

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 15.2-2288.5, relating to*  
3 *cemeteries.*

4 [S 430]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That the Code of Virginia is amended by adding a section numbered 15.2-2288.5 as follows:**8 *§ 15.2-2288.5. Meaning of "cemetery" for purposes of zoning.*9 *A. A "cemetery" for purposes of this chapter shall have the meaning set forth in § 54.1-2310.*10 *B. Nothing in this section shall exempt a licensed funeral home or cemetery from any applicable*  
11 *zoning regulation.*12 *C. The following uses shall be included in the approval of a cemetery without further zoning*  
13 *approval being required: all uses necessarily or customarily associated with interment of human*  
14 *remains, benches, ledges, walls, graves, roads, paths, landscaping, and soil storage consistent with*  
15 *federal, state, and local laws on erosion sediment control.*16 *D. Mausoleums, columbaria, chapels, administrative offices, maintenance and storage areas that are*  
17 *shown in a legislative approval for the specific cemetery obtained at the request of the owner shall not*  
18 *require additional local legislative approval provided such structures and uses are developed in*  
19 *accordance with the original local legislative approval. This subsection shall not supersede any*  
20 *permission required by an ordinance adopted pursuant to § 15.2-2306 relative to historic districts.*21 **2. That nothing in this act shall limit, modify or alter the terms or obligations of a special permit**  
22 **referenced as SPA 88-P-050-03 issued by Fairfax County, Virginia and approved on or about**  
23 **October 26, 2011.**24 **3. That the provisions of this act shall become effective on January 1, 2013.**

ENROLLED

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