

WASHINGTON TOWNSHIP PLANNING COMMISSION

MARCH 10, 2022

OVERVIEW OF PROPOSED ZONING ORDINANCE AMENDMENTS FOR SIDEWALKS & PATHWAYS

A. INTENT OF AMENDMENTS

The intent of the proposed Zoning Ordinance Amendments is to identify those categories of roads adjacent to which sidewalks or pathways will or may be required by the Township.

B. CATEGORIZATION OF ROADS

The Amendments place roads into three (3) categories for purposes of determining whether pathways or sidewalks may be required. Those categories are as follows:

- (1) Excluded Roads – Excluded Roads will be designated on a diagram included in the text of the Zoning Ordinance Amendments. Neither pathways nor sidewalks will be required to be constructed on properties located adjacent to Excluded Roads.
- (2) Optional Roads – Optional Roads will be designated on the diagram included in the Zoning Ordinance Amendments and will include roads on which the land owner will be afforded the option to either (i) construct a pathway or sidewalk or (ii) grant the Township an easement for future construction and deposit funds in to a Township-managed pathway/sidewalk fund equal to the cost of the pathway or sidewalk as determined by the Township consulting engineering.
- (3) Required Roads – Required Roads will be designed on the diagram attached to the Zoning Ordinance Amendments and will include those roads on which a pathway or sidewalk must be constructed by the land owner.

C. CRITERIA FOR CONSTRUCTION

Once a road has been designated an Excluded Road, Optional Road or Required Road, the following criteria will dictate the circumstances under which a pathway or sidewalk will or may be required.

- (1) Required Roads

- (a) A pathway or sidewalk must be constructed as a condition to the issuance of a building permit for a new residential dwelling.
- (b) A pathway or sidewalk must be constructed for all new construction of nonresidential buildings which constitute the primary use of the property. In addition, pathways or sidewalks will be required in those cases in which an existing nonresidential building is substantially modified or the owner requests a building permit to expand an existing building or construct an additional building on the property.
- (c) Pathways or sidewalks will be required in those cases in which the owner has executed a deferral agreement with the Township and the terms of the agreement require construction.

(2) Optional Roads

- (a) A pathway or sidewalk must be constructed as a condition for the issuance of a building permit for a new residential dwelling.
- (b) A pathway or sidewalk must be constructed for all new construction of nonresidential buildings which constitute the primary use of the property. In addition, pathways or sidewalks will be required in those cases in which an existing nonresidential building is substantially modified or the owner requests a building permit to expand an existing building or construct an additional building on the property.
- (c) Pathways or sidewalks will be required in those cases in which the owner has executed a deferral agreement with the Township and the terms of the agreement require construction.
- (d) The owner of land abutting an Optional Road shall have the option of either (i) constructing the pathway or sidewalk or (ii) granting the Township an easement for future construction and depositing funds in a Township-managed sidewalk fund in an amount equal to the cost of the pathway or sidewalk construction as determined by the Township consulting engineer.

(3) Excluded Roads

Owners of land abutting Excluded Roads will not be required to construct pathways or sidewalks now or in the future.

D. DEFINITIONS & CONSTRUCTION REQUIREMENTS

The Zoning Ordinance Amendments will include specific definitions for Excluded, Optional and Required Roads. In addition, definitions will be provided for the terms

pathway, sidewalks and walkways. The Amendments will also set forth the locational requirements for the improvements.