



Public Hearing Item 6: Conditional Use Permit

Planning & Zoning Committee • September 1, 2026

<u>Proposed Use:</u>	Governmental, institutional, religious, or nonprofit community use (columbarium)
<u>Applicable Section(s):</u>	12.105.02; 12.125.09; 12.155.04(4)
<u>Zoning District(s):</u>	A-1 Agriculture
<u>Property Owner(s):</u>	Bethlehem English Evangelical Lutheran Church
<u>Applicant(s):</u>	Bethlehem English Evangelical Lutheran Church; c/o Kerry Melby
<u>Property Location:</u>	Located in the Northwest Quarter of the Northeast Quarter of Section 3, Town 12 North, Range 9 East
<u>Town:</u>	Pacific
<u>Parcel(s) Affected:</u>	90.02
<u>Site Address:</u>	W8267 State Highway 33
<u>Background:</u>	

Kerry Melby of Bethlehem English Evangelical Lutheran Church, owner and applicant, requests the Planning and Zoning Committee review and approve a Conditional Use Permit for a religious – columbarium use on the aforementioned property. Parcel 90.02 is 20 acres in size and is zoned A-1 Agriculture. There is an existing church/religious use on site and the remaining land is primarily farmed. The property is zoned A-1 Agriculture and is planned for continued Agricultural or Open Space land use on the Columbia County Future Land Use map. No wetlands or floodplain are present. The property is listed as prime farmland per NRCS. The septic system was installed in 2005 and is current on maintenance requirements. Land use and zoning of adjacent properties are below.

Adjacent Land Uses and Zoning

Direction	General Land Use	Zoning
North	Agriculture	A-1 Agriculture
East	Agriculture and Single-Family Residence	A-1 Agriculture and R-1 Single-Family Residence
South	Agriculture and Wetland	A-1 Agriculture
West	Single-Family Residence	A-1 Agriculture and R-1 Single-Family Residence

Analysis:

The proposed columbarium is classified under Section 12.155.04(4) as a governmental, institutional, religious, or nonprofit community use, which is defined further as, “a grouping of civic and institutional uses as allowed in Agricultural and Open Space zoning districts and further regulated by the standards in Section 12.125.09, in order to meet the requirement of Wisconsin Statutes Chapter 91.” The proposed use is in conformance with farmland preservation requirements, provided that it follows the requirements of Section 12.125.09(3). This section further requires that, “within the Agriculture and Open Space zoning districts, such a use shall be permitted only where the Planning and Zoning Committee, following a public hearing and a view of the proposed site(s), determines that:

- (a) The use and its location in the district are consistent with the purposes of the zoning district per Section 12.105.01.
- (b) The use and its location in the district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
- (c) The use is reasonable designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.
- (d) The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
- (e) Construction damage to land remaining in agricultural use is minimized and will be repaired to the extent feasible.”

Bethlehem Lutheran is proposing to add a columbarium to the prayer and meditation garden to the west of the church. The columbarium will be placed on a concrete slab along with a pergola. The structure will be located behind existing vegetation and will not be visible from State Highway 33. The columbarium will include niches of two different sizes that allow for either two or four inurnments. Nameplate engraving will be available on the exterior of each niche. Bethlehem Lutheran is also proposing to reserve a second future columbarium site on the concrete pad. Each columbarium is proposed to be 100.25 inches wide by 39 inches deep by 64.75 inches tall.

Town Board Action:

The Pacific Town Board met on July 21, 2026 and recommended approval of the Conditional Use Permit with conditions.

Standards for Review:

The proposed use complies with the General Criteria of Section 12.150.07(4) of the Columbia County Zoning Ordinance. See Attachment A for more details.

Recommendation:

Staff recommends approval of the Conditional Use Permit for a columbarium (religious use), subject to the adoption of the following recommended Findings, Conclusions, and Conditions.

Recommended Findings of Fact:

1. Upon review of the guidelines in Section 12.150.07(4) of the Columbia County Zoning Ordinance, and with the explanation of the criteria in Attachment A of the Staff Report, the Committee finds the following:
 - a. Bethlehem English Evangelical Lutheran Church is the owner of the subject property.
 - b. Bethlehem English Evangelical Lutheran Church is the applicant for a Conditional Use Permit.
 - c. Bethlehem English Evangelical Lutheran Church is requesting a Conditional Use Permit to construct a columbarium within the A-1 Agriculture zoning district.
 - d. The property is already developed with a church on site.
 - e. The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.
 - f. The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.
 - g. The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.
 - h. There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.
 - i. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
 - j. The Conditional Use shall conform to the standards of the applicable district(s) in which it is located.

Recommended Conclusions of Law:

1. The subject property is located in the Town of Pacific and is zoned A-1 Agriculture.

2. A columbarium, when associated with a religious use, is a conditional use within the A-1 Agriculture zoning district.
3. The proposed use is consistent with the purpose and intent of the Columbia County Zoning Ordinance.
4. Bethlehem English Evangelical Lutheran Church is the petitioner for a Conditional Use Permit. The petition followed the procedures of Section 12.150.07(3) of the Columbia County Zoning Ordinance.
5. The petitioner is proposing to construct a columbarium on the property, which is allowed as a Conditional Use under Table 12.105.02(1).
6. The Pacific Town Board has reviewed and recommended approval of the Conditional Use Permit, with conditions, in accordance with Section 12.150.07 of the Columbia County Zoning Ordinance.
7. The Columbia County Planning and Zoning Committee has the authority under Sections 12.150.03(2)(b) and 12.150.07 of the Columbia County Zoning Ordinance to conduct public hearings, review, and decide on requests for Conditional Use Permits.
8. The standards of Section 12.125.09(3) of the Columbia County Zoning Ordinance as noted below are applicable:
 - (a) The use and its location in the district are consistent with the purposes of the zoning district per Section 12.105.01.
 - (b) The use and its location in the district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.
 - (c) The use is reasonable designed to minimize the conversion of land, at and around the site of the use, from agricultural use or open space use.
 - (d) The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.
 - (e) Construction damage to land remaining in agricultural use is minimized and will be repaired to the extent feasible.”

Recommended Conditions for the Decision:

1. If lighting is installed for the facility, it shall be oriented so that the lighting elements (or transparent shield) are not visible from an adjacent property or right-of-way. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
2. Any amendments to the approved site plans, additions, or changes in the size of the structures shall be referred to the Town for review and the Committee for action.
3. The applicant and owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
4. The Planning and Zoning Department shall have the right of inspection for the purpose of determining compliance with this permit during normal working hours or upon reasonable notice outside of normal hours.
5. If the Planning and Zoning Committee finds that the review criteria of Subsection 12.150.07(4) of the Columbia County Zoning Code, or the conditions stipulated in the Committee Decision, are not being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the Conditional Use Permit.
6. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Pacific and Bethlehem English Evangelical Lutheran Church are hereby incorporated as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement(s) or condition(s), unless an individual point of the agreement(s) or condition(s) is specifically included above as a condition of approval. Any additional Town agreements or conditions are listed below. In the event that the Town submits a finding of noncompliance with any of the item(s) listed below, for which the County has not assumed direct enforcement authority, upon written request by the Town, the County reserves the right to review the Conditional Use Permit.

Section 12.150.07(4): Criteria for review of all Conditional Uses

Re: Public Hearing Item 6: Bethlehem Lutheran Church CUP

**Staff comments are italicized after each review item.*

Review Criteria. In reviewing the conditional use permit the Planning and Zoning Committee shall use the following as guides for making a decision.

- (1) The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands. *The addition of a columbarium to the exterior of the existing church does not change or affect the public health, safety or general welfare of the occupants of surrounding lands. Activities on the parcel will essentially remain unchanged.*
- (2) The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area. *The proposed columbarium is a non-intrusive structure, and will not alter the character of the general vicinity.*
- (3) The erosion potential of site based on topography, drainage, slope, soil type, and vegetative cover. *The potential for erosion is limited, but proper erosion control measures during construction will help alleviate any issues.*
- (4) The prevention and control of water pollution including sedimentation, and the potential impacts on floodplain and wetlands. *There are no wetlands or floodplain near the development.*
- (5) The site has adequate utilities, including if necessary acceptable disposal systems. *There is an existing system serving the church, and it is current on maintenance requirements. A disposal system is not required for the addition of the columbarium.*
- (6) Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow. *Ingress and egress to the site is from an existing driveway off State Highway 33. The level of activity from the proposed use will not create congestion or affect traffic flow above and beyond the existing church/religious use on the property.*
- (7) The Conditional Use shall conform with the standards of the applicable district(s) in which it is located. *The proposed columbarium must comply with the conditions of approval as well as the standards set forth within the Columbia County Zoning Code, specifically 12.125.09(3).*

