



## LAND USE APPROVALS

### CEMETERIES PRIVATE BURIAL GROUNDS MORTUARIES

- Cemeteries are a conditional use in the Forest Use (FU) zone, allowed outright in the Rural Service Center (RSC) zone, and with a church in the Exclusive Farm Use (EFU) and Small Farm-40 (SF-40) zones.
- Private family burial grounds are allowed outright in all zones when approved according to the following standards.
- A mortuary is allowed as a conditional use in the General Commercial (CG) zone.

#### **Cemetery Standards Required by the Morrow County Zoning Ordinance 6.050(C)**

(To be applied as conditional use criteria in the FU zone)

The Commission shall require evidence and shall find that the terrain and soil types of a proposed location are suitable for interment, and that the nature of the subsoil and drainage will not have a detrimental effect on ground water sources or domestic water supplies in the area of the proposed use.

In the EFU Zone, a cemetery may not be authorized within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR 660 Division 4, and further that no such use may be authorized on high value farmland.

#### **Standards for Cemeteries required by the Oregon Revised Statutes - 97.310**

**Survey and Subdivision** (These criteria apply to all cemeteries and are enforced by the Morrow County Surveyor)

(1) Every cemetery authority, cemetery purposes, shall:

(a) In case of land, survey and subdivide it into sections, blocks, plots, avenues, walks or other subdivisions and make a good and substantial map or plat showing them, with descriptive names or numbers. In all instances this shall be done in compliance with ORS 92.010 to 92.190 except that ORS 92.090 (2)(a) and (b) shall not be applicable to streets, alleys, ways, and footpaths located wholly within a cemetery.

(b) In case of a mausoleum or columbarium, make a good substantial map or plat on which are delineated the sections, halls, rooms, corridors, elevation, and other divisions, with descriptive names or numbers. In all instances this shall be done in compliance with the state building code.

(2) Every lot in a cemetery subdivision shall include an access easement across the lot for the benefit of adjacent lots. Designated areas between lots for the purpose of providing access to separate lots are not required to approve a subdivision under this section. A cemetery authority must disclose to a potential purchaser of a lot in the cemetery the existence of the access easement across the lot.

**Private Family Burial Grounds Standards** (The conditional use standards will also be used, as they provide appropriate mechanisms to protect the health, safety, and welfare of Morrow County citizens. An approval for a private family burial grounds is not a land use decision, but a decision under ORS 97.)

The steps for creating and maintaining a private family burial ground in Morrow County are as follows:

1. The request for a private family burial ground must have Planning Commission approval to meet ORS 97.460 (but not as a Conditional Use);
2. Approval is contingent on assurance that no payment shall be taken for burial at the family cemetery;
3. Perpetual and equal access must be guaranteed via a recorded document such as an easement; and
4. Only members of one family are to be interred at the family burial ground.

State law places no specific restriction on the burial or scattering of processed cremated remains.