

Amendatory Ordinance No. 8-0313

To the Honorable Iowa County Board of Supervisors:

Whereas Section 13.0 of the Iowa County Zoning Ordinance does not define the term “cemetery” despite this land use being regulated elsewhere in the Ordinance;

Whereas staff of the Office of Planning & Development has noticed this omission and has recommended a definition that is consistent with Chapter 157, Wisconsin Statutes;

Whereas Office staff also reviewed the current Ordinance provisions relating to a “cemetery” for adequacy and relevance;

Whereas a public hearing, designated as zoning hearing number **2666**, was held on **February 27, 2013** by the Iowa County Planning & Zoning Committee to consider increasing the opportunities to establish a cemetery while retaining approval authority with enhanced documentation of physical location, with notice of this hearing being duly published and provided to all fourteen towns who have adopted county zoning,

Whereas said Committee is recommending approval of the following revisions to the Iowa County Zoning Ordinance:

Section 13 of the Iowa County Zoning Ordinance: *Cemetery. One or more burial sites or lots used or intended to be used for the disposal of human remains;* and

Include a “cemetery” or “cemeteries” as a conditional use permit option in the following zoning districts: A-1, AB-1, RB-1, B-2, H-1 and AR-1 as follows:

Cemeteries, including mausoleums and crematories, may be requested provided:

- a) *A cemetery that contains or proposes to contain more than one burial site must be platted in compliance with Chapter 157 WI Statutes, or as subsequently renumbered, provided an affidavit or similar document recorded with the Iowa County Register of Deeds to inform of a granted conditional use permit for a single burial site cemetery shall be a required condition to any approved conditional use permit.*
- b) *Any new mausoleum or crematory shall be conditioned with a minimum setback distance to all property lines and existing legal land uses that is reasonable to minimize potential conflict.*
- c) *Adequate organizational structure and funding for care shall be maintained, absent a written agreement of the Town or Towns in which the cemetery is located, to provide for perpetual care.*

Now therefore be it resolved that the Iowa County Zoning Ordinance be amended as recommended by the Iowa County Planning and Zoning Committee.

Respectfully submitted by the Iowa County Planning & Zoning Committee.

I, the undersigned Iowa County Clerk, hereby certify that the above Amendatory Ordinance No. was X approved as recommended; _____ approved with amendment: ___ denied as recommended; ___ rereferred to the Iowa County Planning & Zoning Committee by the Iowa County Board of Supervisors on **March 19, 2013**. The effective date of this ordinance shall be **March 19, 2013**.


Greg Klusendorf
Iowa County Clerk

Date: 3/20/13