

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

ORDINANCE No. 22-11

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, COUNTY OF BERGEN, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 580, ZONING, TO ESTABLISH CONDITIONAL USE STANDARDS FOR PLACES OF WORSHIP

WHEREAS, the 2019 Master Plan Reexamination Report adopted by the Washington Township Planning Board recommended the adoption of zoning provisions to permit places of worship as a conditional use in Washington Township.

WHEREAS, the Governing Body has reviewed the Planning Board's recommendation and determined that it is in the best interest of the Township to adopt amendments to Chapter 580 of the Township Code to implement the recommendation of the 2019 Master Plan Reexamination Report that recommends adopting zoning provisions to permit places of worship as conditional use in the Township.

NOW THEREFORE BE IT ORDAINED by the governing body of the Township of Washington, County of Bergen, and State of New Jersey as follows:

SECTION 1. Chapter 580, Article 1, Section 580-2, Definitions and Word Usage, shall be amended to include the following new definition:

PLACES OF WORSHIP

A building, or group of buildings, that are intended and specifically designed for the conducting of organized religious services or prayer by persons of similar beliefs. Places of worship may include accessory uses that are customarily associated with such uses, including a clergy residence and facilities for education, social events, and meetings, which are for the use or benefit of the members of the religious congregation.

SECTION 2. Chapter 580, Article XVI, Conditional Uses, shall be amended to include the following new section:

§580-96.1 Places of Worship

- A. Places of worship and uses accessory to places of worship as defined in Subsection B of this section and which are located on the same site as a place of worship are permitted as a conditional use in the A, B, C, AA, AAA,

and O-R zone districts. Places of worship and related accessory uses shall comply with the conditional use standards and requirements set forth in subsection C of this section unless otherwise specified.

B. Accessory Uses

1. Clergy Residence. The home of a member of the clergy or religious leader of the place of worship. A clergy residence may be an apartment, group of rooms, or other residences for the clergy or religious leader. The clergy residence may be in the same building as the place of worship or in a separate building. If on the same lot as the place of worship, it shall be considered an accessory use to the place of worship and subject to the conditions and requirements of this section. If on a separate lot, it shall be considered a single-family residence and subject to the requirements of the district in which it is located.
2. Educational Facility. A facility or facilities for private education and instruction associated with a place of worship, including, but not be limited to after school learning or religious instruction. An educational facility related to a place of worship may be within the same building as the place of worship or in a separate building but shall be on the same lot as the place of worship and subject to the standards and requirements of this section.
3. Social Facility. A facility or facilities for social functions associated with the place of worship, including, but not limited to, weddings, funerals, bar/bat mitzvahs, dances, banquets dinners and other similar events. A social facility related to a place of worship may be within the same building as the place of worship or in a separate building but shall be on the same lot as the place of worship and subject to the standards and requirements of this section.

C. Standards and Conditions. A place of worship shall be subject to the following standards and conditions:

1. The required minimum lot area shall be
 - a. Place of worship without an educational or social facility: two (2) acres. The minimum lot area shall be increased as follows and shall be cumulative for the number of accessory uses included with the place of worship:
 - (1) An additional one-half (1/2) acre for a place of worship with a separate clergy residence building located on the same lot.

- (2) An additional one (1) acre for an educational facility within the same building as the place of worship or an additional two (2) acres for an educational facility in a separate building.
 - (3) An additional two (2) acres for a social facility within the same building as the place of worship or an additional three (3) acres for a social facility in a separate building.
2. The required minimum lot frontage shall be 200 feet.
3. No one building shall occupy an area greater than 20% of the area of the lot upon which it is built and the maximum permitted lot coverage by all buildings combined shall be 35%.
4. The minimum front yard setback shall be 60 feet.
5. Minimum side yard setback – Not less than the height of the tallest building or structure, or 25 feet, whichever is greater
6. Minimum rear yard setback - Not less than the height of the tallest building or structure, or 60 feet, whichever is greater
7. A separate clergy residence building located on the same lot as a place of worship shall conform to the setback requirements of the district within which the place of worship is located.
8. Maximum height – Two (2) stories and 45 feet, except that the clergy residence located in a separate building shall conform to the height requirements of the district in which it is located, but no more than 35 feet in height. This limitation shall not apply to steeples, towers, domes, cupolas and chimneys, provided that the aggregate horizontal area of such parts shall not exceed 10% of the ground area covered by the building.
9. Parking. One (1) parking space per three (3) fixed seats or one (1) parking space per 50 square feet of non-fixed seats in assembly area of the place of worship, whichever is greater. Additional parking shall be provided as follows:
 - a. Clergy residence: two (2) spaces
 - b. Educational facilities: 1.5 spaces for each teacher or instructor. Educational facilities open for evening instruction shall provide two spaces for every three students plus one (1) space for each teacher or instructor.
 - c. Social facilities: one (1) parking space for every three fixed seats; or one (1) parking space per 50 square feet of non-fixed seats in the assembly area; or one (1) parking space per three persons based on the maximum capacity of the facility as determined by the Fire Department Occupancy Load Code, whichever of these is greater.
10. No parking shall be permitted in the front yard or within 20 feet of any residential use.

11. A landscaped buffer shall be provided around the entire length of side and rear property lines, except where access drives or walkways traverse this reserved strip. The minimum landscape buffer widths shall be as follows:
 - a. From a non-residential use or district: 10 feet.
 - b. From a residential use or district: 15 feet.
12. The organization shall be a bona fide non-profit religious group organized primarily for the benefit of its membership, and such other activities normally carried on by religious groups.
13. The organization has been granted exemption from taxation under the laws of both the State of New Jersey and the United States.
14. The organization will not engage in sales of products or materials to the general public or otherwise engage in activities normally carried on as a business or commercial activity, except that:
 - a. The premises may be made available on a rental basis for meetings of other groups, private social functions, and similar events.
 - b. The organization may conduct intermittent commercial activities open to the general public designed solely to raise funds to support the purposes of the organization or for related or affiliated organizations with charitable, educational or religious purposes, provided such activities are conducted inside of a building or structure.
 - c. Sale of religious articles or items having a relation to the cultural or ethnic background of the members of the faith are permitted on a continuous basis, provided that such sales are conducted inside the building or structure.

D. Other requirements.

1. Lighting. Lighting shall conform to the requirements of the Township land use regulations. All exterior lighting except that required for security shall be turned off between 10:00 pm and 6:00 am.
2. No outdoor recreation areas shall be permitted within 50 feet of property line.
3. There shall be no outdoor activities after 10:00 pm.

E. The applicant for a house of worship shall submit a list of proposed activities and anticipated participants, a timetable reflecting the hours in which each building will be used, and any other pertinent uses and activities intended to take place on the site.

F. Reconstruction of a place of worship: Notwithstanding any provisions of this Chapter to the contrary, in the case of an accidental partial or complete destruction of a place of worship or rectories or parish houses or

convents, the structure or building so destroyed may be reconstructed on the same site and as it existed prior to the accidental destruction, even though it may not conform to all the conditions of that conditional use for that zone. The phrase "reconstructed . . . as it existed" for the purposes of this subsection shall be deemed to mean that the structure or building may be reconstructed with ground coverage not in excess of that of the former building or structure and with usable floor space on all floors not in excess of that which existed in the former building or structure, and with a height not to exceed that which existed in the former building or structure. It shall not be necessary that the replacement be identical to the former structure in any other particulars, provided that the replacement shall be no less conforming to this ordinance than the former structure.

SECTION 4. Chapter 580, Article IV, Section 580-13, Use Regulations, is hereby amended to add the following new subsection I:

- I. Places of worship shall be permitted as a conditional use in the Class A District subject to the conditions and requirements of §580-96.1 of this ordinance.

SECTION 5. Chapter 580, Article V, Section 580-21, Use Regulations, is hereby amended as follows with new language shown in bold and italics:

§ 580-21 Use regulations.

- A. Within any Class B District, no building or structure or area shall be used and no building or structure shall be erected to be used in whole or in part for any purpose other than the specified purposes permitted in Article IV, §580-13 above.

B. Places of worship shall be permitted as a conditional use in the Class B District subject to the conditions and requirements of §580-96.1 of this ordinance.

SECTION 6. Chapter 580, Article V, Section 580-32, Use Regulations, is hereby amended as follows with new language shown in bold and italics:

§580-32 Use regulations.

- A. Within any Class AA District, no building or structure or area shall be used and no building or structure shall be erected to be used in whole or in part for any purpose other than the specified purposes permitted in Article IV, §580-13 above.

B. Places of worship shall be permitted as a conditional use in the Class AA District subject to the conditions and requirements of §580-96.1 of this ordinance.

SECTION 7. Chapter 580, Article VI, Section 580-40, Use Regulations, is hereby amended as follows with new language shown in bold and italics:

§580-40 Use regulations.

A. Within any Class AAA District, no building or structure or area shall be used and no building or structure shall be erected to be used in whole or in part for any purpose other than the specified purposes permitted in Article IV, §580-13 above.

B. Places of worship shall be permitted as a conditional use in the Class AAA District subject to the conditions and requirements of §580-96.1 of this ordinance.

SECTION 8. Chapter 580, Article IV, Section 580-64, Use Regulations, is hereby amended to add the following new subsection C:

C. Places of worship shall be permitted as a conditional use in the Class O-R District subject to the conditions and requirements of §580-96.1 of this ordinance.

SECTION 9. This Ordinance shall be subject to review and recommendation by the Township of Washington Planning Board in accordance with N.J.S.A. 40:55D-26 and notice requirements of N.J.S.A. 40:55D-62.1.

SECTION 10. All ordinances or parts thereof that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of their inconsistencies.

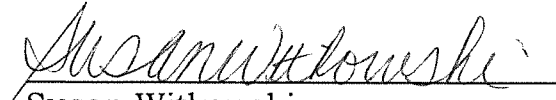
SECTION 11. The various parts, sections, and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall not be affected thereby.

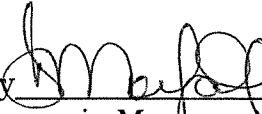
SECTION 12. This Ordinance shall take effect immediately upon its final passage and publication as required by law and filing with the Bergen County Planning Board.

ATTEST:

APPROVED:

TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON


Susan Witkowski,
Township Clerk

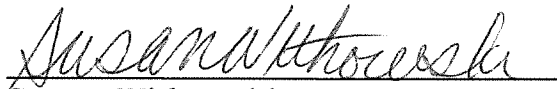
By 
Desserie Morgan,
Council President

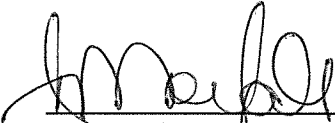
Introduction Date: May 16, 2022

COUNCIL	MOTION	SECOND	AYES	NAYES	ABSENT	ABSTAIN	RECUSE
Cascio	X		X				
Feeney			X				
Morgan			X				
Sears		X	X				
Velez			X				

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON


Susan Witkowski,
Township Clerk


Desserie Morgan
Council President

Adoption Date: June 20, 2022

COUNCIL	MOTION	SECOND	AYES	NAYES	ABSENT	ABSTAIN	RECUSE
Cascio			X				
Feeney	X		X				
Morgan			X				
Sears		X	X				
Velez			X				