

CHARTER TOWNSHIP OF MONROE

ORDINANCE NO. 146

ADOPTED: 4/19/2022

EFFECTIVE: EIGHT DAYS AFTER PUBLICATION AFTER ADOPTION

FUNERAL HOMES OR MORTUARIES WITH OR WITHOUT CREMATORIES

THE CHARTER TOWNSHIP OF MONROE

MONROE COUNTY, MICHIGAN

ORDAINS:

SECTION I
AMENDMENT OF SECTION 8.124 TO THE CHARTER TOWNSHIP OF MONROE
ZONING ORDINANCE

The Monroe Charter Township Zoning Ordinance No. 52-2010 is hereby amended to amend Section 8.124 of Chapter 8 USE STANDARDS as follows:

Section 8.124 as amended - Funeral Homes or Mortuaries with or without crematories

A. Funeral Homes or Mortuaries

1. All Funeral Homes or Mortuaries require site plan approval from the Planning Commission in accordance with Article 17.
2. A caretaker's residence may be provided per Section 8.111.

B. Crematories

Crematories as accessory uses to funeral homes or mortuaries are permitted, subject to the conditions set forth in this Ordinance.

1. **Zoning Approval and Building permit required.** Prior to zoning approval and issuance of a building permit, the application must include proof of the following requirements.

a. Crematories shall provide proof of licensing from the State of Michigan LARA (Licensing and Regulatory Affairs), pursuant to 1968 PA 251, as amended.

b. Crematories shall provide a permit for installation from the Department of Environment, Great Lakes, and Energy (EGLE) Clean Air Assistance Program, pursuant to the Clean Air Act Amendments of 1990.

c. Crematories shall provide proof of approval from the Monroe County Health Department.

2. Placement, Height.

a. Crematory buildings shall be located within the minimum required setbacks for Accessory Structures, pursuant to Section 3.303.

b. Crematories and its stacks are limited to the height limitation as determined in the Department of Environment, Great Lakes, and Energy (EGLE) installation permit, except in no case shall the height of crematories and its stacks exceed the maximum allowed building height for the zoning district in which it is located, pursuant to Article 5.

3. Site Plan Approval Required. Crematories with associated funeral home or mortuary uses such as office, viewing room, bathroom, and/or memorial room and/or totaling 2,000 or more square feet in size require Site Plan Approval from the Planning Commission, in accordance with Article 17. Applications to be placed on the Planning Commission's agenda shall include proof of the following requirements.

a. Applications for Site Plan approval of crematories shall include a permit for installation from the Department of Environment, Great Lakes, and Energy (EGLE) Clean Air Assistance Program, pursuant to the Clean Air Act Amendments of 1990.

b. Applications for Site Plan approval of crematories shall include proof of approval from the Monroe County Health Department.

4. Appeals.

a. The Zoning Board of Appeal shall not have the authority to consider appeals for funeral homes or mortuaries to be located in any other zoning district.

b. The Zoning Board of Appeal shall not have the authority to consider appeals for the application requirements of crematories.

c. The Zoning Board of Appeal shall have the authority to consider appeals for placement and height of funeral homes or mortuaries and crematory structures.

C. Assembly Area

An adequate off-street assembly area shall be provided for funeral processions and activities.

All maneuvering areas and exit aprons shall be located within the site and may be incorporated into the required off-street parking. Streets and alleys shall not be used for maneuvering or parking of vehicles.

D. Screening

The service and loading area of funeral homes or mortuaries and crematories shall be screened from all adjacent uses.

1. **Screening/Landscaping.** Screening/landscaping detail shall be submitted as part of the site plan that identifies the type and extent of screening which must include plantings and privacy fencing, in accordance with Article 10.

SECTION II
AMENDMENT TO SECTION 4.302 TABLE OF PERMITTED USES BY DISTRICT OF THE
CHARTER TOWNSHIP OF MONROE ZONING ORDINANCE

The Monroe Charter Township Zoning Ordinance is hereby amended to amend the following text to Section 4.302 Table of Permitted Uses by District:

Under Office, Service, and Community Uses

Key to Symbols		Zoning Districts											Use Standards	
P	Principal Use	AG	R-1	R-2	R-3	R-4	R-5	M-U	C-1	C-2	L-I	H-I	MD	
S	Special Use													
A	Accessory Use													
	Prohibited Use													
Office, Service, and Community Uses														
Airport and associated facilities		S												§ 8.103
Cemeteries (excluding crematories)		S	S								S	S		§ 8.112
Child day care center		S	S	S	S	S	S	S	S	S	A	A		§ 8.113
Financial institutions without drive through service								S	P	P	A	A		
Financial Institutions/with drive through									S	S				§ 8.115
Funeral homes or mortuaries (with or without crematories)									P	P				§ 8.124
Health Club, massage therapy									S	P				§ 8.157
Hospitals/Clinics						S			S	S				§ 8.128
Institutional uses		S	S	S	S	S	S	S	S	p	S	S	S	§ 8.130
Laundromats (not industrial)									P	P				
Medical and dental offices								S	P	P				
Municipal/public buildings		S	S	S	S	S			P	P	S	S		
Nursing /convalescent homes						S		S	S	S				§ 8.139
Personal care services, except tattoo parlors								S	P	P	A	A		
Professional offices								S	P	P	A	A		
Recreational facility, private		S	S	S	S	S	P		S	S	P			§ 8.142
Recreation facility, public		S	S	S	S				S	S	P			§ 8.142

SECTION III
AMENDMENT TO SECTION 7.101.A PERMITTED USES IN THE C-1 (LOCAL COMMERCIAL)
OF THE CHARTER TOWNSHIP OF MONROE ZONING ORDINANCE

The Monroe Charter Township Zoning Ordinance is hereby amended to amend the following to Section 7.101.A. Permitted Uses in the C-1 (Local Commercial) under subpart A. Permitted Uses:

“11. Funeral Homes or Mortuaries with or without crematories”.

Article 7

NON-RESIDENTIAL DISTRICTS

Section 7.100 Commercial Districts

Section 7.101 C-1, Local Commercial District

The C-1, Local Commercial district is hereby established to provide suitable locations for retail, service, and professional office enterprises that serve a localized market area. Goods and services to be provided by establishments in this district are classified as "local", as distinguished from "general", goods and services, because they serve the day-to-day needs of a neighborhood or group of neighborhoods. With the exception of supermarkets, establishments in this district will generally be small in floor and site area.

This District is intended to provide a limited number of suitable locations for retail, service, and professional office and business establishments. The further intent of this District is to prohibit scattered or strip commercial development, minimize traffic congestion and the number of commercial driveways opening onto major streets, and improve public safety and convenience by limiting commercial uses to consolidated nodes of commercial activity as identified in the Township Master Plan.

Uses in this District shall be subject to appropriate design and development standards (including bulk, setback and separation standards; and provisions for sufficient light, air, and privacy) intended to reduce hazards to life and property, provide basic amenities, and ensure compatibility between land uses.

A. Permitted Uses

1. Professional offices
2. Municipal buildings
3. Medical or dental clinics
4. Financial Institutions without drive-through facilities
5. Laundromats (non-industrial)
6. Tattoo parlors
7. Retail uses, less than 20,000 square feet in floor area
8. Personal service establishments
9. Restaurants, other than drive-in or drive through
10. Essential services
11. Funeral homes or mortuaries with or without crematories
12. Accessory buildings and uses customarily incidental to the above permitted uses

B. Permitted Uses after Special Approval

1. Recreational facilities, public and private
2. Municipal buildings
3. Health clubs, massage therapy facilities
4. Financial institution with drive through windows

SECTION IV
SEVERABILITY

The provisions of this ordinance are hereby declared to be severable. If any clause, sentence, word, section or provision is hereafter declared void or unenforceable for any reason by a court of competent jurisdiction, it shall not affect the remainder of such ordinance which shall continue in full force and effect.

SECTION V
REPEAL

All ordinance or parts of ordinances in conflict herewith are hereby repealed.

SECTION VI
EFFECTIVE DATE

This ordinance shall take effect (8) eight days after publication upon adoption.

Christina Smith, Clerk
Charter Township of Monroe