



## Legislation Details (With Text)

**File #:** 21-0218      **Version:** 1      **Name:** ZOA21-00012 Cemeteries, Ch 2  
**Type:** Zoning Ordinance - Text      **Status:** Passed  
**File created:** 7/29/2021      **In control:** City Council Legislative Session  
**On agenda:** 8/11/2021      **Final action:** 8/11/2021  
**Title:** Ordinance to Amend and Re-Enact the Zoning Ordinance of the City Of Hampton, Virginia by Amending Chapter 2 Entitled, "Definitions" Pertaining to the Definition of Cemetery

**Sponsors:**

**Indexes:** ,

**Code sections:**

**Attachments:** 1. Presentation, 2. Redline

Date	Ver.	Action By	Action	Result
8/11/2021	1	City Council Legislative Session	approved	Pass

Ordinance to Amend and Re-Enact the Zoning Ordinance of the City Of Hampton, Virginia by Amending Chapter 2 Entitled, "Definitions" Pertaining to the Definition of Cemetery

### Background Statement:

This proposal would amend Chapter 2 of the zoning ordinance to add a definition for cemetery: any land or structure used or intended to be used for the interment of human remains. The sprinkling of ashes or their burial in a biodegradable container on church grounds or their placement in a columbarium on church property shall not constitute the creation of a cemetery; as further defined and amended by Sec 15.2-2288.5 of the Virginia State Code. For the purposes of the Zoning Ordinance, "church" shall be interpreted to be a "religious facility"

The definition is consistent with the City Code and State Code.

This amendment is accompanied by separate, related amendments to Chapters 3 (ZOA21-0219) and Chapter 12 (ZOA21-0220), "Uses Permitted" and "Nonconformities", respectively. This item is also in conjunction with a City Code Amendment (21-0221) which would align the language and requirements with the Zoning Ordinance.

### Recommendations:

Staff Recommendation:  
Approve

Planning Commission Recommendation:  
Approve

**Whereas**, the public necessity, convenience, general welfare and good zoning practice so require;

**BE IT ORDAINED** by the Council of the City of Hampton, Virginia that Section 2-2 of Chapter 2 of the Zoning Ordinance of the City of Hampton, Virginia, be amended to read as follows:

**Chapter 2 - DEFINITIONS**

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**Sec. 2-2 - Definitions**

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*Cemetery* - any land or structure used or intended to be used for the interment of human remains. The sprinkling of ashes or their burial in a biodegradable container on church grounds or their placement in a columbarium on church property shall not constitute the creation of a cemetery; as further defined and amended by Sec 15.2-2288.5 of the Virginia State Code. For the purposes of the Zoning Ordinance, "church" shall be interpreted to be a "religious facility." Any land or structure used for the interment of animal remains shall be considered a Cemetery.

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