

ORDINANCE NO. 3845

AN ORDINANCE to amend and reordain Article XI (DEVELOPMENT APPROVALS AND PROCEDURES) of the City of Alexandria Zoning Ordinance by adding thereto a new Division E (SUBDIVISION REGULATIONS), to make conforming amendments to Sections 2-100 (DEFINITIONS), 11-207 (CIVIL VIOLATIONS), and 11-1506 (SUBDIVISION COMMITTEE) (TA No. 96-1) of the City of Alexandria Zoning Ordinance, and to repeal Chapter 5 (SUBDIVISIONS) of Title 7 (PLANNING AND DEVELOPMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the document entitled "Division E. Subdivision Regulations," dated December 20, 1995, comprised of new or substantially revised subdivision regulations for the City of Alexandria, which is attached hereto and incorporated herein fully by reference, be, and the same hereby is, adopted as Division E of Article XI of the City of Alexandria Zoning Ordinance.

Section 2. That the document entitled "Sections of Subdivision Regulations to add to other Sections of the Zoning Ordinance," comprised of amendments to Sections 2-100, 11-207 and 11-1506 of the City of Alexandria Zoning Ordinance which, is attached hereto and incorporated herein fully by reference, be, and the same hereby is, adopted as an amendment to the respective sections of the City of Alexandria Zoning Ordinance, the City Attorney to assign appropriate section and subsection headings in preparing the codification of this ordinance.

Section 3. That Chapter 5 of Title 7 of The Code of the City of Alexandria, Virginia, 1981, as amended, be, and the same hereby is, repealed. Except as expressly provided in this Ordinance, such repeal shall not affect or impair any act done, offense committed or right accruing, accrued or acquired, or any liability, penalty, forfeiture or punishment incurred, prior to the time such repeal takes effect, but the same may be enjoyed, asserted, and forced, prosecuted or inflicted as fully and to the same extent as if such repeal had not been effected.

Section 4. That the city clerk shall transmit a duly certified copy of this ordinance to the clerk of the circuit court of the City of Alexandria, and the said clerk of the circuit court shall record this ordinance as provided in § 9.26 of the Alexandria City Charter.

Section 5. That Article XI, and Sections 2-100, 11-207 and 11-1506 of the City of Alexandria Zoning Ordinance, as amended by this ordinance, be, and the same hereby are, reordained as part of the City of Alexandria Zoning Ordinance.

Section 6. That this ordinance shall become effective upon the date and at the time of its recording by the clerk of

the circuit court of the City of Alexandria, and shall apply to all applications for land use, land subdivision or land development approval provided for under the City of Alexandria Zoning Ordinance which on such date are pending before any city department, agency, or board, or before city council, or on judicial review, shall apply to all such applications which may be filed after such date, and shall apply to all other facts and circumstances subject to the provisions of the City of Alexandria Zoning Ordinance, except as may be provided in Article XII of the Zoning Ordinance.

KERRY J. DONLEY
Vice Mayor

Attachments: Document entitled "Division E. Subdivision Regulations"
Document entitled "Sections of Subdivision Regulations to add to other Sections of the Zoning Ordinance"

Final Passage: February 24, 1996

December 20, 1995

Division E. Subdivision Regulations

Section 11-1700 Subdivisions

- 11-1701 **Purpose.** The purpose of these regulations is to provide for the orderly division of land for development or transfer of ownership and for an accurate system of recording land division and ownership.
- 11-1702 **Administration.** Unless otherwise specifically provided, the director has the duty to administer and enforce the provisions of this section 11-1700 and the authority to establish rules and regulations to do so.
- 11-1703 **Approved subdivision plat required.**
- (A) Subdivision Required. Any owner or contract purchaser of any land located within the city who desires to subdivide it shall make a plat of the subdivision and have it approved under this section 11-1700. (7-5-21b)
 - (B) Recording Prohibited. No plat or subdivision of land within the city shall be filed or recorded by the clerk of any court having jurisdiction until approved by the commission and the approval is entered in writing on the plat by the chairman or vice-chairman of the commission and the director. (7-5-3)
 - (C) Reference to unrecorded plat prohibited. No land or portion of land may be transferred, sold, offered for sale or the subject of an agreement for sale by reference to or display of an unapproved and unrecorded plat, regardless of whether the land is also described by metes and bounds. (7-5-10)
 - (D) Effect of recording. The recording of the plat shall operate to transfer in fee simple to the city that portion of land on the plat set apart for streets, alleys, easements or other public use or purpose and create a public right of passage over or use of it. (7-5-4)

11-1704

Exemption to plat requirement. The following cases are not subject to the requirements or procedures of this section 11-1700:

- (A) Consolidation. The vacation or removal of a recorded lot line to recombine land previously subdivided does not require compliance with the provisions of this section 11-1700, provided that a copy of the plat of consolidation is filed with the director.

- (B) Council approved development. In the case of a development proposal that includes the submission of a site plan and requires the approval of city council, including without limitation cluster development and development special use permits, no preliminary plat shall be filed but the site plan or development plan submitted for approval shall contain proposed lot lines and all other information required as part of a preliminary plat. In these cases,
 - (1) The council approval shall act as the preliminary plat approval;
 - (2) A final plat shall be filed in compliance with section 11-1709;
 - (3) The rule regarding automatic approval of a preliminary plat if there is no action within 45 days shall not apply;
 - (4) The preliminary approval is valid so long as the site plan or development plan of which it is a part remains valid;
 - (5) The final plat shall be consistent with the released final site plan; and
 - (6) The final plat may not be recorded before the release of the final site plan.

11-1705

Subdivision plat classification. Subdivision plats shall be classified as preliminary and final plats. Preliminary and final subdivision plats may be combined and treated as a final plat in either of the following instances, provided that all of the information required for both a preliminary and final plat is included in the submission, the final plat complies with the requirements of section 11-1709, and the procedure for processing either a minor subdivision or a preliminary subdivision plat is followed:

- (A) A subdivision of one block or less; or
- (B) A resubdivision of existing lots. (7-5-22a)

Contents of preliminary plat application.

- (A) An application for preliminary plat approval shall be submitted by the owner or contract purchaser of the subject property on forms the director may prescribe. It shall include a clear and concise statement identifying the applicant and, if different, the owner of the property, including the name and address of each person or entity owning an interest in the applicant or owner and the extent of the ownership interest. If any of those entities is a corporation or a partnership, only those persons owning an interest in excess of ten percent in that corporation or partnership need be identified by name, address and extent of interest. For purposes of this section 11-1706(A), the term ownership interest shall include any legal or equitable interest held at the time of the application in the real property which is the subject of the application.
- (B) The preliminary plat shall be prepared under the charge of a professional engineer or land surveyor authorized by the Commonwealth of Virginia, or, if required by the director, by both.
- (C) No fewer than 15 copies of the preliminary plat at a scale of not less than 100 feet to the inch shall be submitted with the application. Print size shall not exceed 24x36 inches.
- (D) An application for preliminary plat approval shall include the following information and material:
- (1) Subdivision name.
 - (2) The name and address of the owner of record and the applicant.
 - (3) The name, address, certificate number and seal of the surveyor or engineer.
 - (4) The gross area in acres and total number of buildings lots or sites involved.
 - (5) The date, north point and scale.
 - (6) The zoning of the property.
 - (7) A form or space, not less than two and one-quarter ($2\frac{1}{4}$) by three and one-half ($3\frac{1}{2}$) inches, on which approval by the commission may be shown.

- (8) Lot lines with the dimensions of the length and width of the lots.
- (9) In the case of resubdivisions, all lot lines or lot numbers that are proposed to go out of existence by reason of the resubdivision shall be shown by dotted lines and numbers. (7-5-27o)
- (10) The location of the property immediately adjoining the proposed subdivision and the names and addresses of all of its owners.
- (11) The location and width of all proposed streets, alleys and public areas and their dimensions.
- (12) Points of connection with the city sewer system.
- (13) Location of all easements, reservations and highway setbacks, as established by section 7-1006 of this ordinance.
- (14) The width and name of adjacent existing streets, alleys, easements and public utilities, including, without limitation, lines for water, gas, electric, telephone, storm and sanitary sewer, and railroads shown graphically.
- (15) Limits of floodplains and resource protection areas.
- (16) The location of any grave or object or structure marking a place of burial.
- (17) In the following cases the preliminary plat shall be superimposed on a topographic map, at a scale of not greater than 100 feet to the inch, showing contours at intervals not greater than two feet or greater intervals when permitted by the director, and correlated to the U.S. Coast and Geodetic Survey datum, for the purpose of showing the character and drainage of the land:
 - (1) Whenever any land within the parcel subdivided is to be dedicated to public use; or
 - (2) For all subdivisions containing lots or parcels of less than one-half acre.
- (18) The proposed street grade data and the method of storm water disposal.
- (19) The general location, dimension, size, height and species of major trees and shrubs.

- (20) Existing buildings with dimensions from the buildings to the nearest lot lines.
- (21) When known, areas that can reasonably be expected to or which do contain soils or materials contaminated with, but not limited to heavy metals, petroleum products, PCB's, pesticides, flyash, or other toxic or hazardous materials.
- (22) When known, underground storage tanks.
- (23) When known, areas located within 1000 feet of a former sanitary landfill, dump or disposal area.
- (24) When known, areas with the potential of generating combustible gases (e.g., methane). (7-5-23)

11-1707

Procedures for preliminary plat approval. The following procedures shall govern the processing and review of applications for preliminary plat approval.

(A) Filing application.

- (1) An application for preliminary plat approval shall be filed with the director and shall contain the information specified in section 11-1706.
- (2) No application shall be accepted unless it is determined to be complete by the director.

(B) Staff review. The director shall review the application to determine if the application's contents are complete and adequate for appropriate review and shall send the application to other relevant departments for their review and recommendation. Upon receipt of the departments' recommendations, the director shall prepare a staff report indicating the departments' judgment on the merits of the application. If the director does not agree with a recommendation prepared by another department, that recommendation shall be stated separately and the reasons for the director's disagreement shall be included in the report. (7-5-23f)

(C) Docketing for final action. The director shall see that all required staff reviews are completed and that the application is docketed for consideration in sufficient time for action within 45 days from the day a complete application was accepted, unless the applicant agrees to a longer period of time.

- (D) Changes to application. If an applicant submits materials to supplement its application before final action by the commission, the director shall review the additional material to determine whether additional staff time is necessary to assess the application. If additional time is necessary, and consistent with section 11-1707(C) above, the director may extend the review period or, in the event of a major revision, may require that a new application be filed. In either event, the time limitation of section 11-1708(B)(2) shall not apply.

11-1708 Action on preliminary plats.

- (A) Standard for approval. An applicant for preliminary plat approval shall demonstrate to the satisfaction of the commission that:

- (1) The applicable factors of section 11-1710 have been appropriately considered in the plat;
- (2) The subdivision will not adversely affect the public health, safety and welfare; and
- (3) The application complies with all provisions of this ordinance and all applicable laws.

- (B) Action by planning commission.

- (1) Public hearing. Within 45 days of the day a complete application was accepted by the director, the commission shall hold a public hearing and act on the application for preliminary plat approval by approving or disapproving the plat or approving it with conditions, required revisions, additions or changes. The commission shall give its reasons for a disapproval. (7-5-23c)
- (2) Automatic approval. Failure of the commission to act within 45 days from the day a complete application is accepted shall be deemed to constitute approval of the plan unless, before the expiration of such period, the applicant agrees to a longer period of time. (7-5-4)
- (3) Restrictions on buildings. The commission shall have the power to agree with the applicant on restrictions or requirements governing buildings and land within the subdivision, provided those restrictions do not authorize a violation of any ordinance of the city. Those requirements or restrictions shall be stated upon the final plat before approval and recording and shall have the same effect as though set out as a part of this ordinance. (7-5-7)

(C) Action by subdivision committee. The director may refer an application for subdivision to the subdivision committee established under section 11-1506 when the parcel to be subdivided does not exceed three acres and no dedication of land is involved. In that case, the following procedures shall apply:

- (1) The committee shall act on an application referred to it after a public hearing with notice under section 11-300 or it may, in its discretion, refer an application to the full commission for action. The committee's action, including any referral to the full commission, shall occur within the 45 day limitation of section 11-1708(B)(2).
- (2) A decision of the committee shall be considered the final action of the commission unless an appeal is filed.
- (3) A decision of the subdivision committee, except a decision to refer an application to the full commission for action, may be appealed to the commission by the same persons identified in section 11-1708 (D)(1) by filing a written notice of appeal with the director within five days following the committee action. The appeal shall be heard de novo by the commission at the first regular meeting for which proper legal notice can be given. (7-5-25)

(D) Appeal of action on preliminary plat.

- (1) After the commission approves or disapproves a plat submitted under this section, there may be an appeal from the decision to the city council. An appeal from an approval must be made by the owners of at least 20 percent of the area of the land within 300 feet of the boundaries of the proposed subdivision. The director shall verify that those filing are legal property owners. The director of transportation and environmental services shall verify the required 20 percent area. 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 that area.
- (2) An appeal from an approval or disapproval by the commission shall be made in writing and filed with the city clerk within 15 days from the decision of the commission. When 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 commission.

- (3) When 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.
- (4) The legal effect of commission approval shall be stayed pending the outcome on appeal. (7-5-9)

11-1709

Final Plats.

- (A) Application for approval of final plat. If a preliminary subdivision plat is approved, or approved with modifications, and no appeal is taken, the applicant shall have a final plat of subdivision prepared by a professional engineer or land surveyor authorized by the Commonwealth of Virginia, or if required by the director, by both. The plat shall conform to the Standards for Plats adopted by the Virginia State Library Board under 42.1-82 of the Virginia Code. The plat may show only part of the land designated on the preliminary subdivision plat if desired. The final plat shall incorporate any changes requested by the commission on the preliminary plat. The original tracing and five prints of the final plat shall be filed with the director and shall constitute the application for approval for the final plat.
- (B) Contents of application. The final plat shall contain the following:
 - (1) All of the information required of a preliminary plat under section 11-1706(D), except for items 16-24.
 - (2) The location of metal monuments of not less than one inch in diameter and 24 inches in length shown thus: O, and located in the ground at each intersection of streets and alleys with plat boundary lines, and at all points on street, alley and boundary lines where there is a corner, change in direction, or curvature.
 - (3) A surveyor's or engineer's seal and certificate of survey in the following form, which may be modified to accommodate title information:

"I hereby certify that I have carefully surveyed the property delineated by this plat, and that it is correct to the best of my knowledge and belief; that this is a subdivision of part (or all) of the land conveyed by _____ to _____ by deed dated _____ and recorded among the land records of _____ in Deed Book _____ at page _____ and is within those boundaries; and that all required monuments have been installed where indicated, except those that will be installed at a later date but before completion of the project.

Certified Surveyor or Engineer"

- (4) A curve table shall be placed on the final plat containing the following for all curvilinear boundaries and street centerlines; delta, radius, arc, tangent, chord and chord bearing. All distances shall be shown to the nearest one-hundredth of a foot; angles or bearings to the nearest 10 seconds.

- (C) Approval. Final plats submitted under this sections shall be checked for substantial compliance with the preliminary plat previously approved by the commission and for compliance with the provisions of this section 11-1700. If the director determines that the plat conforms with such requirements, the plat shall be approved, and he and the chairman or vice-chairman of the commission shall sign it.

- (D) Retention of Original. Following release of authenticated copies of the approved plat for recording purposes, the original tracing shall be filed in the office of the director, where it shall be kept as a permanent record and for purposes of reproduction. (7-5-24)

11-1710

Subdivision requirements. In reviewing an application, the commission shall consider the following:

- (A) All subdivisions shall be planned to include adequate and convenient open space for traffic, to provide for the installation of utilities, to give access to fire fighting apparatus, and to give due consideration for suitable sites for schools, parks, playgrounds and other desirable amenities.

- (B) No lot shall be resubdivided in such a manner as to detract from the value of adjacent property. Lots covered by a resubdivision shall be of substantially the same character as to suitability for residential use, areas, street frontage, alignment to streets and restrictions as other land within the subdivision, particularly with respect to similarly situated lots within the adjoining portions of the original subdivision.
- (C) The plat shall conform as near as possible to the master plan and its amendments, a copy of which is on file in the office of the director.
- (D) The subdivision shall conform to the requirements of the zone in which the subdivision is situated.
- (E) All streets that are designated as part of the main street system on the master plan shall be coterminous with adjoining links in the system and at the same or greater widths.
- (F) As far as practicable, all proposed streets shall be continuous and in alignment with existing streets.
- (G) Public streets and alleys shall conform to the requirements of section 5-2-4 of the city code. Private streets shall comply with the general standards and specifications for private streets adopted by the Director of Transportation and Environmental Services.
- (H) Names of new streets shall be designated in accordance with section 5-2-64 of the city code. The names of existing streets may not be duplicated, but an existing street may be extended under the same name.
- (I) In general, side lot lines shall be at right angles to street lines, and on curved streets the lot lines shall be radial.
- (J) All lots shall be numbered. In resubdivisions, the lots shall be numbered in the series of 500 for a first resubdivision, and in the series of 600 for a second resubdivision and so on.
- (K) The blocks shall be numbered, and no block shall be planned to provide for more than two rows of lots. Crosswalks, not less than 10 feet wide and paved to a width of four feet, may be required in blocks over 750 feet long.
- (L) Required off-street parking shall not be an integral part of any public street.
- (M) Through lots shall be avoided whenever possible.

- (N) Fillet curves having a radius of not less than 25 feet shall be provided for all corners at street intersections, provided, that a lesser curve may be approved by the director of transportation and environmental services.
- (O) If a piece of land is to be subdivided into larger parcels than for building lots, the land shall be divided to allow for the opening of major streets and the ultimate extension of adjacent minor streets, and all such parcels shall have legal frontage on a dedicated public street.
- (P) Permanent reference monuments shall be set at the ends of any lines as may be designated by the director of transportation and environmental services, but no fewer than two such monuments shall be set in each block. All monuments shall be set in the ground before the final plat is approved, unless, in the opinion of the director of transportation and environmental services, the amount of grading involved in the project will make such monuments useless. If earlier setting would be useless, the monuments shall be set before release of the performance bond or as specified by the director of transportation and environmental services.
- (Q) The engineer or surveyor shall provide a boundary survey of the entire parcel and each subsequent section. The allowable error of closure of such parcel or section shall not be less accurate than one part in 10,000. The boundaries of the parcel or section shall be connected with and calculated on the basis of the Virginia coordinate system, north zone, and the coordinates of two adjacent corners shown on the plat if a coordinate station lies within 1,200 feet of the nearest corner of the entire parcel in question; provided that a subdivision consisting of fewer than seven lots or an area of less than three acres need not be reported on the Virginia coordinate system unless a coordinate station is available within 500 feet of the property to be subdivided. Resubdivision of lots in existing recorded subdivisions shall not be subject to this requirement. (7-5-27)
- (R) Street plans and profiles, including, but not limited to, storm drainage and sanitary service sewer facilities, and all underground public service facilities, existing and proposed, including without limitation water sewer and electric, shall be submitted and approved by the director of transportation and environmental services before release for recordation of the final plat. For cul-de-sacs or involved intersections, spot grades may be required if the director of transportation and environmental services deems it necessary. The public service companies shall provide plans to scale or other information sufficient to provide the project engineer with data necessary to complete accurate and detailed street plans and profiles so that the street plans and profiles shall conform to the standards set by the director of transportation and environmental services. Facilities shall be constructed in accordance with approved plans, unless

amendments are approved by the director of transportation and environmental services. (7-5-28b)

11-1711 **Required improvements.** Improvements required in conjunction with subdivision approval shall be the same as those required for site plans under section 11-412 and the cost of those improvements shall be established under section 11-413 of this ordinance.

11-1712 **Amendment to approved plat.** A major change to an approved subdivision plat, other than those requested by the commission, requires that an amended subdivision plat be filed and approved. A minor, nonmaterial modification may be approved by the city manager, on the recommendation of the director and the director of transportation and environmental services.

11-1713 **Variations.** The commission may, by vote of a majority of its members, authorize specific variations from the provisions of this section 11-1700, when in its opinion a strict adherence to such provisions would result in substantial injustice or hardship and when one of the following circumstances exists; provided, however, that the use or character of the resulting lots or parcels in such a subdivision shall not be inconsistent with the use provisions of the zone in which the property is situated or the existing development in the immediate area:

- (A) Extremely rugged topography.
- (B) Irregularity in shape of parcel preventing conformance with normal lot area or frontage requirements.
- (C) Insufficient frontage on existing street where the interior of the tract can be served only by a street substandard in width when not serving more than five lots, provided the street is not less than 30 feet in width. If only a single lot is served, the width may be less than 30 feet. A turn around area may be required.
- (D) Streets along border of the subdivision where the subdivision borders on unsubdivided land and the remaining street width will be provided from the adjacent land.
- (E) Resubdivision of lots in subdivisions of record as of January 1, 1952, where, because of existing structures or gross area of land involved, the subdivided lots would not conform to all of the requirements of the zone in which the subdivision is located. (7-5-29)

11-1714 **Time of validity.**

- (A) Time for recording. Approval of a preliminary plat shall be null and void if no final plat of the subdivision or a section of it is recorded in the office of the clerk of the circuit court of the city within 18 months after the date of approval, unless application for an extension of time is made.

- (B) Extension of time. An extension of time for recording a final plat may be granted by the commission if an application is filed with the director during the 18 month period and the application is granted by the commission. No extension of time shall be granted unless an additional filing fee, which is one half of the filing fee charged for final plats, is paid. (7-5-21a)

**Sections of Subdivision Regulations
to Add to Other Sections of The Zoning Ordinance**

Sec. 11-207(A)(12) Civil penalties.

The transfer, sale, offer to sell, or agreement to sell any land or portion of land by reference to or display of an unapproved and unrecorded plat, regardless of whether the land is described by metes and bounds. (7-5-10) (but see Charter Sec. 9-29)

Sec. 11-1506 Subdivision committee.

- (A) A committee of the commission is established for the purpose of hearing and acting on applications for subdivision approval when the parcel to be subdivided does not exceed three acres, no new public or private streets are proposal and no dedications are involved.
- (B) The committee shall consist of two members of the commission, who shall be appointed by the chairman, and the director or his designee. Any two members shall constitute a quorum.

Sec. 2-100 Definitions.

- (1) Block. A parcel of land or group of lots completely surrounded by streets, or a parcel of land or group of lots having frontage along one side of a dedicated public street either in excess of 750 feet and consisting of five acres, or between two dedicated intersecting public streets, or between one dedicated intersecting public street and the corporate limits of the city.
- (2) Co-ordinate station. A station established under with the provisions of sections 55-287 through 55-297 of the Code of Virginia and its amendments, known as the Virginia Co-ordinate System, as based on the co-ordinate positions established by the U.S. Coast and Geodetic Survey and extended by others with the approval of the director of transportation and environmental services, which has been permanently marked or so referenced to provide for the replacement at the exact position originally established.

- (3) Corner lot. A lot having frontage on both of two intersecting streets.
- (4) Through lot. A lot, other than a corner lot, having frontage on two streets.
- (5) Monument. Permanent concrete or stone markers not less than five inches in diameter and not less than 30 inches in length, with an appropriate center mark of nonferrous metal pin or plate.
- (6) Outlot. Any unit of land that does not meet the requirements of section 11-700..
- (7) Parcel. A unit of land of such size and dimensions that it may be divided into two or more lots in accordance with the requirements of the zone in which it is situated.
- (8) Park. A public area reserved for natural or artificial landscaping, which may include recreational facilities and structures.
- (9) Plat. A schematic representation of land divided or to be divided.
- (10) Private street. A privately owned right-of-way, established by an easement shown on a recorded subdivision plat, providing access to private properties and other streets, including but not limited to, use for utilities, walks and vehicular traffic.
- (11) Street. A public right-of-way dedicated or otherwise acquired for general public access to private properties and other streets, including but not limited to, use for utilities, walks and vehicular traffic.
- (12) Subdivision. The division of a lot, parcel or tract of land into two or more lots, plots, sites, parcels or other divisions for the purpose, whether immediate or future, of sale or building development and including the resubdivision of existing lots, parcels, tracts or other divisions of existing and duly recorded subdivisions. Any tract of land upon which a street, alley or public right-of-way is dedicated shall be considered a subdivision.