



Legislation Text

File #: 21-0218, Version: 1

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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