

Churches need to obey existing laws concerning zoning



by Randy Bright <http://www.tulsabeacon.com/?p=2533#more-2533>

Last week, I wrote about how I thought the new Tulsa zoning code should be written in regard to limitations it would place on churches. If you read that article, you might have come away with the impression that I thought that churches should be able to build what they want and where they want without any rules. But that is not the case at all.

Codes come about primarily for two reasons.

The first reason is to address a need or a problem. So, for example, our current zoning codes state a minimum number of parking spaces that must be provided for a church. The reason this was necessary was so that there would be enough off-street parking to prevent parking in the street, which causes problems with traffic flow.

The second reason is to address an agenda. The new zoning codes that are being written in other cities do not include enough parking for churches because the code writers are trying to force more people to walk, bike, take mass transit or car pool to church.

Regardless of why we should have rules, it is important for churches to remember that we as Christians are called to obey the law and the rules in zoning codes are, in effect, laws. So, it is also important that they should also be involved in the writing of these codes so that the rules they must obey are rules that are good for them.

We also know from scripture that God is a God of order, not disorder, and that if churches are going to be a part of a community, they need to behave accordingly. In my career, I have seen many examples of churches that felt that they were above the law. You need only talk to zoning officials, building officials or fire marshals to bear that out. Churches who have transgressed the code have given a bad name to those that haven't, and have made things more difficult for the ones who are trying to obey the law, even when it is not to their liking.

The other problem with churches is that they don't fit well within New Urban-style zoning codes, so it is important that churches be willing to work with their community to make their facilities work well within their particular location or context. This is a case where "do unto others as you would have them do unto you" is a good concept for churches to live by in regards to their neighbors.

Here are some rules that I would suggest be written in the new zoning codes.

A site plan approval by zoning officials should be required, wherein the church would "justify" their design rather than simply prove that they meet particular minimum or maximum requirements.

The plan that they present, upon approval, would become the rules that they would be required to abide by from that point on.

For example, parking should be designed so that there is an adequate number of spaces based upon the actual use of the building rather than to simply provide a minimum or maximum number of spaces. It is rather easy to determine the maximum number of people that can be present at the church at one time, and parking can be calculated based upon parking ratio data the church furnishes from its own historic records. This would insure that there would be sufficient parking without creating a massive parking lot that may not be fully used, or so little parking that it impedes attendance.

Since traffic can be a big problem for local residents at peak times, the church should have a plan for how they will alleviate traffic jams.

This might include the installation of stop lights (at church expense) or the use of a traffic control officer in order to quickly disperse traffic. It might also include provision of multiple exits from the property so that traffic is not concentrated in one place.

Most church neighbors don't like noise or lights from church parking lots. Effective site, landscaping and lighting design can alleviate or eliminate these problems. For example, thick landscaping and fencing can absorb noise from car traffic and prevent headlights from shining in neighbor's windows, and parking lot lights can be designed to prevent light from escaping the church property.

Outdoor heating and air conditioning equipment can be located in areas where their normal operating noise can't be heard by neighbors.

By committing a detailed plan to a public process for approval and committing itself to obey its own rules, a church can show its willingness to work with its community to make it a better place. This gives the community the best of both worlds; the presence of churches and churches that are responsive to community needs.

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