

# Ordinance No. 1174

**AN ORDINANCE to amend the Code of the City of Alexandria, Virginia, 1953, as amended by adding a new chapter thereto numbered 25A, which new Chapter 25A relates to SITE PLANS AND LAND DEVELOPMENT, ESTABLISHES REQUIREMENTS, FEES, REGULATIONS AND PROCELURES FOR SITE PLANS AND PROVIDES PENALTYIES FOR VIOLATIONS.**

Whereas the City Council wishes to provide for the more orderly and proper development of land within the City, to protect the public safety, health and welfare in connection with land development, and to coordinate the activities of various City departments and the Planning Commission in connection with land development; therefore

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the Code of the City of Alexandria, Virginia, 1953, as amended, be and the same hereby is amended by adding thereto a new chapter numbered 25A to read as follows:

## **CHAPTER 25A SITE PLANS**

### **Sec. 25A-1. Title.**

This chapter shall be known and may be cited as the "Site Plan Code of Alexandria."

### **Sec. 25A-2. Definitions.**

For the purpose of this chapter the following words and phrases shall have the meaning assigned below, except in those instances where the context clearly indicates a different meaning.

**Building.** Any structure built for the support, shelter, housing or enclosure of persons, animals or property of any kind.

**Commission.** The Planning Commission of the City of Alexandria, Virginia.

**City.** The City of Alexandria, Virginia.

**Director.** The Director of Planning of the City of Alexandria, Virginia.

**Dwelling.** A building or portion thereof which is designed or used exclusively for residential purposes.

**Dwelling Unit.** A group of one or more rooms designed for or intended for occupancy of a single family.

**Row Dwelling.** One of a series of three or more attached dwelling units under a common roof with a common exterior wall, and separated from one another by continuous vertical party walls without openings from basement to roof.

**Single Family Dwelling.** A detached building designed for or intended to be occupied by one family.

**Site Plan.** A plan delineating the overall scheme of development of a tract of land, including but not limited to grading, engineering design, construction details and survey data for existing and proposed improvements.

**Structure.** Anything which is built or constructed, an assembly of materials or any piece of work artificially built up or composed of parts joined together in some definite manner.

**Two Family Dwelling.** A building designed for or intended to be occupied by not over two families, living independently of each other. This shall include both duplex (one dwelling unit above another) and semi-detached (two dwelling units having a common vertical party wall.)

**Sec. 25A-3. Approved site plan required to erect buildings.**

Except as hereinafter provided in Section 25A-7, it shall be unlawful for any person to construct or erect any building or structure on any land within the City until a site plan has been submitted and approved in accordance with the provisions of this chapter.

**Sec. 25A-4. Approved site plan required to enlarge buildings.**

Except as hereinafter provided in Section 25A-7, it shall be unlawful for any person to alter any building or structure on any land within the City in such manner as to increase the floor area or change the land area covered by the building or structure until a site plan has been submitted and approved in accordance with the provisions of this chapter.

**Sec. 25A-5. Approved site plan required to disturb land.**

Except as hereinafter provided in Section 25A-7, it shall be unlawful for any person to alter the grade of any land in such a manner as to change existing contours in excess of two (2) feet within ten (10) feet of adjacent land, or in excess of three (3) feet elsewhere, construct any streets, alleys, sidewalks, curbs or gutters, build any retaining walls, construct any off-street parking facility, construct any drain or sewer, or change or divert the flow of storm water or natural water courses until a site plan has been submitted and approved in accordance with the provisions of the chapter.

**Sec. 25A-6. Development according to site plan.**

It shall be unlawful for any person to construct, erect or alter any building or structure, or develop, change or improve land for which an approved site plan is required by this chapter, except in accordance with the approved final site plan.

**Sec. 25A-7. Exceptions as to certain dwellings.**

The provisions of this chapter shall not apply to single family dwellings, two family dwellings, row dwellings, accessory buildings thereto or the land on which they are situated or proposed.

**Sec. 25A-8 Permits not to be issued without approved site plans.**

No permit shall be issued to erect or alter any building or structure or alter the grade of any land that is subject to this chapter until a site plan has been submitted and approved in accordance with the provisions of this chapter.

**Sec. 25A-9. Site plan classification.**

Site plans shall be classified as preliminary site plans and final site plans. Preliminary site plans and final site plans may be combined and treated as a final site plan in either of the following instances, provided all the information required by this chapter for both classes of plans is included and the procedure for processing preliminary site plans is followed.

- (a) When a preliminary site plan has been approved and a change in part of the project is desired, or
- (b) When a project embraces no more than three (3) separate buildings or structures, and no dedication or reservation of public streets through or within the project is required, and the project does not embrace more than two (2) acres of land, and the project does not include land in more than one (1) zone classification

**Sec. 25A-10. Preliminary site plans.**

(1) The owner or developer shall submit a preliminary site plan, prepared by a person or persons authorized so to do by the provisions of Chapter 3, Title 54 of the Code of Virginia, 1950, as amended, in accordance with the provisions of this chapter, to the Director for submission to the Commission. Not less than fifteen (15) prints of the preliminary plan at a scale of not less than one hundred (100) feet to the inch shall be submitted to the Director, together with such other information as may be required under subsection (4) of this section. Print size shall not generally exceed twenty-four (24) by thirty-six (36) inches.

(2) The Commission shall consider the preliminary site plan in light of the provisions of this chapter and approve or disapprove the plan or approve same with modifications, noting thereon any changes that will be required. Two (2) copies shall be returned to the applicant for the development or his authorized representative with the date of such approval or disapproval noted thereon over the signature of the chairman or vice-chairman and of the Director.

(3) Preliminary site plans shall be filed with the Director not later than fifteen (15) days prior to any meeting of the Commission, if consideration of the plan is desired at such meeting. The filing of the plan signed by the applicant or his agent shall constitute the application for approval. A public hearing shall be held by the Commission on each application. The Director shall cause notice of the time and place of such hearing to be sent by mail to the applicant and owner of record of the land proposed to be developed and to the owners of all lands immediately adjoining such land at least seven (7) days before the date of hearing. The applicant shall furnish to the Director the names and addresses of all owners of land immediately adjoining the proposed development at the time

of filing the plan. Any person entitled to notice may waive such right in writing filed with the Director prior to the hearings.

(4) The preliminary site plan shall show the following:

- (a) Name of development or address.
- (b) Name and address of the owner or owners of record and the applicant.
- (c) Name, address, signature and registration number of the professionals preparing the plan.
- (d) Present zoning of the site and abutting property.
- (e) Courses and distances of center lines of all streets and all property lines.
- (f) Date, scale and north point with reference to source of meridian.
- (g) All building restriction lines, highway setback lines, easements, covenants, reservation and rights of way.
- (h) The total land area.
- (i) Topography of existing ground and paved areas, and elevations of streets, alleys, utilities, sanitary and storm sewers, and buildings and structures. Topography to be shown by dashed line illustrating two (2) foot or five (5) foot interval contours, as required by the Director, and by spot elevations where necessary to indicate flat areas, all based on U. S. C. and G. S. datum, or City datum where the former are not available.
- (j) Two spaces for signed approval of Commission and Director.

(5) The preliminary site plan shall show the general location, dimension, size and height of the following when existing:

- (a) Sidewalks, streets, alleys, easements and utilities.
- (b) Buildings and structures.
- (c) Public sewer systems.
- (d) Slopes, terraces, and retaining walls.
- (e) Driveways entrances, exits, parking areas and sidewalks.
- (f) Water mains and fire hydrants.
- (g) Trees and shrubs.
- (h) Recreation areas.
- (i) Natural and artificial water courses.
- (j) Limits of flood planes.

(6) The preliminary site plan shall show the general location, dimensions, size and height of the following when proposed:

- (a) Sidewalks, streets, alleys, easements and utilities.
- (b) Buildings and structures.
- (c) Public sewer systems.
- (d) Slopes, terraces and retaining walls.
- (e) Driveways, entrances, exits, parking areas and sidewalks.
- (f) Water mains and fire hydrants.
- (g) Trees and shrubs.
- (h) Recreation areas.

There shall also be shown:

- (i) Distances between buildings.
- (j) Estimates of the following:
  - 1. Number of dwelling units.
  - 2. Number of parking spaces.
  - 3. Number of loading spaces.
  - 4. Square feet of floor space.
  - 5. Number of commercial or industrial tenants and employees.
- (k) Plans for collecting and depositing storm water and method of treatment of natural and artificial water courses including a delineation of proposed limits of flood planes, if any.
- (l) A general indication of proposed grading, surface drainage, terraces, retaining wall heights, grades on paved areas and ground floor elevations of proposed buildings and structures, shown by two (2) foot or five (5) foot contours, as required by the Director, and approximate elevations.

#### Sec. 25A-11. Final site plans.

In case the preliminary site plan is approved, or approved with modifications and no appeal, as provided in this chapter is taken, the owner, contract purchaser, or lessor shall cause a final site plan to be prepared by a person or persons authorized so to do by the provisions of Chapter 3, Title 54 of the Code of Virginia, 1950, as amended, and submitted to the Commission for its consideration. Final site plans shall be on reproducible permanent base material and shall be on sheets which shall not exceed twenty-four (24) by thirty-six (36) inches in size; the plan may show only part of the land designated on the preliminary site plan if desired. The original tracing and fifteen (15) prints of the final plan shall be filed with the Director. The final site plan shall be at a scale not smaller than one (1) inch to forty (40) feet. The final site plan shall show all of the information required by subsections (4), (5), and (6) of Section 25A-10 for preliminary site plans, but the information shown shall be specific, precise and accurate to usual and recognized professional standards and not general in nature. Calculations of storm water runoff shall be submitted. Final site plans shall be checked for compliance with preliminary site plans previously approved, and the requirements of this section. If the Director finds that a final site plan complies in all respects, he shall submit it to a committee, consisting of the chairman or vice-chairman of the Commission, one other commission member, and the Director, for approval by the signatures of the chairman or vice-chairman, the other commission member and the Director. The plan shall be dated and any such approval shall be entered in the minutes of the Commission.

If the Director finds that a final site plan does not comply with a previously approved site plan or the provisions of this section, the applicant shall be so advised and be allowed to either bring the final plan into compliance in all respects, submit a new preliminary site plan for processing as if no plan had been previously considered, or withdraw his application without refund of fees.

**Sec. 25A-12. Requirements, regulations and restrictions.**

(1) Any building or structure erected or altered shall comply with the provisions of the Code of the City of Alexandria, Virginia, 1953, as amended, and any applicable laws of the Commonwealth of Virginia.

(2) Any work or development on the site, including but not limited to the following, shall comply with the provisions of the Code of the City of Alexandria, Virginia, 1953, as amended, and any applicable laws of the Commonwealth of Virginia: the grading of land, the installation of utilities, the construction of curbs, gutters and sidewalks, the construction of streets and alleys, the building of retaining walls, the construction of drains and sewers, the construction of off-street parking, the construction or erection of any improvement on the site.

(3) Any building or structure shall be reasonably accessible to fire, police, emergency and service vehicles.

(4) The width, grade, location, alignment and arrangement of streets, sidewalks and alleys shall conform to the master plan of the City as near as reasonably practicable.

(5) Off-street parking facilities shall have a reasonable slope and be accessible, safe and properly drained.

(6) Streets, sidewalks and alleys shall, insofar as reasonably practicable, provide access and good traffic circulation to adjacent lands, existing streets, alleys and sidewalks, and proposed or planned streets, alleys and sidewalks.

(7) Adequate City approved water mains and fire hydrants shall be provided in accessible places when it is reasonably practicable so to do and there are not adequate fire hydrants nearby.

(8) Adequate provisions shall be made for the collection and disposition of all on and off-site storm water and natural water. Natural drainage ways shall be used when it is reasonably practicable so to do.

(9) Adequate provision shall be made for the collection and disposition of all on and off-site sanitary sewage.

(10) Adequate provision shall be made to control flooding.

(11) The obstruction of natural water courses shall be avoided.

(12) No building for any residential use shall be allowed within a flood plane.

(13) Adequate provision shall be made to control the slippage, shifting, erosion, accretion and subsidence of soil.

(14) Adequate provision shall be made to control the slipping and shifting of buildings and structures.

(15) Adequate provision shall be made to protect other lands, structures, persons and property.

**Sec. 25A-13. Public improvements.**

The Commission may require payment in full or guarantee of payment in full of all costs or a proportionate share of costs for public streets, alleys, sidewalks, curbs, gutters, sewers and drains.

The Commission may also require the dedication or reservation of land and the installation of public streets, alleys, sidewalks, curbs, gutters, sewers, drains and other public improvements. Only a corporate surety bond, for at least the sum estimated to be the full cost of the required improvements, of a company authorized to do

business in the Commonwealth of Virginia, or a cash escrow for the estimated full amount of improvements shall be deemed to be at satisfactory guarantee.

**Sec. 25A-14. Coordination of City department action on site plans.**

Prior to the time that the Commission first considers any preliminary site plan the Director shall call a meeting at which there shall be a representative from each of the following: Public Works Department, Fire Department, Planning Department, Traffic Department, Construction and Inspection Department, and any other department that the Director deems necessary or desirable.

At such meeting the preliminary site plan shall be examined and discussed in light of the provisions of this chapter and recommendations concerning the plan may be made. The Director shall report any such recommendations to the Commission on or before the time it first considers the plan.

The above described procedure shall also be followed for combined plans.

**Sec. 25A-15. Filing fees.**

(1) The following filing fees shall be paid upon filing the preliminary site plan and final site plan:

Preliminary Site Plan: Thirty-Five Dollars plus

- (a) Fifty cents per dwelling unit for each apartment unit.
- (b) Two Dollars per 1,000 square feet of gross floor area of all commercial structures.
- (c) One Dollar per 1,000 square feet of gross floor area of all industrial structures.

Final Site Plan: Twenty Dollars, plus

- (a) Forty cents per dwelling unit for each apartment unit.
- (b) One Dollar per 1,000 square feet of gross floor area of all commercial structures.
- (c) Fifty cents per 1,000 square feet of gross floor area of all industrial structures.

(2) Whenever the site plan submitted shall be in a form of a preliminary and final site plan combined, the fee shall equal the fee required for preliminary site plans plus one-half of the fee for final site plans.

**Sec. 25A-16. Failure of Commission to act.**

Failure of the Commission to act on any site plan within ninety (90) days after it has been properly filed with the Director shall be deemed to constitute approval of the plan.

**Sec. 25A-17. Appeals.**

In case the Commission disapproves any preliminary site plan or combined site plan properly submitted under the provisions of this chapter, there may be an appeal from the decision to the City Council provided the appeal is made in writing and filed with the City Clerk within fifteen (15) days after the decision is announced. In the event such an appeal is filed the Council shall schedule at least one (1) public hearing on the matter. The Council may affirm, reverse or modify the decision of the Commission or return the matter to the Commission for further consideration.

Whenever an appeal is filed the Commission shall forward its reasons for disapproval to the Council and shall designate at least one (1) member of the Commission to appear before the Council at the public hearing.

**Sec. 25A-18. Relation to other laws.**

The provisions contained in this chapter shall be considered separate from, supplemental to and additional to the provisions contained elsewhere in the City Code or City ordinances. Nothing contained in this chapter shall excuse any person from compliance with any and all other applicable provisions of the Alexandria City Code.

**Sec. 25A-19 Time of validity of site plans.**

Approval of a preliminary site plan shall become null and void if no final site plan is filed with the Commission within eighteen (18) months after approval, unless, within such period upon application in writing to the Commission, an extension not exceeding twelve (12) months is granted by the Commission.

Approval of a final site plan or a plan treated as a final site plan shall become null and void if no significant work is done or development is made on the site approved within twelve (12) months after approval.

**Sec. 25A-20. Penalty.**

Any person violating the provisions of this chapter shall, upon conviction, be punished by a fine not to exceed One Hundred Dollars (\$100.00) or by imprisonment in the City jail for a period not to exceed thirty (30) days, or by both such fine and imprisonment. Each day's violation shall constitute a separate offense. Violations of the provisions of this chapter may also be restrained, prohibited or enjoined by appropriate proceedings.

**Sec. 25A-21. Transition**

Any and all buildings and structures for which a building permit shall have been duly and regularly issued by the Building Inspector on or before June 26, 1962, or for which an application for a building permit or drawings constituting an application for a building permit were received in the Office of Construction and Inspection on or before May 14, 1962, may be completed without the necessity of complying with this Chapter.

Section 2. That this ordinance shall be published in a newspaper of general circulation in the City not later than five days following its introduction together with a notice containing the time and place for a public hearing. The Clerk of the Council shall note the date of introduction and first reading, the date of publications, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

**FRANK E. MANN**  
Mayor

Final Passage: June 27, 1962