

American churches are facing increasing discrimination

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There is no doubt that churches still face growing discrimination in America, including at zoning board hearings. The Internet is full of stories about churches being denied the ability to use their property for reasons that a few decades ago would have been unheard of.

The reasons for the fall from favor are numerous - the change in America culture, the change in church culture and land planning and use policy changes as well.

As I read an article on an atheist website, I saw another reason, and that is their claim that Christians are simply "whining" because they are losing their "illicit privileges." Though they did not elaborate on what those privileges might be, they were certainly gleeful that we are losing them.

Perhaps one of those "illicit" privileges might be property rights, more specifically that churches (and any other religious institution, by the way) should be able to construct their buildings and use their land in the way that they see most fit, just as any other property owner has the right to do.

To claim that churches are discriminated against because they must seek a conditional use permit for their property would be wrong, because that would imply that no one else is prevented from using their property as they see fit. The truth is that where zoning codes exist, there is a restriction on all of our property rights.

The question then becomes not whether or not churches face discrimination and other entities do not, but to what degree and at what point do onerous zoning laws impede churches more than others and for what reasons?

As you read about cases involving the denial of a conditional-use permit or a special exception as some codes call it, there are common denominators, but there are also double standards. In other words, excuses used for denying a church a permit might never be used for other entities which are similar in times of use, traffic generated and other demographics.

For example, because it is so costly for new congregations or small congregations to build, they seek out existing property that allows them a smaller entry investment into a property. Often these are in vacant storefronts in business districts, where churches are now routinely denied permits because, as in one case a church was told, "a church open Sunday mornings and one night a week does not fit with the city's plan for the property to be part of a vibrant daily commercial scene." Yet storefronts are often used by community groups and political campaigns with no opposition.

So, if business districts are off limits, what about a residential district, where churches have been a part of neighborhoods since the founding of our country?

A few years ago, a Jehovah's Witness congregation was denied a permit in a suburban residential zone after neighbors rose up in opposition. Objections included the usual sample - traffic, noise, lights, utilities and parking. Really? Has anyone ever seen a large Jehovah's Witness facility? I haven't. Where would all that traffic come from?

One of the objections to that project was voiced by the leader of the opposition who was quoted to have said that "he didn't want the church next to his property because he said they don't share his religious beliefs."

Though I don't share in their beliefs, they have as much right to their facilities as much as any other peaceful religion.

If not business zones or residential zones, what about agricultural zones? Those are increasingly out of bounds as well, especially in areas where urban growth boundaries make it impossible to develop.

Compounding the issue is this overwhelming drive by municipal governments to densify development.

So if a church were to suggest that they leave a green belt "buffer zone" around their facilities to remedy lighting and noise problems, land planners would object because they are taking up too much space or because the church wasn't making the green space available to the public.

The answer to me to these problems is quite clear. We as Christians are instructed by scripture to live at peace with everyone as much as it is possible to do. We are also called to treat others as we would like to be treated. There is a way for churches to keep their place in our urban environments, and keep their identity as well. However, it will require a drastic change in the way that we present ourselves to a society that is increasingly non-Christian or even anti-Christian. More next week.



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