

ORDINANCE NO. 3221

AN ORDINANCE to amend Article A, Chapter 1, Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, by adding thereto a new Section 7-1-4; which Title 7 relates to PLANNING AND DEVELOPMENT, which Chapter 1 relates to PLANNING COMMISSION, which Article A relates to CITY PLANNING COMMISSION and which new Section 7-6-4 relates to ATTENDANCE AT MEETINGS OF CITY PLANNING COMMISSION.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article A, Chapter 1, Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, be and the same hereby is amended by adding thereto a new Section 7-1-4 to read as follows:

Sec. 7-1-4. Attendance at planning commission meetings.

(a) The applicant for any site plan, subdivision plat or special use permit approval, or for any change in zone boundaries, or for any vacation of or encroachment upon any public right-of-way, or an authorized representative of such applicant, shall appear at and attend, at the time and place designated, the public hearing on and the consideration of such application by the planning commission.

(b) In the event such applicant or representative fails to so appear and attend, the planning commission may deny and dismiss such application without prejudice to the right of the applicant to refile the application, or the planning commission may defer public hearing and consideration of such application until the next regularly scheduled meeting of the commission; provided, that the planning commission shall not defer public hearing and consideration of any application if deferral would result in the approval of the application by virtue of the inaction by the commission within the time provided by law for approval or denial of such application.

(c) If the commission defers the application, it shall cause written notice of the time and place of its next regularly scheduled meeting to be mailed, first class, postage prepaid to the applicant at the address indicated on the application form, not less than 10 days in advance of the date of such meeting, and the applicant or his representative shall appear and attend at the time and place designated in such notice. In the event the applicant or his representative fails to appear at and attend the deferred public hearing and consideration of such application, the application shall be denied and dismissed by the planning commission and the subject matter thereof shall not be considered by the planning commission or city council for a period of six months from the date of such denial and dismissal.

(d) Notwithstanding any provision in this code to the contrary, no appeal shall lie to the city council from the denial and dismissal of any application pursuant to the provisions of this section, and any application which has been so denied and dismissed by the planning commission shall forthwith be stricken from the city council docket.

(e) The director of the department of planning and community development shall append a statement setting forth the provisions of this section to all application forms to which this section is applicable.

Section 2. That the provisions of section 7-1-4 of the Code of the City of Alexandria, Virginia, as enacted by Section 1 of this ordinance shall not apply to any application for site plan, subdivision plot or special use permit approval, or for a change in zone boundaries, or for any vacation of or encroachment upon any public right-of-way which is pending on June 13, 1987.

Section 3. 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 requests. 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.

JAMES P. MORAN, JR.
Mayor

Final Passage: June 13, 1987