

Proposed Amendments to Title 18 relating to Crematorium Operations

Below is a group of proposed amendments to portions of Title 18 (the zoning provisions of the municipal code) relating to the operation of crematoriums. These amendments are designed to address quality of life issues with the community by ensuring that crematoriums are appropriately sited and regulated. Recent experience has indicated that crematorium operations may release airborne emissions (both odors and particulate matter) that are unpleasant to nearby residents, business operators and customers. With this in mind, the municipal code is proposed to be updated to address such factors, providing a public process for the siting new crematoria and proposing regulations for both new and existing crematorium facilities. The proposal as specified below requires that any proposed crematorium is allowed only as a Special Review use in various zoning districts, except within the I-Industrial District if the specified separation distance is met. The Special Review process will afford meaningful public participation in the process of locating and regulating of proposed crematorium facilities.

Proposed Revisions to Title 18 - Crematoriums

The text below identifies the sections of Chapter 18 proposed for amendment

~~Strike through~~ text is proposed for deletion

Bold underlined text is proposed for inclusion

1. PROPOSED DEFINITION REVISIONS:

18.04.131 Crematorium defined. Means a facility for the burning of corpses, human or animal, to ashes either as a principal use or as an accessory use. Crematoriums do not include establishments where incinerators are used to dispose of toxic or hazardous materials, infectious materials or narcotics.

18.04.165 Funeral home defined. A building used for the preparation of the deceased for burial or cremation, for the display of the deceased and/or for ceremonies or services related thereto, including ~~cremation and~~ the storage of caskets, funeral urns, funeral vehicles and other funeral supplies. (~~Ord. 5119 § 2 (part), 2006~~) **Funeral homes do not include crematoriums as an accessory use as defined in this Chapter.**

18.04.392 Veterinary hospital defined. Means a facility rendering surgical and medical treatment to large animals and household pets, providing overnight accommodations, **or** outdoor runs, ~~or crematory facilities.~~ (~~Ord. 5119 § 2, 2006~~) **Veterinary hospitals do not include crematoriums as an accessory use as defined in this Chapter.**

18.04.357 Small Animal Hospitals and Clinics defined. Means a facility rendering medical treatment to small animals and household pets that may provide overnight accommodations for medical treatment only and does not provide outdoor runs. **Small animal hospitals and clinics do not include crematoriums as an accessory use as defined in this Chapter.**

2. PROPOSED REVISIONS TO ZONING DISTRICTS:

18.24.030 The following uses are permitted by special review in the Be District: **Y. Crematorium subject to Section 18.52.080.**

18.28.020 The following uses are permitted by special review in the B District: **MM. Crematorium subject to Section 18.52.080.**

18.29.030 The following uses are permitted by special review in the MAC District: **O. Crematorium subject to Section 18.52.080.**

18.30.030 The following uses are permitted by special review in the E District: **V. Crematorium subject to Section 18.52.080.**

18.36.010 The following uses are permitted by right in the I District: **SS. Crematorium located more than 500 feet, as measured by a straight line, from any property boundary zoned R1, R1e, R2, R3, R3e, or located more than 500 feet from any residential property within a Planned Unit Development, subject to Section 18.52.080.**

18.36.020 The following uses are permitted by special review in the I District: **U. Crematorium located 500 feet or less, as measured by a straight line, from any property boundary zoned R1, R1e, R2, R3, R3e, or located 500 feet or less from any residential property within a Planned Unit Development, subject to Section 18.52.080.**

3. PROPOSED REVISIONS TO SPECIAL REVIEW PROVISIONS:

18.40.010.C “Neighborhood” as used in this chapter, is comprised of all properties within blocks which fall wholly or partially within the radius distances specified in Table A in Section 16.16.030(B)(1)(b)(ii), except for the neighborhood surrounding an application for special review of a sexually oriented business **or a crematorium.** The “neighborhood” for an application for special review of a sexually oriented business shall be comprised of all properties within blocks which fall wholly or partially within a three-thousand foot radius of all boundaries of the property under application. **The “neighborhood” for an application for special review of a crematorium shall be comprised of all properties within blocks which fall wholly or partially within an five-hundred foot radius of all boundaries of the property under application.**

4. PROPOSED REVISIONS TO SUPPLEMENTARY REGULATIONS

18.52.080 Supplementary Regulations for Crematoriums

The following supplementary regulations shall apply to all crematoriums constructed after (insert the effective date of the ordinance). Crematoriums existing prior to (insert the effective date of the ordinance) shall comply with Sections 18.52.080.B, C and D.

- A. Prior to the issuance of a certificate of occupancy for any crematorium, the operator shall provide documentation to the City that all applicable federal, state and local permits have been obtained and provide to the City all manufacturers’ specifications for construction, installation, operation, and maintenance.**
- B. Crematoriums shall be constructed, installed, operated and maintained in accordance with all manufacturers’ specifications and all applicable federal, state and local permits. The City shall have the right to enter and inspect the operations of the crematoriums to determine compliance with this provision.**
- C. Crematoriums shall be operated so that no offensive odor shall extend beyond the property boundaries. For the purpose of this provision, offensive odor shall mean an unpleasant odor**

which extends beyond the property boundaries discernable by two or more City officials within a 24 hour period.

- D. The addition or expansion of an incinerator within a facility existing prior to (insert the effective date of the ordinance) shall be subject to the special review procedures set forth in Chapter 18.40, except for properties zoned Industrial located more than 500 feet, as measured by a straight line, from any property boundary zoned R1, R1e, R2, R3, R3e, or located more than 500 feet from any residential property within a Planned Unit Development.