

7. The owner or operator shall provide adequate lighting for all entrances, exits and parking areas serving the adult business, and all areas of the establishment where the adult business is conducted. "Adequate lighting" means sufficient lighting for clear visual surveillance. (No. 03-57, 7-22-03)

Section 32-250.110. Preservation of Existing Cemeteries.

1. In order to preserve existing cemeteries, parcels containing cemeteries that are not separately platted or established by an easement within the boundaries of such parcels or not otherwise clearly delineated with limits of burials, shall be required at the time of site or subdivision plan review to have a professionally prepared archeological delineation of the limits of burials within the cemetery. The delineation shall be conducted in accordance with standard archaeological practices, such as, but not limited to, the digging of a series of shallow trenches around the perimeter of the visible areas of the cemetery and removing topsoil to allow a view of grave shaft soil discolorations or systematic probing with rods that detect differences in soil compaction. The limits of burials shall be used to establish the perimeter boundary of the cemetery on the site plan or subdivision plat and plan.

2. The boundary of a cemetery shall be indicated on the site plan or subdivision plat and plan as determined by the archeological delineation. The cemetery and associated buffer area as required by subsection 4. below shall be indicated as an easement or as a separate cemetery parcel that can be conveyed to an appropriate entity that would be responsible for perpetual maintenance of the cemetery.

3. Pedestrian access to the cemetery shall be provided on the site plan or subdivision plat and plan either with a minimum of fifteen (15) feet of frontage on a street or as an easement that shall be a minimum of fifteen (15) feet wide from a street or other point of public ingress.

4. A twenty-five (25) foot wide buffer area shall be established around the perimeter of the cemetery as delineated per subsection 1. above and shall be planted in accordance with section 800 of the Design and Construction Standards Manual.

5. A fence between three and four feet tall shall be placed around the boundary of the cemetery as delineated per subsection 1. above. The fence shall be located on the interior edge of the buffer area and not within the buffer area.

6. The cemetery grounds, fence, and buffer area shall be maintained and the responsibility for maintenance shall be established with the site plan or subdivision plat and plan. The party responsible for maintenance shall be indicated as one of the following:

- (a) owner of the property on which the cemetery is delineated;
- (b) the homeowner association in the case where a homeowner association is established and the cemetery is created as a separate out-lot, easement, or part of the common open space within a subdivision; or
- (c) other applicable association or entity, such as a business association, trust, or foundation.

7. Any grading shall occur outside the twenty-five (25) foot wide perimeter buffer area. In no circumstance shall such grading be sloped more than 3 to 1 from the existing grade of the cemetery for a distance of fifty (50) feet beyond the buffer area.

8. Subsections 1. through 6., above, shall not preclude removal and re-interment of burials in accordance with the Code of Virginia.
Editor's note--Section 32-250.110 adopted pursuant to Ord. No. 04-78, on Dec. 21, 2004.