

City Council

200 North Lake Street
Cadillac, Michigan 49601
Phone (231) 775-0181
Fax (231) 775-8755



Mayor
Carla J. Filkins

Mayor Pro-Tem
Shari Spoelman

Councilmembers
Tiyi Schippers
John P. Meinhardt
Matt Wohlfeill

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE REGARDING CREMATORIUMS

THE CITY OF CADILLAC ORDAINS:

Section 1.

The City hereby amends Section 46-4 the City Zoning Ordinance to add the following definitions which shall read as follows:

Crematorium: An enclosed facility wherein human remains are cremated in a cremation retort.

Pet Crematorium: A dedicated area within a building approved for animal cremation service or an accessory building of an approved animal cremation service wherein animal remains are cremated in a cremation retort.

Funeral Home (Mortuary): A building or part thereof used for human funeral services. Such building may contain space and facilities for (a) embalming and the performance of other services used in the preparation of the dead for burial, (b) the performance of autopsies and other surgical procedures, (c) the storage of caskets, funeral urns and other related funeral supplies, and (d) the storage of funeral vehicles.

Section 2.

The City hereby amends Section 46-491 the City Zoning Ordinance to add a subsection (7), which allows crematoriums and pet crematoriums as a special use in the I-1 Light Industrial Zoning District. Subsection (7) shall read as follows:

(7) Crematoriums and Pet Crematoriums subject to the conditions set forth in Section 46-747(4) of this Ordinance.

Section 3.

The City hereby adds a Section 46-526 the City Zoning Ordinance to allow crematoriums and pet crematoriums as a special use in the I-2 General Industrial Zoning District. Section 46-526 shall read as follows:

Sec. 46-526. – Principal uses permitted subject to special conditions.

The following uses shall be permitted, subject to the conditions hereinafter imposed for each use and subject further to the review and approval of the planning commission:

- (1) Crematoriums and Pet Crematoriums subject to the conditions set forth in Section 46-747(4) of this Ordinance.

Section 4.

The City hereby amends Section 46-747 of the City Zoning Ordinance to add a subsection (4) setting forth the conditions for the approval of a funeral home (mortuary), crematorium or pet crematorium as a special land use. Subsection (4) shall read as follows:

(4) *Crematorium, or pet crematorium.* A crematorium or pet crematorium may be granted a special use permit if in addition to meeting the special use general standards it also meets the following special standards:

- a. Crematoriums shall be established as either for human or pet purposes but not both.
- b. Crematoriums may accept bodies from multiple funeral home clients.
- c. All Crematoriums shall be a minimum of 300 feet from any residential use, school, or day care center. The distance shall be measured from the nearest portion of the crematorium building to the nearest portion of the residential, school, or day care parcel.
- d. All activity relating to the dead shall be handled discreetly and be screened from public view to the maximum extent possible, including delivery and storage of the remains.
- e. Crematoriums shall not be used for the disposal of any waste materials.
- f. Crematoriums shall not emit any visible air emissions nor generate odors which are discernable beyond their lot lines.
- g. The applicant or applicant's representative for a Crematorium shall make a presentation to the Planning Commission on the proposed cremation equipment including emission control devices and chimney stack height. Such presentation shall include plans for ongoing emission monitoring and performance testing and documentation that all emissions fall within accepted industry practices and meet all applicable state or federal air quality standards.
- h. Crematoriums shall be constructed, installed, operated and maintained in accordance with all manufacturers' specifications and all applicable federal, state and local permits, as amended.

- i. 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.
- j. A Crematorium may provide a room(s) for private viewing of the Cremation by member of the deceased family, but may not be used to conduct public or private funeral home services.
- k. The applicant shall identify and provide copies of any certifications that will be required to operate the Crematorium both from a facility standpoint and an operators standpoint.
- l. Any additional standards or operation requirements that are needed to protect the public health, safety and welfare or to address unique characteristics of a particular site as defined by the city Planning Commission shall be complied with by the landowner and/or developer and Crematorium operator and owner.
- m. The Crematorium shall at all times be in compliance with all local, state and federal law, ordinances and regulations.

Section 5.

Should any portion of this Ordinance be found invalid for any reason, such holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 6.

All other ordinances inconsistent with the provisions of this Ordinance are hereby repealed but only to the extent necessary to give this Ordinance full force and effect.

Section 7.

This Ordinance shall take effect twenty (20) days after its adoption.

Approved this __ day of _____, 2016.

Sandra Wasson, Clerk

Carla J. Filkins, Mayor