

ORDINANCE NO. O-1314-13

ITEM NO. 9

STAFF REPORT

ITEM: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING CHAPTER 22 OF THE CODE OF THE CITY OF NORMAN TO ALLOW CREMATORIALS IN CONJUNCTION WITH A FUNERAL PARLOR OR MORTUARY, WHETHER A PERMITTED OR SPECIAL USE IN THE DISTRICT, WITH CONDITIONS IN THE OFFICE-INSTITUTIONAL (O-1), SUBURBAN OFFICE COMMERCIAL (CO), LOCAL COMMERCIAL (C-1), AND LIGHT INDUSTRIAL (I-1) ZONING DISTRICTS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND

In November, 2012 the City Council approved an amendment to the Zoning Ordinance to add Crematoriums as a Special Use in the A-2, C-2 and C-3 zones and as a Permitted Use in I-1 and I-2. The use has development requirements that must be met whether developed as a Special Use or a Permitted Use. This amendment contemplated crematoriums as a stand-alone use and the criteria for locating crematoriums were based on them being a single use.

City staff has been approached once again on this issue to request that crematoriums be allowed to be located in the same building with a funeral home or mortuary. This is certainly an option in the industry and there are no State regulations that would prohibit this from occurring.

Staff has reviewed several other cities' zoning ordinances as to their regulations for crematoriums. We found a wide range of regulations. EXHIBIT A is a table which identifies the cities we researched and the regulations those cities required for the construction of crematoriums.

Oklahoma City and Tulsa both allow crematoriums to be located in the same zones where a funeral home or mortuary is allowed.

The attached zoning code amendment will allow a crematorium in a funeral home or mortuary in non-residential zoning districts. They will be allowed as a Special use in the O-1, CO and C-1 Zoning Districts and by right in the C-2, C-3 and I-1 Zoning Districts. The Ordinance does not amend the C-2 and C-3 districts because the cumulative nature of the Zoning Code will allow the use in those zoning districts because it is allowed as a Special Use in the C-1 district.

RECOMMENDATION

Staff recommends approval of this Code amendment. There are conditions of approval to protect adjacent properties.