

ORDINANCE NO. 1479

AN ORDINANCE OF THE CITY OF WILLMAR, MINNESOTA AMENDING WILLMAR ORDINANCE 1060, KNOWN AS THE WILLMAR ZONING ORDINANCE BY ALLOWING COLUMBARIA AS ACCESSORY USES IN LIMITED CIRCUMSTANCES

The City Council of the City of Willmar hereby ordains as follows:

Section 1. AMENDMENT OF ORDINANCE 1060, SECTION 2. Ordinance 1060, Section 2 is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

SECTION 2: RULES AND DEFINITIONS

- B. DEFINITIONS. The following is a list of commonly used terms in this Ordinance and their definitions. Definitions pertaining to signs are found in Section 5 of this Ordinance.

30a. Columbarium. A building, structure, or part of a building or structure that is used or intended to be used as a repository composed of individual niches designed for the inurnment of cremated remains of the deceased.

30b. Columbarium individual niches. An individual recess within a columbarium designated to contain the cremated remains of one deceased within a single cremation urn or container; or the cremains of two deceased within two cremation urns or containers.

Section 2. AMENDMENT OF ORDINANCE 1060, SECTION 3. Ordinance 1060, Section 3 is hereby amended as follows (deleted material is crossed out; new material is underlined; sections and subsections not being amended are omitted):

SECTION 3: GENERAL PROVISIONS

- E. ACCESSORY BUILDINGS / STRUCTURES.

8. Columbaria. Any church, place of worship or religious institution may establish, outside of a cemetery, an interior or exterior columbarium as an accessory structure subject to the following requirements:

- a. Application. A church, place of worship or religious institution must submit a complete site plan application, conditional use permit application, and a plan of perpetual care and maintenance of the proposed columbarium to the Planning and Development Services Department.

- b. Application fee. In addition to other applicable fees, an application for a columbarium under this section shall be accompanied by an application fee in such amount as the city council may establish by resolution.
- c. Criteria. All columbaria must comply with the following requirements:
1. No columbaria shall be permitted except pursuant to a valid conditional use permit pursuant to Section 9.E of this Ordinance.
 2. The church, place of worship or religious institution must own the property on which the columbarium is to be situated.
 3. The construction, operation, maintenance, and disposition of a columbarium by the church, place of worship or religious institution shall be in accordance with all applicable state statutes and regulations.
 4. Columbarium structures shall comply with all setback requirements in the zoning district in which the columbarium is proposed to be located, and with specific respect to the front lot setback, the columbarium shall be set back by at least the applicable front lot setback requirement in the zoning district in which the columbarium is proposed to be located or 30 feet, whichever is greater.
 5. The exterior of the columbarium must be constructed to be consistent with architecture and materials of the primary structure.
 6. Signage shall be limited to inscriptions on the face of a columbarium niche and commemorative plaque on the columbarium structure. Commemorative plaques may be no larger than 12 inches by 12 inches.
 7. A church, place of worship or religious institution operating a columbarium authorized under this subsection E shall at all times maintain accurate and updated records of whose cremated remains are located in the columbarium.
 8. Exterior columbaria must additionally comply with the following requirements:
 - i. Exterior columbaria must adjoin a building on the property owned and occupied by the church, place of worship or religious institution, and shall be located in a side or rear yard.
 - ii. If visible from other properties or the public right-of-way, exterior columbaria shall not exceed eight

feet in height as measured from the average grade elevation where the columbarium meets the grade.

iii. Exterior columbaria shall comply with all applicable landscape standards and design standards in the zoning district in which the columbarium is proposed to be located.

9. If the church, place of worship or religious institution ceases operation, all urns and remains must be removed from the property within six months.

10. The conditional use permit may additionally establish conditions as reasonably necessary to ensure that the location and design of the columbarium on the property will not unreasonably harm the future development potential of the property, in the event the church, place of worship or religious institution ceases operation thereon.

Section 3. EFFECTIVE DATE. This ordinance shall be effective from and after its adoption and second publication.

Passed by the City Council of the City of Willmar this 5th day of July, 2022.

ATTEST:

/s/ Judy Thompson
Judy Thompson, City Clerk

/s/ Marv Calvin
Marvin Calvin, Mayor

VOTE: X ASK X ASMUS X BUTTERFIELD X DAVIS
 X FAGERLIE X NELSEN X O'BRIEN X PLOWMAN

This Ordinance introduced by Council Member: Plowman

This Ordinance introduced on: June 20, 2022

This Ordinance published on: June 25, 2022

This Ordinance given a hearing on: July 5, 2022

This Ordinance adopted on: July 5, 2022

This Ordinance published on: July 9, 2022

SUMMARY PUBLICATION OF CITY OF WILLMAR ORDINANCE NO. 1479

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WILLMAR ORDINANCE 1060, KNOWN AS THE WILLMAR ZONING ORDINANCE
BY ALLOWING COLUMBARIA AS ACCESSORY USES IN LIMITED
CIRCUMSTANCES**

Summary: Ordinance No. 1479 amends the City's Zoning Ordinance, Ordinance No. 1060, by authorizing columbaria to be installed as an accessory use to a principal structure on property owned by a church, a place of worship or religious institution, and establishes regulations specific to this accessory use.

The complete text of Ordinance No. 1479 may be obtained at no charge at City Hall (333 6th Street Southwest, Willmar, MN 56201), or from the City's website at www.willmarmn.gov.