

REQUEST	Text amendment to Sections 9.101, 9.204, 9.304, 9.504, 9.702, 9.704, 9.802, 9.803, 9.804, 9.902, 9.904, 9.1103, 9.1104, 11.204, 11.402, 11.404, 12.508, and 12.542 of the Zoning Ordinance
SUMMARY OF PETITION	The petition proposes to: 1) update the zoning districts in which crematory facilities are allowed with prescribed conditions; 2) allow crematories as an accessory use with prescribed conditions within cemeteries of 100 acres or more; 3) allow crematories as an accessory use with prescribed conditions to a funeral home; and 4) add prescribed conditions for all crematory facilities.
PETITIONER AGENT/REPRESENTATIVE	Charlotte-Mecklenburg Planning Department Charlotte-Mecklenburg Planning Department
COMMUNITY MEETING	Meeting is not required.
STATEMENT OF CONSISTENCY	This petition is found to be consistent with the adopted policies and to be reasonable and in the public interest, by an unanimous vote of the Zoning Committee (motion by Commissioner Allen seconded by Commissioner Zoutewelle).

ZONING COMMITTEE ACTION	The Zoning Committee voted unanimously to recommend APPROVAL of this petition.
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VOTE	Motion/Second: Allen/Dodson
	Yeas: Allen, Dodson, Firestone, Phipps, Rosenburgh, and Zoutewelle
	Nays: None
	Absent: Griffith
	Recused: None

ZONING COMMITTEE DISCUSSION Staff presented a brief overview of the text amendment. A question was asked about the process of cremation. There were no further questions.

STAFF OPINION Staff agrees with the recommendation of the Zoning Committee.

FINAL STAFF ANALYSIS
(Pre-Hearing Analysis online at www.rezoning.org)

PLANNING STAFF REVIEW

- **Background**
 - A recently established crematory facility located adjacent to a residential use caused neighborhood concern.
 - Crematory facilities as a principal use by right are permitted in the office, B-1, B-2, UMUD, CC, and NS zoning districts.
Crematory facilities are also permitted as an accessory use within a cemetery of 100 acres or more in residential zoning districts, with conditions. Conditions include placement of crematory facilities a minimum of 100 feet from any exterior property line and the facilities shall be enclosed within a building.
- **Proposed Request Details**
 - The text amendment contains the following provisions:
 - Updates the zoning districts where crematory facilities are allowed:
 - Removes crematories as a principal use by right in the office, B-1, B-2, UMUD, CC and NS zoning districts.
 - Permits crematories as a principal use with prescribed conditions in the B-2, I-1, and I-2 zoning districts.

- Permits crematories as an accessory use within a cemetery of 100 acres or more in the single family, multi-family, institutional, office, B-1, B-2, BD, MX-1, MX-2, MX-3, NS, I-1 and I-2 zoning districts, with prescribed conditions.
 - Permits crematories as an accessory use to a funeral home in the office, B-1, B-2, UMUD, MUDD, CC and NS zoning districts, with prescribed conditions.
 - Updates the prescribed conditions:
 - If a crematory is a principal use, the facility shall be located a minimum of 400 feet from any residential zoning district.
 - If a crematory is an accessory use to a cemetery of 100 acres or more, and located in a residential district, then the facility shall be located a minimum of 100 feet or more from any exterior property line of the cemetery.
 - If a crematory is an accessory use to a funeral home, the funeral home shall be the principal use on the site.
 - The facility shall be located within an enclosed building.
 - Off-street parking and loading requirements of Chapter 12 apply.
 - All local, state, and federal laws and regulations shall be met.
 - **Public Plans and Policies**
 - The petition is consistent with adopted policy.
 - **Staff Recommendation (Updated)**
 - Staff agrees with the recommendation of the Zoning Committee.
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DEPARTMENT COMMENTS (see full department reports online)

- **Charlotte Area Transit System:** No issues.
 - **Charlotte Department of Neighborhood & Business Services:** No issues.
 - **Transportation:** No issues.
 - **Charlotte Fire Department:** No issues.
 - **Charlotte-Mecklenburg Schools:** Not applicable.
 - **Charlotte-Mecklenburg Storm Water Services:** No issues.
 - **Mecklenburg County Land Use and Environmental Services Agency:** No issues.
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ENVIRONMENTALLY SENSITIVE SITE DESIGN (see full department reports online)

- **Site Design:**
 - There is no site plan associated with this text amendment.
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OUTSTANDING ISSUES

- No issues.
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Attachments Online at www.rezoning.org

- Application
- Pre-Hearing Staff Analysis
- Charlotte Area Transit System Review
- Charlotte Department of Neighborhood & Business Services Review
- Charlotte Department of Transportation Review
- Charlotte Fire Department Review
- Charlotte-Mecklenburg Storm Water Services Review
- Mecklenburg County Land Use and Environmental Services Agency Review

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