

# CONDITIONS

## Use Permit Application No. 23-0351

### Cemetery

SCI Virginia Funeral Services, LLC | Unaddressed Parcel at Coliseum Drive and Hampton Roads Center Parkway [LRSN 13005223]

#### 1) Issuance of Permit

The Use Permit is for the development of a cemetery, as that use is defined in the Hampton Zoning Ordinance, applies only to the location of the unaddressed parcel located at the intersection of Coliseum Drive and Hampton Roads Center Parkway [LRSN 13005223] ("Location"), is further limited and confined to the designated area as identified on **Exhibit A** attached hereto ("Cemetery"), and is not transferable to another location. Any expansion beyond the area designated on **Exhibit A** will require an amended use permit.

#### 2) Fencing

- a. Any proposed fencing shall be black decorative metal picket fencing or similar, and may incorporate brick columns and/or posts.
- b. Any proposed fencing shall not be greater than six (6) feet in height.

#### 3) Landscaping

All landscaping and screening shall be provided in accordance with the "City of Hampton Landscape Guidelines."

#### 4) Cemetery Licensing and Regulations

- a. The cemetery operator(s) shall obtain and maintain all applicable licenses to conduct the business authorized by this Use Permit prior to engaging in any such business, including, but not limited to, those that may be required by the Virginia Cemetery Board and the Department of Professional and Occupational Regulation (DPOR).
- b. The cemetery operator(s) shall comply with all applicable local, state, and federal laws and regulations relating to the operation of a cemetery, including but not limited to, (i) those set forth in Chapter 10 of the Hampton City Code (as amended) and (ii) those set forth by the Virginia Cemetery Board and the Virginia Department of Professional and Occupational Regulation (DPOR).

#### 5) Compliance with Laws

- a. If the applicant is a legal entity, other than an individual person or persons, including, but not limited to a limited liability company or corporation, applicant shall also be authorized to transact business in Virginia as a domestic or foreign business entity prior to engaging in the permitted use; and shall provide proof of registration to the Zoning Administrator, upon

# CONDITIONS

## Use Permit Application No. 23-0351

Cemetery

SCI Virginia Funeral Services, LLC | Unaddressed Parcel at Coliseum Drive and Hampton Roads Center Parkway [LRSN 13005223]

request. Applicant shall not allow its existence to lapse or its certificate of authority or registration to transact business in Virginia to be revoked or cancelled at any time while this Use Permit is in effect.

- b. This Use Permit may be terminated for any violation of federal, state, or local law.

### 6) Revocation

Notwithstanding any condition or provision of this use permit to the contrary, the use permit may be revoked for violation of any terms or conditions of the use permit as set forth in Chapter 14 of the Hampton Zoning Ordinance (as amended).

### 7) Nullification

The Use Permit shall automatically expire and become null and void under any of the following conditions:

- a) If, in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the Use Permit;
- b) No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of approval by the city council, or if no building permit is required, if the use is not established within twelve (12) months of the date of approval by the city council; or
- c) Once the property may be occupied, if the property is not used for the permitted purpose for a continuous two-year period unless otherwise specified in the Zoning Ordinance. In making this determination the city may consider such matters as the issuance of a building permit, a business license, utility connections and such related factors.

# CONDITIONS

Use Permit Application No. 23-0351

Cemetery

SCI Virginia Funeral Services, LLC | Unaddressed Parcel at Coliseum Drive and Hampton Roads Center Parkway [LRSN 13005223]

## EXHIBIT A

