

**CITY OF CEDARBURG
OZAUKEE COUNTY, WISCONSIN
ORDINANCE NO. 2016-09
AMENDING THE ZONING ORDINANCE OF THE CITY OF CEDARBURG,
WISCONSIN REGARDING THE ESTABLISHMENT OF COLUMBARIA IN I-1
INSTITUTIONAL AND PUBLIC SERVICE DISTRICT**

WHEREAS, the City Council desires to add to the I-1 Institutional and Public Service District Zoning Code of the City of Cedarburg as a conditional use the ability of religious associations as defined by Wisconsin Statutes Section 157.061(15) to establish columbaria as accessory structures subject to Wisconsin Statute Section 157.123 and other required conditions as established by this ordinance.

THEREFORE, the City Council of the City of Cedarburg do ordain as follows:

SECTION 1. Section 13-1-240(b) Definitions of the Zoning Code of the City of Cedarburg is hereby amended as follows:

(162) Columbarium. A building, structure, or part of a building or structure that is used or intended to be used for the inurnment of cremated remains. (Wis. Stat. § 440.70 (4)).

SECTION 2. Section 13-1-63(d) I-1 Institutional and Public Service District of the Zoning Code of the City of Cedarburg is hereby amended as follows:

(15) Columbaria. Any religious association may establish an indoor columbarium or an outdoor columbarium as an accessory structure subject to Wis. Stat. § 157.123 and the conditional use requirements set for by this ordinance:

a. Indoor Columbaria. A religious association may establish an indoor columbarium subject to the requirements of Wis. Stat. § 157.123, the City of Cedarburg Building Code and the following requirements:

1. A plan of perpetual care and maintenance of any proposed columbarium pursuant to Wis. Stat. § 157.123(2)(b).

b. Outdoor Columbaria. A religious association may establish an outdoor columbarium subject to the requirements of Wis. Stat. § 157.123 and the following requirements set forth below:

1. A religious association must submit for review and approval to the Cedarburg Plan Commission:

a. A plan of perpetual care and maintenance of any proposed columbarium pursuant to Wis. Stat. § 157.123(2)(b); and

b. A site plan.

2. All Outdoor Columbaria must comply with the following physical requirements:

a. Location: A columbarium must be located outside a building owned and occupied by a religious association as defined by Wis. Stat. § 157.123(2)(a). Outdoor Columbaria are not subject to Section 13-1-101(g) of the Zoning Code requiring Accessory Structures be located in the rear yard.

b. Size: Columbaria structures are not subject to the Area requirements in Section 13-1-63(g)(2) requiring the sum total floor area of the principal area of the building, columbaria, and all other accessory buildings not exceed forty (40%) of the lot.

c. Setback: Columbaria structures shall meet the setback and yard requirements of the I-1 Institutional and Public Service Districts.

d. Appearance: Columbaria shall be consistent in material and design to the primary structure.

e. Signage: 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 fifteen (15) inches by fifteen (15) inches.

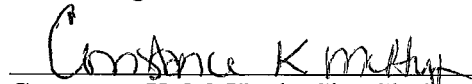
f. Left Objects: Left objects, such as flowers and mementos, are permitted, but must be monitored by the religious association and removed within seven (7) days of placement.

SECTION 3. This ordinance shall take effect upon its passage and publications as provided by law.

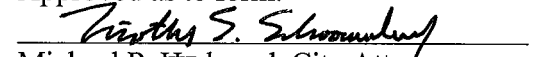
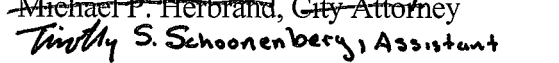
Passed and adopted this 29th day of August 2016.


Kip Kinzel, Mayor

Countersigned:


Constance K. McHugh, City Clerk

Approved as to form:


Michael P. Herbrand, City Attorney

Timothy S. Schoonenberg, Assistant
to the City Attorney