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**FOR IMMEDIATE RELEASE**

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**CITY COUNCIL TO VOTE ON REZONING FOR NEWARK CHARTER SCHOOL**

**Newark, DE** (May 8, 2012) – On Monday, May 14, 2012, Newark City Council will vote on an ordinance amending the planning section of the Comprehensive Development Plan IV for the City of Newark as it relates to the Newark Interstate Business Park. The vote before City Council is about rezoning the parcel of land from MI (General Industrial) to RH (Single-family, Detached). It is not a vote for or against the general concept of Charter schools.

Newark's Mayor and Council will be making a land use decision, not a decision as to the philosophical advantages or disadvantages of Charter schools vs. traditional public schools. However, Council may base its decision on, along with the other considerations outlined below, whether the presence of a school at this location is the most appropriate use of land, protects the tax base and/or facilitates the adequate provision of schools and educational opportunities.

When considering a rezoning application, City Council must act in accord with the standards established by the General Assembly in 22 Del. C. § 303. The language states:

Municipal rezoning regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets, to secure safety from fire, panic and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. Such regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the municipality.

Additionally, the City of Newark Municipal Code contains the following additional guidelines requiring that interpretation of zoning regulations:

shall be held to be the minimum requirements adopted for the promotion of the public health, safety, morals, convenience, order, prosperity, or general welfare; for the lessening of congestion in the streets or roads or reducing the waste of excessive amounts of roads; for securing safety from fire and other dangers, providing adequate light and air, preventing on the one hand excessive concentration of population and on the other hand, excessive and wasteful scattering of population or settlement; for promoting such distribution of population and such

classification of land uses and distribution of land development and utilization as will tend to facilitate and provide adequate provisions for public requirements, transportation, water, and flowage, water supply, drainage, sanitation, educational opportunities, recreation, soil fertility, and food supply; and for protection of the tax base, securing economy in governmental expenditures, fostering the state's agricultural and other industries, and the protection of both urban and non-urban developments.

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