Legislation Text

File #: 20-0168, **Version:** 1

AM 2019-02, discussion and possible action to **amend the B-3 zoning district to allow crematorium services**. (Dean)

SUMMARY EXPLANATION AND BACKGROUND:
PROJECT DESCRIPTION / BACKGROUND:

DMJ Funeral Properties LLC (the "Applicant") is requesting approval of an amendment to the General Business (B-3) Districts (Section 155.149(B)) of the City of Pembroke Pines' Code of Ordinances to establish crematory uses as an accessory use to primary funeral home uses located within B-3 zoning districts throughout the City.

EXISTING CODE:

Presently, funeral homes are first permitted in the Community Business (B-2) Districts and crematoriums are allowed in Limited Agricultural (A-1) and Medium Industrial (M-2) Districts. See existing Code Sections below:

§ 155.146 COMMUNITY BUSINESS (B-2) DISTRICTS.

(B) Uses permitted. No building, structure, or part thereof, shall be erected, altered, or used, or land or water used, in whole or in part, for other than one or more of the following specified uses, provided, however, no more than one of the specified uses will be permitted on a single parcel of property except as permitted by subsection (H) "Out Parcels":

(8) The following miscellaneous uses: art, charm, dancing, dramatic, or music schools; business or commercial school; artist studio, auction of art goods, jewelry, rugs, and the like; costumer; dental laboratory; interior decorator; lawn furniture sale; photographic studio; radio and television studios; day nursery or nursery school; **mortuary or funeral home, not including ambulance service, except for transportation of human remains.**

§ 155.090 LIMITED AGRIGULTURAL (A-1) DISTRICTS; GENERAL AGRICULTURAL (A-2) DISTRICTS.

(B) Uses permitted. No building, structure, or part thereof, shall be erected, altered, or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(1) In an A-1 Limited Agricultural District:

(o) Cemetery, **crematory**, columbarium, mausoleum.

§ 155.168 MEDIUM INDUSTRIAL (M-2) DISTRICTS.

(B) Uses Permitted. No building, structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than one or more of the following specified uses:

(3) Any of the following:

(l) Cemetery, columbarium, mausoleum, or **crematory**.

PROPOSED CODE:

The proposed code amendment would create a new subsection (18), as part of Section 155.149(B), with the following language:

"(18) Crematory as an accessory use to a mortuary or funeral home. To be considered as an accessory use the following criteria must be met:

(a) The crematory must be accessory to a principal mortuary or funeral home use of at least 2,500 square feet that is located in the same standalone structure as the principal use and shall not exceed more than 20% of the floor area of the structure. The accessory crematory can serve any funeral home owned by the same entity as the principal use.

(b) The crematory must be owned and operated by the same Florida Licensed Funeral Establishment operating the principal use.

(c) The crematory must meet all state and county regulations, as may be amended from time to time.

Pursuant to the reporting requirements delineated in state and county regulations, as may be amended from time to time, the licensed funeral home operator will provide an annual environmental report to all required agencies and will send a copy of the report to the Director of the Planning & Economic Development Department."

CURRENT CONDITIONS:

The following are the existing funeral homes in Pembroke Pines along with their address, zoning category they are located in and their square footages:

1. Bells Funeral Home - 1826 N University Dr. (B-3); 3,976 sq. ft.
2. Boyd-Panciera Funeral Home - 6400 Pines Blvd. (B-2A); 7,300 sq. ft.
3. Boyd-Panciera Funeral Home - 1600 N University Dr. (B-2); 6,461 sq. ft.
4. Joseph A.Scarano Funeral Home - 9000 Pines Blvd. (B-3); 3,784 sq. ft.
5. Nakia Ingraham Funeral Home - 6691 Pembroke Rd. (B-2); 5,460 sq. ft.
6. Plenitude Funeral Home - 7351 Pines Blvd. (B-2); 3,622 sq. ft.

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Currently there are no crematory facilities located within the City of Pembroke Pines as the location of these existing funeral homes are all east of Palm Avenue and vacant properties that are currently zoned to allow crematoriums are generally located west of 196th Avenue. Because of this, after the funeral services, residents must have their loved ones remains transported outside the City for this services.

STAFF RECOMMENDATION:

Direct staff to work with the City Attorney to draft an Ordinance for transmittal to the City Commission for their review.