are made by City Council. The New Castle County's Department of Community Services and the HUD local-area office make determinations, if necessary, on program eligibility.

Federal regulations stipulate the formulation of a local housing-assistance plan as part of the CDBG application process. This plan, produced by the New Castle County Department of County Community Services, presents analyses of the physical conditions of the local housing stock, provides estimates of the financial assistance needs of renter households, and sets housing-assistance goals to be provided over a three-year period, with updated annual goals for housing assistance. The housing-assistance plan is also utilized by the Newark Housing Authority in its requests for federal funding.

Over the past five years of the City's CDBG, Newark has received approximately \$1.35 million. Taking into account the likelihood of reduced federal funding for grants of this type, the Planning and Development Department and the Community Development/Revenue Sharing Advisory Committee continue to utilize whatever CDBG funds are available in the most cost-effective manner by implementing the following planning strategies:

- 1. Limiting the assumption of additional multiyear commitments.
- 2. Prioritizing funding requests to fund those activities that appear to meet the most critical needs.
- 3. Containing costs wherever possible.
- 4. Identifying supplemental resources.
- 5. Leveraging CDBG funds with private capital.

# Home Ownership/Home Repair Programs

The City of Newark's Home Ownership Programs help qualified applicants, particularly first-time homebuyers, to purchase a home in Newark. Existing programs include the following:

# • Home Buyer Incentive Program

The Home Buyer Incentive Program provides funds to income-qualified first-time homebuyers to purchase affordable housing. The program provides interest-free, deferred-payment loans up to \$5,000 to be used for settlement/closing costs and up to 50% of the down payment for homes purchased within the City of Newark. The loans will be secured by a second mortgage on the home to be purchased. The full balance of the loan becomes payable either upon title transfer of the residence or if the homeowner converts the property into a rental.

The City of Newark had three home-purchase assistance programs that have been discontinued because of financial difficulties, or other issues with the programs, starting in 2008. When feasible, it is recommended that the City of Newark consider resuming these programs or develop other down-payment/closing-cost assistance programs to encourage home ownership in the City.

# • Live Near Your Work Program

The Live Near Your Work (LNYW) Program is a partnership among the City, the State of Delaware, and participating employers that encourages employees to purchase homes near their place of work. The LNYW Program provides down-payment and closing-cost assistance to eligible employees of participating employers who purchase homes in designated areas.

#### • Home Buyer Assistance Program

The Home Buyer Assistance program provides low-interest monthly payback loans, up to \$15,000 at 1% below the Federal Home Loan Market Interest Rate. The loans will be secured by a second mortgage on the home to be purchased. To qualify, homebuyers must be willing to buy a house within target areas of the City and remain owner occupants for at least six years.

# • Promoting Owner Occupancy of Homes (POOH)

The City's pioneering "shared equity" POOH Program promotes and encourages owner occupancy of homes in Newark by providing interest-free, deferred-payment loans of up to \$30,000 toward the purchase of any single-family home in the City with a valid rental permit. Rental permits for homes to be purchased must have been issued a minimum of two years from the date of application. The loan will be secured by a second mortgage. Loan repayment will be required at the time of sale or transfer of the property and will include the full principal amount plus a percentage of the increased value of the home during the borrower's ownership, in direct proportion to the amount loaned by the City at the time of settlement. For example, if the total value of the City POOH loan consisted of 20% of the original

purchase price, then the City would receive as the loan repayment 20% of the net appreciation plus the principal amount. Our "shared equity" program is an example of the kind of housing-affordability program that national experts recommend for the expansion of the local supply of reasonably priced housing.

The City funds three programs through its CDBG program to help low- to moderate-income residents who own their homes to make minor (and sometimes significant) repairs. These programs include the following:

# Home Improvement Program

The Home Improvement Program provides low-interest, interest-free and deferred-payment loans for qualified repairs to owner-occupied properties of income-eligible Newarkers. The maximum loan amount is \$15,000. This program has assisted Newark owner occupants with home-improvement grants and loans since 1974.

• Senior Home Repair Program (60+) & Energy Watch Program

The Newark Senior Center's Senior Home Repair Program provides free City CDBG-funded minor home repairs to income-eligible senior citizens (age 60 and over) who are homeowners in Newark. In addition, the Newark Senior Center provides free assistance to low- and moderate-income Newark senior homeowners to promote the efficient use of energy, including diagnostic energy-conservation audits and free home repairs that increase a home's energy efficiency.

Newark residents may also be eligible for financial assistance under the Delaware's Department of Natural Resources and Environmental Control's (DNREC) Weatherization Assistance Program. The program for both homeowners and renters is free for qualifying applicants, offers a home assessment, and provides weather-stripping, insulation, energy efficient light bulbs, and other energy-saving measures. For more information, go to: <a href="https://dnrec.alpha.delaware.gov/climate-coastal-energy/sustainable-communities/weatherization/">https://dnrec.alpha.delaware.gov/climate-coastal-energy/sustainable-communities/weatherization/</a>

# **Housing Studies and Analysis**

# Rental Market Needs Assessment (2016)

The City's strategy of allowing greater densities and infill redevelopment to accommodate increased student housing demand has been controversial. In 2013, City Council considered nine multifamily dwelling subdivisions totaling 476 apartments. This was nearly equal to the number of new apartment units that were approved from 2000–2012 (482 units) and 150 units more than were approved from 1990–1999 (329 units). In addition, the City's regulation and restrictions on rentals of single-family houses had strained relations with some landlords. The surge continued into 2014 with over 179 new apartment units approved.

As a result, the City was concerned that the surge in proposals for new developments for student housing could result in an oversupply and high vacancy rate among existing apartment units. In

addition, the City also wanted to review its policies and regulations on inspecting apartments and single-family rental properties, as well as regulations concerning the number of unrelated tenants permitted in single-family dwelling rental.

In 2014, the City hired Urban Partners, Inc. to study and evaluate the City's housing needs, particularly as they related to rental housing. The study was divided into two phases. Phase one of the study, completed January 2015, was a Rental Housing Needs Assessment that provided analysis to the question: "How much is too much?" rental housing for this community. Summary findings include the following:

- Despite the stated policy of keeping a steady enrollment number, the University of Delaware has added over 1,450 students (undergrads and full-time grads) between 2005 and 2013. This represents a 1% annual growth rate. The additional UD students have increased demand by 50 units per year from 2005-2013.
- Based on Urban Partners' polling of property owners and management companies, the vacancy rate for Newark's rental housing market as of December 2014 is estimated at 2.9%. The vacancy rate for the apartment complexes with more than 50 units is 3.5%.
- Landlords with newly built units report very strong demand with rents as high as \$750 to \$850 per bedroom. Most of these newer units are off the market by October-November for the following academic year.
- The vacancy rate is currently impacted by the "lease-up" process at the Retreat. The Retreat was completed in the summer of 2014 and missed the window when a large proportion of UD students made housing arrangements for the academic year (2014-2015). As of December 2014, the Retreat (now known as "The Waverly") had a 40% vacancy rate. It is likely that by Fall 2015, the Retreat will absorb the demand generated by the incremental annual growth in UD's student population and, as a result, have a vacancy rate of no more than 10%. The overall vacancy rate in the Fall 2015 for the City of Newark is projected at 1.9%.
- In any given session, there are approximately 800 students (or approximately 2,200 unique students per year) enrolled in the English Language Institute (ELI). The consultant estimates that approximately 200 units of rental apartments in Newark are occupied by ELI students.

Phase two of the study was completed in March 2017. The report assessed the City's home ownership—assistance programs and its single-family rental-occupancy and maintenance controls, as well as recommended best practices from other University communities. The report included the following recommendations:

• Recommendation 1: Expand the number of blocks that are exempt from the Student Home ordinance. In order to alleviate pressure of UD off-campus housing demand, the City's "Student Home Ordinance" limited student rental growth in neighborhoods not traditionally occupied by students, while exempting streets adjacent to, or in close proximity to, the campus to focus student rentals near the campus. The report recommended adding to the list of exempt streets. This recommendation was reviewed by the Planning Commission in 2017 and was not recommended for adoption.

- Recommendation 2: Incentivize the shift to non-student renters or owner-occupants in targeted neighborhoods. As student rentals are shifted to areas nearer to campus, the report recommends the City provide incentives such as the Promoting Owner Occupancy of Homes and the Home Buyer's Assistance Program (see page 61 of this Chapter) to encourage the transition to owner-occupancy and family rentals. These programs have not been resumed.
- Recommendation 3: Leverage existing resources and opportunities to develop additional affordable rental homes. The report recommended that the Newark Housing Authority (NHA) utilize project-based vouchers to expand the availability of long-term affordable rental units. The NHA is currently working on planning for the redevelopment of George Reed Village. In 2018, the NHA sought CDBG funding from the City for the George Reed Village Transformation Plan. The final proposal is expected to be presented to Planning Commission and Council in 2022.
- Recommendation 4: Create Incentives for Landlords to participate in regularly scheduled property inspections. In order to increase the regular scheduling of rental property inspections, the report recommended incentives to encourage "voluntary participation" within the rental inspection program. Incentives include recognizing "Gold Star" rental units that achieve consistent, safe inspections to assist landlords in marketing their properties, as well as allowing landlords with consistent positive inspections to "self-certify" annually from a checklist. These proposals are still under review and were part of the focus of the *Rental Housing Workgroup* discussed further below.

The complete report is available online:

http://cityofnewarkde.us/index.aspx?NID=876

# Rental Housing Workgroup (2019)

In 2018, Council approved the creation of the *Rental Housing Workgroup* to examine the issues related to the high demand for student housing due to student growth, the management of rental housing, and to address the need for non-student housing, as well as affordable rental housing, and develop a list of recommendations for Council to address these issues.

With the assistance of the consultant JMT, the Workgroup issued its report on July 13, 2020. The Workgroup divided into three (3) subcommittees to examine focus areas in greater detail and develop a set of recommendations:

- University of Delaware Student Growth: Focused on university and community relations to determine how administrative action can be taken in order to best preserve the relationship and prepare for future growth of the University. Goals included:
  - o Developing a community relations campaign in partnership with the City of Newark and the University of Delaware.
  - o Gaining a better understanding of what rental properties are available and what development projects are in the pipeline.
  - o Gaining a better understanding of UD current student population and expected population and campus growth.

- **Rental Permits**: Focused on inspections, enforcement/fines and fees, and student home/exempt streets within the City of Newark. Goals included:
  - Making rental properties safe for all tenants by ensuring interior inspections take place on a regular basis.
  - o Look into revisions or incentives that allow for better enforcement or provide benefits that encourage compliance before enforcement is necessary.
  - o Review and evaluation of the challenges enforcing the "Student Home ordinance" and home occupancy.
- **Non-Student and Affordable Housing**: Focused on zoning modifications, City of Newark programs, and private developer/landlord initiatives. Goals included:
  - o Better understanding rental housing demand in Newark.
  - o Identifying opportunities for rent-burdened families to find rental housing within City limits.
  - o Identifying opportunities to collect revenue and incentivize diverse and affordable housing options.

The complete Newark Rental Housing Workgroup Final Report – July 12, 2020, along with all the Workgroups recommendations, can be reviewed at the link below.

# https://newarkde.gov/ArchiveCenter/ViewFile/Item/6607

City Council reviewed the Workgroup's report and used the report to set priorities and directed City Staff to develop ordinance proposals for consideration at future Council meetings.

# Analysis to Impediments to Fair Housing (2020)

Equal access to residential housing is an essential human need in pursuing personal, educational, employment, or other goals. Because housing is so important, fair housing is a goal that government, public officials, and private citizens must achieve if equality of opportunity is to become a reality. Under federal law, fair housing choice is defined as "the ability of persons, regardless of race, color, religion, sex, disability, familial status, or national origin, of similar income levels to have available to them the same housing choices." Persons who are protected from discrimination by fair housing laws are referred to as members of "protected classes." HUD defines an impediment to fair housing choice as "any actions, omissions, or decisions that restrict, or have the effect of restricting, the availability of housing choices, based on race, color, religion, sex, disability, familial status, or national origin." The Delaware State Fair Housing Consortium, a body with representatives from each jurisdiction in the State of Delaware receiving U.S. Department of Housing and Urban Development (HUD) funding, as well as, each Housing Authority operating in the State, was established to conduct a Statewide Analysis of Impediments to Fair Housing Choice (the "AI report"). The City of Newark was a cooperating member of the Consortium. The analysis includes a list of impediments (or barriers) to fair-housing choice for members of protected classes, as well as specific plans consisting of strategic actions to be taken to eliminate housing discrimination across Delaware.

The 2020 Delaware Statewide Analysis of Impediments to Fair Housing Choice (AI) contained the following "Key Point" regarding the City of Newark:

"In Newark, the continued growth of University of Delaware enrollment has placed huge pressure on the local housing market, to the disadvantage of low-income families of color who are the predominant group of residents on the Newark PHA waitlist. This ongoing pressure is also displacing residents that are part of (the) workforce." (p.7 & 35)

The report rates *Land Use and Zoning Laws* as "High" contributing factor as a barrier to fair housing choice in Delaware. The City of Newark's Zoning Code is highlighted as follows:

"The City of Newark has a wealth of apartments due to the high student population, although the overall percentage of the City zoned for multifamily is much lower than Wilmington. The majority of residential land is zoned for single-family homes...Areas zoned for garden apartment allow up to 16 units per acre, areas zoned for high-rise apartments allow up to 36 units per acre. These are not especially large unit allowances. Individual area zoned for garden apartments are relatively small, but well scattered across the city, mainly surrounding the University of Delaware campus, which is allowed to build all the housing it wants in UN zoning. Area zoned to allow higher density include the BB-Central Business District, which allows up to 50 rental units per acre." (p.42)

The 2020 AI also identified lending discrimination as a significant factor in disparities in access to housing opportunity throughout the region and state, including Newark. The complete report for the 2020 Delaware Statewide Analysis of Impediments to Fair Housing Choice is available online:

<u>Delaware State Housing Authority - ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (destatehousing.com)</u>

The housing information contained in this report is a *snapshot in time* using the best available information at the time of <u>Plan V 2.0</u>'s adoption. More recent demographic information may be available at the following link:

United States Census Bureau – Explore Census Data <a href="https://data.census.gov/cedsci/">https://data.census.gov/cedsci/</a>

# Plan Goals and Action Items: Housing and Community Development

Encourage diverse housing choices that contribute to attractive and unique places to live, work, play, and attend school.

# **Strategic Issues:**

- > Supply and demand for rental and owner-occupied housing.
- Recognition of the rights of tenants and landlords to ensure safe and attractive housing stock while balancing quality-of-life issues.
- > Preservation of existing housing stock.
- > Pathways to homeownership.
- ➤ Addressing impediments to fair housing.

# Community Vision: Inclusive

Goal 1	Encourage affordable and safe housing choices for home ownership and rentals
	through zoning, incentive programs, and investments. The City advances its vision
	as an "Inclusive Community" by investing and supporting safe and affordable housing
	choices for residents of diverse ages and income levels. The City supports programs
	that help people purchase homes, affordably repair their homes, and have choices for
	renting.

# Action Item 1

Complete a comprehensive analysis through a Housing Needs Assessment (HNA) to evaluate the City's housing needs with regard to the supply of rental housing and approaches to encourage home ownership. The HNA would have two phases. The first phase would include an assessment of student housing needs, including the current student-rental inventory and a determination of the number of additional units needed to ensure the economic feasibility of the market. This phase would also include recommendations on the number of additional units needed to meet current and future demand, including the type and location of the units necessary and strategies to update the determination of need as development continues. The second phase would include an assessment of the current homeowner assistance programs, single-family occupancy and maintenance controls, and downtown mixed-use development strategy as a tool to balance the impacts associated with off-campus student-rental housing growth and provide examples of successful programs for the City to investigate with regard to promotion of owner occupancy. The HNA would be presented to the Planning Commission and City Council for review, and policy addenda could be added to the *Comprehensive Development Plan V*.

**2022 Status:** *Complete.* See updates on pages 59-62

Participating agencies:

City of Newark Planning Commission
City of Newark Department of Planning and Development
New Castle County Department of Community Services
Delaware State Housing Authority
Newark Housing Authority
Nonprofits and organizations focused on housing issues
Policy and program recommendations:

• Continue to provide funding for programs such as the Home Buyer Incentive Program and consider developing additional programs for down-payment/closing-cost assistance to increase opportunities for affordable home ownership.

2022 Status: Under review.

• Continue to fund the Home Improvement Program and the Senior Home Repair Program, which make owning a home more affordable for low- to moderate-income (below 80% of the area median income) households.

2022 Status: Implemented and on-going.

• Encourage nonprofits and affordable housing providers to develop housing in Newark.

**2022 Status:** Implemented and on-going. See page 55 of this Chapter on the George Reed Village Public Housing redevelopment.

Community Vision: Sustainable and Inclusive

Goal 2	Promote and remove impediments to fair housing for a racially, ethnically, and
Goal 2	
	socioeconomically diverse community. An economically "Sustainable Community"
	must have residents of all ages and income levels, from low-wage earners to higher-
	wage professionals and from young professionals and families to retired persons, to
	help make a complete community. The City advances its vision as an "Inclusive
	Community" by ensuring fair housing and promoting diversity.

Policy and program recommendations from Analysis of Impediments to Fair Housing Choice, the Delaware State Housing Authority, and the New Castle County Department of Community Services:

Encourage the development of affordable housing by considering incentives such as reducing
or waiving sewer, water, and/or public facilities and service impact fees for developers and
nonprofit organizations seeking to build affordable housing units for renters or owner
occupants.

2022 Status: Under review.

• Amend the *City of Newark Zoning Code* to include a definition of "group home" to match the definition under state law. Include "group home" as a by-right use under all residential zoning districts to clarify existing city policy.

2022 Status: Under review.

• Encourage and promote opportunities for members of appointed boards and commissioners, elected officials, and city staff who deal with housing, community development, zoning, and code enforcement to attend training on fair housing and other housing-related planning issues.

2022 Status: Under review.

- Review zoning ordinances and consider opportunities and appropriate zoning best practices
  to reduce barriers to affordable housing for families, promote greater housing choice, and
  ensure consistency with the Fair Housing Act.
  - **2022 Status:** The City's Rental Housing Workgroup (2019) completed their report and presented it to Council. Among the recommendations included the review and development of an ordinance to support Inclusionary Zoning and Accessory Dwelling Units (ADUs).
- Encourage diversity on appointed volunteer boards.

**2022 Status**: In process. The City has established a Diversity and Inclusion Commission. Progress is being make in appointing committee members more representative of the community, including increased appointments of residents of color and students.

# Community Vision: Sustainable

Goal 3	Encourage housing built and renovated to be highly energy efficient and reduce
	the environmental impact. The City's vision as a "Sustainable Community" is
	advanced by encouraging that the City's new housing stock be constructed to a high
	standard of environmental practice and that older housing stock is retrofitted to reduce
	the environmental impact.

Policy and program recommendations:

- Continue the City of Newark's Energy Conservation Program, adopted in 2010, based on the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system for all new construction, including new single-family and multifamily residential units.
  - **2022 Status:** Complete. In 2020, Council adopted amendments to the International Energy Conservation Code increased energy conservation and efficiency standards for new buildings and subdivisions.
- Continue to provide assistance through the Newark Energy Watch program (NEW) to provide
  free assistance to low- and moderate-income Newark homeowners to promote the efficient
  use of energy, including diagnostic energy-conservation audits and free home repairs, which
  increase the home's energy efficiency.
  - **2022 Status:** Implemented and on-going.
- Continue to provide assistance through the Home Improvement Program to provide low-interest, interest-free, and deferred-payment loans for qualified repairs, such as more energy-efficient heaters, air conditioning units, and windows.
  - **2022 Status:** Implemented and on-going.

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# Chapter 6 TRANSPORTATION

Newark is a multimodal transportation community. Newarkers drive automobiles, ride bicycles, take public transit, use wheelchairs, and just plain walk or run. Table 6-1 shows the 2019 American Community Survey 5-year estimates, by mode, of the City of Newark's "Commuting to Work" of workers 16 years of age and over:

Table 6-1: Commuting to Work in Newark (Workers 16 Years and Over)

2022 Update

	Est 2009-2013	Est 2014-2019
Car, truck, or van: Drove alone	63.70%	66.3%
Walked	15.00%	14.2%
Car, truck, or van: Carpooled	9.80%	7.4%
Worked at home	4.70%	4.7%
Public transportation (excluding taxicab)	4.40%	3.9%
Bike/ Other	2.40%	3.4%

Source: 2019: American Community Survey (ACS), 5-Year Estimates Data Profiles; U.S. Census

Source: 2009-2013 American Community Survey

The data from the American Community Survey (ACS) are estimates, and it is common for variations to appear between data sets. However, a comparison of the ACS from 2019, to the set used in the 2016 edition of <u>Plan V</u>, shows an increase in the percent of commuters "driving alone" to work as compared to walking, bicycling, or taking transit. At a minimum, it shows that there has not yet been a significant shift towards alternative transportation choices among Newarkers commuting to work.

Newark's transportation network handles a diverse range of demands. Newark's portions of Routes 896, 273, 72, and 4 transports tens of thousands of automobiles from the surrounding areas through the City each day. The University of Delaware, with over 23,000 students and 4,700 employees, create a significant amount of traffic demand throughout the entire day into evening, utilizing all modes of transportation (pedestrian, bicycling, transit, and automobiles). Attractions such as University sporting events, the eclectic mix of restaurants downtown, and the surrounding State, County, and City parks system creates additional traffic demand challenges. The result is Newark is a vibrant, multimodal city that must use a variety of transportation demand management strategies to maximize efficiency.

Of course, the City of Newark's transportation network is about more than commuting to work, and its conditions impact on our "active living" quality of life. This chapter is meant to align Newark's

vision for a "Healthy and Active Community," a "Sustainable Community," and an "Inclusive Community" with its transportation goals and objectives.

# **Key Focus Areas**

With assistance from the Wilmington Area Planning Council (WILMAPCO) and in conjunction with DelDOT, the Delaware Transit Corporation, and the University of Delaware, the City of Newark developed the 2011 Newark Transportation Plan as an update to the Newark/Elkton Intermodal Transportation Plan. The purpose was to re-examine the City's transportation system, gather a renewed round of agency and public input, and develop a set of updated system-wide recommendations. Through a variety of Advisory Committee meetings, public workshops, and traffic analyses and planning analyses, the plan identified key transportation issues based on existing conditions:

- Congestion, safety, and mobility
- Bicycles and pedestrians
- Parking
- Transit

Each focus area will consist of goals, objectives, and analysis of its place within the City's vision of a "Healthy and Active Community," a "Sustainable Community," and an "Inclusive Community." For more specifics, please refer to the *2011 Newark Transportation Plan:* 

www.wilmapco.org/newark

Table 6-2 shows results from the 2016 Newark Resident Survey in which residents were asked to rate the "ease" of transportation choices in Newark. The "Satisfaction Rating" reflects the percentage of respondents indicating "Excellent" or "Good" for the question, excluding those that selected "Don't Know" or didn't answer. The survey results show that "Ease of walking" and "Availability of paths and walking trails" received the highest Satisfaction Rating with 81% and 84%. "Traffic flow on major streets" received the lowest Satisfaction Rating at 26%.

Table 6-2: Ratings by Residents of Transportation Characteristics in Newark 2022 Update

	Excellent	Good	Fair	Poor	Don't	Satisfaction
					Know	Rating*
A. Ease of car travel	13%	38%	28%	21%	1%	52%
B. Ease of bicycle travel	11%	34%	20%	8%	27%	62%
C. Ease of walking	29%	47%	15%	3%	6%	81%
D. Ease of bus travel	9%	22%	12%	6%	51%	63%
E. Ease of train travel	11%	24%	18%	13%	35%	53%
F. Amount of public parking	6%	25%	38%	27%	4%	32%
G. Traffic flow on major streets	4%	21%	42%	32%	1%	26%
H. Availability of paths and walking	28%	45%	10%	4%	13%	84%
trails						
I. Traffic signal timing	8%	38%	32%	19%	3%	47%

Source: 2016 Newark Resident Survey

# Current Trends

DelDOT traffic volume data for the 2011 Newark Transportation Plan showed data from 2001 to 2009 that traffic has generally increased at an average rate of 0.72% per year with the City's major roads. Based on recent data showing a 1.2% annual population growth rate and a 0.72% average annual traffic growth rate, the 2011 Newark Transportation Plan assumes a 1% annual growth rate as a basis for developing traffic projections through 2030. The updated Table 6-3 shows DelDOT traffic Average Daily Traffic (ADT) counts has generally increased at an average rate of 0.25% per year within the City's major roads between 2011 and 2019.

There are distinct areas in the City with recurring congestion that continue to operate with poor levels of service. The *Congestion Management System* developed by WILMAPCO has identified intersections experiencing "significant" congestion along Library Avenue and Cleveland Avenue, as well as other locations highlighted in Map 6-1.

Table 6-3: Historical Traffic Data 2022 Update

Main Roadway	From	То	2011 ADT*	2019 ADT	% Change
Capitol Trail	Newark Christina Rd.	E. Cleveland Ave.	34,091	25,648	-24.8%
Main/Delaware Ave.	DE 2, Elkton Rd.	DE 896, S. College Ave.	24,329	23,934	-1.6%
E. Cleveland Ave.	N. Chapel St.	DE 2, Capitol Trail	22,238	21,122	-5.0%
DE 4, Christina Pkwy.	DE 2, Elkton Rd.	DE 896, S. College Ave.	24,772	36,174	46.0%
W. Cleveland Ave.	DE 896, New London Rd.	N. Chapel St.	22,238	18,194	-18.2%
Elkton Road	Newark Limits	Apple Rd.	19,335	28,734	48.6%
New London Rd.	DE 2, Main St.	Country Club Drive	15,846	15,934	0.6%
S. College Ave.	DE 4, Christina Pkwy.	Park Place	16,756	18,612	11.1%
W. Main St.	W. Newark Limits	Hillside Rd.	11,562	6,877	-40.5%
N. College Ave.	DE 2, Main St.	Cleveland Ave.	4,104	5,008	22.0%
			195,271	200,237	
				Differen	ce 4,966
			% Growth	over 10 yea	rs 2.54%

Source: DelDOT Traffic Counts at: Traffic Counts (arcgis.com)

(Updated traffic counts may be found here - https://deldot.gov/Publications/manuals/traffic\_counts/index.shtml)

# Congestion, Safety, and Mobility

\*ADT = Average Daily Traffic

As the Newark Resident Survey indicates, traffic remains one of Newark's leading public concerns. Indeed, results from the 2016 Resident Survey and from numerous public workshops indicate that "Ease of car travel", "Traffic flow on major streets", are the top transportation priorities from city residents. For residents, the issue of traffic congestion is a quality-of-life issue. As a result, any change in land development that might negatively impact present or future levels of roadway service must receive close scrutiny from the Planning and Development Department, City staff, the Planning

% Growth per year

0.25%

Commission and City Council. In developed communities such as Newark, the need for added roadway capacity is often limited by the value and density of adjacent land uses. WILMAPCO's 2011 Congestion Management System Summary (CMS) in Map 6-1, Map 6-2, and Map 6-3 shows that areas throughout the city experience significant and recurring congestion, especially in the city's core, which includes many intersections with poor levels of service, particularly during peak travel times in the afternoon (Map 6-3).

NEWARK

Roadway Congestion

Significant
Minor

Minor

Significant
Minor

Minor

Minor

Minor

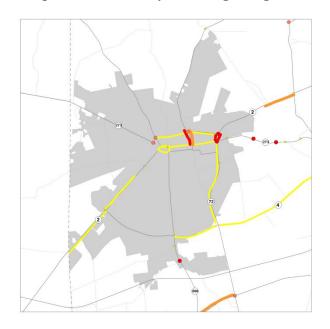
Map 6-1: WILMAPCO Congestion Management System

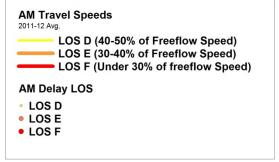
Source: City of Newark Transportation Plan (2011); WILMAPCO

The City has also grown up alongside railroads and, as a result, there are homes, University buildings, and businesses directly adjacent to these heavily traveled Eastern Seaboard lines. Because it runs through the heart of Newark's downtown, the CSX rail line has especially significant impacts on our community. The CSX rail line has three at-grade crossings that are utilized by thousands of pedestrians each day, including substantial numbers of University students, faculty, and staff. These at-grade crossings often disrupt downtown traffic and emergency-vehicle access. The proximity of

the CSX rail line to homes, offices, businesses, and institutions means that a derailment and/or possible release of harmful materials, could have catastrophic results for Newark. As a result, the City's Emergency Operations Plan was developed in part to deal with the hazards associated with the CSX line. The City participates with the Railroad and the University in CSX's periodic efforts at safety upgrades and related public information and safety awareness programs.

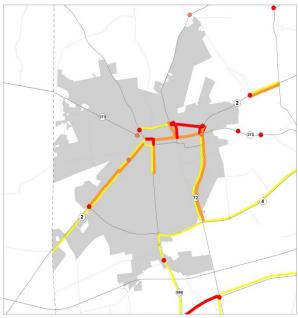
**Map 6-2: LOS: Early Morning Congestion** 

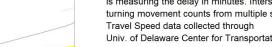




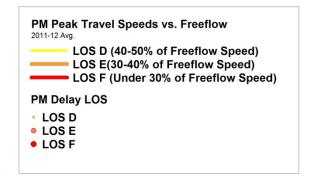
Map shows the delay-based LOS, which is measuring the delay in minutes. Intersection turning movement counts from multiple sources. Travel Speed data collected through Univ. of Delaware Center for Transportation (DCT)

Map 6-3: LOS: Late Afternoon Congestion





Source: WILMAPCO, DelDOT



#### Notes:

Map shows the delay-based LOS, which is measuring the delay in minutes. Intersection turning movement counts from multiple sources. Univ. of Delaware Center for Transportation (DCT)

# Recommendations to address congestion, safety, and mobility:

The following recommendations of the 2011 Newark Transportation Plan are on-going and continue to be addressed through processes such as the development of the Newark Transportation Improvement Districts (TID) discussed on page 76, and recent redevelopments in the City.

- 1. **Create a corridor-optimization program.** An optimization program seeks to make the most efficient use of traffic signals by inspecting and modernizing signal equipment and taking advantage of new technologies. The City of Newark should coordinate with DelDOT on a corridor-optimization program for Newark's 56 signalized locations. To maximize its effectiveness, optimization should focus on four main corridors:
  - a. South Main Street/Elkton Road: Includes 10 signals within the City.
  - b. *Cleveland Avenue*: Includes 6 signals within the City.
  - c. Library Avenue: Includes 4 signals within the City.
  - d. South College Avenue: Includes 10 signals within the City.

**2022 Status:** Optimization of traffic signals is on-going.

- 2. **Promote mixed-use development for downtown.** Newark's downtown, which includes development along East Main Street, Delaware Avenue, and South Main Street, experiences traffic congestion due to the vibrancy and success of Newark's commercial district. Accomplishing mixed-use development, as well as pedestrian, bicycle, and transit improvements recommended later in this chapter, will help reduce the demand for driving to the downtown area.
- 3. Add road capacity to targeted areas to accommodate future growth. Limited opportunities were identified to add capacity and future access to accommodate the University of Delaware's STAR Campus, and shift housing facilities to the eastern side of campus. These corridors are outlined in the 2011 Newark Transportation Plan and include the following:
  - a. Access Management at Wyoming Road and Marrows Road Corridor so as not to make land-use decisions that preclude the long-term possibility of providing two lanes in each direction or adding left-turn lanes.
  - b. *Extension of Delaware Avenue to Marrows Road* for future redevelopment of the College Square shopping area.
  - c. Intersection improvements to North Chapel Street underpass and Cleveland Avenue.
  - d. Intersection improvements to Ogletown Road (Route 273) at Marrows Road.
  - e. Intersection improvements at Cleveland Avenue and North College Avenue.

**2022 Status:** DelDOT continues improvements to Cleveland Avenue, including completing improvements at the intersections of North College Avenue and North Chapel Street. The extension of Delaware Avenue to Marrows Road is being implemented through the redevelopment of the College Square Shopping Center – now known as "The Grove."

4. **Implement "complete streets" and "traffic calming."** Complete streets and traffic-calming designs make roads safer and balance the needs of drivers, pedestrians, bicyclists, and transit

users. Focus should be along corridors where crash clusters are present. The Newark Transportation Plan identifies three corridors in which to focus traffic-calming efforts:

- a. West Park Place from Elkton Road to South College Avenue.
- b. South College Avenue from Main Street to the Newark Train Station.
- c. Cleveland Avenue from Capitol Trail (Del. Route 2) to North Chapel Street/Pomeroy Trail.

**2022 Status:** DelDOT has completed the corridor from Cleveland Avenue to Capitol Trail by reconfiguring the traffic lanes, improving pedestrian crossings, and adding bicycle lanes. Improvements to South College Avenue are in process.

In addition, the Comprehensive Development Plan V identified four corridors in which to focus traffic-calming efforts:

- a. New London Road from Andrews Way to Cleveland Ave.
- b. Corbit Street.
- c. Barksdale Road from Casho Mill Road to Nottingham Road.
- d. Country Club Drive from Windsor Drive to New London Road.

# **Bicycles and Pedestrians**

Bicycling and walking are important forms of transportation in Newark. By promoting development, urban design, and land uses that are bicycle- and pedestrian-friendly, the City advances its aspirations of providing opportunities for a healthy and active lifestyle, promotes sustainability by reducing dependence on fossil fuels, and makes a community inclusive for children, seniors, and any resident desiring or needing transportation alternatives to automobiles.

According to the American Community Survey (Table 6-1), 17.6% of Newark residents report that they walk or bicycle to work, while the average in New Castle County is approximately 2.8%. Moreover, Newark is a college town wherein safety for bicycling and walking are key issues.

# **Bicycling in Newark**

Approximately 3.4% of Newark's commuters bicycle to work, which ranks Newark with many of the most successful bicycle-friendly communities. Newark was recognized nationally by the League of American Cyclists as a "Bicycle Friendly Community" at the Bronze level in 2010, 2014, and 2018. Community organizations such as BikeNewark (formerly the Newark Bicycle Committee) and the Newark Bike Project have continued to work with the City toward identifying opportunities for enhancing facilities, as well as developing and sponsoring programs to promote bicycle safety and encouraging greater use of bicycling for transportation and recreation., Over the next few years, BikeNewark will again work with the City, as well as planning partners at WILMAPCO and DelDOT, to update the 2014 *Newark Bicycle Plan*, which sets a series of short-term and long-term goals.

Newark has made tremendous advances over the past 15 years in becoming a more bicycle-friendly community. Major improvement projects include the completion of the James Hall Trail and the Pomeroy Trail, the rehabilitation of a portion of Elkton Road that is now called South Main Street,

revising our City code to require new development to increase the number of bicycle parking facilities, and adding shared-lane markings ("sharrows") to Main Street and other streets as recommended by BikeNewark.

Building on the 2011 Newark Transportation Plan, key recommendations for bicycle improvements include the following:

- 1. **Improve signalized detection systems at intersections.** Recommends improvements to bicycle detection at signalized locations through increasing the use of aboveground video detection or adjusting the position and sensitivity of traditional loop detectors.
- 2. Use bicycle lanes and shared-lane markings (sharrows). Use and mark bicycle lanes where appropriate and, where space is limited for bicycle lanes, use the newly approved Manual on Uniform Traffic Control Devices (MUTCD) shared-lane (sharrow) markings. Improved pavement markings should be coordinated with paving projects.
  - **2022 Status:** Since adoption of the 2011 Plan, sharrows have been utilized successfully on several Newark streets including East and West Main Streets.
- 3. **Install a two-way bicycle lane (cycle track) on Delaware Avenue.** Recommend the reconfiguring of Delaware Avenue to include a two-way separated bike lane, known as a cycle track, from Tyre Avenue to Orchard Road.
  - **2022 Status:** In 2015, JMT completed a feasibility study for a two-way separated bike lane along Delaware Avenue from South Main Street to Library Avenue. The project team included DelDOT, the City, WILMAPCO, the University of Delaware, BikeNewark, and other community groups. A "Pop-Up Cycle Track" event was held on July 14, 2015 where a temporary two-way bike lane was installed. The project is scheduled to be completed in 2022. For additional information, see the DelDOT project page:

https://deldot.gov/information/projects/bike and ped/delaware ave/

# Walking in Newark

Newark has pioneered planning for pedestrian safety and accessibility. For instance, the City's midblock "pedestrian peninsula" or "bump-outs" were spearheaded by the Planning and Development Department in an effort to assist pedestrians crossing Newark's heavily traveled Main Street between the long block from Academy Street to South College Avenue. The City has also spent more than \$350,000 in federal community development funds to upgrade handicap access ramps throughout Newark. In 2020, DelDOT completed its upgrade and expansion of downtown sidewalks to include more space for café seating, benches and gathering areas, as well as increased bicycle parking.

To make Newark a more pedestrian-friendly place, the 2011 Newark Transportation Plan identified areas where pedestrian improvements would be made:

1. Streetscape improvements to East and South Main Streets. The DNP's Design Committee developed plans to include adding bump-outs near parking lot entrances and crosswalks on Main Street. Bump-outs at these locations would reduce crosswalk length, discourage illegal parking at corners, and provide additional locations for benches, trash cans, and bicycle racks.

**2022 Status:** This project was completed in 2020.

2. Mid-block crossing with improved median for Library Avenue between Delaware Avenue and East Main Street. Routine mid-block crossings occur on the busy four-lane road between the Newark Free Library, the College Square Shopping Center, and the DART First State bus stop. However, there is a lack of pedestrian amenities at this location. The mid-block crossing would include a marked crosswalk and a center median to serve as a pedestrian refuge area. Additional signage would also be necessary.

**2022 Status:** The project is anticipated to be implemented as part of the TID discussed later in this chapter.

- 3. Citywide initiatives for walkability. These initiatives would include the following:
  - a. Maintenance operations focusing on providing well-defined crosswalks with uniform markings and signage throughout the city.
  - b. Convert all pedestrian signal indications to include countdown timers.
  - c. Design crosswalk locations to accommodate pedestrians with disabilities.
  - d. Utilize curb extensions and medians for pedestrian refuge to make crossings shorter.

**2022 Status:** These projects are completed or in-process.

# **Parking**

Downtown Newark has a mix of both on- and off-street parking opportunities. On-street parking spaces are managed either by kiosks to encourage short-term parking or residential parking permit restrictions. Off-street parking facilities include six municipally run parking lots providing unrestricted public parking for monthly and hourly/daily users, several private parking lots restricted for use by the owners' employees and customers, and two University—run parking garages.

Due to the combination of relatively high-density commercial and residential development and the nearby University of Delaware drawing a large influx of students and visitors, parking in the Downtown District remains an issue of concern for the community.

The 2011 Newark Transportation Plan includes both short-term and long-term recommendations concerning parking:

1. Consolidate parking lots and entrances. Opportunities for linkages between exits and entrances of existing lots and opportunities to merge private lots into larger, adjacent public lots should be explored. Following this recommendation, a new entrance/exit on Center Street was completed in 2013, and a project to connect two municipal lots through a private lot was completed in 2016.

- 2. Maximize space in existing lots. Recommendations included consolidating dumpsters and/or replacing them with trash compactors to reduce space needed for trash services and to increase space in existing lots available for parking. The Planning and Development Department and the Parking Office are actively working with downtown business on this issue.
- 3. **Improve wayfinding to parking entrances.** Since much of Downtown's off-street parking supply is located behind businesses, visitors unfamiliar with Main Street may be unaware of available parking areas. It was recommended to use banners and more visible signs to advertise municipal lots. The new wayfinding and locational signage installed in 2012 have improved but not eliminated the problem. Street markings were also added directly on the driving lanes of East Main Street in 2015. Efforts continue to optimize signage.
- **4. Add bicycle parking downtown.** In 2012, the City installed 16 dual-bike bicycle racks along Main Street. Additional bicycle racks were installed as part of the 2020 Main Street Rehabilitation. The City will continues to monitor the need for additional racks, especially in light of better accessibility of the downtown area for bicyclists through the completion of the Pomeroy Trail in 2012, as well as the anticipated construction of a cycle track along Delaware Avenue. The City has also amended the <u>Zoning Code</u> to require increased bicycle parking facilities for all new developments.

# The Planning Commission's Parking Subcommittee

In 2016, the Planning Commission began a process of working with City staff to review downtown's parking capacity and demand, Zoning Code minimum parking requirements, and the Parking Waiver program to make recommendations of Code amendments based on their findings. A "Parking Study" was completed, and presented to Planning Commission, on June 7, 2016, which researched zoning regulations in similar jurisdictions, as well as the current Parking Waiver program, and provided a series of "policy options" for City officials to consider based on best practices and national trends. The Planning Commission also hosted two Public Workshops to get input from residents, developers, and local business owners,

At their May 2017 meeting, Planning Commission authorized a Parking Subcommittee with the purpose of convening to understand the challenges related to parking in the City's ever-changing downtown core. The Parking Subcommittee was composed of a diverse group of participants that included representatives from city government, the Planning Commission, downtown businesses and non-profits, developers, as well as residents and a University student. The Subcommittee first identified seven (7) "Strategic Issues".

- Parking distribution and availability.
- Cultural thinking about parking (Community perceptions and habits.)
- Zoning Code revisions

- Economics of parking
- Stormwater quality/quantity
- Employee parking
- Private lots not in the City network

Through a process of several public meetings and workshops, the Parking Subcommittee developed a policy matrix, shown in Chart 5-1, to link strategic issues and solutions to three (3) "Policy Layers".

The complete report, titled A Bold New Future for Newark: A Comprehensive Parking Solution, can be viewed at the link below:

https://newarkde.gov/DocumentCenter/View/12066/Comprehensive-Parking-Solution

Chart 6-1: Policy Matrix from the Staff Technical Review of the Planning Commission's Parking Subcommittee's Report

Policy Layer #1	Parking wayfinding signage with "real-time" parking information			
Managing	GIS "real-time" parking information and location on City's web page			
the Existing Parking	Development of "smart" downtown parking App for cell phones			
Supply	"Dynamic" Fee Structure for municipal parking rates			
	Marketing strategy: Education and promoting parking options			
Policy Layer #2	Review of Zoning <u>Code</u> to identify impediments to creative parking solutions			
Evaluating Demand	Reducing or eliminating minimum parking requirements			
	Allowing "Decoupling" of parking in multi-unit developments			
Policy Layer #3	Negotiate lease agreements with private lot owners			
Increasing Parking	Negotiate lease agreements with Univeristy parking lots during off-peak hours			
Access and Expansion	Increase and promote transit use; operating internal downtown circular bus route			
	Centrally located downtown parking garage			

City Council reviewed the Parking Subcommittee's report in a special meeting in March of 2019 and directed staff to move forward with implementation. The City is working with a consultant on ways to develop policy and ordinance recommendations.

# **Transit**

The 2011 Newark Transportation Plan contains the following recommendations to improve transit service in Newark:

- 1. **Transit hub improvements:** The plan recommends reorienting the transit facility to better establish connections from DART First State buses to UNICITY and University shuttle bus routes. This would include features such as increased signage, real-time schedule information, and improved passenger-waiting shelters.
- 2. Citywide amenities and features that identify the transit system: Recommendations from the plan include bus-stop signs at all UNICITY and University shuttle stops and coordinated schedule information. Other recommendations include greater use of shelters and benches at City bus stops and bicycle racks on all UNICITY and University buses.
- 3. **Improved marketing within the City:** Because the City has such a diverse array of bus and train services, it has been difficult to communicate with the public on the services available. The City is currently developing a user guide titled *Car-Free Newark*. The guide will include schedule information and list bus routes for common destinations. In addition, the guide will be a reference for bicycling and walking in Newark.

4. **Service modifications to University bus service and UNICITY:** The plan recommends that the University bus service should be expanded to provide at least a minimum level of service when school is not in session. Also, utilizing the Newark Transit Hub could improve connections for University students and staff with DART First State bus routes. Likewise, UNICITY could revise its routes to focus on key destinations and improve frequencies.

Public transportation in the City of Newark consists of both train and bus service. Bus service is offered through four separate agencies.

- UNICITY: The City of Newark's UNICITY bus system, initiated in 1980 and funded primarily by the State of Delaware through the Delaware Transit Corporation, provides a free bus service to local points in Newark. In terms of frequency, the service is relatively limited, with a daily (Monday through Friday) loop route and twice-daily morning and evening commuter service. In 2020, the City modified the UNICITY bus route to a loop service that was easier to understand and offered quicker route times. The modified route is down to approximately 1 hour, down from approximately a 2-and-a-half-hour loop. Because UNICITY is administered locally by the Planning and Development Department with University of Delaware bus drivers and bus supervisors, the City can quickly respond to community requests for route changes and new service demand, and the City can even try experimental services like weekend and evening routes in the summer.
- University of Delaware Shuttle: The University shuttle bus system provides local transit for students and staff when the University is in session and operates several routes oriented to the campus. While service is free for students and University staff, other residents or visitors are not permitted to ride these buses.
- DART First State: DART First State links Newark to Wilmington and other portions of New Castle County, as well as Middletown and Dover. The focal points of DART routes are the Newark Transit Hub, which is located between East Main Street and Delaware Avenue and is connected to the Pomeroy Trail, and the Newark Train Station located next to the STAR Campus. Both locations provide bus loading areas, shelters, and bicycle parking, as well as transit and transferring information.
- Cecil County Transit: Based in Elkton, Cecil Transit operate two bus routes to Newark that connect to Glasgow in Delaware, and Elkton and Perryville in Maryland. The service operates on weekdays only, with limited service approximately every 90 minutes with stops in Newark at the Newark Train Station, the Newark Transit Hub, and the Newark Municipal Building.

Other bus services include **Greyhound** and **MegaBus**. Both of these intercity bus providers pick up passengers at the University of Delaware's Laird Campus (Lot 6), off New London Road, for daily express service to points south to Washington, D.C., and Hampton, Virginia, and points north to New York City.

Newark is also served by two rail services:

• **SEPTA:** The commuter rail service operated by SEPTA is an arrangement with DART First State. It offers limited service to points north through Wilmington and Philadelphia. Further connections through NJ Transit to New York City can be made in Philadelphia. The new Newark Train Station at the STAR Campus (p.84) began construction in 2017 and is scheduled to be completed by December 2022.



Newark Train Station. Source: WRA

• Amtrak: Newark receives very limited service, with stops once a day for directions going to Washington, D.C., and points south, and New York City and points north.

In 2020, Maryland's Governor Lawrence Hogan signed House Bill 1236 – *Transit – Maryland Area Regional Commuter Train (MARC) – Expansion of Service ACT* for the purpose of evaluating the feasibility of expanding MARC service to Newark. Should the service be approved, the connection would eliminate a gap in commuter rail service between Newark (the end of SEPTA's service) and Perryville, MD (the current end of MARC service. The Maryland Transit Administration is connecting a study, with the assistance of WILMAPCO, and was due to submit its findings by December of 2021.

# Newark Transit Improvement Partnership (TrIP)

In 2016, a partnership of stakeholder agencies was formed including WILMAPCO, the City of Newark, University of Delaware Transportation, DART First State, and Cecil County Transit to collaborate to provide more expansive transit services in Newark by consolidating and coordinating the existing bus services (listed on above on page 73-74), as well as better coordinating these services with the SEPTA and Amtrak services at the Newark Train Station.

The study, conducted by WILMAPCO, and adopted by WILMAPCO Council on July of 2019, worked to understand the existing conditions through data collection and analysis, which included

an extensive mapping effort to represent the demographic conditions such as population and employment density, along with minority, low-income, and zero car households. The complete report is available at the WILMAPCO website at the link below:

# http://www.wilmapco.org/Newark/transit/newarktransit.pdf

The members of the TrIP partnership are continuing to work together to coordinate services and better amenities for transit users, seek additional grant funding for further studies, incorporate the various services into the mobile DART app, and identify other areas of coordination.

# Transit-Oriented Development at the University of Delaware's STAR Campus

The City of Newark's Comprehensive Development Plan IV (2008) called for the redevelopment of the former Chrysler site in a mixed-use manner that included "high-tech research and educational facilities" as well as light manufacturing and commercial development. In 2009, the University of Delaware purchased the 272-acre former Chrysler site to redevelop into the STAR Campus. The long-term economic benefits of the STAR Campus are uniquely supported by transit-oriented development and a multimodal transportation center.

The STAR Campus's first major tenant, Bloom Energy Corporation, a manufacturer of solid-oxide fuel cells, located its East Coast manufacturing, management, and research facilities on 50 acres of the site. Bloom Energy opened its facility in the spring of 2013 and is anticipated to employ 900 individuals when at full capacity. The STAR Campus's proximity to other research centers is leading to collaborations that will have major benefits to the local economy. For example, as a direct result of the federal Base Realignment and Closure (BRAC) program, Aberdeen Proving Ground has emerged as one of the leading science and technology centers in the United States. A Cooperative Research and Development Agreement (CRADA) was signed between the University of Delaware and the U.S Army for collaboration on research and educational projects that focus on national security and defense, both in Aberdeen, Maryland, and at the STAR Campus.

In preparation for development of the *Comprehensive Development Plan V*, a key "Opportunity" from SWOT data gathered at public workshops is the feasibility of improving commuter rail services in Newark as a result of the redevelopment of the University's STAR Campus. In partnership with the University of Delaware, DelDOT, and WILMAPCO, the STAR Campus will include a *Newark Regional Transportation Center* that includes relocating the Newark Train Station as an expanded facility.

As of 2021, the STAR Campus has over 1 million square feet of real estate in use or under construction, including labs, offices, clinical, incubation and coworking space. In 2019, because the site is located on a former vacated industrial site, near several low-income communities, the IRS designated the STAR Campus as an Opportunity Zone, an economic development designation and tool to encourages investment in distressed areas in the United States in order to spur economic growth and job creation.



Map 6-4: STAR Campus Master Plan (2014)

Image: Framework for STAR Campus development; STAR Campus Master Plan, 2014

Part of the plan's development from the *Newark Train Station Study* was an engineering and feasibility study to examine conflicts between freight and commuter train service, as well as how to accommodate expansion of passenger rail services. The study's partnership received a TIGER IV Grant from the U.S. Department of Transportation to complete the *Newark Regional Transporation Center*. The improved Newark Rail Station is being constructed at the location of the previous SEPTA station, at the northern end of the STAR Campus. The new station will improve upon the previous station by providing Americans with Disabilities Act (ADA) compliant high-level platforms, expanded parking, and provide significantly improved passenger amenities. Construction began in 2017 and was anticipated to be completed by 2018. However, due to many complications, the facility is still under construction as of this writing, and anticipated to be completed in 2022.

The University of Delaware's site-development plan for the STAR Campus, shown in Map 6-4, includes an integrated transportation system incorporating transit-oriented development (TOD), rail service systems, and the reconfiguring of current transit service and bus routes to better serve the facility. Along with rail and bus service, the STAR Campus will also include a network of multimodal transporation links to include bicycle and pedestrian connections to other areas of Newark. The *University of Delaware's Conceptual Development Plan* (2014) indicates the expectation that approximately 15% of the STAR Campus workforce will use commuter rail.

For more specifics, please refer to the University of Delaware's STAR Campus website: <a href="https://www.udel.edu/star/downloads.html">www.udel.edu/star/downloads.html</a>

More information on the *Newark Train Station Study* and the *Newark Regional Transporation Center* is available at: <a href="http://www.wilmapco.org/newarktrain/">http://www.wilmapco.org/newarktrain/</a>

# **Transportation Improvement Districts (TID)**

A transportation improvement district (TID) is defined in DelDOT's Standards and Regulations for Subdivision Streets and State Highway Access as a "geographic area defined for the purpose of securing required improvements to transportation facilities in that area" by comprehensively coordinating, with transportation-planning partners, land-use and transportation decisions. TIDs are created through an agreement by the local government, DelDOT, and WILMAPCO. The agreement would establish the TID's boundaries, the time frame (TIDs typically project 20 years from the previous Census), a criteria and standard for adequate transportation and the facilities needed, and the roles of each participating agency. The participating agencies develop a land-use and transportation plan for the TID, identifying a projected build-out plan, and a fee formula to fund the improvements, as well as a monitoring program to track the need for new projects. As projects are completed, they are incorporated into the TID agreement.

The benefit for local governments is that the TID creates a comprehensive land-use and transportation plan for the established district. For developers, as long as the proposed development is consistent with the planning done for the TID, it eliminates the need for traffic-impact studies (TIS) and, thereby, accelerates the plan-approval process.

The Comprehensive Development Plan V (2016) established an Action Item to begin a process to enter into an agreement with DelDOT and WILMAPCO "to establish an area in Newark's downtown core to create a TID." The agreement would establish the TID's boundaries, the time frame, the roles for each agency, and criteria and standards for adequate transportation, as well as the facilities needed.

On September 24, 2018, City Council approved the formation of a Steering Committee to facilitate the planning process, as well as provide feedback and guidance to the professional planning staff. The TID Steering Committee includes a wide range of stakeholders including City staff, DelDOT, WILMAPCO, New Castle County, the University of Delaware, and citizen-appointees. The City also retained the services of AECOM, a planning consultant firm, to provide technical expertise and administrative assistance.

The Newark TID Steering Committee reviewed analysis of existing conditions, identified strategic and problem areas within the city, and defined the TID Participant and Facility Boundaries for the proposed TID, shown in Map 6-5. The scope of the TID boundary not only includes the downtown "core" of East Main Street, Delaware Avenue, and Cleveland Avenue, but also includes outer areas of the City such as West Main Street, South College Avenue/896, Christina Parkway, New London Road, and Capitol Trail.

Recommended Participant and Facility
Boundaries for the Proposed Newark TID
City Council Approved – January 6, 2020

West Meadow

Casino @ Delaware Park ©

Launch Trampolity

University
Of Delaware

Or Council approved study boundary

Or Council approved intersection, and mail recommended in the study boundary

Windring

Windring

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Map 6-5: Council Approved Newark Transportation Improvement District (TID) Boundary

Source: DelDOT Presentation to WILMAPCO TAC; September 17, 2020

The Planning and Development Department completed an analysis of growth projects within the proposed TID boundary based on the Future Land Use designations of the *Comprehensive Development Plan V*, the City's Zoning <u>Code</u>, and current and anticipated development trends. Other tasks include setting the capacity-related service standards. DelDOT recommends a capacity-related service standard of a maximum increase in travel time per link and per segment of 10%.

Projects to be funded under the TID will focus on all modes of transportation, including automobiles, bicycles, pedestrians, and transit. This project is on-going. For the latest information on the TID's development, link below to the City of Newark's webpage:

https://newarkde.gov/1127/Transportation-Improvement-District-Comm

# Plan Goals and Action Items: Transportation

Provide feasible and attractive transportation choices for all citizens through an efficient transportation network that encourages a healthy lifestyle and promotes environmental and economic sustainability

# **Strategic Issues:**

- ➤ Balancing the needs of automobile, transit, bicycle, and pedestrian traffic for a multimodal transportation network.
- > Traffic congestion, safety, and mobility.
- Adequate parking for automobiles and bicycles to support local businesses.
- Methods to evaluate the relationship between land use and transportation.

# Community Vision: Sustainable

Goal 1	Reduce traffic congestion and prepare for future infill development by
	maximizing the efficiency of the existing transportation network. Maximizing the
	efficiency of the City's existing transportation network advances the City's vision as a
	"Sustainable Community" by reducing both traffic-idling time, thereby improving air
	quality, and the need to widen or construct new roads, which is not only cost-efficient
	but also preserves open space.

# Action Item 1

Work with DelDOT to establish an area in Newark's downtown core to create a TID. The TID should include East Main Street, Delaware Avenue, and Cleveland Avenue from New London Road to Library Avenue. The WILMAPCO Congestion Management System has identified these major roads and their connectors as experiencing "moderate" to "significant" traffic congestion. Furthermore, the TID should consider connectors west of the downtown core (West Main Street, New London Road, and Hillside/Barksdale Road) in anticipation of possible redevelopment of the Newark Country Club. To the east of the Downtown core, the TID should include Wyoming Road, Marrows Road, and Ogletown Road to accommodate redevelopment of University Plaza and expansion of the STAR Campus.

2022 Status: In progress. See pages 81-82.

Partnering agencies:

City of Newark Planning Commission

City of Newark Department of Planning and Development

City of Newark Department of Public Works and Water Resources

**WILMAPCO** 

New Castle County Department of Land Use

Delaware Department of Transportation

# Action Item 2

**Conduct a corridor-optimization program.** The City will work with partnering transportation agencies to maintain the most efficient use of traffic signals at key corridors identified in the *Newark Transportation Plan (2011)* by inspecting and modernizing signal equipment and taking advantage of new technologies. Key corridors include the following:

- a. South Main Street/Elkton Road: Includes 10 signals within the City.
- b. Cleveland Avenue: Includes 6 signals within the City.
- c. Library Avenue: Includes 4 signals within the City.
- d. South College Avenue: Includes 10 signals within the City.

**2022 Status:** In progress. Included with the analysis of the TID. See pages 81-82.

Participating agencies:

City of Newark Planning Commission City of Newark Department of Planning and Development WILMAPCO Delaware Department of Transportation

Community Vision: Health/Active, Sustainable, and Inclusive

Goal 2	Advance Newark as a bicycle- and pedestrian-friendly community by creating				
	facilities that support bicycle and pedestrian safety and reduce conflicts with				
	automobiles. Creating facilities that support bicycle and pedestrian safety and reduce				
	conflicts with automobiles advances the City's vision of being a "Healthy and Active				
	Community," a "Sustainable Community," and an "Inclusive Community." A bicycle-				
	and pedestrian-friendly transportation network encourages a healthy lifestyle and				
	provides transportation alternatives that reduce fuel consumption, carbon emissions,				
	and traffic congestion. Furthermore, for residents who are unable to drive, such as				
	children and many senior citizens, bicycling and walking are the most feasible				
	transportation choices.				

# Action Item 3

Create a "Downtown Newark Pedestrian and Streetscape Plan" to focus on pedestrian safety, reduce pedestrian/automobile conflicts, and improve bicycle and transit facilities downtown. The purpose is to evaluate and reduce areas of pedestrian and automobile conflict in Downtown Newark by implementing appropriate traffic-calming and pedestrian safety methods to reduce jaywalking and better coordinate pedestrian crossings that affect traffic congestion. The plan will identify opportunities for expanded sidewalks for better utilization of benches, streetlights, and bicycle racks, as well as for improving facilities for public transit.

2022 Status: Completed. See pages 74-75 "Walking in Newark".

# Action Item 4

Adopt, as an addendum to the Comprehensive Development Plan V, the recommendations of the updated Newark Bicycle Plan (2014). The Newark Bicycle Committee has worked in conjunction with the City of Newark's planning process for the development of the Comprehensive Development Plan V to include the City's Newark Bicycle Plan. The Newark Bicycle Plan's recommendations adopts the bicycle-improvement projects outlined in the Newark Transportation Plan (2011) and outlines the key policy preferences and initiatives consistent with the "Five E's" from the League of American Bicyclists:

- Engineering: Creating safe and convenient places to ride and park
- Education: Giving people of all ages and abilities the skills and confidence to ride
- Encouragement: Creating a strong bike culture that welcomes and celebrates bicycling.
- **Enforcement:** Ensuring safe roads for all users.
- Evaluation and Planning: Planning for bicycling as a safe and viable transportation option.

**2022 Status:** Completed. The Newark Bicycle Plan was officially recognized by the Comprehensive Development Plan V upon adoption in 2016. Implementation of the Newark Bicycle Plan is ongoing. BikeNewark, in conjunction with the City of Newark, WILMAPCO, DelDOT, and other planning partners will work to update the Newark Bicycle Plan for 2022 or 2023.

Partnering agencies have included the following:

City of Newark Department of Planning and Development

City of Newark Department of Public Works and Water Resources

City of Newark Department of Parks and Recreation

Newark Police Department

University of Delaware

**WILMAPCO** 

Delaware Department of Transportation

#### Community Vision: Sustainable

Goal 3	Improve the supply and user experience of automobile parking in and near
	downtown Newark. An effectively managed and customer-friendly parking system
	will provide for a more "Sustainable Community" business environment for existing
	and future downtown businesses. While it is feasible for many residents to walk or
	bicycle to Downtown, a significant portion of Downtown's customer base chooses to
	drive to and park downtown, and the City's parking service should take those potential
	customers into consideration.

# Action Item 5

Use a data-driven approach to manage downtown parking and evaluate the need to build a municipal parking garage in the downtown area. The City may identify a location, such as an

existing municipal surface lot, to construct a municipal parking garage. Opportunities for a public/private partnership and mixed use may also make the costs more feasible.

**2022 Status:** Implemented. See pages 80-81 "Newark Planning Commission's Parking Subcommittee" Report. Implementation of the report is on-going.

# Action Item 6

Pursue opportunities through redevelopment to add to the City's downtown parking supply. The City will continue to look for other opportunities to increase the parking supply through lot reconfiguration and opportunities created by redevelopment (e.g., ground-floor parking).

**2022 Status:** In progress through the development review process.

# Action Item 7

Research and implement new technologies to allow for better management of the current parking system and improved customer experience. The Planning and Development Department, along with the Downtown Newark Partnership's Parking Committee, continues to research and implement better technologies that assist with the better management of the downtown parking supply and improve service to the customers. A current example is a pilot project of on-street parking meters that accept credit card payment, allowing customers greater flexibility in purchasing. New technologies offer a variety of improved approaches to managing downtown parking and City and partnering agencies will continue to research and evaluate their practicality for downtown.

**2022 Status:** On-going. . See pages 80-81 "Newark Planning Commission's Parking Subcommittee" Report. Implementation of the report is on-going.

Participating agencies:

City of Newark Department of Planning and Development Newark Parking Office Private-sector partners

Community Vision: Sustainable and Inclusive

Goal 4	Maximize existing transit resources to allow for increased opportunity for use of
	<b>transit services.</b> Increasing opportunities for using transit services advances the City's
	vision of being a "Sustainable Community" and an "Inclusive Community" by
	providing reliable transportation alternatives for residents who either cannot or choose
	not to drive and reducing dependency on the automobile.

# Action Item 8

**Develop and distribute a user guide titled** *Car-Free Newark*. The purpose of the user guide is to better coordinate information of transportation choices in Newark to create a more user-friendly approach. In addition to transit options, the guide will also outline the bicycle and pedestrian facilities network.

**2022 Status:** In process. A review will begin in 2022.

Participating agencies:
City of Newark Department of Planning and Development
WILMAPCO
BikeNewark
DART First State

#### Action Item 9

Establish partnership among the City of Newark, the University of Delaware, DART First State, and transit users to improve coordination and enhance the services and facilities of DART, UNICITY, and UD Transit, which all serve the Newark area. The partnership is to create a "working committee" to evaluate and recommend policies and service modifications for the three bus services operating in Newark, as well as commuter train services and private bus services, with the intent of improving coordination, linkages, and services to provide a more comprehensive, dependable, and frequent transit network. Recommendations should also include improvements to transit facilities.

2022 Status: In process. See pages 81-83.

Participating agencies:
City of Newark Department of Planning and Development
University of Delaware Transit Services
WILMAPCO
DART First State

# Action Item 10

**Explore the feasibility of "Microtransit" Services in Newark.** Microtransit is a form bus ondemand transit that offers more flexible routing and scheduling than fixed routes and appointment-like paratransit. The service allows transit agencies to respond more directly to demand, especially in areas that do not support dedicated fixed routes with frequent service.

Participating agencies:

City of Newark Department of Planning and Development University of Delaware Transit Services WILMAPCO DART First State

# Chapter 7 ENVIRONMENTAL QUALITY AND NATURAL RESOURCES



Because the City of Newark's environment is the sum of all external conditions and influences affecting life, preserving and protecting environmental quality is essential for the continued well-being of the community. Therefore, of paramount concern in planning for the City's future growth must be a refusal to permit such growth to negatively impact the local and regional environment.

The City of Newark's past efforts and current practices underscore its environmental plan for the future—to protect and conserve Newark's land, water, and air in both Newark and the surrounding region, and to encourage local energy conservation while preserving natural resources. With continued monitoring and management of development by the City and with the assistance of the responsible state and federal authorities, the City's natural heritage can be preserved for current and future generations of Newarkers.

Environmental quality is a key element in achieving the City's vision of being a "Healthy and Sustainable" community. While this chapter focuses on the City's efforts, goals, and objectives for protecting water, air, and land, as well as encouraging green energy and conservation, other sections of Newark's *Comprehensive Development Plan V* address environmental quality policies and goals for public utilities (Chapter 4), transportation (Chapter 6), parks and open space (Chapter 8), and land use (Chapter 10) that are not necessarily referenced in this chapter.

# Climate Change and Sustainability

In November 2021, the Delaware Department of Natural Resources and Environmental Control (DNREC) completed <u>Delaware's Climate Action Plan</u> after an extensive year-long process involving residents, businesses, and technical experts, including City of Newark staff with relevant specializations. The purpose of the <u>Action Plan</u> is to provide a *roadmap* for how the state can prepare for climate change in the decades ahead.

The City of Newark has determined that the impacts of climate change, including extreme heat waves and extreme precipitation events, among other impacts, is a risk and danger to the public health, safety and welfare of the City of Newark, Delaware. We base this determination upon the consensus, best available science, as defined in <u>Delaware's Climate Action Plan</u> (November 2021) developed by the Delaware Department of Natural Resources and Environmental Control.

Climate change will result in two primary impacts for the City of Newark:

# **Increased Heavy Precipitation Events**

Climate change is expected to result in more frequent heavy precipitation events. This can lead to flooding, especially in areas with inadequately sized drainage infrastructure. This flooding can result in safety hazards, inaccessible roadways, travel delays, and damage to buildings or other infrastructure. Newark's infrastructure and its ability to handle such events plays a contributing role in how effectively the area can be evacuated and how it can prevent damage from these events. Planning for these events also contributes to how successful the City and emergency services can respond to these events.

# Temperature Rise

Another key issue surrounding climate change is a steady rise in temperature. Rising temperatures will result in a longer growing season, heat waves, and more days when it does not cool at night. This has many implications for infrastructure and human health. Air conditioning systems in buildings may not be sized appropriately for increasing temperatures and shorter, milder winters can mean residents are dealing with more ticks and mosquitoes. Of particular concern are vulnerable populations (e.g. elderly or low-income) who may not have access to air conditioning in the summer.

A link to Delaware's Climate Action Plan is provided below:

https://dnrec.alpha.delaware.gov/climate-plan/

# Newark Community Sustainability Plan

In 2017, the City of Newark received \$80,000 from DNREC's Division of Energy and Climate to develop, through a collaborative process, a broad, long-term, and integrated community sustainability plan – "Sustainable Newark" – to implement the City's vision, goals, and action items contained in its Comprehensive Development Plan V. A Steering Committee was established by Council that brought together a diverse range of government agencies, City Departments, community groups, and residents to coordinate the process and work with the hired consultant. Council adopted the Steering Committee's recommended plan, titled Sustainable Newark: The City of Newark's Plan for Sustainability, in November 2019.

Sustainable Newark is organized around three four interrelated 'themes':

Theme 1: We Respond to Climate Change. This section focuses on converting Newark utilities to Green or renewable energy sources.

Theme 2: We Plan and Develop for All. This section focuses on the impact of land use planning on sustainability – specifically its impact on alternative transportation options such as bicycling, walking and transit.

Theme 3: We Build Better, Waste Less. This section focuses on Green building standards – making our buildings more energy efficient.

Theme 4: We Preserve Nature, Reduce Impact. This section focuses on protecting the natural environment and preserving habitat, as well as reducing impacts on landfills.

The complete Sustainable Newark Report can be found at: <a href="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewark\_FINAL\_30OCT19?bidId="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewark\_FINAL\_30OCT19?bidId="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewark\_FINAL\_30OCT19?bidId="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewark\_FINAL\_30OCT19?bidId="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewark\_FINAL\_30OCT19?bidId="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewark\_FINAL\_30OCT19?bidId="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewark\_FINAL\_30OCT19?bidId="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewark\_FINAL\_30OCT19?bidId="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewark\_FINAL\_30OCT19?bidId="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewark\_FINAL\_30OCT19?bidId="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewark\_FINAL\_30OCT19?bidId="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewark\_FINAL\_30OCT19?bidId="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewark\_FINAL\_30OCT19?bidId="https://newarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewarkde.gov/DocumentCenter/View/12803/SustainableNewar

# Water

#### Wetlands

The City's Subdivision and Development Regulations include specific wetlands delineations and wetlands reporting requirements for subdivision and development review by the City. In addition, regulatory protection of wetlands is mandated under the Section 404 provisions of the federal Clean Water Act. Certain other wetlands, such as those associated with streams and ditches, are accorded additional regulatory protection under Title 7, Chapter 66 and Title 7, Chapter 72 provisions of the Delaware Code, respectively. Compliance with these statutes may require a U.S. Army Corps of Engineers—approved field-wetlands delineation and/or an official DNREC wetlands jurisdictional determination.

# Total Maximum Daily Loads (TMDL) and Water Quality

Under Section 303(d) of the 1972 federal Clean Water Act, states are required to identify all impaired waters and establish total maximum daily loads (TMDL) to restore the waters' beneficial uses (e.g., swimming, fishing, drinking water, shellfish harvesting). A TMDL defines the amount of a given pollutant (or the pollutant-loading-rate reduction for a given pollutant) that may be discharged to a water body from all point, nonpoint, and natural background sources, thus enabling the water body to meet or attain all applicable narrative and numerical water-quality criteria (i.e., nutrient/bacteria concentrations, dissolved oxygen, and temperature) specified in the State of Delaware's *Water Quality Standards*. A TMDL may include a reasonable margin of safety (MOS) to account for uncertainties regarding the relationship between mass loading and resulting water quality.

In simple terms, a TMDL matches the strength, location, and timing of pollution sources within a watershed with the inherent ability of the receiving water to assimilate the pollutant without adverse impact. The realization of these TMDL pollutant-load reductions will be through a Pollution Control Strategy (PCS). A PCS identifies the specific strategies and actions necessary for reducing pollutants in a given water body (or watershed), thus realizing the water-quality criteria or standards set forth in the State of Delaware's *Water Quality Standards*, ultimately leading to the restoration of a given water body's designated beneficial use(s). Currently, the PCS for the Christina River Basin contains only nonregulatory recommendations.

The City of Newark is located within the Piedmont drainage, specifically within the greater Christina River Basin. The Christina River Basin includes the Christina River Sub-basin and the White Clay Creek Sub-basin. Within this basin, there are specific-designated nutrient (nitrogen and phosphorus) and bacterial TMDL load-reduction requirements, displayed in Table 7-1.

Table 7-1: TMDL Reduction Requirements for the Christina River Basin

Piedmont Drainage	Nitrogen	Phosphorus	Bacteria
Christina River Basin	Capped at pre-	Capped at pre-	29-95% high flow
	development baseline	development baseline	
	(0% increase allowed)	(0% increase allowed)	

Source: Delaware Department of Natural Resources and Environmental Control

# <u>Air</u>

The monitoring of air quality in Delaware is the responsibility of DNREC and the U.S. EPA. WILMAPCO, our region's metropolitan planning organization, also plays a role in air-quality planning through the review and adoption of short-run transportation-improvement projects and long-range regional-transportation planning, which include measures designed to limit deterioration in our region's air quality associated with auto emissions. *Delaware Code* Title 7, Part VII, Chapter 60, Environmental Control, gives DNREC the responsibility for protecting the "air resources" of the state through programs designed to control air pollution and the responsibility to cooperate with federal, interstate, and local agencies in the appropriate utilization of Newark's air resources.

Permits for emissions into the atmosphere are reviewed for compliance with state and federal regulations through DNREC. The *Delaware Code* also includes provisions for penalties for excessive atmospheric emissions, establishes a review board for appeals of the Department's permit denials, and establishes rules and regulations for the purposes of controlling air pollution and for developing statewide air resources—management plans. *Delaware Code* Title 7, Chapter 67 provides standards and procedures for control of one of the most significant sources of air pollution—motor-vehicle emissions. This chapter provides for emissions testing at the state Division of Motor Vehicles' facilities, sets emissions standards, and includes penalties for violations of these standards. Our state standards are consistent with the federal Clean Air Act Amendments of 1990.

In addition, the City of Newark reserves the ability to review current and future sources of air pollution. For example, in 2009, the City of Newark passed an Anti-Idling Ordinance that restricted idling of personal motor vehicles within city limits. The ordinance was part of the City's effort to reduce its carbon footprint and make a positive impact on air quality. The Newark Conservation Advisory Commission (CAC) designed and coordinated Newark's Anti-Idling Campaign with a \$15,000 grant through DNREC's Greenhouse Gas Reduction Projects Fund. The Campaign included signage posted at locations throughout the City, public service announcements, brochures, flyers, mailers, and videos explaining and promoting the law.

# **Land**

# <u>Protection of Floodplains and Lands Adjoining Floodplains</u>

The City Zoning Code Floodplains and Lands Adjoining Floodplains ordinance, as well as Newark's newly adopted Chapter 14A: Floodplains, provides Newark's first line of defense for protecting the fragile beauty and environmental resource of the White Clay and Christina Creeks. This ordinance specifies that all land within the Special Flood Hazard Area (SFHA) — areas defined by the United

States Army Corps of Engineers as being subject to inundation by floods having an average occurrence frequency of once every 100 years — are limited to agriculture, recreational, and open-space uses and, with a Council-granted Special Use Permit, are available for municipal utilities, bridges, and roads and parking areas with permeable surfaces. These Special Use Permit—required uses are further regulated, however, by a series of factors that must be considered before City Council can grant such approvals. Most importantly, since the 1972 adoption of these regulations, no above-ground development has occurred in the floodplains of the White Clay and Christina Creeks. This has prevented the building of any homes or commercial development in potentially hazardous areas (i.e. areas susceptible to flooding) and has contributed to significant public land donation through the approval of subdivisions adjacent to (but not in) the SFHA. Beyond that, since 2010, the City's *Subdivision and Development Regulations* requires a 50-foot riparian buffer protection between the SFHA, wetlands, and blue line streams from any new development.

The City's aggressive pursuit of stream-valley land donations has been a major factor in its floodplain-protection program. Requiring developers to dedicate their stream-valley property in exchange for development approval has helped ensure the preservation of these scenic and environmentally sensitive lands for public enjoyment in perpetuity. Moreover, the City has also acquired and preserved portions of the White Clay and Christina Creek floodplains through direct purchase. Thus, through land donation and purchase and strict 100-year-floodplain regulation, the City continues to meet its long-term goal of protecting its major streams and, at the same time, providing natural greenways running through the heart of our community.

Based on the nature and success of the City's program of floodplain protection and land acquisition, coupled with the City's stormwater-management and floodplain public-information programs, Newark has qualified for participation in the Federal Emergency Management Agency's (FEMA) Community Rating System (CRS) program. The City's CRS rating of Class 7 is the highest in Delaware and, as a result, owners of property in the floodplain receive substantial discounts on their flood insurance premiums. The City's CRS program participation is recertified by FEMA on an annual basis. As part of the City's CRS program requirements and its general participation in FEMA-sponsored floodplain regulations, the City periodically updates its floodplain regulations to insure it meets the latest national standards and specifications.

The City of Newark cooperated with DNREC to adopt a "model" floodplain ordinance, reviewed and approved by FEMA. City staff incorporated the DNREC model and preserved the City's more stringent standards on floodplain management in Section 32-96, *Use Regulations for Floodplain*, of the City of Newark *Zoning Code*. The revised ordinance, known as *Chapter 14A: Floodplains*, was approved by City Council on January 12, 2015. The ordinance formally adopted the updated FIRMs, designated a Floodplain Administrator, and established administrative procedures that coordinate with the City of Newark *Building Code*.

In 2020, FEMA revised the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for New Castle County and its incorporated areas. The FIRM and FIS became effective on January 22, 2020 and replaced the FIRM panels that were in effect prior to that date.

#### Rare Species and Wildlife Habitat

Map 7-1 shows the environmental features of Newark, including parks and open space, conservation easements, and natural areas. Much of the land area within the City, outside its protected White Clay and Christina Creek floodplains, is urban and developed. On the other hand, because some parcels in the City and many within the Planning Areas outside Newark that *may* be considered for annexation are forested and may contain important natural or potential habitats for rare or endangered species, the City should, as a policy, require that developers considering such sites contact the Environmental Review Coordinator of DNREC's Natural Heritage and Endangered Species Program. Similarly, any such development projects should take into account the state's designated Natural or Resource Areas. Connectivity among and preservation of such areas is crucial to protect these important wildlife habitats.

Regarding impervious-cover limitations, wetlands, riparian buffers, and rare species and wildlife habitat, the Planning and Development Department has worked and will continue to work with the White Clay Creek National Wild and Scenic River's Watershed Management Committee and DNREC regarding their suggestions and recommendations for revised impervious-cover limitations, protecting wetlands, expanding riparian buffers along the City's rivers and creeks, and safeguarding wildlife habitats.

#### **Conservation**

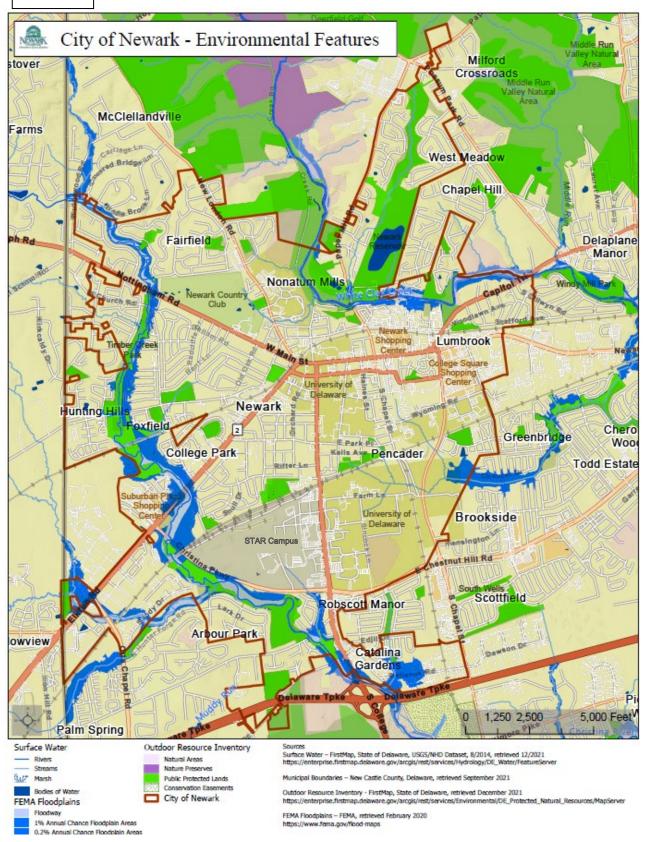
## **Energy Conservation**

Because conservation is the cleanest and cheapest means of preserving Newark's energy supplies, the City of Newark has an energy conservation program involving municipal operations, administrative policy, and land-use and development regulations. Initiated by the City, these conservation efforts were intended to foster reasonable means of limiting energy demands or usage through operational effectiveness and improved cooperation to encourage the private sector to also adopt energy efficiency measures.

The City launched a Green Energy Program as part of its municipal electric service. Under the program, all Newark customers pay a small surcharge, which is added to their monthly payment. For a typical residential customer using 1,000 kilowatts per month, the surcharge is 36 cents. Funds from this surcharge are collected in a state program and redistributed to applicants to offset up to 33.33% of the cost of the installation of solar panels or other similar qualifying renewable-energy technologies.

Regarding land-use regulation, in 1978, the City adopted a series of amendments to the *Zoning Code* and *Subdivision and Development Regulations* designed to foster energy conservation. These changes were based on the Planning and Development Department's analysis of the *Zoning Code* in terms of potential impediments to energy efficiency and conservation. The Planning and Development Department recommended changes to the *Subdivision Regulations*, which included new standards providing site-design construction guidelines that encouraged development of more energy-efficient buildings. Newark's land-use changes are in response to the national effort to encourage energy conservation and were the first of their kind in Delaware.

## Map 7-1



## Newark's Energy Conservation Program

Beginning in 2003, the City's CAC started compiling information regarding an energy-efficient buildings program for new construction in Newark. In 2005, the Commission hosted a public workshop on energy conservation requirements for new buildings, which focused specifically on the United States Green Building Council's Leadership in Energy and Environment Design (LEED) program. The LEED program calls for a rating system that results in the certification of buildings that have been recognized for their high levels of performance in human and environmental health, sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality. In 2010, the Mayor and Council approved the Planning and Development Department and Newark citizens' CAC set of amendments to the City's *Building Code* that required all new major subdivisions to meet mandatory energy conservation standards derived from portions of the LEED program. All new major subdivision constructions – commercial and industrial projects with buildings 20,000 square feet or larger and residential subdivisions with six or more dwelling units – are required to meet new energy efficiency and related standards above and beyond those called for in the City's *Building Code*.

The City's Site Plan Approval process, which provides alternatives for new development and redevelopment proposals to encourage variety and energy-efficient land use by permitting reasonable variations from the use and area regulations on the *Zoning Code*, provides for residential density and commercial square footage bonuses based on LEED certification. The City's adoption of the updated *Building Code* requirements, utilizing aspects of the LEED program, places Newark in the forefront of communities striving for a green future.

## Green Building Work Group

In 2018, the Planning Commission held a series of discussions on the limitations of the International Energy Conservation Code (IECC), which were enacted in 2008 based on selected credits from the LEED v3 standards, noting that compliance with these standards were not pushing the performance of buildings much beyond what was being required in the current edition of the IECC. As a result, the Planning Commission created a Green Building Code Work Group, composed of two Planning Commissioners, two members of the Conservation Advisory Commission, City staff, and other community stakeholders, to develop an update to the City's LEED certifications standard and recommend revisions to the LEED ordinance. The revised rating system would be used to evaluate the energy conservation and efficiency standards that apply to all major subdivisions in the City of Newark. The Green Building Code Work Group met monthly through 2019 and into 2020. The resulting code amendments were no longer based on an individual referenced code, but concepts and practices modeled from different sustainability and energy efficiency codes and platforms. These included LEEDv4, The Green Building Code, Green Globes, Passive House, and other code provisions adopted by jurisdictions throughout the United States. The new provisions increased the energy efficiency requirements significantly and provide developers more flexibility with more options for building and site design performance metrics. In addition, the amendments reduced the threshold for applicability of the standards to apply to subdivisions of three (3) or more units and commercial buildings over 5,000 square feet.

After a thorough review, Council adopted the Green Building Code Work Group's recommendations by amending Chapter 7: Building and Chapter 32: Zoning with the proposed amendments to the IECC and site plan approval process.

More information on the Green Building Code Amendments can be found at the following links:

https://newarkde.gov/DocumentCenter/View/13637/2Ahttps://newarkde.gov/DocumentCenter/View/14129/8A

### Recycling and Reuse

For more than 30 years, the City has been a leader in recycling. In 2009, the City implemented a curbside-recycling program. City Council allocated funding in its 2009–2013 Capital Improvements Program to implement the curbside-recycling program and provide for the purchase of required carts for recyclables. In accordance with the Universal Recycling Law, residents receive collection service twice a week (one day for refuse and one day for recyclables). Recycling service is also extended to City-serviced multifamily residential units at the same frequency, utilizing central dumpsters. Private haulers servicing customers within City limits are also required to provide recycling services to their customers.

In addition, the City has, on an annual basis for the past 30–40 years, collected and utilized tons of leaves, grass, bulk materials, and holiday-season trees that would have otherwise been transferred to state landfills. Over the past 20 years, the City has been collecting and diverting used tires and construction materials through the Public Works and Water Resources operations so that these materials are also not sent to a landfill. As a result, the City has a "diversion rate" of 26%, meaning that more than a quarter of the total amount of refuse materials collected in the City of Newark is being recycled.

### UDon't Need It?

Based on suggestions from the Town and Gown Committee, the City began a diversion and reuse program associated with University of Delaware students' move-out each spring. The "UDon't Need It?" program successfully diverts more than 50 tons of used furnishings and household goods from public landfills each year.

#### Plan Goals and Action Items: Environmental Quality and Natural Resources

Preserve and protect Newark's natural resources and wildlife for current and future generations.

### **Strategic Issues:**

- ➤ Balancing environmental protection with economic and physical development.
- Resident cooperation in City initiatives to reduce environmental impact such as conservation, recycling, and reuse.
- > Protection of the natural environment, water and air quality, habitats, and stream valleys.
- > Clean and sustainable energy.
- > Environmentally friendly design.

#### Community Vision: Sustainable

Goal 1	Protect the natural environment and wildlife. The City advances its vision as a
	"Sustainable Community" through conservation of significant ecological systems that
	naturally work to enhance the quality of life for residents.

The City was designated a Community Wildlife Habitat in 2014 by the National Wildlife Federation (NWF) by creating or restoring over 168 private and public spaces in Newark as Certified Wildlife Habitat. To achieve this designation, a property or yard must provide four things for wildlife: food, water, cover, and a place for animals to raise their young. Newark was the second City in Delaware to achieve this designation, after Townsend.

#### Action Item 1

Implement the *Goals* and *Actions* of "Theme 4" from <u>Sustainable Newark: The City of Newark's Plan for Sustainability (2019).</u> To meet the City's vision as a "Sustainable Community", the City affirms its commitment to preserving and reducing the impacts on the natural environment. Goals of "Theme 4" include assisting Newark residents to use water more efficiently, increasing the City's tree canopy to 36% by 2030, preserving and improving existing green spaces, and seeking opportunities to preserve more green spaces. Additional information on the *Sustainable Newark* Plan can be found on page 81 and on the City's webpage.

#### Community Vision: Sustainable

Goal 2	Improve watershed quality. The City advances its vision as a "Sustainable
	Community" through continuing to work with DNREC to minimize flood risk and
	improve water quality in the White Clay Creek and Christina Creek.

#### Action Item 2

#### Review code and enforcement to improve wetland riparian buffers.

Policy recommendations:

- Within the 50-foot buffer on streams, include a minimum 25-foot forested zone followed by shrub transition and grass zones.
- Require the planting of noninvasive species in riparian buffers.

#### Participating agencies:

City of Newark Department of Parks and Recreation

City of Newark Department of Public Works and Water Resources

City of Newark Department of Planning and Development

City of Newark Conservation Advisory Commission

#### Action Item 3

## Develop a baseline water-quality database of surface water.

#### Participating agencies:

City of Newark Department of Public Works and Water Resources City of Newark Conservation Advisory Commission

Community Vision: Sustainable

Goal 3	Encourage green development and conservation practices. The City advances its
	vision as a "Sustainable Community" by continuing to evaluate and adjust City codes,
	policies, and programs such that it can adopt feasible practices and emerging "green"
	trends to encourage environmentally sensitive development and conservation.

**2022 Update**: In 2020, City Council adopted the recommendation of the *Green Building Code Work Group*, developed through a collaborative process with local stakeholders, by amending Chapter 7: Building and Chapter 32: Zoning to update the amendments to the International Energy Conservation Code. The new rating system increases the energy conservation and efficiency standards that apply to all new subdivisions, and new buildings over 5,000 square feet, in the City of Newark.

#### Action Item 4

Implement the Goals and Actions of "Theme 3" from Sustainable Newark: The City of Newark's Plan for Sustainability (2019). To meet the City's vision as a "Sustainable Community," the City affirms its commitment to focus on sustainable design that will reduce the greenhouse gas (GHG) footprint of buildings. By effectively using and requiring integrated and sustainable design principles, the City can improve the quality of life for its residents; increase the value of new and renovated buildings; improve the quality of neighborhoods, communities, infrastructure, and the City's natural areas and environmental systems; and positively impact the surrounding region. Additional information on the Sustainable Newark Plan can be found on page 81 and on the City's webpage.

#### Action Item 5

**Provide encouragement, information, technical support, and incentives to Newark households and businesses on sustainable landscaping and conservation practices.** Sustainable practices include but are not limited to the use of rain barrels, rain gardens, mulching leaves and yard waste, and use of native canopy. City staff, partnering with the CAC, will provide information through community workshops, brochures, and the City's Web page on sustainable practices, and provide technical support when requested.

## Policy recommendations:

- Continue the "UDon't Need It?" program to reuse discarded furniture and household goods from University of Delaware students moving at summer break and graduation.
  - o This program has continued through 2021.
- Evaluate the City's LEED-like Program and consider recommendations for improvements.
  - o In 2018, the Planning Commission appointed a Work Group to review and discuss the City's LEED certification standards and identify and recommend revisions to the LEED ordinance. The Work Group completed the update to the LEED program which was adopted by Council in 2020. The link to the City of Newark Code; Chapter 7: Building; Section 7-8:

https://library.municode.com/de/newark/codes/code\_of\_ordinances?nodeId=CD\_ORD\_CH7BU\_S7-8AMMA2018INENCOCO

- Provide more information to residents on ways they can help reduce stormwater runoff by using rain gardens and rain barrels.
  - As part of Newark's Stormwater Utility, the City implemented a program for residents to apply to receive a free rain barrel, while supplies last. Rain barrels capture water from the roof so it can be reused for watering plants or washing cars, which can save on resident water bills, especially during droughts. They also help prevent stormwater pollution by diverting water that would otherwise run along streets, picking up pollutants along the way, and flowing into local creeks.

#### Participating agencies:

City of Newark Department of Parks and Recreation City of Newark Department of Public Works and Water Resources City of Newark Department of Planning and Development City of Newark Conservation Advisory Commission

## Chapter 8 PARKS, RECREATION, AND OPEN SPACE

The City's resident surveys and public workshops show that Newark residents value the City's parks and open space highly for enhancing the attractiveness of neighborhoods and view its recreation programs an essential service. Parks, recreation programs, and open space provide a diverse and quantifiable range of benefits that immeasurably improve residents' quality of life and support Newark's vision of a "Healthy, Sustainable, and Inclusive" community.

**Healthy Community:** Parks, recreation, and open space provide residents and visitors with both active and passive recreational opportunities, which promote a healthy lifestyle, fight obesity, and prevent chronic conditions that lead to coronary disease, high blood pressure, and diabetes. Strong evidence shows that people are more likely to exercise if they are in close proximity to a park. According to GIS analysis from the Delaware Department of Natural Resources and Environmental Control (DNREC), most Newark residents live within a ten-minute walk of a park. (See Map 8-1, which shows walking time to active recreation sites located in Newark as of 2016. Since the development of this study, the City has converted the property at 151 Forest Lane – formerly the location of Rodney Dormitory – to convert it to an additional 7.24 acres of parkland and improving access of parkland to the Oakland neighborhood and central Newark.)

**Sustainable Community** — **Environmental:** Newark's parks and open space keep our living surroundings healthy and provide essential green space in a developed community. They serve as groundwater-recharge areas, floodplain protection, natural sound barriers, and stormwater protection from wetlands. Abundant trees and vegetation reduce the "heat-island effect" and carbon emissions. Furthermore, the network of parks in our City, as well as in New Castle County and the region, provides an important wildlife habitat that protects numerous indigenous and migratory wildlife species, fosters enjoyment, and provides educational opportunities for people to observe and coexist with wildlife.

Sustainable Community — Economic: Numerous studies show that residential areas in close proximity to a park have increased property values and a higher tax base. The availability of recreation opportunities and park amenities is an important quality-of-life factor for businesses choosing where to locate and for individuals choosing where to live. Furthermore, the City's parks and trails, specifically the James Hall and Pomeroy Trails, and the City's close proximity to numerous mountain-biking trails provide tremendous opportunity for "recreational tourism," which benefits our shops, hotels, and restaurants.

**Inclusive Community:** Parks encourage social interaction in a community or neighborhood. They are a place to meet, socialize, relax, and play for children, teenagers, college students, and young and older adults. Park amenities include playgrounds, bicycle and walking trails, skateboard parks, baseball fields, and basketball and tennis courts. Newark's recreational programs provide a diverse range of enjoyable, structured activities for people of all ages and abilities, including sports, dance, crafts, social activities, and community events.

## Land Use Planning for Parks and Open Space

The City's Zoning Code and Subdivision Development Regulations provisions of land dedication of areas for active and passive recreation have helped the City of Newark Parks and Recreation Department meet the objective of providing recreational lands for new residential developments. Based on these regulations, each development is evaluated by the Parks and Recreation Department for adequate provision of space for active and passive recreation. Depending on the size and scope of the project, the Department may recommend that the City's "cash in lieu of land" Subdivision and Development Regulations provision be utilized. This alternative open-space requirement means that in some cases, a developer may pay an impact fee when its sites do not contain lands appropriate for active recreational facilities.

The City's long-term policy of requesting that 100-year-floodplain stream-valley land dedications (where applicable) accompany development projects also has added significantly to the City's stock of acreage for passive recreation along the White Clay and Christina Creeks. Most significantly, in 1990, Newark residents approved a request from the Mayor and City Council to issue bonds for the purchase of lands for active and passive open space. As a result, the City eventually purchased 77.56 acres of open space (a considerable portion of which was under threat of development) at a total cost of \$3,193,012. These land acquisitions added to the City's inventory of open-space acreage for active and passive recreation (See Table 8-1 which shows the City's current open-space inventory). Regarding certain privately held portions of the Christina Creek and White Clay Creek stream valleys, the City has pursued land dedication of these areas to add to Newark's open-space landholdings.

In 2018, City residents voted to approve a bond referendum funding the purchase of the former 7.24-acre Rodney dorm location through the State's revolving loan fund. Working with residents through a series of public workshops, the city developed a plan that included walking paths, landscaping, natural playground area, a grass field for passive recreation, a stormwater management facility, and an accessible fishing pier. The project was completed in the Winter of 2021 and named Hillside Park. In addition, the Old Paper Mill Park property is included in the City's Capital Improvements program for development as an active-recreation park to serve the residents of Newark in the coming years, presuming funding availability and continued Council approval through the budget process.

In addition, regarding stream-valley preservation and protection, the City will continue to rely on DNREC and the USDA Natural Resources Conservation Service's 1993 *Upper Christina River: Floodplain Management Study* and the National Parks Service's 2000 *White Clay Creek and its Tributaries: Watershed Management Plan* for guidance and technical assistance, if and when development projects are proposed near these creeks. These documents are, therefore, incorporated by reference into this *Comprehensive Development Plan V*.

The City may be faced with important decisions regarding the availability of a large indoor space (gymnasium) for recreational activities because of the continued decline in the availability of local School District and University facilities for City indoor recreation.

City of Newark
Walksheds for Active Recreation Sites nicipal Boundary Only) Middle Run Valley Natural Area White Clay Creek State Park Legend City of Newark Major Roads State and County Parks 0.5 **Active Recreation Facilities** 5 Minute Service Area Method of Travel Newark Population Served % of Newark (3.0 mph walk) (2010 Census) **Population Served** 10 Minute Service Area 5 Minute Service Area 10 Minute Service Area 18,772 60%

Map 8-1: City of Newark - "Walksheds" to Active Recreation Sites

Map 8-2: Publicly Owned and Managed Parks and Open Spaces

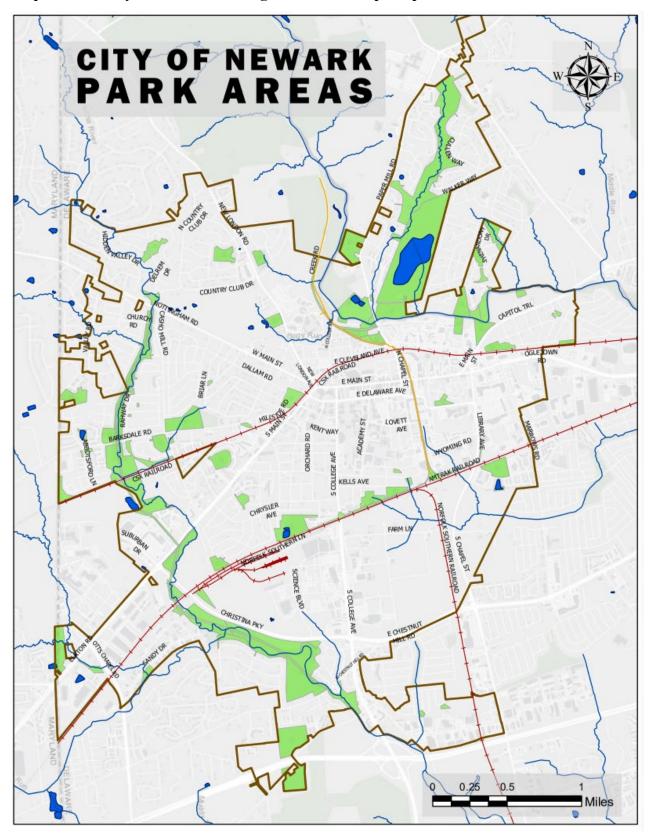


Table 8-1: Publicly Owned and Managed Parks and Open Spaces

Due	a out.	Classification		Estimated Forested
	perty	Classification	Acreage	Acre(s)
1	Alley, Douglas D.	Park (Active)	0.9	0.4
2	Apple Road & Barksdale Road	Open Space	0.6	0.0
3	Barksdale Estates	Open Space	5.3	5.0
4	Briar & Bent Christina Valley Stream	Open Space	0.4	0.4
5	Christina Valley Stream Conservation Area	Open Space (Passive)	137.54	137.14
6	Clark, Orville	White Clay Valley Stream	0.8	0.8
7	Coleman (includes Briar Creek)	Park (Passive)	8.57	8.27
8	Country Hills Pond	Open Space	2.3	0.0
9	Courtney Street	Open Space	1.6	0.0
10	Coverdale, William M.	Park (Passive)	16.8	14.8
11	Creek Bend	Open Space	6.1	5.5
12	Curtis Paper Mill	Park(Passive)	7.0	4.6
13	Devon	Park (Active)	4.6	3.0
14	Dickey, Edna C.	Park (Active)	8.2	0.0
15	Elkton Road & Parkway	Open Space	9.6	6.0
16	Elan	Park (Active)	6.7	5.9
17	Fairfield	Park (Active)	7.0	0.0
18	Fairfield Crest	Park (Active)	3.7	0.7
19	Folk Memorial	Park (Active/Passive)	34.6	28.5
20	Handloff, Norma B.	Park (Active)	15.8	0.25
21	Hidden Valley	Park (Active/Passive)	6.5	2.0
22	Hill, LeRoy C., Jr.	Park (Active)	6.3	1.3
23	Iron Glen	Park (Passive)	12.4	7.0
24	James F. Hall Trail	Greenway	7.62	3.0
25	Karpinski	Park (Passive)	8.0	2.25
26	Kells	Park (Active)	5.2	0.0
27	Kershaw	Park (Active)	3.8	2.0
28	Laura's Glen	Open Space	1.59	1.0
29	Lewis	Park (Active)	4.2	1.5
30	Lumbrook	Park (Active)	5.9	2.25
31	Miller, Dorothy	Open Space	7.2	6.7
32	Newark Reservoir	Reservoir Site	113.0	4.0
33	Old Paper Mill Road	Park (Passive)	12.3	0.7
34	Paper Mill Falls	White Clay Valley Stream	3.2	3.2
35	Paper Mill Rd. & Old Paper Mill Rd.	Open Space	0.5	0.5

				Estimated Forested
Prop	erty	Classification	Acreage	Acre(s)
36	Park Place (next to apartments)	Open Space	1.4	0.5
37	Park Place East	Open Space	1.2	0.07
38	Phillips	Park (Active/Passive)	13.7	5.5
39	Rahway	Park (Active)	0.9	0.3
40	Rahway (945)	Open Space	0.2	0.1
41	Rahway (968)	Open Space	0.2	0.2
42	Read, George	Park (Active)	2.8	0.0
43	Redd, William M., Jr.	Park (Passive)	68.5	64.5
44	Ridgewood Glen	Open Space	12.4	10.75
45	Rittenhouse	Park (Active/Passive)	45.9	43.0
46	South Well Field	Open Space	4.3	4.3
47	Stafford	Park (Active)	1.8	0.0
48	Sue Lane	Open Space	0.1	0.0
49	Thomas, Olan R.	Park (Passive)	4.3	0.4
50	White Chapel (Incl. 1/2 NSC Site)	Park (Active)	13.0	7.0
51	Wilson, George M.	Park/Center (Active)	4.8	0.0
52	Wyncliff	Open Space	1.9	1.9
53	Hillside Park	Park (Active/Passive)	7.24	0.4

Total (Acres) 660.46 397.48

As reflected in Table 8-1, approximately 60% of City-owned and -managed parks and open space is forested.

## **Urban Forest Management**

In 2000, the City was designated a "Tree City USA" by the National Arbor Day Foundation, sponsored in cooperation with the National Association of State Foresters and the USDA Forest Service. In addition, in 2015, the Parks and Recreation Department had a citywide tree inventory completed to provide Newark with an up-to-date picture of the City of Newark's tree population. Based on this information, the Parks Department is working to diversify Newark's urban tree canopy in two ways: first, with its own forestry projects, and second, the Parks and Recreation and Planning and Development Departments work



with developers of new subdivisions to ensure compliance with the City's detailed existing tree preservation, tree planting, and landscaping requirements.

In 2018, the Delaware Forest Service completed a study of the Urban Tree Canopy (UTC) for each of the 57 municipalities in Delaware. The study determined that Newark's UTC covered

approximately 33% of the city, up from 25% in 2008. According to the U.S. and Delaware Forest Services, a healthy percentage of tree cover within an urban area should be a minimum of 30%. Back in 2010, Newark had agreed to take part in the pilot program and set a goal of attaining 30% tree cover by the year 2021. In ten years, Newark surpassed that goal and is committed to increasing its tree canopy whenever possible.

In 2018, the City was recognized as a "Sterling Community" by the National Arbor Day Foundation for achieving the "Tree City USA Growth Award" seventeen years in a row.

#### Aesthetics

The City has a variety of regulatory tools and programs to improve Newark's overall physical attractiveness. These include a detailed landscape ordinance that provides for the preservation of large trees within proposed subdivisions, street trees along new residential subdivision roadways, substantial screening that separates residential from commercial properties, landscaping between businesses and along business frontages, landscaping on the perimeters of parking areas and landscaped islands with trees within the parking area, and maintenance of landscaping once installed. In addition, the City's award-winning beautification program and the Parks and Recreation Department's ongoing road-median and traffic-island beautification program have dramatically improved Newark's main arteries for the better. Its once barren and unsightly state highways and intersections are now attractive gateways to Newark. These oases of green and bursts of in-season flowers help make visiting and living in Newark a visual treat for newcomers and, because the program is so successful and has become such a normal part of our Newark "landscape," it has at times been taken for granted.

#### City of Newark Parks and Regional Trails

There are 17.06 miles of trails within the City of Newark, (See Table 8-2). Moreover, there are more than 85 miles of trails in the Newark region, including those in nearby county and state parks (See Map 8-3). The network consists of trails designed with single-track natural surfaces, crushed stone, and asphalt surfaces. The trails serve as active recreation facilities as well as transportation links that connect residential neighborhoods, city, county, and state parks, University of Delaware facilities and student housing, and Downtown Newark and area



shopping and business centers. Combined with its expansive sidewalk system and bike lanes on many roadways, the region's trails provide an extensive non-motorized transportation network in and around Newark. The James F. Hall Trail and Pomeroy and Newark Rail Trail have been designated as National Preservation Trails by the U.S. Department of the Interior. In 2019, the City added the 0.32-mile Pomeroy Trail Connector the connects Fremont Road in Fairfield Crest to the Pomeroy Trail entrance along Creek Road. This addition created another important connection for the Newark community and our trail network.

**Table 8-2: Trails in Newark Parks (Updated)** 

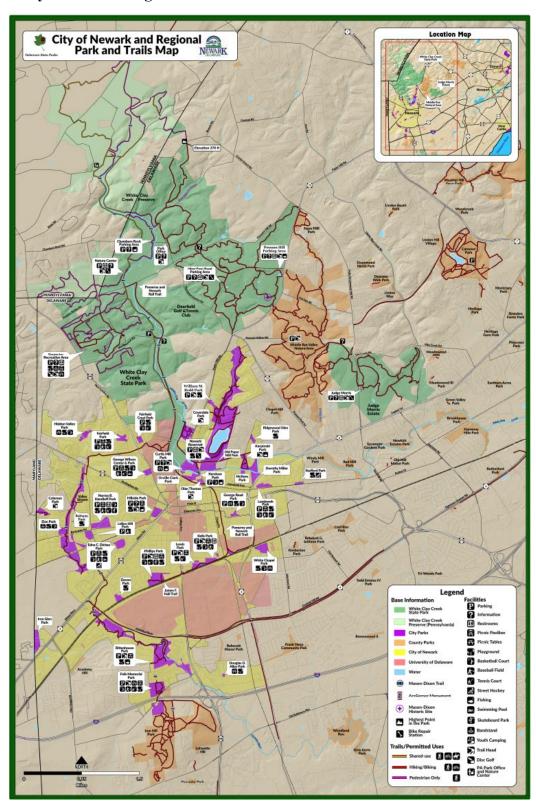
	Distance (Miles)
Alley Park	0.1
Christina Valley Stream (Persimmon Creek Swim Club to Nottingham Rd.)	4.08
Coleman Park	0.25
Coverdale Park	0.70
Folk Park	0.41
Hillside Park	0.32
James F. Hall Trail	1.76
Iron Glen Park	0.43
Karpinski Park	0.43
Kershaw Park	0.13
Phillips Park	0.35
Pomeroy and Newark	1.60
Pomeroy Connector	0.32
Redd Park	2.47
Reservoir Site	2.08
Rittenhouse Park (West Chestnut Hill Rd. to Persimmon Creek Swim Club)	1.95
Total (Miles)	17.06

#### Newark Outdoor Recreation Demand and Priorities

In 2017, the Delaware Division of Parks and Recreation did a statewide telephone survey as part of the development of the 2018 Statewide Outdoor Recreation Plan. Key findings from residents in Newark and the Newark region who participated in the survey include the following:

- 83% of Newark respondents indicated that outdoor recreation is very important or somewhat important to them personally. This percentage was the highest compared to other municipalities.
- 55% of Delaware respondents stated that the most important reason they participated in outdoor recreation activities was for their physical fitness. Other popular reasons included being with family and friends (24%), relaxation and well-being (41%), being close to nature and scenery (35%) and enjoying the scenery (14%).
- 49% of respondents wanted outdoor facilities/opportunities close to home.
- 24% of respondents desired more opportunities to participate in organized activities.
- The most popular activities for Newark residents are walking or jogging (82%), swimming at a beach (77%), visiting historic sites (76%) and hiking (70%),

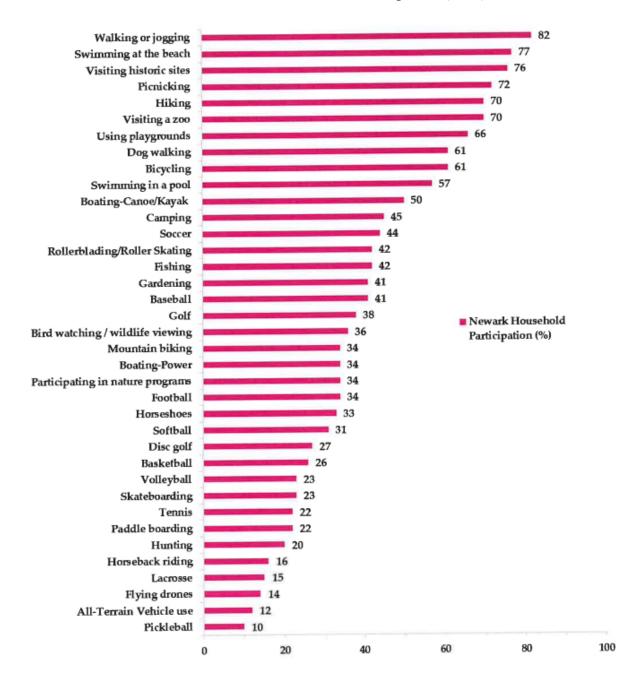
Results for Newark from the 2018 Statewide Outdoor Recreation Plan are shown in **Chart** 8-1. The complete is available online: SCORP - Delaware State Parks (destateparks.com)



Map 8-3: City of Newark Regional Parks and Trails

Please refer to the link below for an interactive map, information on park locations, and facilities contained within each park: <a href="http://cityofnewarkde.us/index.aspx?NID=165">http://cityofnewarkde.us/index.aspx?NID=165</a>

Chart 8-1: Newark Household Outdoor Recreation Participation (2018)



#### Newark Community Events

The Newark Parks and Recreation Department fosters community engagement by a variety of community events throughout the year.

## Winter/Spring

- Winterfest
- Egg Hunt
- Memorial Day Parade
- Spring Clean-Up
- Spring Concert Series

## Spring/Summer

Parks on Draft







## Summer/Fall

- Fourth of July Fireworks
- Community Day
- Fall Community Clean-Up
- Fall Flea Markets
- Halloween Parade and Trick-or-Treat on Main Street
- Thanksgiving Day Breakfast
- Turkey Trot



## George Wilson Center

The George Wilson Center and Park, located at 303 New London Road (across from Clayton Hall), is one of Newark's historical buildings. It originally served as the community's only segregated school for kindergarten to eighth grade from 1922–1958. (After eighth grade during those years, the City's African American residents had to travel to Howard High School in Wilmington). The building became a community center named after George Wilson, the first elected African American councilman, and is preserved by the City's Parks and Recreation Department to serve the community as a



gathering place. The facility and park offer a wide variety of recreational activities as well as a multipurpose meeting space. Amenities include lighted basketball and tennis court, a youth baseball (T-ball) field, a swimming pool, a picnic pavilion, playground equipment, picnic tables, and a horseshoe pit. The center is open seven days a week and is available to be rented for family or group outings such as wedding receptions, graduation parties, meetings, and training sessions.

#### **Recreation Programs**

The City of Newark Parks and Recreation Department offers a wide range of recreation programs at a reasonable cost to participants. Fee assistance is available for participants from low- to moderate-income households, funded through the City's Community Development Block Grant (CDBG) program and the James F. Hall Scholarship fund. Programs areas include the following:

**Arts** — **Performance and Visual:** Includes youth dance classes, drawing, painting, pottery classes for all ages, and theatre/acting classes.

**Fitness and Adult Leagues:** Includes leagues or classes for volleyball, basketball, softball, yoga, and Zumba.

**Before- and After-School Care:** Available for students at Downes and West Park Elementary Schools.

**Sports and Aquatics:** Includes classes in archery, swimming, soccer, skateboarding, basketball and tennis.

**Community Garden:** The Newark Community Garden took root in 2015 at Fairfield Park to offer a variety of gardening opportunities for individuals and families. Services provided includes the initial grading of the garden area, water sources, composting facilities, tool shed, and an ADA-accessible 10' × 4' garden plot.

More information on these programs can be obtained at <a href="www.newarkde.gov/play">www.newarkde.gov/play</a>









#### Plan Goals and Action Items: Parks, Recreation, and Open Space

Ensure abundant safe, attractive, and well-maintained city parks, trails, and indoor recreation facilities for active and passive recreation opportunities and protect natural areas, all of which enhance the community's quality of life and sense of place.

#### **Strategic Issues:**

- Parks and recreation programs catering to diverse ages, interests, and abilities.
- > Maintaining existing park amenities.
- > Connectivity, safety, and accessibility of City parks and trails.
- > City beautification and preservation of the natural environment.

## Community Vision: Healthy/Active and Sustainable

## Goal 1 | Create healthy and active opportunities in the Newark community.

Provide opportunities for Newark residents to live a healthy lifestyle by updating and maintaining active areas in our parks.

#### Action Item 1

Continue to update the aging park system with new walkable trails and maintaining the existing hiking trails. Enhance active, safe opportunities for residents to get outside and by following new trends such as pickle ball, gaga pits and active playground areas for children.

### Participating agencies:

City of Newark Department of Parks and Recreation

#### Community Vision: Healthy/Active and Inclusive

Goal 2	Expand the accessibility and appeal of Newark's parks and recreate	onal
	programs.	

Newark's parks advance the City's vision as an "Inclusive Community" by offering amenities that appeal to residents and visitors of various ages, diverse interests, and varying abilities. For example, the newly developed Hillside Park project includes a more adventuresome play area that will include climbing ropes and a 24' slide. We also have Preston's Playground, Newark's first all-inclusive playground where children of all abilities can play together.

#### Action Item 2

Improve connectivity of City parks to other city parks and to the surrounding county and state parks. Enhanced connectivity improves access to the City's parks and expands their potential user base. For example, the James F. Hall Trail and Pomeroy Trail connect several small parks, which creates more exposure to the variety of park facilities. The City added the 0.32-mile Pomeroy Trail Connector that connects Fremont Road in Fairfield Crest to the Pomeroy Trail entrance along Creek Road. This addition created another important connection for the Newark Community and our trail network. Similar benefits could be achieved by improved wayfinding signage and mapping.

**2022 Update**: In 2021, the Charles Emerson Pedestrian and Bicycle Bridge was completed. The 194-foot long, 12-foot wide bridge is located along Paper Mill Road as it crosses the White Clay Creek south of Curtis Mill Park. It sits adjacent to the vehicular bridge that crosses the creek. The bridge also provides a more efficient and safer connection to the Newark Reservoir and Old Paper Mill Road Park.



#### Participating agencies:

City of Newark Department of Parks and Recreation City of Newark Department of Planning and Development State of Delaware Division of State Parks and Recreation New Castle County Department of Community Services

#### Action Item 3

#### Increase the number of outdoor recreation facilities that are compliant with ADA regulations.

**2022 Update:** The City of Newark has increased outdoor recreation facilities that are compliant with ADA regulations with the creation of both Preston's Playground, Newark's first all-inclusive playground, and the recently developed Hillside Park, with improved accessibility at the playground.

#### Participating agencies:

City of Newark Department of Parks and Recreation

#### Action Item 4

Work with school districts and state partners to enhance the "Safe Routes to School" program.

The Delaware Department of Transportation's Safe Routes to School (SRTS) works with elementary and middle schools to make it safe, convenient and fun for children to walk or bicycle to school. SRTS identifies the safest routes from children's homes to their schools and identifies safety concerns along the routes for local agencies to investigate and determine potential improvement measures. Map 8-4 shows that approximately 440 Newark students between the ages of 5 to 9 live within a 15-minute walk to school.

**2022 Update:** WILMAPCO Safe Routes to School Program, working with community partners such as Downes Elementary, DelDOT, BikeNewark, the City of Newark, create safe, convenient, and fun opportunities for children to bicycle and walk to and from school. Recent developments include a "road diet" along Casho Mill Road that created buffered bicycle lanes to Downes Elementary. In addition, work has begun in 2022 to create a "cycle-track" (two-way bicycle lane) along Delaware Avenue connecting Newark's existing bicycle network to Newark High School.



### Participating agencies:

City of Newark Department of Parks and Recreation City of Newark Department of Planning and Development BikeNewark Christina School District

#### Action Item 5

Continue progress on park development and the master plan for Old Paper Mill Road Park property. In 2018, City residents voted to approve a bond referendum funding the purchase of the former 7.24-acre Rodney dorm location through the State's revolving loan fund. Working with residents through a series of public workshops, the City developed a plan through the public process that included walking paths, landscaping, natural playground area, a grass field for passive recreation and an accessible fishing pier. The project was completed in the fall of 2021. The Old Paper Mill Park property is included in the City's Capital Improvements program for development as an active-recreation park to serve the residents of Newark in the coming years, presuming funding availability and continued Council approval through the budget process.

## Participating agencies:

City of Newark Department of Parks and Recreation City of Newark Public Works Department Johnson, Mirmiran & Thompson, Inc.

#### Community Vision: Sustainable

Goal 3 Enhance the City's natural environment by using the City parks and open space to preserve natural areas and wildlife habitat.

The City's parks and open space represent a key opportunity to advance the City's vision as an environmentally "Sustainable Community" by preserving our natural environment and wildlife habitats. Policy recommendations include:

- Explore policies and regulations that preserve open spaces for larger undeveloped parcels.
- Continue reforestation efforts in park land and open space areas.

**2022 Update:** In 2021, City Council adopted the Tree Ordnance Committee's recommendations to amend Chapter 32: Zoning; Article XXV - Landscape Screening and Treatment. The ordinance will help increase tree canopy coverage.

#### Action Item 6

## **Exceed the Delaware Forest Services' Urban Tree Canopy of 33%.**

Newark achieved an Urban Tree Canopy of 33% in 2018. The Delaware Forest Service completed a study of the Urban Tree Canopy (UTC) for each of the 57 municipalities in Delaware. The study determined that Newark's UTC covered approximately 33% of the city, up from 25% in 2008. According to the U.S. and Delaware Forest Services, a healthy percentage of tree cover within an urban area should be a minimum of 30%.

## Participating agencies:

City of Newark Department of Parks and Recreation Delaware State Forest Service

#### Action Item 7

Develop a policy for a 100-foot vegetated buffer zone from all wetlands, waterbodies, and waterways in City Parkland, including the removing invasive plants in the buffer zone and replace with native plants.

#### Notes:

1. *SelectUSA*, 2011.

## Chapter 9 ECONOMIC DEVELOPMENT

A sustainable community is a place that uses its resources responsibly to develop and maintain a high quality of life for current and future residents. This requires a healthy and vibrant local economy that provides all residents with the opportunity to share in prosperity, enjoy the benefits of a clean environment, and ensure the fiscal health of the municipality. Characteristics of an economically sustainable community include the following:

- Offers a mix of employment, housing, and retail options that fosters growth, development, and creative opportunities for individuals, businesses, and industries.
- Creates and maintains neighborhoods that are safe, stable, and attractive, as well as opportunities for transit, bicycling, and walking.
- Provides innovative education opportunities for current and future residents.
- Manages municipal and population growth in a way that is sufficient to sustain and extend services.

In summary, an economically sustainable community establishes a setting for a healthy, active, environmentally sustainable, and inclusive community.

## Newark's Economy

Newark is one of Delaware's principal economic, industrial, and academic centers. The local Newark economy is resilient to a considerable extent because of the presence of the University of Delaware, the City's largest employer, with the eighth largest per-capita endowment of any public university in the United States. Adjacent to I-95, Newark is within easy access of Wilmington, Philadelphia, Baltimore, New York City, and Washington, D.C. The City is also connected to the region by rail with SEPTA and Amtrak service and enjoys convenient access to two major international airports—Philadelphia and Baltimore/Washington—as well as a national airport in New Castle, Delaware. The CSX and Norfolk Southern freight lines traverse the City and provide freight rail connections to all major points along the eastern seaboard.

The main campus of the University of Delaware, a leading scientific and research institution on the East Coast, services approximately 23,500 full- and part-time undergraduate and graduate students. In 2009, the University purchased the 272-acre site of the former Newark Chrysler Assembly plant with the vision of establishing a science and technology campus, now known as the Science, Technology, and Advanced Research (STAR) Campus. The STAR Campus currently has over 1 million square feet of real estate in use or under development, with a total build-out anticipated up to 5 million square feet of multiuse space. The space's uses include labs, health science, housing, retail, offices, and an overall plan for transit-oriented development. The STAR Campus has first tenant, Bloom Energy, opened a manufacturing center in 2013 to build fuel cells known as "energy servers." Since then, science and technology companies such as the Chemours Company, SevOne, Independence Prosthetics-Orthotics Inc., and the National Institute for Innovation in Manufacturing

Biopharmaceuticals (NIIMBL). It is also the location of the UD Health and College of Health Sciences, the Wilmington Area Planning Council (WILMAPCO), Care Now Medical Aid Unit, the Delaware Biotechnology Institute, UD Biomedical Engineering, and the UD Data Science Institute.

Newark is also the home for the state's major high-tech industrial center—Delaware Technology Park, located south of the former College Square Shopping Center between Library Avenue and Marrows Road. Other major employers operating in Newark or in the surrounding area include W.L. Gore & Associates, Inc, DuPont Electronics & Industrial, Siemens Healthcare Diagnostics, Air Liquide, FMC Stine Research Center, DXC Technology, Bank of America, Sobieski, Inc., Christiana Care Health Systems, AstraZeneca, GE Aviation, and Solvay Specialty Polymers USA.

Since 2000, a number of hotels began opening in Newark, significantly adding to the City's stock in high quality hostelries, starting with the Embassy Suites and Homewood Suites on South College Avenue across from the University of Delaware's sports complex, the Courtyard by Marriott/University of Delaware on the University's Laird Campus, the Candlewood Suites on South College, and the SpringHill Suites by Marriott on Ogletown Road. In 2021, Council approved a 104-room luxury hotel at the site of the Green Mansion in downtown Newark.

Other important economic-development initiatives occurred in 1999 and 2000 at the Delaware Technology Park with the addition of two facilities totaling 50,000 square feet and, shortly thereafter, when the City's last idle downtown industrial site—the old National Vulcanized Fibre plant on White Clay Creek—was successfully redeveloped with waterfront dining, 40 apartments, and 107,000 square feet of commercial office space. The original mill at this location was constructed in the early 18th century, and the current structure, built in 1853, operated as a woolen mill and later produced vulcanized fiber (a composite material) to the early 1990s. Many of the historic structures on the site have been preserved and renovated. In 2022, additional redevelopment was approved at the site including a new theatre and restaurant.

New development and redevelopment continue to be a major focus of the Planning and Development Department, Planning Commission, and City Council. The City has approved many new retail and commercial projects and additional residential units downtown and at other locations. Most of these projects follow a mixed-use, new-urbanism style of development that includes space for restaurants, pharmacies, banks, and other retailers at the street level with apartments above. Other relatively large residential projects have been approved by the City. Some of these new facilities have been limited to senior and assisted living as part of the City's effort to increase its available housing stock for older Newarkers. This land-use goal is particularly important in a community that is very significantly impacted by the continued demand for off-campus housing.

Table 9-2 shows a comparison of employment characteristics of Newark with New Castle County, Delaware, and the United States. A higher percentage of Newark residents work in management and education professions.

Table 9-1: City of Newark Employment Characteristics (Updated 2022)

Occupation*	United	Delaware	New Castle County	Newark
•	States	Delaware	County	Newark
Management, business, science, and arts	25.50/	40.20/	44.2.0/	45.50/
occupations	35.5%	40.3%	44.3.%	47.5%
Service occupations	17.8%	17.7%	16.7%	20.8%
Sales and office occupations	21.6%	21.7%	21.4%	20.4%
Natural resources, construction, and maintenance occupations	8.9%	8.4%	7.5%	4.7%
Production, transportation, and material moving occupations	13.2%	11.4%	10.1%	6.3%
	United		New Castle	
Industry*	States	Delaware	County	Newark
Education, health care, social services	23.1%	24.8%	25.3%	31.4%
Arts, entertainment, recreation, and				
accommodation and food services	9.7%	9.4%	8.8%	16.2%
Retail trade	11.2%	11.8%	10.7%	10.3%
Professional, scientific, management, and administrative and waste management				
services	11.6%	10.1%	11.7%	7.2%
Finance and insurance; real estate and rental and leasing	6.6%	9.5%	12.0%	11.1%
Manufacturing	10.1%	8.1%	7.8%	6.1%
Transportation and warehousing; utilities	5.4%	5.1%	5.4%	3.5%
Public administration	4.6%	5.5%	4.3%	4.2%
Other services, except public administration	4.9%	4.3%	4.0%	4.0%
Construction	6.6%	6.9%	5.8%	4.4%
Information	2.0%	1.4%	1.5%	0.9%
Wholesale trade	2.6%	2.1%	2.0%	0.7%
Agriculture, forestry, fishing, hunting, mining	1.8%	1.1%	0.7%	0.0%

<sup>\*</sup>Civilian-employed population 16 years and over

Source: 2019 American Community Survey 5-Year Estimates Data Profile

While Newark's industrial sector remains relatively healthy, the Planning and Development Department collaborates with area industrial-park operators, including the Delaware Technology Park, the state and New Castle County Chambers of Commerce, and the Delaware Development

Office to bring new high-quality, low-impact manufacturing firms to Newark (for properties zoned MI, MOR, and STC).

#### The Downtown Newark Partnership (DNP) - 1998 - 2018

In 1998 the City adopted the *Downtown Newark Economic Enhancement Strategy* which provided a detailed market analysis and market opportunities for Downtown Newark, analyzed Downtown's economic growth potential for retail, office, and housing space, and recommended specific strategies to meet the goals outlined in the strategy. One of the key recommendations was to establish a tripartite Downtown Newark Partnership (DNP) to bring together the business community, the City, and the University for the mutual goal of enhancing Newark's Main Street. The formation of the DNP in 1998 underscored an important aspect of the City's quality of life — Main Street is Newark's commercial heart and soul and embodies what makes Newark unique.

The DNP promoted the economic enhancement of downtown Newark. It was governed by an 18-member policy board from a variety of positions in the community, along with the following working committees:

**Design:** Focused on maintaining and enhancing the visual appeal of downtown, with emphasis on pedestrian-scale qualities.

**Economic Enhancement:** Focused on recruiting new businesses for downtown, as well as retaining current downtown businesses.

**Events:** Focused on organizing events and festivals for downtown to create economic opportunities for existing businesses.

**Merchants:** Focused on opening and maintaining lines of communication among downtown merchants and the rest of the DNP, the City, University, and citizenry.

**Parking:** Focused on improving off-street parking downtown for a more user-friendly and cost-effective service.

## **Design Guidelines for Downtown Newark**

In 1998, part of its participation in the Delaware Main Street Program, DNP's Design Committee developed specific guidelines to assist the City in reviewing facade improvements for buildings downtown. The <u>Design Guidelines for Downtown Newark</u> soon became an important tool in that helped fuel the ongoing renaissance on Main Street. The Design Committee updated their Design Guidelines in 2007, 2012, and 2016 to ensure they continued to meet the latest standards. The downtown design guidelines are intended to sustain and strengthen downtown Newark's small-town uniqueness by encouraging flexibility and creativity in design while, at the same time, enhancing the architectural character and overall visual appearance of downtown Newark.

Other initiatives as part of Newark's overall aesthetic improvement and upgrade program included the initiation in 2000 of a downtown sidewalk and street-sweeper program. As a result, early morning street and sidewalk sweeping has made a significant contribution to the overall attractiveness of the heart of Main Street from Chapel Street to the University Green. In addition,

the City has adopted an anti-graffiti program, which has been successful in helping to limit unsightly graffiti downtown and at other locations throughout the community.

In June of 2020, the Delaware Department of Transportation completed the *Main Street Newark Rehabilitation and Pedestrian Improvements* project, which included the Design Committee's initiatives of increased surfaces for sidewalks, protective spaces for "parklets" for increase pedestrian space, increase bicycle parking facilities, as well as 31 curb extensions with decorative crosswalks. The completed two-year project was a significant enhancement Downtown.





#### **Downtown Development**

The City and the development community have successfully revitalized Newark's traditional Main Street and downtown with an exciting and vibrant mixture of adaptively reused historic and new buildings, occupied with street-level commercial businesses and apartments on upper floors. The City has specifically targeted pedestrian-oriented, rather than auto-oriented, businesses to limit the traffic impact on Main Street and the demand for off-street parking without impacting the businesses' customer base. Downtown mixed-use projects have had a considerable positive impact downtown by helping to foster the adaptive reuse of existing buildings and strengthening the local market for Newark products and services. On the other hand, these projects also have, to a considerable extent, placed additional stress on the availability of off-street parking and have had public-safety and related municipal-service demand impacts.

Key developments in downtown include the following:

- The Deer Park Tavern, one of the City's most acclaimed historic landmarks, was fully restored and reopened under new management in 2001. This U.S. Department of Interior National Registered Property dates from 1851 and has been operated continuously at this location since that time. In addition to being one of the City's most notable landmarks and a popular local entertainment center, the Deer Park is a significant business anchor at the west end of Main Street near the edge of the University campus.
- The Washington House, approved in 2005, brought 54 upscale condominium apartments, commercial space, and a two-story parking facility to the site of the former Stone Balloon tavern. The project was an achievement of the goal to bring more owner-occupied housing to downtown.
- The Barnes & Noble/UD Bookstore was approved in 2010, the project for which included the refurbishing of the historic Christina School District Building originally built in 1884. The building added more than 60,000 square feet of office and retail space to downtown.
- The Newark Shopping Center redevelopment project was approved in 2013 and refurbished an old suburban-style shopping center. The shopping center was completed in May 2015 and included façade improvements to most of the existing buildings, improved amenities for bicyclists and pedestrians, and the new location of Newark Natural Foods. An adjacent 220-unit apartment building was completed in 2016.
- The redevelopment of the former College Square Shopping Center was approved in 2019 to transform the underutilized shopping center into a vibrant mixed-use complex featuring retail shops, restaurants, and 306 apartments. The project also includes an extension of Delaware Avenue through the plaza to Marrows Road. The Delaware Avenue extension will include additional commercial development and a community plaza for open area.

Image 9-2: Artist's renderings shopping and apartments at the Newark Shopping Center





• In 2021, three significant redevelopment projects were approved downtown. In March, Council approved a seven-story luxury hotel, 48 apartments, and a 171-space parking facility at the site of the "Green Mansion" at 96 East Main Street, In May, Council approved a mixed-use building with 17,540 square feet of commercial space, 80 apartments, and a 221 space parking garage at 141 East Main/19 Haines Street. And

finally, in August Council approved the demolition of the Super 8 hotel at 268 East Main Street, replacing it with a five-story mixed use building with commercial space and parking on the ground floor, and 56 apartments above.

#### **Economic Development Strategy and Action Plan (2011)**

In 2010, the City of Newark hired the Wadley-Donovan Group to complete an economic development–opportunities analysis and a strengths, weaknesses, opportunities, and threats (SWOT) assessment of the City. The resulting *Economic Development Strategy and Action Plan* provided information leading to the understanding of Newark's marketable strengths, cost-effective recommendations for improvements, development opportunities, and obstacles to development. Some of the findings are listed below.

#### <u>Assets</u>

- Excellent central location between major metropolitan areas, with access to train service and international airports.
- In the greater Newark area, a large, high-quality, diverse, educated, and young labor market with a middle- to upper-income household profile.
- Employment clusters in business and financial services, biomedical/biotechnical (life sciences) fields, computer and electronic production manufacturing, and information technology and telecommunications.
- Opportunities with the BRAC initiative and the expansion of the Aberdeen Proving Ground.
- An attractive and vibrant downtown.
- Ten area colleges and universities, with the University of Delaware being the largest. Its professors are free to consult and partner with area companies. The University's Office of Economic Innovation and Partnerships seeks to establish the University as a renowned center for innovation, invention, entrepreneurship, partnering, and economic development.
- The 270-acre site of the former Chrysler plant to be transformed into the STAR Campus, devoted to three business clusters—health and life sciences, energy and environmental technology, and operations related to Aberdeen Proving Ground.
- A full network of utility and telecommunications services and more-than-adequate water, sewer, telecom, natural gas, and electric capacity to meet future opportunities.

#### Challenges

- New Castle County's employment base has been concentrating into fewer sectors and, while employment has been stable for the past five years and county employers are increasing, it is hiring fewer employees.
- The Christina School District shows unfavorable statistics. Interviewed employers report that many of their managers and professional employees prefer to live in southern Chester

County, Pennsylvania, and other locations within New Castle County, such as Bear and Middletown, for access to what they think are better public schools.

- A shortage of office, R&D, industrial, and flex space to meet the needs of new and expanding companies.
- No centralized inventory of available business real estate other than downtown.
- Downtown parking shortage and traffic congestion that adversely affect current downtown business and affect Downtown's ability to attract new business activity.
- Traffic congestion caused by having only three east/west routes through Newark.
- High industrial/commercial electric power rates, coupled with service quality issues.
- Limited passenger rail service into Newark (improvements are planned).

Through an intensive stakeholder process, the *Economic Development Strategy and Action Plan* proposed the following Economic Development Vision Statement:

In 2020, Newark, Delaware, will be internationally recognized as a regional hub of science, technology, and higher education. Its research, science, and technology sector will be the core of a diversified economy providing well-paying jobs for workers from a multistate area. Downtown Newark and its shopping and entertainment opportunities will be a destination for both regional residents and global visitors as well as a sought-after business location. Newark's economic sector will be a key component of its highly desirable quality of life.

The *Economic Development Strategy and Action Plan* recommended 11 "Economic Strategy Initiatives". Many of the strategic initiatives outlined in the plan have been incorporated into the scope of The Newark Partnership (TNP), discussed in the next section of this chapter.

- 1. Establish a Greater Newark Development Corporation as a public/private partnership to promote economic development in the region.
- 2. Create and manage an economic-development website for the greater Newark area.
- 3. Create an inventory of available real estate for business and industrial uses.
- 4. Reposition the City's Department of Planning and Development to emphasize its economic development mission.
- 5. Use a marketing program to create a "Newark brand" as a regional technology and innovation hub.
- 6. Conduct and encourage efforts to improve the Christina School District, including a focus on science, technology, engineering, and mathematics.
- 7. Prepare an analysis of the cost of doing business in Newark compared to other competing locations.
- 8. Identify and correct issues with the City's regulations and procedures for permits and approval reviews.

- 9. Identify land in the City of Newark with development and redevelopment potential for industrial, office, and R&D operations.
- 10. Develop, fund, and implement aggressive and effective business-attraction, business-retention/expansion, and business-startup programs for targeted industries.
- 11. Create a strategy for housing business prospects visiting the City.

The complete report on the City of Newark's *Economic Development Strategy and Action Plan* is available online:

www.cityofnewarkde.us/DocumentCenter/Home/View/1850

## The Newark Partnership (TNP) 2019 to Present

The Downtown Newark Partnership (DNP) formed a *Strategic Planning Committee* in 2018 that recommended the creation of a "Newark Partnership" as a city-wide community-based organization that benefited all people who interacted in Newark, including the business, residential, civic, and non-profit communities. The DNP "sunset" in December 2018 and was reconstituted into the Newark Partnership (TNP), based on the recommendation of the Strategic Planning Committee in January 2019.

The mission of TNP is to build upon Newark's distinctive assets as an inclusive and innovative university community, in which businesses, community institutions, city residents, and students work together toward the common goals of enriching the city's prosperity and improving the quality of life. A community-based nonprofit institution, TNP promotes sustainable, city-wide economic, environmental, and cultural development. In addition, TNP supports initiatives that help make Newark a preferred place for all people to live, work, enjoy, learn, do business, and visit.

TNP has three core program areas:

*Economic Development*: TNP partners with the Delaware State and New Castle County Chambers of Commerce, as well as the City's Planning and Development Department, to support overall economic development. Initiatives include partnership programs to attract, retain, and expand business, maintain up-to-date information on building sites, and develop and disseminate marketing materials and services on business and economic development opportunities.

Nonprofit Community Support: TNP works with Newark's diverse nonprofit sector that includes large institutions such as the University of Delaware and Christiana Care Health Systems, as well as small community organizations, such as churches, social service institutions, and advocacy organizations, that provide key services to those who live, work, and study in Newark. TNP also supports arts, entertainment, and cultural institutions that add to the quality of life in Newark. To advance this effort, TNP is creating an information sharing network for Newark nonprofit institutions to help coordinate services and events, as well as offer a porthole for those who live or work in the City to easily locate services that they need.

Civic Engagement: TNP partners with the City of Newark, the University of Delaware, and other partners to act as a "catalyst" for ongoing community conversations and initiatives to provide

information and resources that enrich understanding of those issues and the options for addressing them. The TNP partnerships include supporting initiatives in environmental sustainability, arts and culture, and inclusion and diversity.

The TNP Governing Board has representation from key institutions and community advocates, including the City of Newark, the University of Delaware, Newark businesses and nonprofits, and engaged citizens. Resources to support TNP have been historically provided by the City Government, the University of Delaware, corporate sponsors, such as W. L. Gore & Associates and Bloom Energy, as well as through institutional and individual members.

Additional information on the Newark Partnership (TNP) can be found at their website: <a href="https://www.thenewarkpartnership.org/">https://www.thenewarkpartnership.org/</a>

#### Plan Goals and Action Items: Economic Development

Promote a sustainable economic future for the City by encouraging a diversified local economy, creating a quality place for people to live and work, and attracting a highly qualified workforce.

#### **Strategic Issues:**

- > Business diversification and business-friendly environment.
- > Physical and economic vitality.
- > Continued redevelopment of the Downtown Central Business District and surrounding areas.
- Leveraging the asset of the University of Delaware.

#### Community Vision: Sustainable and Inclusive

Goal 1	Attract and retain a diverse range of large and small high-quality business and
	industrial firms. Attracting and retaining a diverse employment base advances the
	City's vision as a "Sustainable Community," one that is better able to adjust to a
	changing economy.

#### Action Item 1

Continue to dedicate staff time and support for advancing and implementing the Economic Strategy Initiatives of the Economic Development Strategy and Action Plan (2011). The City should work with partnering agencies in implementing the 11 initiatives outlined earlier in this chapter with the intent of making Newark a regional hub of science, technology, and higher education.

**2022 Status:** The Newark Partnership has taken on these activities and are updating and revising the 2011 Action Plan for new initiatives.

#### Partnering agencies:

The Newark Partnership

City of Newark Department of Planning and Development

Delaware State and New Castle County Chambers of Commerce

#### Action Item 2

Create a consolidated reference guide to help potential businesses navigate the City processes and regulations to opening a business in Newark. This publication would consolidate several existing publications and be available on the City's website.

**2022 Status:** The Planning and Development Department and The Newark Partnership have been collaborating on this effort, with a revised document anticipated to be released in 2022.

Partnering agencies:
The Newark Partnership
City of Newark Planning and Development Department

## Community Vision: Healthy/Active, Sustainable and Inclusive

Goal 2	Continue to enhance Downtown Newark's physical and economic vitality.
	Downtown Newark is the City's cultural and economic heart. Enhance by continuing to
	develop and redevelop the downtown physical environment and attracting and
	retaining a diverse range of shopping, entertainment, restaurant, and housing
	opportunities. Expand the revitalization of mixed-use structures to include the
	refurbishment, renovation, and redevelopment of residential neighborhoods adjacent to
	the central business district.

#### Action Item 3

Explore and evaluate proposals to enhance the physical environment downtown, such as desirable locations for "green space," a public park downtown, or the burying of utility lines.

**2022 Status:** As described on page 112 of this chapter, the Delaware Department of Transportation completed the *Main Street Newark Rehabilitation and Pedestrian Improvements* project which included increased sidewalks surfaces and locations for "parklets" that increased pedestrian space.

#### Action Item 4

Identify residential neighborhoods surrounding the central business district to target for redevelopment for affordable housing through City incentive programs and continue to seek opportunities such as the State's Downtown Development District (DDD). The City seeks to incentivize and create affordable home-ownership opportunities in residential areas surrounding Newark's downtown. Potential initiatives could include zoning changes to include Accessory Dwelling Units and Inclusionary Zoning, as well as programs that assist first-time and low-to-moderate income homebuyers, home rehabilitation programs, and the redevelopment of the Newark Housing Authority site. The Office of State Planning Coordination's Downtown Development District Program should also continue to be explored.

**2022 Status:** The Planning and Development Department applied to the Office of State Planning Coordination in 2016 for the second round of DDD designations; however, Newark was not among the communities chosen. Efforts are on-going if new designations are granted.

#### Participating agencies:

City of Newark Planning and Development Department The Newark Partnership Office of State Planning Coordination

#### Community Vision: Sustainable

Goal 3	Ensure that zoning requirements encourage the uses desired and do not create
	impediments to desired business growth. In order to maintain a "Sustainable
	Community" economy, it is important to make adjustments in a constantly changing
	and competitive economy. Newark will ensure that the City's zoning and regulations
	are meeting the best practices in planning and land use.

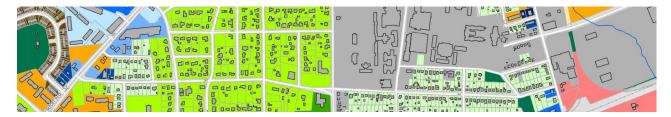
#### Action Item 5

Update the City of Newark's Sign Ordinance for downtown businesses to improve the quality and types of signage.

#### Action Item 6

Conduct a "Charrette" based on the National Charrette Institute (NCI) to create a comprehensive set of plan-enabling and supportive documents that will represent a feasible plan to reach a collective vision for downtown and its associated zoning districts. Adopt and implement the recommendations. Additional information on this action item is on page 161 in Chapter 10: Land Development.

# Chapter 10 LAND DEVELOPMENT



This chapter connects the City's vision and goals from preceding chapters to its principles and goals for land development. It begins by outlining the City's core land-development principles, which are aligned to advance the City's vision as a "Healthy, Sustainable, and Inclusive Community." Next, the chapter divides the City into six planning sections to examine existing and future land uses, evaluate conditions affecting development, and designate "Focus Areas" for strategic planning efforts for land within the City limits.

While the chapter outlines the factors affecting growth and development, it does not mean that these factors control it. Rather, a good comprehensive development plan and the framework within which growth occurs interact in a coordinated and consistent manner. In other words, assuming economic conditions are held constant (not an easy assumption), neither the factors of change nor the plans for change necessarily come first: Good plans should reflect real-world conditions and past and anticipated trends. At the same time, a plan may break with the past and open up new possibilities, reflecting the community's long-range view of where and how it ought to grow, not simply where it will grow.

## **Land Development Core Principles**

The City of Newark land development principles are listed below.

- Appropriate infill and redevelopment are the most efficient and sustainable uses of land to
  preserve and protect natural and cultural resources as well as limit the need for new
  infrastructure.
- Complement the existing transportation network through street connectivity, transit accessibility, and pedestrian and bicycle amenities.
- Encourage a mix of housing choices, both in styles and affordability levels, for new residential developments that is inclusive of people of different ages and income levels.
- Encourage that new developments meet high standards for site and architectural design in order to provide opportunities for active lifestyles, environmental sustainability, and establish unique Newark "places."
- Provide appropriate areas for business and industrial development to encourage sustainable economic growth.

#### Existing Land Use Pattern

Most of the City of Newark is used residentially, with associated uses such as green spaces, churches, and schools interspersed. A large swath through the center of town is occupied by the University of Delaware, including its academic buildings, operations, residence halls, performance spaces, and athletic facilities. Industrial sites are concentrated primarily along Elkton Road, Christina Parkway, and I-95. The commercial heart of Newark is the downtown district along South Main Street, East Main Street, and Delaware Avenue. Two large shopping centers anchor the City's east and west sides, with smaller shopping centers serving local neighborhoods. The stretch of Cleveland Avenue between Chapel Street and Kirkwood Highway, with the notable exception of McKees Solar Park and the Alder Creek development, is almost entirely dedicated to car dealerships.

#### Using This Land Use Guide

In preparing the Land Development portion of the plan, a detailed *Land Use Survey* of every parcel in the City was developed. The existing land use represents a snapshot of the City's current development pattern. The Planning Commission and City staff reviewed the City as a whole, examining the existing land patterns and their relationship to current zoning, then developed a Land Development Plan to identify future uses. This *Comprehensive Development Plan V* makes use of several generalized landuse categories (defined in Table 10-1). The land-use definitions are intended to be general, and although they parallel the *Zoning Code* wherever possible, they should not be interpreted to have the rigor, inclusiveness, or legality of a zoning code.

**Table 10-1: Land Use Designations** 

Land Use	Description			
Residential	Areas developed with any type of dwelling unit. For the purposes of this plan, residential has been divided into "Low Density" and "High Density." Professional, administrative and medical offices, churches, schools, nursing homes, funeral parlors, community centers, day care centers, police and fire stations, and office research facilities may be accommodated very satisfactorily along with, or adjacent to, residential areas depending upon the specific use involved, site design considerations, proposed site amenities, and the availability of adequate services and facilities. Farming may also be a compatible use in residentially zoned properties.			
Low Density	Residential dwelling units that include single-family detached and semi- detached row or town homes with densities of 11 or fewer dwelling units per acre.			
High Density	Multi-family residential dwelling units with densities over 11 and up to 36 units per acre. Housing types include garden apartments, townhouse apartments, and condominiums but do not include dormitories, or mixed urban developments.			
Mixed Urban	A parcel with a mix of commercial and residential uses. Parking is also permitted on the ground floor.			

Land Use	Description			
Parks/Open Space	A parcel used as public and/or private open space preserved from			
	development, including parks with passive recreation facilities (trails,			
	benches, picnic tables, etc.) and stream valley and stormwater			
Active Recreation	management facilities.  Dishlic modeland on missate authors facilities that contain facilities for			
Active Recreation	Public parkland or private outdoor facilities that contain facilities for			
	active recreation, such as golf courses, tennis courts, swimming pools, baseball fields, basketball courts, and skateboard parks.			
Commercial	A parcel with retail, restaurant, office, services, gas stations, and similar uses, excluding utilities and government facilities such as post offices			
	and libraries and large manufacturing uses.			
Industrial	A parcel used for any manufacturing, processing, or similar use.			
STAR Campus	A parcel used for the University of Delaware's Science, Technology and			
	Advanced Research (STAR) Campus.			
Institutional	A parcel used for government facilities such as federal, state, and city			
	offices, libraries, schools, and post offices. Also includes fire stations,			
	churches, and community centers.			
University	A parcel owned by University of Delaware or public university and having institutional uses as part of the campus, including classrooms, dormitories, laboratories, University offices, and University recreation and commercial facilities, but excluding University owned single-family homes having residential uses.			
Utilities	A parcel used for facilities providing electric, water pumping, or other utility public or private.			
Vacant	A parcel that is privately owned, undeveloped, and not actively used for any land use.			

#### Zoning

Zoning is "an exercise of police power, which means the government's right to impose regulations to protect public health, safety, and welfare" (1). The City of Newark's *Zoning Code* is the legal device that establishes zoning regulations, divides the municipality into zones or districts, each with its own specific regulations, and is precedent in land use decisions.

The Zoning Code regulates the following:

- The types of land uses permitted.
- The intensity or density of development.
- The height, bulk, and placement of buildings or structures.
- The amount of off-street parking required.
- Other regulations deemed necessary to direct development.

The City of Newark's Zoning Code consists of the following zoning districts (for a complete list of permitted uses and conditions, please refer to the Newark *Zoning Code*).

**Table 10-2: Zoning Districts** 

ZONING DISTRICT	DESCRIPTION		
Residential Districts			
RE Single-family,	Single-family, detached residential dwelling with one-acre minimum lot		
Residential Estate	size. Variety of institutional uses, parkland, active recreation, and open		
	space; accessory uses. Variations to lot size and density may be permitted		
	with conditions.		
<b>RH</b> Single-family	Single-family, detached residential dwelling with <b>one-half acre</b> minimum		
Residential	lot size; variety of institutional uses; parkland, active recreation, and open		
	space; accessory uses. Variations to lot size and density may be permitted		
	with conditions.		
RT Single-Family	Single-family, detached residential dwelling with 15,000 sq. ft. minimum		
Residential	lot size; variety of institutional uses; parkland, active recreation, and open		
	space; accessory uses. Variations to lot size and density may be permitted		
DC Cin al. E- mil-	with conditions.		
RS Single-Family Residential	Single-family, detached residential dwelling with 9,000 sq. ft. minimum		
Residential	lot size; variety of institutional uses; parkland and open space; accessory uses. Variations to lot size and density may be permitted with conditions.		
<b>RD</b> Single-Family	Single-family, detached residential dwelling with <b>6,250 sq. ft.</b> minimum		
Residential	lot size; variety of institutional uses; parkland and open space; accessory		
Residential	uses. Variations to lot size and density may be permitted with conditions.		
RR Town or Row	All permitted uses under RH, RT, RS, and RD. Single-family dwellings		
Homes	such as row or town houses, single-family dwellings detached and		
11011100	semidetached. Under site plan approval, garden apartments; variety of		
	institutional uses; parkland, active recreation, and open space; accessory		
	uses Variations to lot size and density may be permitted with conditions		
RM Garden	All permitted uses under RH, RT, RS, RD, and RR. Garden apartments;		
Apartments	variety of institutional uses; parkland, active recreation, and open space;		
	accessory uses.		
<b>RA</b> High-Rise	All permitted uses under RH, RT, RS, RD, RR, and RM. High-rise		
Apartments	apartments; variety of institutional uses; parkland, active recreation, and		
	open space; accessory uses. Variations to lot size and density may be		
A C A 1 1 C	permitted with conditions.		
AC Adult Community	Adult community garden apartment dwelling. Variety of institutional uses;		
D ' D' ' '	parkland, active recreation, and open space; accessory uses.		
Business Districts	Mire of commencial manifestial and institutional vesses Assertments shows		
<b>BB</b> Central Business District	Mix of commercial, residential, and institutional uses; Apartments above		
BN Neighborhood	nonresidential uses.		
Shopping Shopping	Neighborhood shopping center, retail, laundromats, personal service establishments, trade schools, offices for professional uses, financial		
Shohhing	institutions, restaurants, utilities.		
BC General Business	All permitted commercial uses under BN. Automobile sales and rental,		
De General Dusiness	warehousing, veterinary hospital, automobile repair and wash, drive-in		
	restaurants.		
	1 TO THE WILLIAM TO T		

BL Business Limited	Office for professional service, financial institutions, undertakers, barbershops and beauty parlors; variety of institutional uses; parkland and open space; accessory uses.		
<b>ZONING DISTRICT</b>	DESCRIPTION		
Business Districts			
<b>BLR</b> Business	All permitted uses under BL. Apartments are permitted with any		
Limited-Residential	nonresidential use permitted in district.		
Industrial Districts			
MI General Industrial	All permitted uses under ML. Subsidiary retail sales, oil storage, railroads/freight yard, public transit facilities, accessory uses.		
MOR Manufacturing	All permitted uses under MI. Offices for professional services, utilities,		
Office Research	retail and specialty retail, commercial indoor recreation, accessory uses.		
University District			
UN University or	State college or university, accessory uses customarily incidental to a		
College	college or university. UN zoning is only for university owned properties.		
STC Science and Technology Campus	Process involving cleaning, distribution, manufacture, production, warehousing, testing, laboratories, hospitals and medical clinics, offices for professional services, technology-dependent or computer-based facilities, day care centers, restaurants, recreation facilities, hotels/motels with conference facilities, public transportation facilities, accessory uses and accessory buildings, residential uses, retail, restaurants, commercial indoor recreation and indoor theaters. STC zoning is limited to the STAR Campus		
Parkland/Open Space			
PL Parkland	Park, conservation area, bikeway, trail, athletic field, recreation building, accessory uses, open space.		
SFHA Special Flood Hazard Area	The land in the floodplain subject flood hazards and shown on a Flood Insurance Rate Map, having a one percent chance of being equaled or exceeded in any given year the base flood elevation, also is referred to as the 100-year flood (or the 1%-annual-chance flood).		

#### Land Use and Zoning Link

The link between the future land use and zoning is important. Title 22, Section 702(c) of the Delaware Code states that the comprehensive development plan is "the basis for the development of zoning regulations" and requires that the City "within 18 months of the adoption of a comprehensive development plan or revision thereof, amend its official zoning map to rezone all lands within the municipality in accordance with the uses of land provided for in the comprehensive development plan." Once a comprehensive plan is adopted by a municipality, it shall have the "force of law and no development shall be permitted except as consistent with the plan."

Table 10-3 shows the link between the land use in Table 10-1 and the zoning summaries in Table 10-2 and provides guidance as to the zoning districts that would be considered appropriate with each land-use designation.

**Table 10-3: Land Use and Compatible Zoning Districts** 

LAND USE	COMPATIBLE ZONING		
Residential			
Low Density	RE, RH, RT, RS, RD, RR, RM, AC		
High Density	RM, RA, RR, AC		
Mixed Urban	BB, BLR		
Parks/Open Space	PL, SFHA, RE, RH, RT, RS, RD, RM, AC, RA		
Active Recreation	PL, RE, RH, RT, RS, RD, RM, AC, RA, RR		
Commercial	BC, BB, BL, BN, BLR		
Industrial	MOR, MI		
STAR Campus	STC		
Institutional	RE, RH, RT, RS, RD, RR, RM, RA, BC, BB, BL, BN, AC, BLR		
University	UN		
Utilities	All zoning classifications		
Vacant	All zoning classifications		

#### Amendments to the Future Land Use Designation

Amendments – or changes – to the land use designations in the Future Land Use Map are sometimes needed when a property owner requests a zoning change. The most common amendment is when a development proposes to change from "Residential, Low Density" to "Residential, High Density." These are frequently in areas where the land use and zoning are currently low density residential, but the development trends in the area are moving towards higher density residential. Amendment requests to the Future Land Use designation allow the Planning Commission and Council to consider the appropriateness of the proposed development and direct future growth.

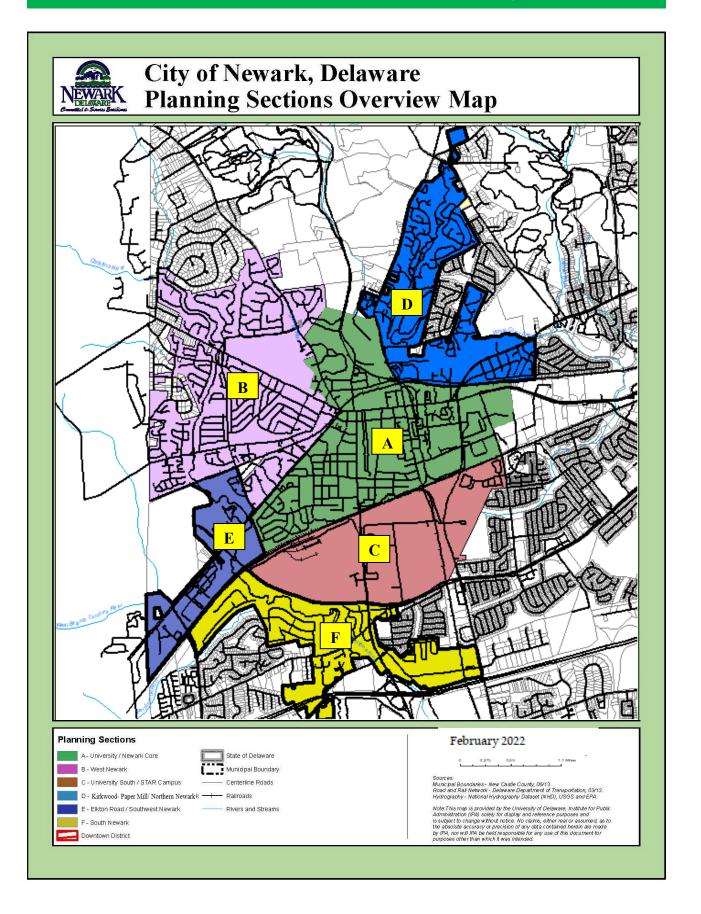
Since <u>Plan V's</u> adoption in September 2016, Council has approved twenty-nine (29) amendments to land use designations in the Future Land Use Map. Of these 29 changes, 13 were made as part of an omnibus corrections ordinance adopted on October 11, 2021.

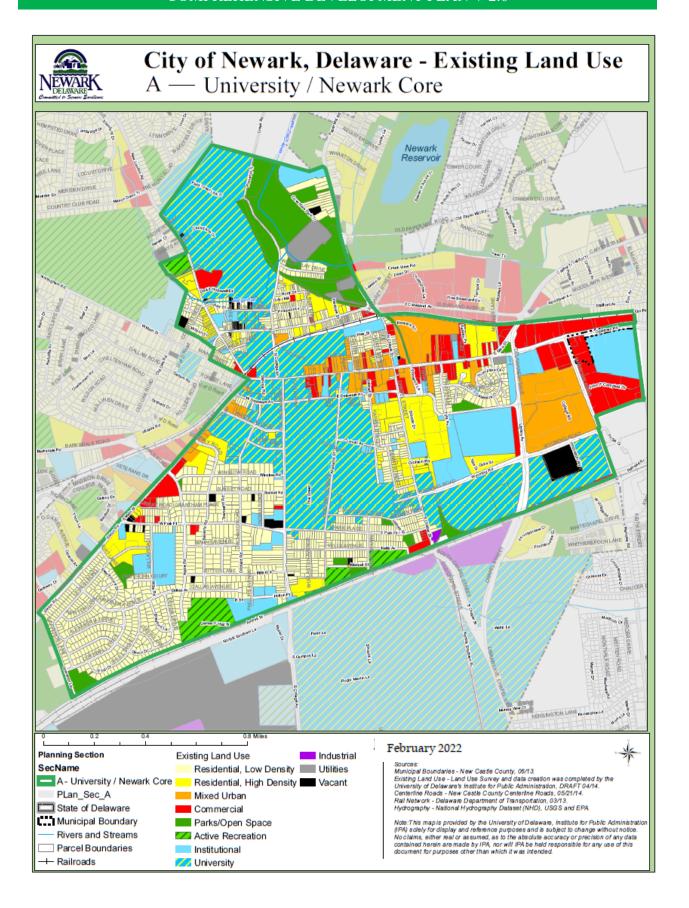
Table 10-4: Amendments to the Comprehensive Development Plan V since Certification

PROJECT/ADDRESS	ADOPTION	DESIGNATION CHANGE	ZONING CHANGE
36 Benny Street	December 11, 2017	Residential, Low Density to Residential, High Density	RD to RM
24/30 Benny Street	April 23, 2018	Residential, Low Density to Residential, High Density	RD to RM
Park & Shop: 275 South Main Street	July 9, 2018	Commercial to Mixed Urban	BC to BB
209-225 Haines Street	January 14, 2019	Residential, Low Density to Residential, High Density	RD to RA

Campus Walk II: 83-	January 28, 2019	Residential, Low Density to	RM (No
105 New London	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Residential, High Density	change)
Road		Kesiweniwi, High Density	change)
	March 25, 2019	Commercial to Mixed Urban	DD (No
College Square	Watch 23, 2019	Commercial to Mixea Orban	BB (No
Shopping Center	M 1 27 2010		change)
Newark Senior	March 25, 2019	Commercial to Residential, High	BL to AC
Living: 924 Barksdale		Density	
Drive			
20-22 Benny Street	April 22, 2019	Residential, Low Density to	<b>RD</b> to <b>RM</b>
		Residential, High Density	
The Railyard: 321	October 14, 2019	University to Residential, High	UN to RM
Hillside Road		Density	
Fulton Bank: 287 E.	November 25, 2019	Commercial to Mixed Urban	BL to BB
Main Street			
19 Amstel Avenue	February 24, 2020	University to Residential, High	RS to RM
13 Timster Tivenue	, , , ,	Density	TO TO TAIL
118, 126, & 130 New	March 23, 2020	Residential, Low Density to	RM (No
London Road	171011 23, 2020	· · · · · · · · · · · · · · · · · · ·	,
	November 23, 2020	Residential, High Density	change)
734 Paper Mill Road	November 25, 2020	No Designation to Residential,	NC15 to RD
& 5 and 11 Possum		Low Density	
Hollow Road	3.5 1.00 0.00		
751 Paper Mill Road	March 22, 2021	No Designation to Residential,	NCS to RE
		Low Density	
1501 Casho Mill Road	July 12, 2021	Commercial to Mixed Urban	BLR (No
			change)
268 East Main Street	August 9, 2021	Commercial to Mixed Urban	BC to BB
28-32 Academy Street	October 11, 2021	Residential, High Density to	BB (No
		Mixed Urban	change)
116 Amstel Avenue &	October 11, 2021	Residential, High Density to	BB (No
111 Smyth Court		Mixed Urban	change)
47 West Delaware	October 11, 2021	University to Residential, Low	RM (No
Avenue	,	Density	change)
53 West Delaware	October 11, 2021	Residential, Low Density to	UN (No
Avenue		University	change)
58-60 West Delaware	October 11, 2021	University to Residential, Low	RM (No
Avenue	0010001 11, 2021	Density	change)
	October 11, 2021	ř	<u> </u>
61 West Delaware	00000111, 2021	Residential, Low Density to	UN (No
Avenue	Oatabar 11 2021	University	change)
81 West Delaware	October 11, 2021	Residential, Low Density to	BN (No
Avenue	0 1 11 0001	Commercial	change)
103 Hillside Road	October 11, 2021	University to Parks/Open Space	UN to PL
36 East Main Street	October 11, 2021	University <u>to</u> Mixed Urban	BB (No
			change
51 East Main Street	October 11, 2021	University to Mixed Urban	BB (No
(42 East Main Street)			change
(== ===================================	l .		

19 South Main Street	October 11, 2021	Mixed Urban to University	UN (No
			change)
21 Winslow Road	October 11, 2021	University to Residential, Low	RS (No
		Density	change)
27 Winslow Road	October 11, 2021	University to Residential, Low	RS (No
		Density	change)





# PLANNING SECTION "A" EXISTING LAND USE UNIVERSITY/NEWARK CORE

#### LOCATION DESCRIPTION

University of Delaware's Laird Campus to the north, West Cleveland Avenue and New London Road community, South Main Street (formerly Elkton Road) on the west; CSX Railroad right-of-way to the south, and Marrows Road to the east.

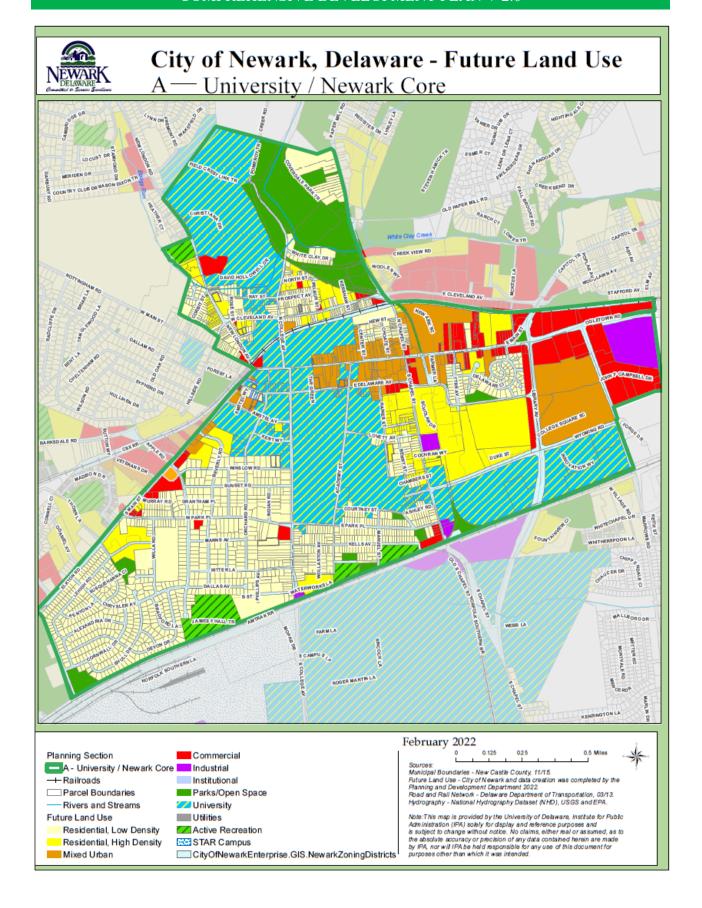
#### **EXISTING LAND USE(S)**

Residential, University Campus; Central Business District; Shopping Centers; Active and Passive Recreation; High School; Religious Institutions; Newark Free Library

#### PREVIOUS PLAN (2008)

- Residential, Low Density
- ➤ Residential, High Density
- Offices
- > Commercial (pedestrian and auto-oriented)
- > Parkland
- > Stream Valley
- ➤ Manufacturing/Office Research

- > Central Business District
- ➤ Older infrastructure
- > Traffic: Heavy traffic volumes on West Cleveland Avenue and Hillside/New London Road intersection, West and East Main Streets, and Delaware Avenue
- ➤ Long-term off-campus housing impact and University impact
- ➤ Targeted area for CDBG funding for Home Improvement Program
- > Stream Valley
- > Sewer conveyance capacity and water pressure
- ➤ A TID proposed for areas including Downtown Newark, West Cleveland Avenue, and New London Road (see page 75)
- ➤ Locations ideal for senior housing and "Levels of Care" residential
- > Transit-oriented development in the Central Business District



## PLANNING SECTION "A" FUTURE LAND USE

#### UNIVERSITY/NEWARK CORE

#### **RECOMMENDED USE(S)**

Residential, Low and High Density Mixed Urban Commercial Active and Passive Recreation Stream Valley

#### **RATIONALE**

Developing or Developed as indicated.

Mixed Urban recommended for Downtown along East Main Street, South Main west to West Park Place, and Delaware Avenue.

#### **FOCUS AREAS**

In 2018, in response to several amendments to future land use designations and zoning, as well as the recognition that specific areas of the city are redeveloping and transitioning from "Residential, Low Density" to "Residential, High Density," Newark's Planning Commission and Planning and Development Department conducted an extensive public process to review development trends to plan for future infill redevelopment. The Planning Commission identified four (4) *Focus Areas* within Planning Section "A". These guidelines are to give direction to developers and the general public as to the types and densities of infill-redevelopment appropriate for each area. They do not over-ride the existing Future Land Use designations of <u>Plan V</u>. Changing the current Future Land Use designations, as well as zoning, may still be necessary.

#### Focus Area # 1: New London Road Community

Historic African American community and the location of six (6) Historical Markers by the Delaware Public Archives. Redevelopment is heavily impacted by off-campus student housing. Significant traffic issues, as well as pedestrian traffic, on New London Road and West Cleveland Avenue.

Current use: Older housing stock, some of which are not eligible for mortgages because they no longer meet current building codes. Location of two (2) churches with historical markers: St John African Methodist Church and the Mt. Zion Union American Methodist Episcopal (UAME) Church. Recent redevelopments have converted single family and duplex dwellings to multi-family dwellings, with increased density, targeted primarily to University students.

**Recommendations**: Areas appropriate for consideration to "Residential, High Density" include New London Road, Wilson Street, Ray Street, Church Street, Rose Street, and the east side of Corbit Street. Redevelopment

Focus Area # 1
New London Road

should have appropriate architecture to compliment the surrounding residential neighborhood, and site design should provide amenities to encourage walking, bicycling, and transit use. Areas targeted to remain to "Residential, Low Density" include West Main Street, Terry Lane, Kennard Drive, and

the west side of Corbit Street. Compatible institutional uses are also appropriate. Of cultural significance to the City and community are two existing churches with historic markers designated by the Delaware Public Archives. The City desires these institutional uses to be preserved. Areas with commercial zoning may be considered for "Mixed Urban."

**Rationale:** The recommended land use designations are consistent with recent redevelopments in the area. Areas targeted for greater densities are appropriate due to their proximity to downtown and the University of Delaware's Main Campus, making them ideal for walking, bicycling, and transit use. Replacing older housing will bring housing stock up to current building Code standards for both safety and sustainability. Areas targeted for "Residential, Low Density" remain appropriate areas to encourage housing preservation and home-ownership opportunities. "Mixed Urban" redevelopment may provide additional residential density, as well as pedestrian oriented neighborhood businesses. **Zoning:** Current zoning includes a mix of "RM", "RD", "RS" with some "BC" zoned properties. In

addition to these zoning districts, "BB", "BLR", and "RA" may also be appropriate.

#### Focus Area # 2: East Cleveland Avenue and Areas North

Originally an area for workforce housing, this neighborhood has transitioned to a rental area impacted by the increased demand for off-campus student housing.

*Current use:* Older housing stock of single family-detached, duplexes, and rowhomes. Redevelopments have replaced single family and duplex dwellings with multi-family dwellings.

Recommendations: Areas appropriate for consideration to "Residential, High Density" include East Cleveland Avenue, Prospect Avenue, Wilbur Street, North Street, and Kristins Way. "Mixed Urban" may be appropriate along Cleveland Avenue to include residential, pedestrian oriented, neighborhood commercial. Redevelopment should include appropriate architecture to match surrounding residential area, as well as provide amenities to encourage walking, bicycling, and transit use. Floodplain issues may impact redevelopment for White Clay Drive.



**Rationale**: Recommended land use designations are consistent with recent redevelopments in the area. Due to the area's proximality to the University of Delaware Main Campus and downtown, it is appropriate for higher density redevelopment to encourage walking, bicycling, and transit use.

**Zoning**: Current zoning includes a mix of "RM", "RD", "RR" and "BLR" zoned properties. In addition, "BB" and "RA" zoning may also be appropriate.

#### Focus Area # 3: North Chapel Street Community:

This area, adjacent to downtown, is composed of rowhome, semi-detached, and single-family dwellings. The neighborhood has transitioned from owner-occupied to rentals due to the increased demand for off-campus student housing.

Current use: Older housing stock of single family, semi-detached, and rowhomes dwellings. Two recent redevelopment projects included mixed use and multi-family dwellings under the BB – Central Business District – zoning.

**Recommendations**: Area is appropriate for consideration to "Residential, High Density" or "Mixed Urban" accompanied by an appropriate zoning change. Commercial uses should be evaluated for impact and limited as appropriate. New development should be compatible as a transition to downtown, as well as provide amenities to encourage walking, bicycling, and transit use.

**Rationale**: Recommended land use designations are compatible with recent redevelopments in



the area. The area's proximality to the University of Delaware Main Campus and downtown, as well as its walkability and access to transit, make it appropriate for increased residential densities and commercial uses.

**Zoning:** Current zoning is "RM."

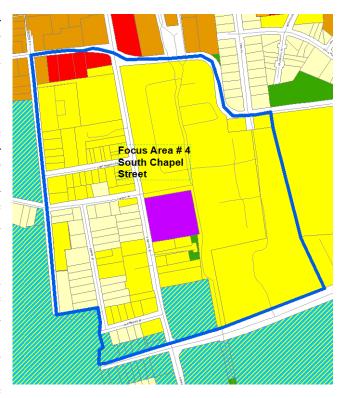
#### Focus Area # 4: South Chapel Street Community

This area is a former industrial, railroad, and workforce housing area that has slowly transitioned to a rental area impacted by the increased demand for off-campus student housing. Redevelopments have included high-density residential apartment complexes and townhouse-style apartments, as well as the conversion of the Pomeroy rail line into the off-street bicycle and pedestrian trail.

Current use: Land use designations include a mix of "Residential, low density" and "Residential, high density", along with some office, University, industrial, and commercial uses. The area contains a variety of uses and housing types, ranging from high density apartments to older single-family dwellings. Specific industrial uses include vehicle storage areas for the Christiana School District and the University of Delaware. Areas close to the University of Delaware's Main Campus include older housing stock of single family-detached homes, duplexes, and small apartment buildings, as well as institutional uses. Some owner-occupied home ownership remains in the area.

Recommendations: Properties designated for "Residential, Low Density" and "Industrial" may be considered for "Residential, High Density." Commercial and "Mixed Urban" uses may be appropriate along Delaware Avenue. Other industrial zoned property, or residential used for institutional uses such as vehicle storage for the school district, may be appropriate for "Residential, High Density" or "Mixed Urban." New development should be compatible as a transition to downtown, as well as provide amenities to encourage walking, bicycling, and transit use.

Rationale: Recommended land use designations are compatible with recent redevelopments in the area. The area's proximality to the University of Delaware Main Campus and downtown, as well as its walkability and access to transit, make it appropriate for increased residential densities and commercial uses. Consistent with previous redevelopments in the



**Zoning**: Current zoning includes a mix of "RA", "RM" and "RD", with some "BC" and "MOR" zoned properties. Appropriate zonings for new developments, as recommended, include "RA", "RM". "BB" and "BLR."

### College Square

\*Since <u>Plan V</u>'s adoption, the College Square Shopping Center has redeveloped into a mixed-use center with both shopping and residential at the site. The redevelopment required an amendment to the Future Land Use designation to change a portion of the site from "Commercial" to "Mixed-Urban." In addition to reinvigorating the commercial space and adding over 300 residential apartments, the site also extended Delaware Avenue to Marrows Road and created a more pedestrian and bicycle-oriented commercial and residential area.

*Current use:* Auto-oriented, suburban shopping center; vacant parcel to the south is owned by the University of Delaware.

*Recommendations:* Extend Delaware Avenue to Marrows Road. Mixed use and transit-oriented, pedestrian- and bicycle-friendly.

Rationale: Consistent with redevelopment of Downtown and South Main Street.

Zoning: College Square is zoned BB and is appropriate for the recommended uses.

#### **UD Technology Park**

Vacant parcel is zoned UN and is appropriate for University-supported development.

### Vacant Parcels in residential, low density areas.

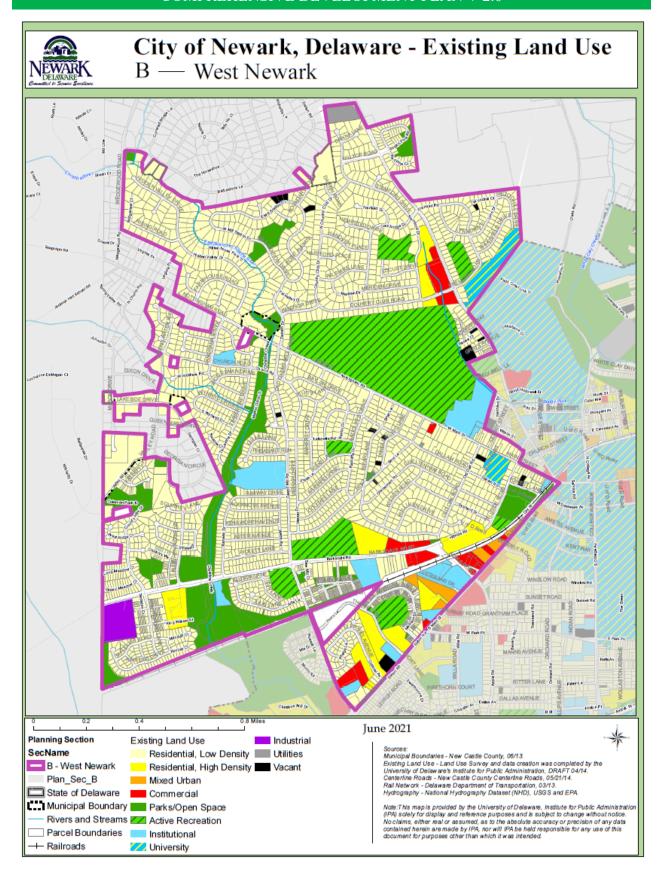
\*Infill development has occurred as anticipated.

Current use: Vacant parcels in a residential, low density area.

Recommendations: Residential, low density, or compatible institutional uses.

Rationale: Consistent with surrounding development.

Zoning: RS and RD are appropriate for the recommended uses.



# PLANNING SECTION "B" EXISTING LAND USE WEST NEWARK

#### **LOCATION DESCRIPTION**

Includes the residential areas of Christianstead, West Branch, Fairfield, Evergreen, Fairfield Crest, Briar Creek, Abbotsford, College Park, and west and north of South Main Street, as well as the Newark Country Club

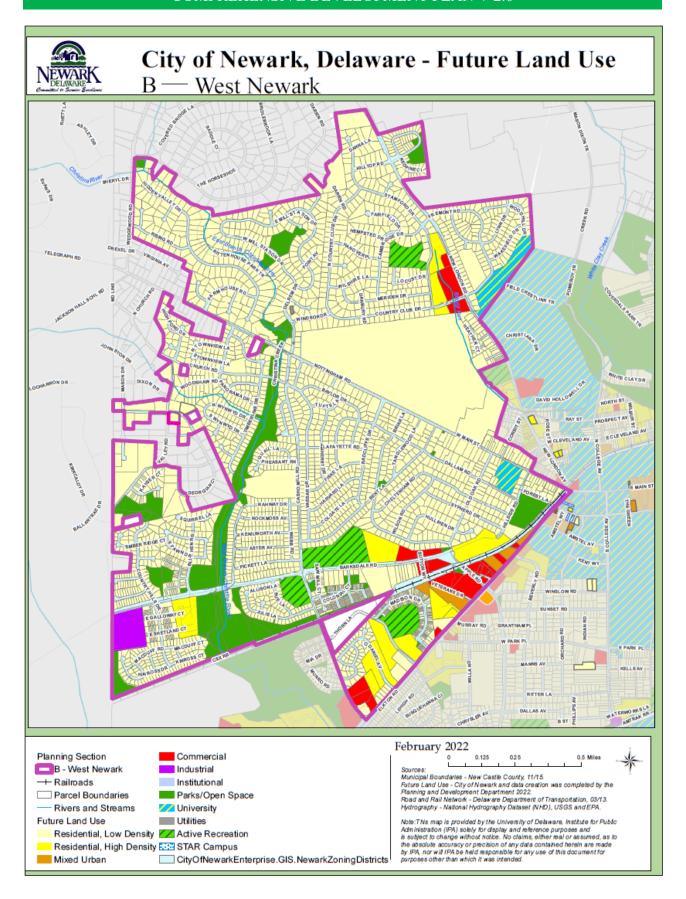
#### **EXISTING LAND USE(S)**

Residential, Low and High Density; Active and Passive Recreation; Commercial; Mixed Urban; Religious Institutions; Campus Housing; School, Industrial

#### PREVIOUS PLAN (2008)

- > Residential, Low Density
- ➤ Residential, High Density
- Offices
- > Commercial (pedestrian and auto-oriented)
- Parkland
- > Stream Valley
- ➤ Manufacturing/Office Research

- Expansion of Mixed Urban on South Main Street west to West Park Place
- > Traffic: Increased volumes on Nottingham Road and Barksdale Road; traffic volumes of proposed development need to be closely monitored
- ➤ College Park, Cherry Hill Manor, Abbotsford, Williamsburg Village, and Barksdale Estates area targeted for CDBG funding for Home Improvement Program and Home Ownership programs
- > Stream Valley
- > Sewer conveyance capacity and water pressure
- ➤ A TID proposed for areas including Nottingham Road/West Main Street and New London Road (see page 75)
- Locations ideal for senior housing and "Levels of Care" residential
- > Transit-oriented development along South Main Street
- ➤ Anticipated change-of-use proposal for the Newark Country Club site



# PLANNING SECTION "B" FUTURE LAND USE WEST NEWARK

#### **RECOMMENDED USE(S)**

Residential, Low Density Mixed Urban Commercial Active and Passive Recreation Stream Valley

#### **RATIONALE**

Developing or Developed as indicated.

Mixed Urban recommended for Downtown along South Main Street west to West Park Place.

#### **FOCUS AREAS**

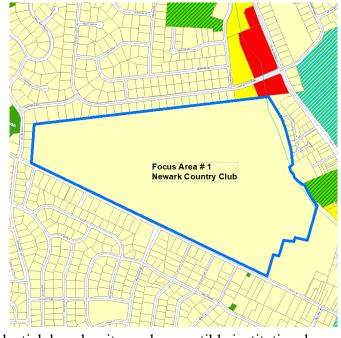
\*Since <u>Plan V</u>'s adoption, the Newark Country Club was purchased by a private owner who has agreed to lease the property to the Newark Country Club for use as a golf course/country club until 2030. Under the terms of the lease, no redevelopment is anticipated within the next five (5) years.

#### Focus Area # 1: Newark Country Club

The Newark Country Club was founded at this location on March 1, 1921. In 2008, the Country Club site was approved for development of 270 single-family houses, consistent with its current zoning. The approved plan was not constructed and was sunset as of February 2013.

Current use: Golf course and country club. Recommendations: Collaborate with community stakeholders to develop a Master Plan for the site that identifies options, community needs, access, general improvements, and needed infrastructure, as well as the impact of any developments to the surrounding areas.

Rationale: The site is of significant size and in a centralized location that would impact the City's traffic and environmental quality



Zoning: The site is currently zoned RS for residential, low density, and compatible institutional uses.

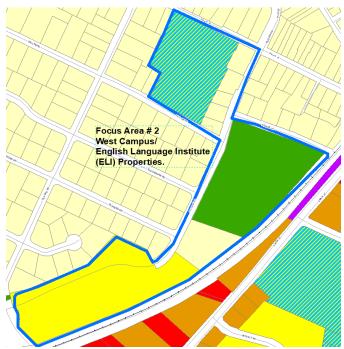
#### Focus Area # 2: West Campus and English Language Institute (ELI) properties

\*Since <u>Plan V</u>'s adoption, the Rodney and Dickinson site have both been redeveloped. The eastern portion of the site was purchased by the City of Newark and, through a collaborative community process, has been converted to a park and natural area, including a pond to assist with stormwater management to the surrounding residential neighborhoods. The western portion was redeveloped as high density residential with pedestrian amenities and proximity to downtown and the University of Delaware Main Campus. There has been no change of ownership to 189 West Main Street – the location of the University of Delaware's English Language Institute (ELI).

The John Dickinson and Caesar Rodney Residence Hall Complexes closed at the end of the 2015 spring semester and eliminated the entire West Campus. The nearby ELI facility located at 189 West Main Street may also be relocated.

Current use: The Railyard Apartments, Oaklands Swim Club, Hillside Park, and English language learning center and offices. The ELI site is zoned "UN" and designated as "University."

**Recommendations:** The original recommendation called for a collaboration with community stakeholders to develop a **Master Plan** for the site that identifies options, community needs, access, general improvements and needed infrastructure, as well as the impact of any developments to the surrounding areas. This is no longer



necessary since the redevelopment at both sites already has occurred. However, should the University choose to sell the ELI property, the Future Land Use designation shall be "Residential, Low Density" to conform with the underlining zoning of "RS" to match the surrounding residential community. If a different type of redevelopment is sought from a potential future owner, the process should include a collaborative Master Plan with the surrounding community and Council. *Rationale*: The sites are of significant size and in a centralized location that would impact the City's traffic and quality of life of adjacent residential areas

**Zoning**: The properties are currently zoned UN for state college or university, and accessory uses customarily incidental to a college or university.

#### Focus Area # 3: 924 Barksdale Road

\*Since <u>Plan V</u>'s adoption, this site was redeveloped into a senior living facility. The International Literacy Association purchased the parcel in 2000.

Current use: Vacant. Parcel is zoned BL. Recommendations: Light commercial and office use.

*Rationale:* Consistent with surrounding development.

Zoning: BL is appropriate for the recommended uses.



#### Vacant Residential Parcels in Planning Section B

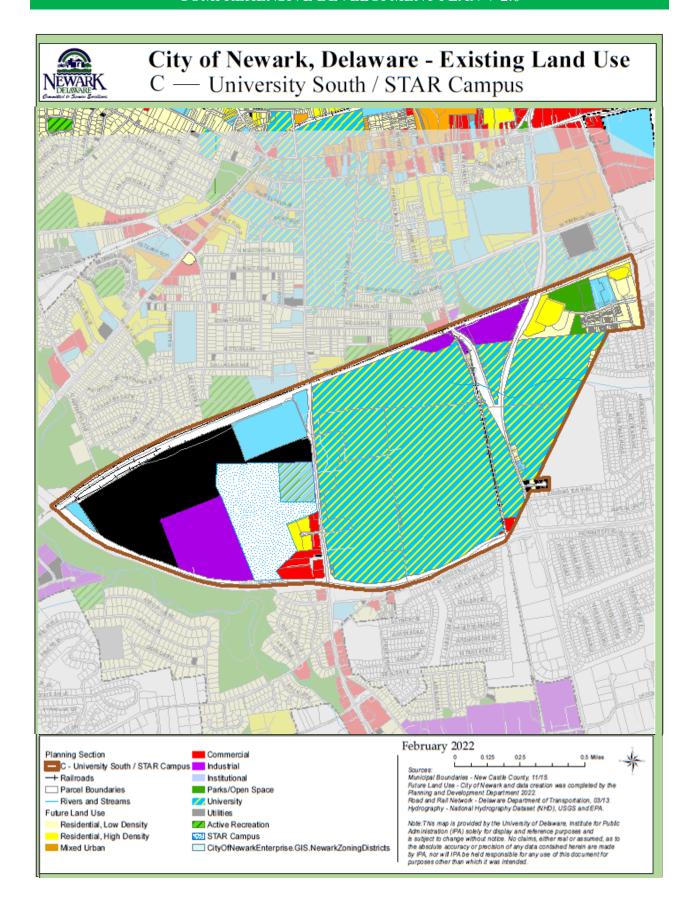
\*Infill development has occurred as anticipated.

Current use: Vacant parcels are in residential, low-density areas.

Recommendations: Residential, low density, or compatible institutional uses.

Rationale: Consistent with surrounding development.

Zoning: RH, RT, RS, RD, and RR are appropriate for the recommended uses.



# PLANNING SECTION "C" EXISTING LAND USE UNIVERSITY SOUTH/STAR CAMPUS

#### LOCATION DESCRIPTION

South of the Amtrak/Conrail Railroad right-of-way; North of Christina Parkway/Chestnut Hill Road to City limits

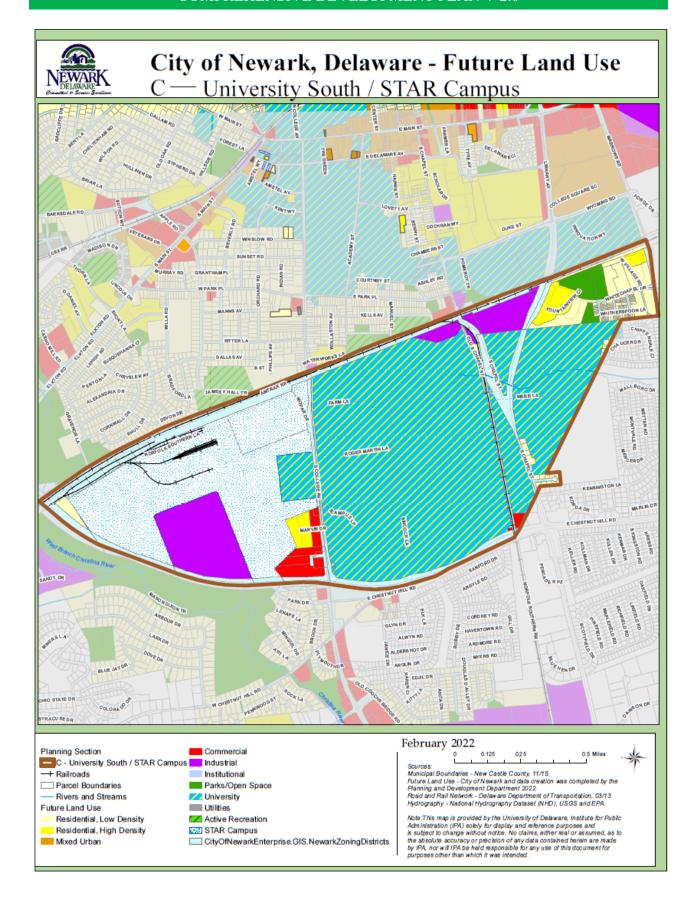
#### **EXISTING LAND USE(S)**

Science, Technology, and Advanced Research (STAR) Campus; University Sports Facilities, UD Farm and Agriculture School; Newark Senior Center; Adult Communities; Cement Plant; Hotels; Apartments; Commercial

#### PREVIOUS PLAN (2008)

- ➤ Manufacturing Office/Research ("Chrysler Opportunity Site")
- Offices
- ➤ Light Commercial (auto-oriented)
- Parkland
- > Stream Valley
- ➤ Manufacturing/Office Research
- Residential, Low to High Density

- Redevelopment of the Chrysler site into the University of Delaware's STAR Campus (see page 71)
- ➤ Transit-oriented development at STAR Campus, including the redevelopment of the Newark Train Station, estimated to be completed by 2017 (see page 72)
- > Traffic: Automobile and truck volume on Christina Parkway
- > Stream Valley
- ➤ Cost to provide City electric to South Campus could be high
- > Limited sewer and water infrastructure
- ➤ Locations ideal for senior housing and "Levels of Care" residential
- Lack of amenities for pedestrian and bicycle connectivity



# PLANNING SECTION "C" FUTURE LAND USE UNIVERSITY SOUTH/STAR CAMPUS

#### **RECOMMENDED USE(S)**

STAR Campus
Industrial
Mixed Urban
Commercial
Residential, Low and High Density

#### **RATIONALE**

Developing or Developed as indicated.

STAR Campus uses reflect the properties' size, central location, proximity of uses ranging from University, Industrial, Commercial, and Residential.

#### **FOCUS AREAS**

#### **STAR Campus**

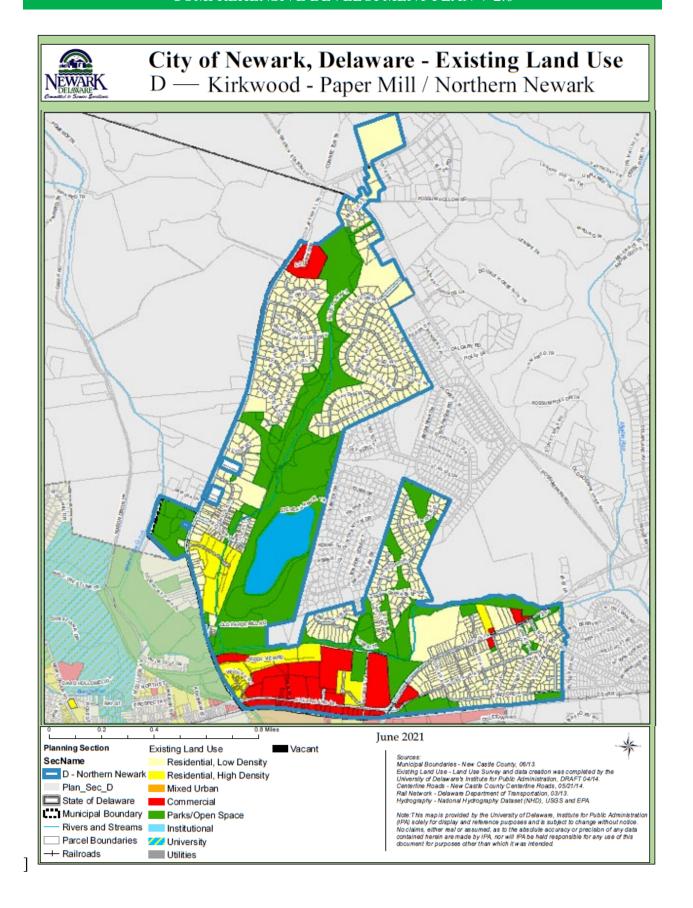
The University of Delaware purchased the 272-acre site to redevelop the former Chrysler site into the STAR Campus. The University envisioned a science and technology campus with up to 5 million square feet of multi-use space, including labs, health-science, housing, retail, office, and transit spaces.

*Current use:* The STAR Campus's first major tenant, Bloom Energy Corporation, a manufacturer of solid oxide fuel cells, located its East Coast manufacturing, management, and research facilities on 50 acres of the site. Bloom Energy opened its facility in the spring of 2013 and is anticipated to employ 900 individuals when at full capacity. The University also located its College of Health Sciences at the site.

**Recommendations**: Continued redevelopment of the site with mixed uses to include "high-tech research and educational facilities" as well as light manufacturing and commercial development.

*Rationale*: The properties' size, central location, and proximity of uses include University, Industrial, Commercial, and Residential.

**Zoning**: STC zoning is appropriate for the recommended uses.



# PLANNING SECTION "D" EXISTING LAND USE KIRKWOOD-PAPER MILL/NORTHERN NEWARK

#### LOCATION DESCRIPTION

CSX Railroad right-of-way to Northern City Boundary between Windy Hills and Paper Mill Road

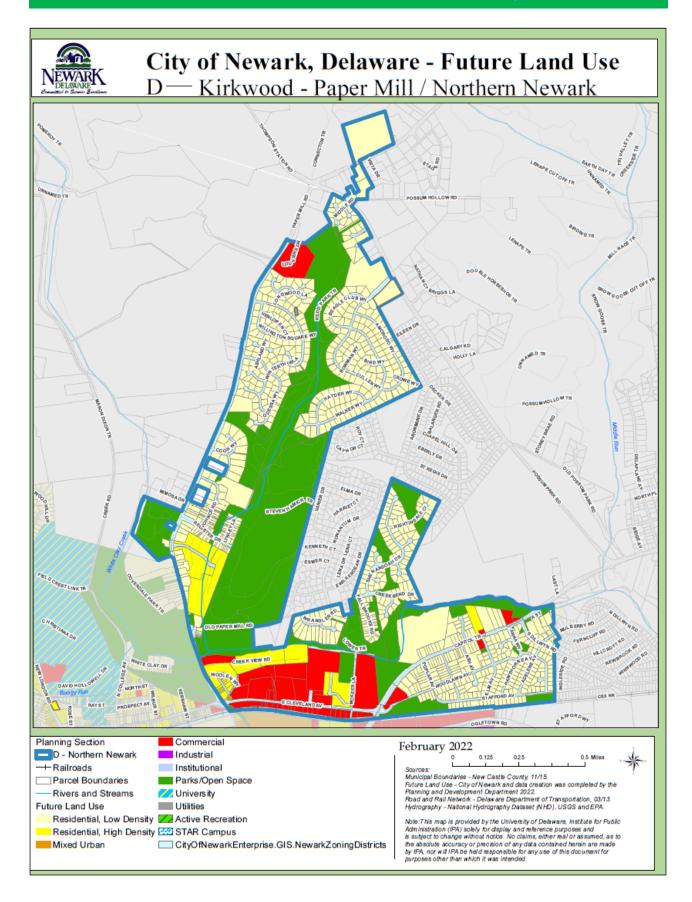
#### **EXISTING LAND USE(S)**

Residential, Low and High Density; Commercial; Stream Valley; Passive and Active Recreation; Newark Reservoir, Newark Housing Authority

#### PREVIOUS PLAN (2008)

- Residential, Low and High Density
- > Manufacturing/Office Research
- ➤ Light Commercial (local shopping)
- Offices
- > Commercial (auto-oriented)
- > Parkland

- > Traffic on Capitol Trail
- > Stream Valley
- ➤ Water Pressure



## PLANNING SECTION "D" FUTURE LAND USE

#### KIRKWOOD-PAPER MILL/NORTHERN NEWARK

#### **RECOMMENDED USE(S)**

#### RATIONALE

Residential, Low and High Density Mixed Urban Commercial Active and Passive Recreation Stream Valley

### Developing or Developed as indicated.

#### **FOCUS AREAS**

#### 151 Capitol Trail

Parcel on the north side of Capitol Trail is 16.39 acres and zoned RS for single-family detached, 9,000 sq. ft. minimum lot size.

Current use: Vacant, Stream Valley.

Recommendations: Residential, low density/SFHA to be used for open space and passive recreation.

Rationale: Consistent with surrounding development

Zoning: The site is currently zoned RS for residential, low density, and compatible institutional uses. SFHA on the west and north sides of the parcel.

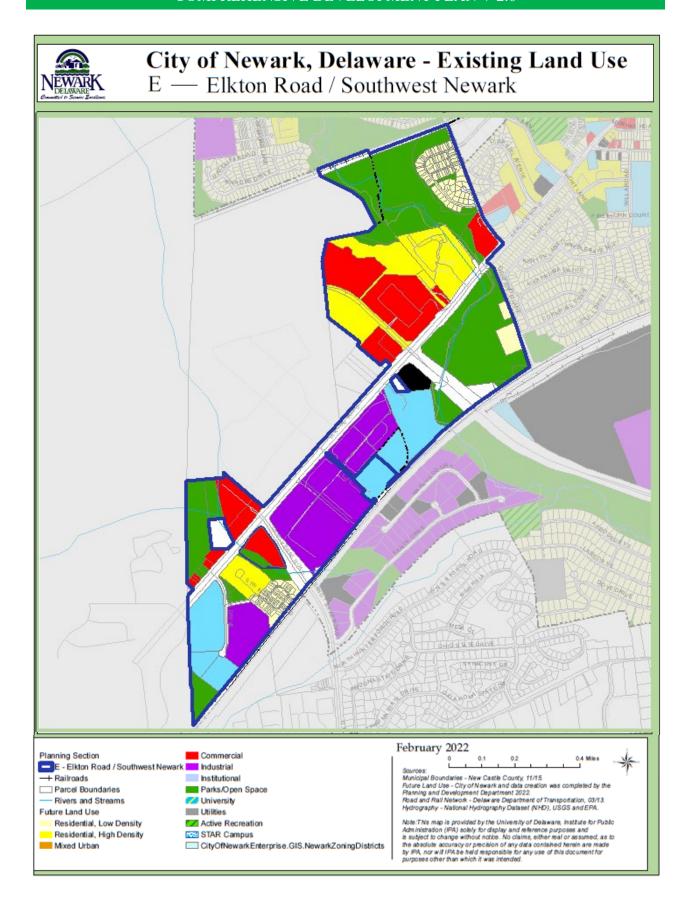
#### Vacant Residential Parcels in Planning Section D

Current use: Vacant parcels are in residential, low density areas.

Recommendations: Residential, low density, or compatible institutional uses.

Rationale: Consistent with surrounding development.

Zoning: RS, RT, and RH are appropriate for the recommended uses.



# PLANNING SECTION "E" EXISTING LAND USE ELKTON ROAD/SOUTHWEST NEWARK

#### **LOCATION DESCRIPTION**

South side of CSX Railroad right-of-way to Casho Mill Road; west of Casho Mill Road and Gravenor Lane to the City boundaries

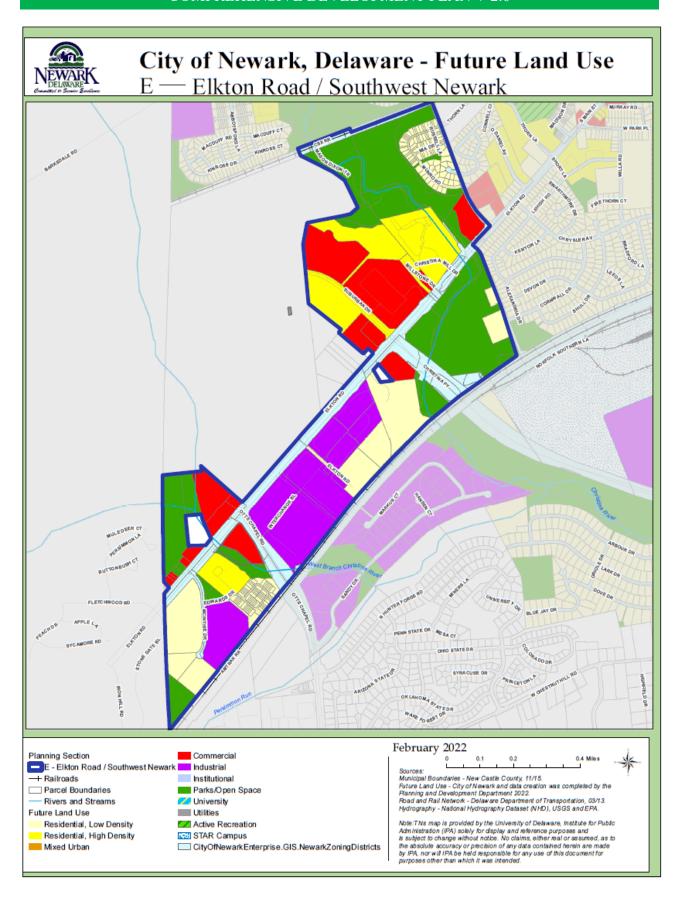
#### **EXISTING LAND USE(S)**

Industrial; Residential, Low and High Density; Commercial; Stream Valley; Passive Recreation; Newark Charter School

#### PREVIOUS PLAN (2008)

- Residential, Low and High Density
- ➤ Manufacturing/Office Research
- > Commercial
- Offices
- > Stream Valley
- Parkland

- > Traffic volume on Elkton Road
- > Sewer capacity conveyance and water pressure
- > Stream Valley
- Cottages at the Plaza" (now known as "The Waverly") at Suburban Plaza required a change to the 2008 *Comprehensive Development Plan* and inserted luxury apartments onto a site once designated as Commercial (auto-oriented) and Manufacturing Office/Research. While the developer is targeting the units to University students, the site might also have appeal to young professionals and seniors.



# PLANNING SECTION "E" FUTURE LAND USE ELKTON ROAD/SOUTHWEST NEWARK

### **RECOMMENDED USE(S)**

RATIONALE

Industrial
Mixed Urban
Commercial
Passive Recreation
Stream Valley

Developing or Developed as indicated.

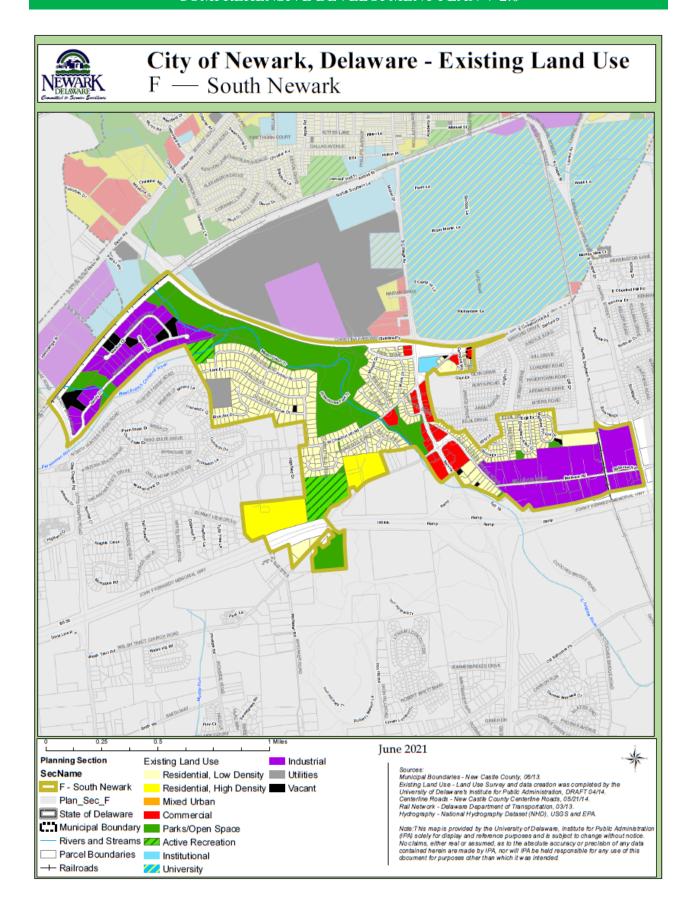
#### **FOCUS AREAS**

#### Vacant Parcel at south corner of Elkton Road and Christina Parkway

*Current use:* Vacant. Contains some Stream Valley in 3.83 acres. *Recommendations:* Light commercial; protection of Stream Valley.

Rationale: Consistent with surrounding development.

Zoning: BL and SFHA appropriate for the recommended uses.



# PLANNING SECTION "F" EXISTING LAND USE SOUTH NEWARK

#### LOCATION DESCRIPTION

South of the Christina Parkway to the City boundary from Amtrak Railroad Right-of-Way to Library Avenue

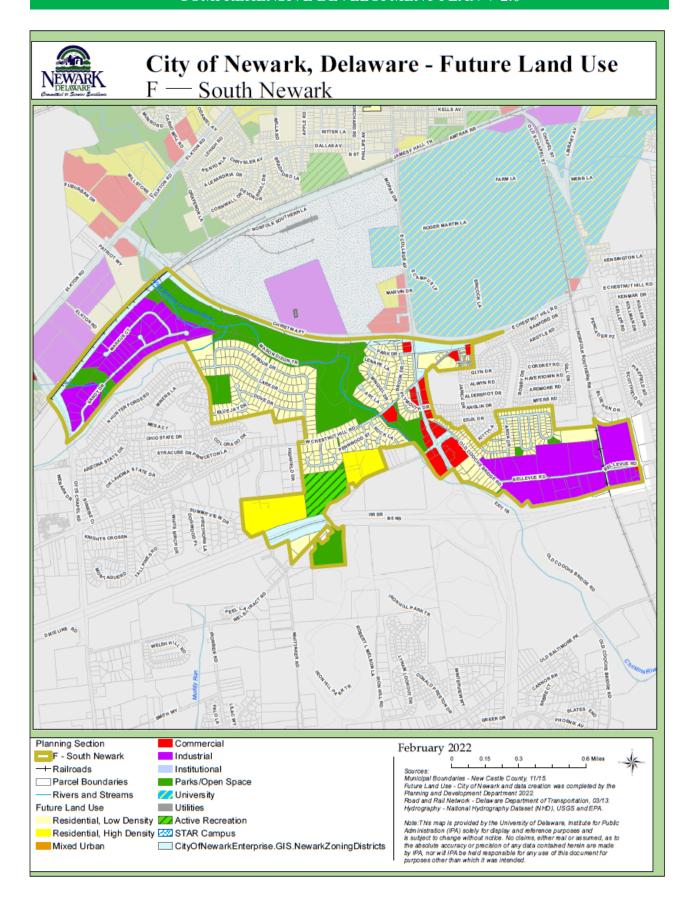
#### **EXISTING LAND USE(S)**

Residential, Low and High Density; Industrial; Commercial; Stream Valley; Passive and Active Recreation

#### PREVIOUS PLAN (2008)

- Residential, Low and High Density
- > Manufacturing/Office Research
- > Commercial (auto-oriented)
- Offices
- > Stream Valley
- > Parkland

- > Traffic and trucks on Route 896, Christina Parkway, and West Chestnut Hill Road
- > Stream Valley
- ➤ Water pressure
- > Sewer capacity conveyance



# PLANNING SECTION "F" FUTURE LAND USE SOUTH NEWARK

#### **RECOMMENDED USE(S)**

**RATIONALE** 

Residential, Low and High Density Industrial Commercial Active and Passive Recreation Stream Valley Developing or developed as indicated.

#### **FOCUS AREAS**

#### **Vacant Residential Parcels in Planning Section F**

Current use: Vacant parcels in residential, low density areas.

Recommendations: Residential, low density, or compatible institutional uses.

Rationale: Consistent with surrounding development.

Zoning: RD, RS, RT, and RH are appropriate for the recommended uses.

#### **Vacant Industrial Parcels in Planning Section F**

Current use: Vacant parcels in industrial areas

Recommendations: Industrial or compatible institutional uses.

Rationale: Consistent with surrounding development.

Zoning: MI and MOR are appropriate for the recommended uses.

#### Plan Goals and Action Items: Land Development

Effectively manage neighborhood preservation and high-quality development and redevelopment that meet the City's housing, employment, transportation, and recreational needs.

#### **Strategic Issues:**

- Adequate options for housing, employment, recreation, commerce, and entertainment.
- ➤ Proactive planning for growth, development, and redevelopment to anticipate environmental, housing, transportation, and economic development needs.

Goal 1	Promote infill, redevelopment, and, where appropriate, mixed use. Infill and
	redevelopment are the most efficient and sustainable use of land to preserve and protect
	natural and cultural resources and to limit the need for new infrastructure.

#### Action Item 1

\*In 2022, the Planning and Development Department hosted a "Charrette" with a broad range of stakeholders and residents on zoning <u>Code</u> revisions to the downtown and adjacent high-density areas. See Action Item 3 of this section for more details.

Review <u>Zoning Code</u> and evaluate appropriate applications of *Form-Based Codes* (FBC). FBC employ pictures and diagrams to easily describe the types and layout of development, redevelopment, parking, buildings, streets, design, and open space that broadly lay out the type, size, and scale of desired development. FBC are intended to be easier to use and understand and to enable streamlining layers of old regulations and overlapping districts.

#### Partnering agencies:

City of Newark Planning Commission City of Newark Department of Planning and Development Delaware Office of State Planning Coordination Development community

#### Action Item 2

Implement the *Goals* and *Actions* of "Theme 2" from <u>Sustainable Newark: The City of Newark's Plan for Sustainability (2019)</u>. Theme 2 addresses the City's vision of sustainability by linking core land-development principles and multimodal transportation networks to an emphasis on clean forms of mobility. Land-use planning that promotes compact, mixed use, walkable, bikeable, and transit-oriented environments enables Newark residents to live a more sustainable lifestyle and allows greater opportunities for preserving contiguous natural, environmental, and agricultural resources. Sustainable land use promotes "development that meets the needs of the present without compromising the ability for future generations to meet their own needs." (United Nations, Report of the World Commission on environment and Development; 1987)

Additional information on the *Sustainable Newark* Plan can be found on page 81 and on the City's webpage.

#### Goal 2

Proactively plan for future growth and development by targeting and evaluating areas likely to develop or redevelop so that the future impact can be evaluated. Ensure that new development meets high standards for site and architectural design; provide opportunities for a healthy, active lifestyle, be environmentally sustainable, and create unique Newark neighborhoods.

#### Action Item 3

\*Given the change in ownership and lease agreement with the Newark Country Club described on page 144, redevelopment at this site is not anticipated before 2030, outside of the remaining five-year scope of Plan V (approximately 2027)

Develop a proactive Master Plan of the Newark Country Club site through a collaborative effort with stakeholders and the public to examine and evaluate potential options and development scenarios. Master plans are more detailed than comprehensive development plans because they include build-out calculations, identify infrastructure needs and costs, and can engage stakeholders and the community in exploring a broad range of options and opportunities. A master plan would be beneficial to the City's planning efforts because a change of use at the site could have a significant impact on traffic, infrastructure, and environmental quality. The completed Master Plan would be vetted by all stakeholders and the public, which would advance the implementation of the City's Comprehensive Development Plan.

#### Partnering agencies:

City of Newark Planning Commission
City of Newark Department of Planning and Development
Delaware Office of State Planning Coordination
Delaware Department of Transportation
WILMAPCO
Delaware Department of Natural Resources and Environment

Delaware Department of Natural Resources and Environmental Control (DNREC) New Castle County Department of Land Use

#### Action Item 4

Conduct a "Charrette" based on the National Charrette Institute (NCI) to create a comprehensive set of plan-enabling and supportive documents that will represent a feasible plan to reach a collective vision for downtown and its associated zoning districts. Adopt and implement the recommendations. A charrette is a multiple-day, intense, collaborative, creative, and interactive design and planning workshop held on-site over several days, and inclusive to all affected stakeholders at critical decision-making points. The goal of the charrette is to produce a collaborative plan representing the vision of what residents and Council would like downtown to look like, as well as to gather input and propose changes to the BB (Central Business District) and RA (Multi-family dwellings – high-rise apartments.) Zoning Districts. The report of the charrette shall be adopted as part of the Comprehensive Development Plan V 2.0

Goal 3 Maintain existing development and encourage new development with a mix of housing choices in styles, size, affordability, and density levels that integrate into the surrounding community.

#### Policy recommendations:

- Encourage residential high-density development in infill areas that are near essential services, public transit, the University, and employment opportunities.
- Separate residential areas from incompatible uses through buffering distances, landscaping, and transitional zoning.
- Utilize *Site Plan Approval* for "cluster developments," which allow greater flexibility in housing styles and types while regulating gross density within residential developments.
- Require linkages to streets and sidewalks between adjoining residential subdivisions and street right-of-way stubs to adjoining vacant developable land.
- Ensure adequate access to active and passive recreational opportunities for residential developments.
- Encourage adaptive reuse of historic structures.

Goal 4 Ensure adequate zoning and appropriate areas for business and industrial development to encourage sustainable economic growth.

#### Policy recommendations:

- Encourage the preservation, redevelopment, and adaptive reuse of existing commercial developments and buildings.
- Encourage shared-use entrances and cross-access easements along adjoining commercial properties to limit the frequency of site entrances along arterial roadways.
- Promote improved pedestrian and bicycle facilities to connect existing and proposed developments to residential and commercial uses.
- Promote improved transit amenities, such as bus shelters and bicycle racks, to accommodate alternative means of access to commercial centers.
- Promote the use of private trash compactors on public lots downtown.

Goal 5	Effectively plan infrastructure improvements in coordination with future land-
	use planning to ensure that any expansion is beneficial and cost-effective. Future
	growth should be compact, efficient, and orderly so that the expansion of City utilities
	and infrastructure is cost-effective for the City.

\*In 2019, the City of Newark began working with DelDOT and the consulting firm, AECOM, to develop a Transportation Improvement District (TID) in Newark. More information on this is included in Chapter 6.

## Chapter 11 GROWTH AND ANNEXATION

Annexation is a process by which a municipality expands its corporate boundaries by incorporating unincorporated county land. The City only considers annexation when a property owner petitions for it. As stated in the *City of Newark Charter*, Section 103, "Annexation":

The council of the City of Newark shall have power to annex, by ordinance, any territory contiguous to the City of Newark whenever requested to do so by the owners of two-thirds or more of the area included within the territory proposed to be annexed. Said ordinance shall provide for the zoning of the annexed territory and shall further specify in which of the six (6) districts, hereinafter mentioned, the annexed territory shall become a part (62 Del. Laws, Ch. 363; 63 Del. Laws, Ch. 139).

Title 22, Section 101(2) of the *Delaware Code* defines "contiguous" as some part of the parcel proposed for annexation having a shared border with the boundaries of the annexing municipality. Roads or rights-of-way cannot be used to create a "corridor" annexation.

Thus, Newark's annexation procedure is primarily in the form of a request from a landowner, or group of landowners, to City Council for approval to join the City. The City cannot initiate annexation. Because of these legal limitations, Newark has developed a series of inducements to annex, including a 10-year property-tax break for new light-industrial construction, a limitation on the taxes of unimproved annexed property, and the streamlining of procedural requirements for unimproved annexed subdivisions previously approved by New Castle County.

Despite these inducements, one complicating factor to City expansion remains: A three-quarters vote of the City Council—that is, at least six of the seven council members—is required to approve annexations if 20 percent of the adjoining property owners inside or outside the City formally protest the proposed annexation. The three-quarters rule, grounded in the State of Delaware's zoning laws, makes it possible for a relatively small minority of landowners to prevent the approval of annexation proposals.

Because of the procedural difficulties inherent in the three-quarters rule and the City's relatively healthy fiscal condition, Newark has not annexed at every opportunity. In fact, the City has been quite selective in considering annexation petitions in order to avoid potentially harmful growth. The process of picking and choosing had been somewhat informal; that is, although the 1969 *Comprehensive Plan* included the area-wide generalized plan, the document was not a systematic overview of City growth, past annexation history, or future service needs in terms of potential annexations. In the past — that is, prior to the adoption of the first *Adjacent Areas Land Use Plan* — the City Council and Planning Commission reviewed development proposals on an individual basis and tried to weigh the benefits and costs in a somewhat subjective and impressionistic manner.

In 1978, the Planning and Development Department and Planning Commission came to recognize the need for a more systematic approach to the general question of annexation. In particular, it hoped to counter the impression that the City did not carefully consider the impact of development in

annexed areas and, more importantly, the City wanted to establish its own development scenarios for the mostly vacant land on its fringes. Established land-use categories, they believed, would discourage some developers from approaching the City and County simultaneously in search of the best zoning "offer." Beginning in that year, the Planning and Development Department devised worksheets for each large parcel adjacent to the City, which included the name or description of the tract, the land uses recommended in New Castle County's "Greater Newark District Plan," the current or previous land use, preliminary land use proposals and supporting rationale, and any noteworthy conditions affecting the site. After staff review of the worksheets by City departments, a field survey of the study areas, and an analysis of the areas by the local Soil Conservation Service, the sheets were expanded to include the uses that have been proposed for the lands as presented in the 1969 Comprehensive Development Plan as well as an expanded set of categories made up of soils and floodplain data, water availability, sewer capacity, electrical service capacity, transportation systems, police service, public works, and parks and recreation requirements. Conferences with individual City department directors were held to discuss the conditions affecting service delivery in detail. Eventually, maps including important site characteristics and charts listing the required information were put together for each of 14 tracts, labeled "Planning Areas." The areas were selected primarily on the basis of their proximity to the City, the historical growth patterns, the City's ability to provide basic services, and the extent of Newark's water service area (which is beyond City boundaries).

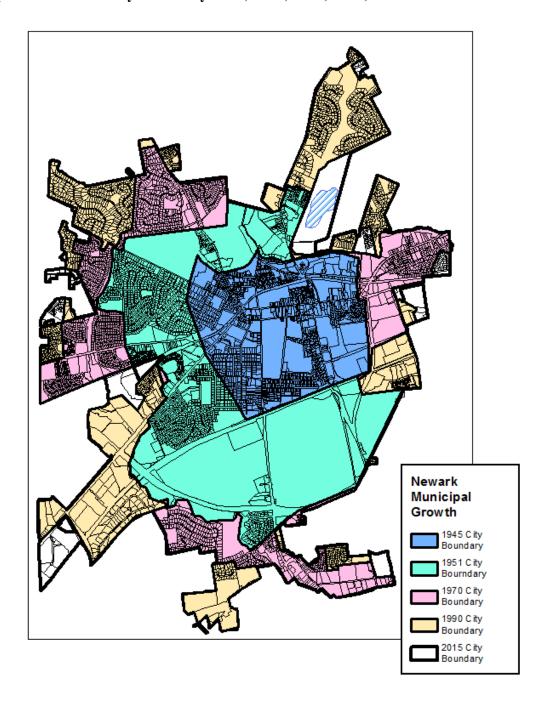
The Planning and Development Department presented a complete draft of the proposed *Adjacent Areas Land Use Plan* to the Planning Commission for final review and recommendation in September 1978 and on February 6, 1979. On March 23, 1979, after a series of minor amendments, the City Council adopted the *Adjacent Areas Land Use Plan* as an amendment to the City's *Comprehensive Development Plan*, thus making the *Adjacent Areas Land Use Plan* the official guide to City growth for lands on Newark's fringes. Perhaps most significantly, Newark's *Adjacent Areas Land Use Plan* was the first of its kind in Delaware and the only one for many decades.

Subsequently, beginning in August 2002, as part of its comprehensive planning update process, the Planning and Development Department began preparing an updated and revised *Adjacent Areas Land Use Plan*. All the information from the 1978 plan was reconsidered and reviewed as part of this redrafting effort. Drafts were circulated to City management and operating departments in September 2002. Copies were also sent to the Office of State Planning Coordination. As required under City and State law, properly noticed and advertised workshops and regularly scheduled public meetings to review the plan were held in the City Municipal Building. Eventually, as part of its adoption of a fully revised and updated *Newark Comprehensive Plan*, the *Newark Adjacent Areas Land Use Plan II*, now consisting of 13 "Planning Areas," was adopted by City Council on May 12, 2003.

#### **General Policy Statement**

The City of Newark has a long history of responsible growth through annexation. Map 11-1 shows the City's growth pattern over the past 70 years. When a property is annexed, it gains access to municipal services and the property's owners gain a political voice within the City government that is providing them with services and utilities. Indeed, municipal growth can be good land use policy when a core element of "smart growth" is applied to direct development in or around existing towns and developed areas.

Map 11-1: Newark City Boundary 1945, 1951, 1970, 1990, and 2015



#### **Strategies for State Policies and Spending**

Strategies for State Policies and Spending is a document and accompanying map that outline the State's policy on land-use development. The document was updated in 2010 and identifies land as one of four levels of appropriateness for development. (Map 11-2)

**Level 1** is indicated in red on the following map and represents the highest priority for State investment and spending for infrastructure, public facilities, employment, and social services. Most of the City of Newark and much of the contiguous areas are designated as Level 1.

Level 2 is indicated in orange. Most of these areas are contiguous to the municipal boundary and are slated to be less developed. Spending strategies in Level 2 areas are to be used for promoting development that is less dense, well-designed for a variety of housing types and user-friendly transportation, open space, and recreational facilities.

Level 3 and Level 4, indicated in yellow and white, respectively, are located on the very outskirts of the greater Newark area and are designated for agriculture preservation and rural densities.

A final classification, called *Out of Play*, is designated for Newark's parks, open space, and waterways. Out of Play indicates areas that are to be preserved from development.

In considering the City's Growth and Annexation Plan, areas identified for potential annexation during the five-year horizon are largely consistent with Level 1, 2, and 3 areas.

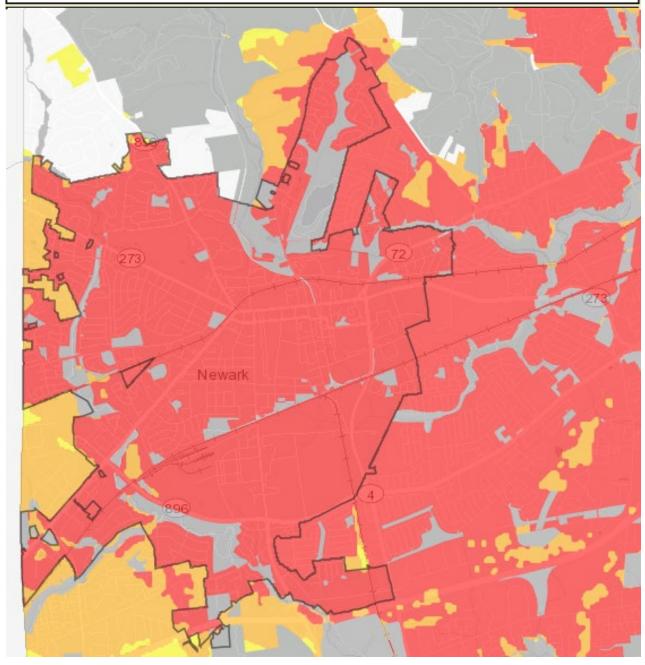
The complete report is available online:

http://stateplanning.delaware.gov/strategies/

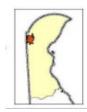
#### Map 11-2



# **City of Newark - State Investment Strategies for Policies and Spending**



Delaware State Strategies 2020



Source:

https://strategies.stateplanning.delaware.gov/

Chapter 11 Growth and Annexation 179

Out of Play

#### City of Newark Planning Areas

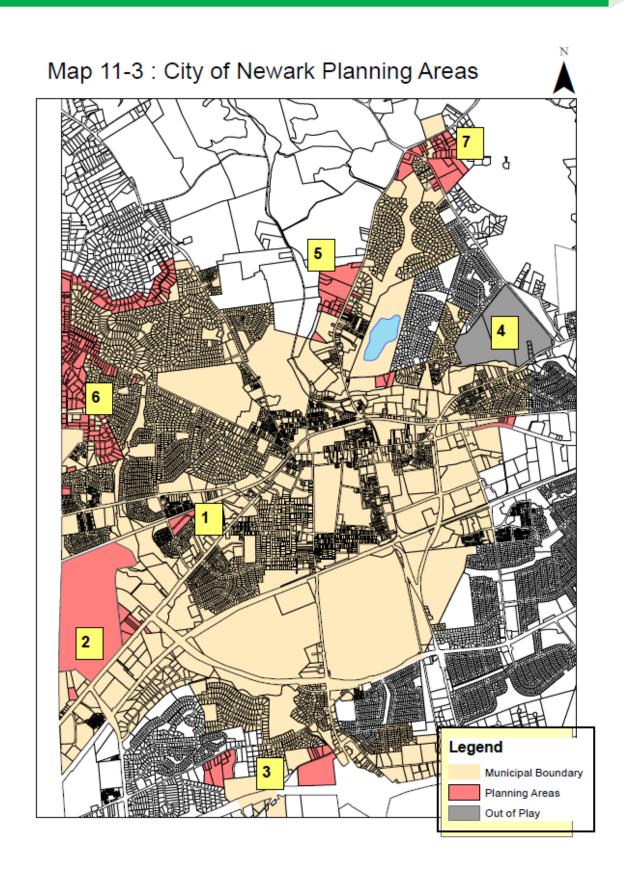
The City of Newark Planning Areas (Map 11-3) represents the plan for lands adjacent or proximate to the City that might be considered for annexation. Each planning area provides a rational for recommended uses, describes existing uses, notes special conditions impacting development within the area, and notes any land use changes from the previous plan.

#### Plan Goals and Action Items: Growth and Annexation

Restrict growth to orderly annexations that protect the environment and minimize the financial burden on City government, residents, and businesses.

#### **Strategic Issues:**

- ➤ Coordination between the City and all relevant state and county agencies with any proposed expansion of the City's municipal boundaries.
- > Prioritizing environmental and financial sustainability when making annexation decisions.
- > Keeping the long-term interests of the City and its current constituents as paramount considerations for any annexation plans.



#### Planning Area 1



#### Recommended Use(s)

Residential, High-Density

**Location:** Southwest of City boundary, along Casho Mill Road; "Island" surrounded by land in City.

Existing Use(s): Apartments

Previous Plan: Multi-Family Residential

(Medium- to High-Density)

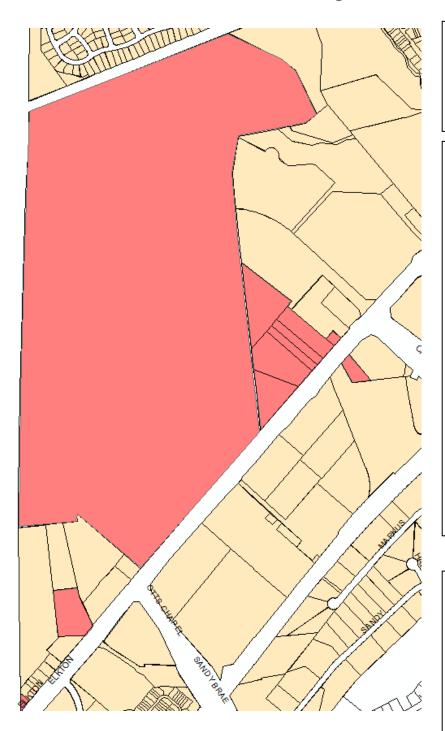
**State Strategies Level(s):** 1

**Special Conditions Affecting Development:** None

Rationale for Recommended Uses(s): Developed as Residential, High-Density.

**Generalized Current County Zoning:** Residential

#### Planning Area 2



#### **Recommended Use(s)**

Commercial • Industrial • Urban Mixed Use • Institutional • Parks/Open Space

**Location:** Around Elkton Road to the Maryland State Line.

Existing Use(s): Industrial; Commercial; Residential.

**Previous Plan:** Commercial; Industrial; Stream Valley.

**State Strategies Level(s):** 1 & 2

### **Special Conditions Affecting Development:**

Annexation of the DuPont Stine Haskell Research Center to be considered for industrial uses if the site redevelops. Limited sewer infrastructure. May not be cost-effective to service with City electric.

#### **Rationale for Recommended Uses(s):**

Developed and developing as proposed Access to I-95.

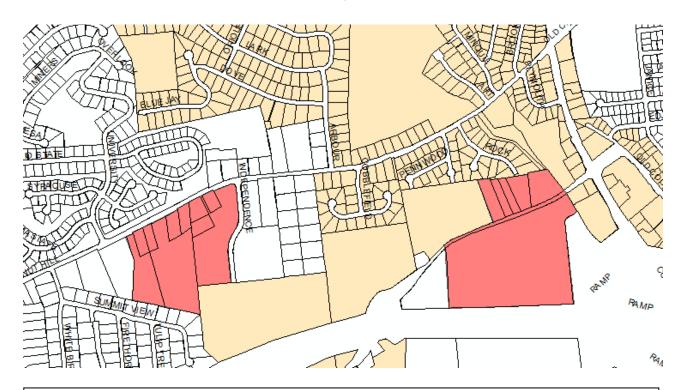
Mixed Urban considered appropriate design; institutional uses should be compatible with surrounding uses.

#### **Generalized Current County Zoning:**

Industrial

Neighborhood commercial

#### Planning Area 3



#### Recommended Use(s)

Residential, Low-Density • Parks/Open Space • Institutional

**Location:** South of City, along Welsh Tract Road to I-95.

Existing Use(s): Residential, Low-Density; Institutional (church); Park/Open Space; I-95; Stream Valley.

**Previous Plan:** Residential, Low-Density; Stream Valley; Parkland.

State Strategies Level(s): 1 & 2

#### **Special Conditions Affecting Development:**

Floodplain.

Wooded areas.

Proximity to I-95.

May not be cost-effective to serve with City electric, water, and sewer.

#### **Rationale for Recommended Uses(s):**

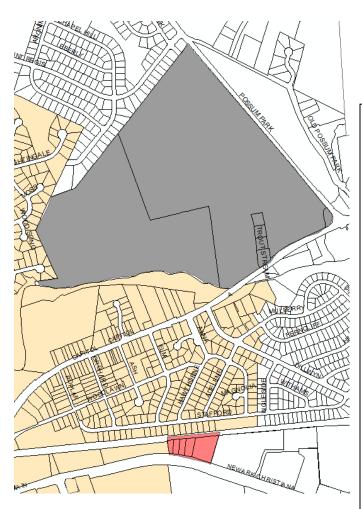
Residential, Low-Density may be acceptable with low impact on floodplain and wooded areas.

#### **Generalized Current County Zoning:**

Suburban: Historic Preservation.



#### Planning Area 4



#### **Special Conditions Affecting Development:**

Wet soils near tributary.

May not be cost-effective to serve with City electric, water, or sewer.

Commercial to be carefully evaluated for potential negative impacts on Downtown Commercial uses.

Gateway to city.

#### **Rationale for Recommended Uses(s):**

Developed and developing as proposed.

#### **Generalized Current County Zoning:**

Industrial

Commercial Regional

#### Recommended Use(s)

Commercial • Industrial

**Location:** East boundary of City, between the CSX railroad and Newark-Christiana Road.

Existing Use(s): Commercial; Industrial.

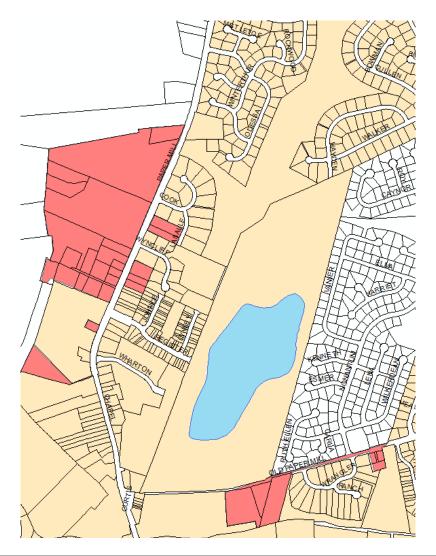
**Previous Plan:** Manufacturing Office/ Research; Commercial (Auto-Oriented).

601 and 601½ Capitol Trail (Stopyra Track) is designated "Out of Play" for annexation as long as legislation exists that would require the City to pay the State back \$3.4 million in connection with the Newark Reservoir. This provision was updated in the FY2022 Bond Bill which removed the 3.4 million repayment provision but restricted the site to prohibit "any commercial …or more intense residential development that would require a rezoning of the property."

Because of the size and scale of a potential development at this site, any application to the City of Newark for annexation would go through the State's Planning Land Use Service (PLUS) review process to amend the City's Comprehensive Development Plan.

State Strategies Level(s): 1 & 2

#### Planning Area 5



#### Recommended Use(s)

Residential, Low Density

**Location:** Northeast of City on west side of Paper Mill Road and "Island" areas.

Existing Use(s): Residential, Low-Density.

Previous Plan: Residential, Low-Density.

State Strategies Level(s): 1 & 2

**Special Conditions Affecting Development:** 

Gateway to City on Paper Mill Road. May not be cost-effective to serve with City electric, water, and sewer.

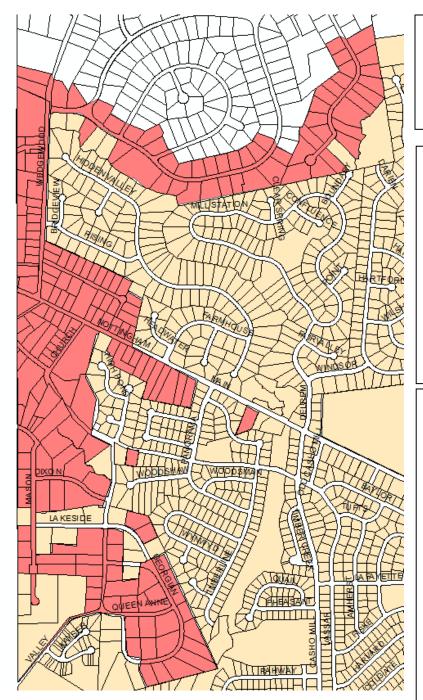
**Rationale for Recommended Uses(s):** 

Developed and developing as proposed.

**Generalized Current County Zoning:** 

Residential

#### Planning Area 6



#### Recommended Use(s)

Residential, Low Density • Parkland • Institutional

**Location:** Christina Manor area west of City limits

Existing Use(s): Residential, Low-Density; Light Commercial

**Previous Plan:** Residential, Low-Density

**State Strategies Level(s):** 2 & 4

## Special Conditions Affecting Development:

Narrow main roadway (Valley Road); other narrow roads have no curb.

Considerable existing development.

Steep slopes.

Wet soils.

May not be cost-effective to serve with City electric, water, or sewer.

Drainage requirements.

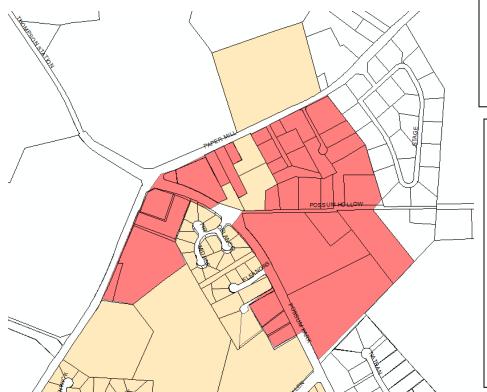
### Rationale for Recommended Uses(s):

Developed and developing as proposed.

## **Generalized Current County Zoning:**

Residential

#### Planning Area 7



#### Recommended Use(s)

Residential, Low Density • Parkland • Agricultural

**Location:** Includes 751 & 734 Paper Mill Road and 5 & 11 Possum Hollow Road

**Existing Use(s):** 

Residential, Low-Density **Previous Plan:** N/A

**State Strategies Level(s):** 

1 & 2

#### **Special Conditions Affecting Development:**

Gateway to the City on Paper Mill Road

Considerable existing development surrounding the area.

May not be cost-effective to serve with City electric, water, or sewer.

Need for additional bicycle and pedestrian amenities for improved safety and connectivity.

#### **Rationale for Recommended Uses(s):**

Developed and developing as proposed.

#### **Generalized Current County Zoning:**

Residential (Suburban and Single-Family), Commercial (Regional)

## Chapter 12 COORDINATION AND IMPLEMENTATION

In order for a *Comprehensive Development Plan* to be an effective tool for guiding development and growth and improving quality of life in Newark as a "Healthy, Sustainable, and Inclusive Community," it must identify specific actions and time frames for implementation. This chapter identifies action items necessary for implementation as well as the coordinating local, state, and federal agencies involved.

Under the *Delaware Code*, the City is required to do the following:

- Section 702(c): Adopt comprehensive rezoning within 18 months of adopting this *Plan*.
- Section 702(e): Within five years of adoption, review this *Plan* to determine if its provisions are still relevant.
- Section 702(g): Submit annual reports to OSPC each July 1.

#### **Implementation**

This *Plan* will serve to guide the City as it reviews development or redevelopment decisions within City limits or through the annexation process. The physical and operational plans described in this text are and will be implemented as shown and as appropriate.

As a matter of City policy, the Planning and Development Department will continue to:

- Notify state agencies of development projects with regional land use implications or that may impinge on agency's service delivery requirements.
- Notify the local school district regarding residential major subdivisions for the district's comments and to assist in long-term public school planning.
- Forward major subdivision plans to the Delaware Department of Transportation (DelDOT)
  for review and to ensure that the transportation impacts of developments are evaluated under
  DelDOT requirements. In addition, DelDOT infrastructure improvement recommendations
  will continue to be added to City development agreements.
- Notify the Office of State Planning Coordination concerning the Planning Commission review of the City's five-year *Capital Improvements Program* and regarding proposed amendments to the *Adjacent Areas Land Use Plan* portion of the *Comprehensive Development Plan*. Other state agencies are notified regarding City annexation and major development projects through the State Office of Planning.
- Where appropriate, solicit development review comments from Aetna Hose, Hook and Ladder Company for fire and emergency services commentary.
- Notify New Castle County regarding all annexation proposals, and notify Cecil County, Maryland, regarding projects that impact neighboring jurisdictions.

- Coordinate with WILMAPCO on transportation matters, including bicycle planning, as well as with DART regarding public transit.
- Coordinate with the Water Resources Agency regarding water service system planning.
- Submit quarterly reports on the progress of Action Items to the Planning Commission and City Council. Submit an annual report to the Office of State Planning Coordination.

#### Comprehensive Development Plan Amendments

Comprehensive Development Plans are neither designed to prevent change or a detailed prescription of future development. Therefore, the City may, from time to time, amend the *Comprehensive Development Plan* as circumstances unforeseen at this time arise that require such amendments. Any amendments to the *Comprehensive Development Plan* must be approved by City Council, at the recommendation of the Planning Commission, and be submitted to the Delaware Office of State Planning Coordination for review before they become effective.