

ORDINANCE NO. 2188

AN ORDINANCE to amend and reordain subparagraph h of paragraph (2), subsection (h), Section 42-19, Article III, Chapter 42 of The Code of the City of Alexandria, Virginia, 1963, as amended; which Chapter 42 relates to ZONING, which Article III relates to USE, AREA, ETC., REGULATIONS GENERALLY, which Section 42-19 relates to C-O COMMERCIAL OFFICE ZONE, which subsection (h) thereof relates to PLANNED RESIDENTIAL AND/OR COMMERCIAL DEVELOPMENTS, which paragraph (2) relates to PROCEDURES and which subparagraph h thereof relates to RECORDATION OF CONTRACT AMONG THE LAND RECORDS OF THE CITY.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That subparagraph h of paragraph (2), subsection (h), Section 42-19, Article III, Chapter 42 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:

h. No special use permit for a planned residential and/or commercial development shall become effective unless and until the special use permit permittee has caused to be recorded in the deed books among the land records of the city, an executed contract between the city and the said permittee and the record owners of the tract in which the said permittee and the record owners of the tract covenant and agree, on behalf of themselves and their respective successors in interest, to develop the tract only in compliance with the approved development plan, preliminary site plan or plans the terms of the special use permit, the regulations of this Code and all other applicable ordinances of the city. The development plan and preliminary site plan or plans and the special use permit shall be duly referenced in the contract and shall be physically attached thereto as exhibits; this shall be done by later appropriately amending the contract to include preliminary site plans where a development plan has been first approved. Failure on the part of the special use permit permittee to record the aforementioned contract in the deed books among the land records of the city within two (2) years from the date of final approval by the city council of the special use permit for a planned residential and/or commercial development shall void such special use permit.

Section 2. That the title of and an informal memorandum explaining 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 city clerk shall have the full text of this ordinance printed in sufficient numbers to supply copies to meet request. The city clerk 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.

FRANK E. MANN
Mayor

FINAL PASSAGE: June 28, 1977