

ORDINANCE NO. 1882

AN ORDINANCE to amend and reordain Section 34-9, Article I, Chapter 34 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 34 relates to SUBDIVISIONS, which Article I relates to IN GENERAL, and which Section 34-9 relates to APPEALS FROM PLANNING COMMISSION,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Section 34-9 of Article I, Chapter 34 of The Code of the City of Alexandria, Virginia, 1963, as amended, be and the same hereby is amended and reordained to read as follows:

Sec. 34-9. Appeals from planning commission.

In case the planning commission approves or disapproves any plats submitted under this chapter, there may be an appeal from the decision to the city council; provided that in the instance of an appeal from an approval the appeal must be made by the owners of at least twenty percent of the area of the land within three hundred feet of the boundaries of the proposed subdivision. Streets, alleys and land dedicated to public use or land owned by the city, state or federal government or public agencies shall not be included in computing said area.

Any such appeal from an approval or disapproval by the planning commission shall be made in writing and filed with the city clerk within 15 days from the date of the decision of the commission. In the event such an appeal is filed, the city council shall schedule at least one de novo public hearing on the matter and may affirm, reverse or modify the decision of the commission or return the matter to the commission for further consideration. On appeal the same standards shall be applied by the council as are established for the planning commission.

Whenever an appeal is filed, the commission shall forward one copy of the plat, together with its reasons for approval or disapproval, to the city council and shall designate at least one member of the commission to appear before the city council at the public hearing.

Pending the outcome of any appeal before city council, the provisions in Section 34-9 of this Code with respect to the legal effect of planning commission approval shall be stayed.

Section 2. That this ordinance shall be published in a newspaper of general circulation published 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 publication, 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.

Charles E. Beatley, Jr.  
Mayor

FINAL PASSAGE: September 11, 1973