

# Ordinance No. 650

**AN ORDINANCE to amend and reordain Article II, Chapter 29 of the Code of the City of Alexandria, Virginia enacted as a whole July 2, 1940 and made effective August 5, 1940, which said chapter relates to City Planning and which said article relates to Subdivision Control.**

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That Article II, Chapter 29 of the Code of the City of Alexandria, Virginia enacted as a whole July 2, 1940 and made effective August 5, 1940 be, and the same hereby is amended and re-ordained to read as follows:

## ARTICLE II—SUBDIVISION CONTROL

### Section 11. JURISDICTION.

The territorial jurisdiction of the commission over the subdivision of land shall include all land located within the present or future corporate limits of the City.

### Section 12. SCOPE OF CONTROL.

On and after the effective date of this ordinance, no plat of subdivision of land within the city shall be filed or recorded by the Clerk of any Court having jurisdiction until said plat shall have been approved by the Commission and such approval entered in writing on the plat by the chairman or vice-chairman of the commission and the Director.

### Section 13. REGULATIONS—APPROVAL OF PLATS.

In order to carry out the duties and powers of the commission as defined in the City Charter approved April 7, 1950 and further detailed in this ordinance, the following regulations governing the subdivision of land within the present or future corporate limits of the City are hereby made a part of this ordinance.

#### A. SUBDIVISION CONTROL.

1. From and after the effective date of this ordinance, any owner, proprietor or contract purchaser of any tract of land located within the corporate limits of the City of Alexandria, Virginia, who desires to subdivide same as herein provided shall cause a plat of subdivision to be made and approved in accordance with the regulations set forth in this ordinance, and an approved copy of said plat to be recorded in the office of the Clerk of the Corporation Court of this City within sixty days after the date of approval, unless application for an extension of time is made in writing to the Commission during such sixty-day period and the application is granted.

2. The Clerk of the Corporation Court shall not receive nor record any such plat of subdivision to which said regulations and restrictions are applicable unless the plat has been approved as provided in this ordinance.

#### B. DEFINITIONS.

1. Subdivision shall mean 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 shall include resubdivision of existing lots, par-

cels, tracts or other divisions of existing and duly recorded subdivisions. Provided further that any tract of land upon which a street, alley or public right-of-way is dedicated shall be considered a subdivision within the meaning of this definition.

2. Commission shall mean the City Planning Commission of Alexandria, Virginia, as same is established by City Charter and the members of which are duly appointed by Council.

3. Director—The Director of Planning appointed by the City Planning Commission.

4. Lot—A unit of land usable as a building site, having frontage on a public street, thoroughfare or parkway in compliance with the requirements of the zone in which it is situated.

5. Block—A parcel of land or group of lots completely surrounded by public streets.

6. Outlot—Any unit of land which is substandard as a building site so far as the requirements of the zone in which it is situated are concerned.

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. Corner Lot—A lot having frontage on both of two intersecting streets.

9. Double Frontage Lot—A lot other than a corner lot, having frontage on two streets.

10. 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.

11. Park—A public area reserved for natural and or artificial landscaping, which may include recreational facilities and structures appurtenant thereto.

12. Monuments—Permanent concrete or stone markers approximately 6" x 6" x 36" in size with an appropriate center mark or non-ferrous metal pin or plate.

#### C. GENERAL PROCEDURE.

1. Two types of plats will be recognized by the Commission, i.e., Preliminary Plats and Final Plats. In the case of subdivisions of one block or less, or in case of resubdivision of existing lots, the Preliminary Plat and Final Plat may be combined, provided the information required by this ordinance for both types of plats is included thereon.

2. Whenever a subdivision is to be made and before any part thereof is made, the owner, proprietor or contract purchaser thereof shall cause a plat or plats of same to be prepared by a surveyor or engineer certified to practice in the Commonwealth and shall file said plat with the Director for submission to the Commission. Upon receiving approval of the Final Plat, the owner of record of the land shown thereon shall file same, together with an appropriate deed, with the clerk of the Corporation Court of the City of Alexandria for record among the land records of Alexandria. No preliminary Plat shall be recorded.

3. No plat of any subdivision shall be approved unless all land intended as building sites can be used safely for building purposes without danger from flood or other inundation or from any other menace to health, safety or public welfare,

except however, that when such land is combined with other land which of itself meets all requirements of applicable subdivision and zoning ordinances or when plans for elimination of such dangers are approved by the Planning Commission and the accomplishment thereof are provided in the same manner as set forth for the other physical improvements in Section J such land may be approved.

#### D. PRELIMINARY PLATS.

1. Except as hereinafter provided in Sec. 6, the subdivider shall submit a Preliminary Subdivision Plat, prepared in accordance with the provisions of this ordinance, to the Director for submission to the Commission. Not less than five prints of the preliminary plat, at a scale of not less than 1"=100 ft., shall be submitted to the Director, together with such other information as may be required under sub-section 4 below. Sheets shall not exceed 24"x36" in size.

2. The Commission shall approve or disapprove the preliminary subdivision plat or approve same with modifications, noting thereon any changes that will be required. Two copies shall be returned to the applicant for the subdivision, or his authorized representative with the date of said approval or disapproval noted thereon over the signature of the Chairman or Vice Chairman and of the Director.

3. Preliminary Subdivision Plats shall be filed with the Director not later than 10 days prior to any meeting of the Commission, if consideration of the Plat is desired at such meeting. The filing of the plan signed by the applicant shall constitute the application for approval. A public hearing shall be held by the Commission on each application except as provided in Sec. 6 below. The Director shall cause notice of the time and place of such hearing to be sent by mail to the applicant and or owner of record of the land proposed to be subdivided and to the owners of all lands immediately adjoining said land at least 5 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 subdivision at the time of filing the plat. Any person entitled to notice may waive said right in writing filed with the Director.

4. The Preliminary Subdivision plan shall show the following specific information.

- a. Subdivision name.
- b. Name and address of the owner of record and applicant.
- c. Name and address of the surveyor or engineer.
- d. Complete location with lines, the width and name of adjacent existing streets, alleys, easements and public utilities.
- e. Location of property immediately adjoining the proposed subdivision, and the names of all owners thereof.
- f. The location and width of all proposed streets and alleys, the public areas proposed, if any, and their approximate dimensions.
- g. Lot lines, with the approximate dimensions of the length and breadth of the lots.
- h. Method of sewage disposal proposed, and if sanitary sewers are available, plan showing connection with city sewer system shall be shown.
- i. The present zoning given to the property.

- j. Date, north point and scale.
  - k. A form on which tentative approval may be shown.
  - l. Location of all building restriction lines, casements, and reservations.
  - m. Wherever any land within the tract or parcel subdivided is to be dedicated to public use and for all subdivisions containing lots or parcels of less than 15,000 square feet, a topographic map at a scale of not greater than 1"=100 ft. and showing contours at intervals not greater than 5 ft. and of less interval when required by the Director for purpose of showing the character and drainage of the land shall be prepared of the tract; such topographic maps shall be correlated to the Alexandria City Datum or to the U.S.G.S. datum where Bench marks on the former datum are not available. The Preliminary Plan shall be superimposed on the topographic map, where the topographic map is required.
  - n. Elevations of critical points, breaks in grade and other pertinent points in streets shall be shown if required by the Director.
5. Approval of a Preliminary Plat shall be null and void if no final plat of the subdivision or a section thereof is filed with the Commission within one year after approval of the Preliminary Plat, unless, within said period upon application in writing to the Commission, an extension not exceeding 12 months is granted by the Commission.

#### E. FINAL PLATS.

1. In case the Preliminary Subdivision Plat is approved, or approved with modifications and no appeal, as provided hereafter is taken, the subdivider shall cause a Final Plat of Subdivision to be prepared by an engineer or surveyor duly certified to practice in this Commonwealth. Such plats shall be drawn in ink on tracing cloth and shall be on sheets which shall be in the ratio 1:1.5 and not to exceed 24" x 36" in size; but in all cases, at least two copies shall be reduced to 12 x 18" for recording purposes. The plat may show only part of the land designated on the Preliminary Subdivision Plat if desired. The original tracing and five prints of the Final Plat shall be filed with the Director. Such filing shall constitute the application for approval of the final plat.
2. The Final Plat shall conform with all the general requirements of Section 7 of this ordinance and shall further give thereon the following specific information.
  - a. Subdivision Name.
  - b. Name and address of the owner of record and applicant.
  - c. Name and address of the surveyor or engineer.
  - d. Detailed location and name of adjacent existing streets and alleys.
  - e. Location of property immediately adjoining the subdivision and the names of all owners thereof.
  - f. The correct courses and the width of all streets and alleys in the subdivision; the lot lines with the length, breadth, exact dimensions and areas of each lot.
  - g. Courses and distances of center lines of all streets except in case of resubdivision.

- h. The present zoning given the property.
  - i. The public areas, if any, and the exact dimensions thereof.
  - j. Date, scale and north point with reference to source of meridian.
  - k. A form on which the approval of the Commission may be written.
  - l. The location of metal monuments of not less than one inch in diameter and twenty-four inches in length shown thus; o, and located in the ground at intersections of streets and alleys with plat boundary lines, and at all points on street, alley and boundary lines where there is a change in direction or curvature. All monuments shall be properly set in the ground before the Final Plat is approved, unless in the opinion of the Director, the amount of grading involved in the project is such as to make such monuments useless. In this case, monuments shall be set not more than 30 days after the major portion of the grading is completed or as specified by the Director.
  - m. Location of all building restriction lines, casements and any reservations.
  - n. A surveyor's or engineer's certificate of survey in the following form which may be modified to suit the facts insofar as derivation of title information is concerned: "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 it 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 the boundaries thereof; and that stones marked thus; and iron pipes marked thus; o have been placed as indicated.  
Certified Surveyor or Engineer
  - o. Permanent reference monuments shall be set at the ends of such lines as may be designated by the Director, but not less than two such monuments shall be set in each block.
4. The engineer or surveyor preparing the plat shall furnish the Director with a closed traverse of the outside boundaries of the entire tract and of each section thereof. A curve data table shall be placed on the Final Plat. Distances shall be shown to the nearest one-hundredth of a foot; angles or bearings to the nearest ten seconds. Boundary closure shall be 1 part in 10,000 or better.
5. 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 and one reproduction linen or transparent copy shall be filed in the office of the Director of Public Works.
6. Approval of a Final Plat by the Commission shall be null and void if the plat is not recorded within sixty days after date of approval, unless application for extension of time is made in writing during such sixty day period to the Commission and the application is granted by the Commission.
7. Final plats submitted under the provisions of this section

shall be checked for compliance with the Preliminary Plat previously approved by the Commission and for compliance with the provisions of this ordinance. If the Director determines that said plat is in conformance with said requirements the plat shall be approved and he shall submit same to the Chairman or Vice-Chairman of the Commission for acknowledgement of such approval by the signatures of the Chairman or Vice-Chairman and of the Director on the Plat and such approval shall be entered in the minutes of the Commission.

#### F. SPECIAL PROCEDURE.

1. Whenever the entire tract to be subdivided shall consist of a complete block or less; shall front on a dedicated or existing street 50 feet or more in width and no new street or streets are to be dedicated; or in the case of a resubdivision, the Director may permit the owner or proprietor thereof to submit the Preliminary Plat and Final Plat in a single plat, provided the information required on both plats is included thereon.

2. The Director, may, from time to time, call public hearings for the consideration of such plats as are defined in 1 above. At least five days notice of the time and place of such meeting shall be sent by mail to the owner of the tract under consideration and to the owners of all land immediately adjacent thereto. Such public hearings shall be held before a Committee of the Commission which shall consist of the Director and at least two members of the Commission.

3. If any of the parties affected by the action indicated above shall file a notice of appeal from the decision of this committee of the Commission, with the Director at the time of the hearing, the plat shall be held over until the next regular meeting of the Commission for its action. If no such appeal is noted, the action of this committee shall be considered to be the final action of the Commission.

4. If this Committee approves the plat submitted under the provisions of this section; the Director shall certify same to the Chairman or Vice-Chairman of the Commission and the approval of the Plat shall be acknowledged thereon by the signatures of the Chairman or Vice-Chairman and of the Director and such approval shall be entered in the minutes of the Commission.

#### G. GENERAL PROVISIONS.

1. The plat shall conform as near as may be to the master plan and its amendments, a copy of which is on file in the office of the Director.

2. All streets which are designated as part of the main street system on the master plan shall be co-terminous with adjoining links in said system and at the same or greater widths.

3. In no case shall the names of existing streets be duplicated; but, an existing street, may be extended under the same name. Names of existing streets, shall be designated by the Commission and shall be checked in the office of the Director by the subdivider or his engineer or surveyor.

4. Streets and alleys shall conform to the requirements of Sec. H below, but in no case shall a street be less than fifty feet in width between property lines nor less than 30 feet between curbs, except as provided in Sec. H, I, e or Sec. 1.

5. As far as practicable, all proposed streets shall be continuous and in alignment with existing streets.

6. All lots shall be numbered. In case of a resubdivision, 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.

7. The blocks shall be numbered, and no block shall be planned to provide for more than two rows of lots. Cross walks, not less than ten feet wide and paved to a width of 4 feet may be required in blocks over seven hundred and fifty feet long.

8. In general, side lot lines shall be at right angles to street lines, and on curved streets the said lot lines shall be radial.

9. Lot sizes, widths, restriction lines, etc. shall conform with the requirements of the zone in which the subdivision is situated.

10. The location of proposed buildings need not be shown on a Final Plat, but may be shown on a Preliminary Subdivision Plan when desired, but existing buildings shall be shown.

11. In case a parcel is subdivided into larger tracts than for building lots, such parcels shall be divided in a manner so as to allow for the opening of major streets and the ultimate extension of adjacent minor streets.

12. All subdivisions shall be planned so that there will be adequate and convenient open space for traffic; to provide for the installation of utilities; to give access to fire fighting apparatus; to give due consideration for suitable sites for schools, parks and playgrounds; to give due consideration for adequate light and air and for the avoidance of congestion of population.

13. The Commission may require from the subdivider of any tract of land abutting on one side of an existing street or roadway less than fifty feet in width, desiring to subdivide such land, to provide for the dedication of at least one-half of the land necessary to widen said existing street or roadway to fifty feet for the part thereof which said land abuts; or, to dedicate all of the necessary additional land on either side of said roadway or street if the tract abuts on both sides thereof. This requirement shall not be applicable, however, to applications for the resubdivision of parts of existing subdivisions already developed and built upon.

14. 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.

15. In case of resubdivisions, all lot lines, or lot numbers, that go out of existence by reason of the resubdivision, shall be shown dotted.

16. All lots shall face on a public street, except as provided under Section I.

17. Off street parking, where required by zoning law, shall not be an integral part of the street.

18. Double frontage lots shall be avoided.

19. In C-2, Residence Zones, the lot size shall be such as to provide a minimum lot area per family unit of 625 square feet, but no lot shall be less than 50 ft. in width at the front and at the building line.

20. The front building line shall be set back from the front lot line not less than 25 ft. unless the zoning law requires a greater

set back provision; provided, that when a majority of the buildings already built on one side of a street between two intersecting streets have been built with a greater minimum set back, such minimum set back shall be established by a majority of said buildings nearest to the street line.

#### H. STREETS, ETC.

1. Streets shall be classified as follows:
  - a. Highway—a street which is a part of the Primary State Highway System as well as part of the Arterial Street Plan as set forth in the Master Plan. Highways shall have a minimum right of way width of 100 feet.
  - b. Arterial Street—A major street as shown upon the Master Plan providing for general access between major sections of the city and carrying a heavy flow of traffic. Arterial streets shall have a minimum right of way width of 80 feet and a minimum width between curbs of 44 feet.
  - c. Secondary Street—A street serving two or more distinct subdivisions and allowing free access of traffic between units of the arterial street system. Secondary streets shall have a minimum right of way width of 66 feet and a minimum width of 36 feet between curbs.
  - d. Minor Street—a street serving a residential area and light traffic, not providing free and continuous access between parts of the arterial street system. Minor streets shall have a minimum right of way width of 50 feet and a minimum width between curbs of 30 feet except where multiple dwellings front on the street, in which case the minimum width between curbs shall be 36 feet.
  - e. Service Drive—a minor street, generally parallel and contiguous to a Highway or Arterial Street, providing access to private property and affording access to such major traffic thoroughfares at limited intervals. The width of service drives shall be such as to provide the required service and shall be determined by the Director subject to the approval of the Commission.
  - f. Alley—A public right of way dedicated or otherwise acquired, primarily designed to afford access to the side or rear of properties whose principal frontage is on a street as hereinbefore defined. Alleys with minimum width of 16 feet shall be provided the rear of all lots in the C-1 zone and with a minimum width of 20 ft. in the rear of all commercial zones.
  - g. Cul de sac—A minor street, with only one outlet and provided at its terminus with means for the adequate and convenient reversal of traffic. Cal de sacs shall be provided with a minimum turn around right of way radius of 50 ft.
  - h. Parkways—a strip or tract of land dedicated to public use, intended to be developed for vehicular traffic but provided with additional width for natural waterways and/or natural or artificial landscaping. Parkway widths shall be such as the Director and the Commission may deem desirable.
2. Street Profiles—Street Plans and profiles including storm drainage and sanitary sewer facilities shall be submitted to the Director at the same time that the Final Plat is submitted; and shall be approved by the Director of Public Works prior to release for recordation of the Final Plat. In case of cul de sacs or in-

involved intersections, spot grades may be required where deemed necessary by the Director of Public Works. Profiles shall conform to the standards set by the Director of Public Works.

#### I. DISCRETIONARY POWERS OF THE COMMISSION.

1. The Commission may, by vote of a majority of its members, permit and authorize specific variations from these regulations, when in its opinion a strict adherence to the regulations would prevent the reasonable use of a parcel or tract of land for any of the following causes; 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 tract preventing conformance with normal lot area or frontage requirements.
- c. Insufficient footage on existing street where interior of tract can be served only by a street substandard in width, but not serving more than 5 lots in single family zones.
- d. Streets along border of the subdivision-where such subdivision borders on unsubdivided land.

#### J. PUBLIC IMPROVEMENTS.

1. The Commission will require payment, or guarantee of payment, for construction and grading of streets, roadways and alleys in the subdivision to such standard as is required by city ordinance

2. The Commission will require payment, or guarantee of payment, for construction of sidewalks, curbs and gutters.

3. Such storm sewers as the Commission may direct, on the advice of the Director of Public Works, shall be paid for, or payment therefore guaranteed.

4. The Commission may require payment, or guarantee of payment, for sanitary sewer tap charges to the extent of the cost to construct sanitary sewers to service the subdivision, but the amount shall not exceed the total for which the subdivider is liable on all lots in the subdivision according to the front footage, but this requirement shall not relieve the owner or subdivider from payment of the total front foot tapage fee as required by law.

5. Computations for public improvements shall be made by the Director of Public Works, and the figures shall be considered estimates, unless otherwise agreed upon.

6. Street construction, paving and storm water facilities may be done by the city and paid for by the subdivider, or it may be done, at the option of the City Manager, by the developer under the plans, specifications and supervision of the Director of Public Works.

7. The guarantee for payment of public improvements may be by Corporate surety bond, deed of trust or agreements and notes constituting a lien against the property, or such other method as the City Manager may deem suitable. The City Manager shall have sole responsibility and authority in the determination of the method of providing such guarantee and no plat shall be released for recording purposes unless it shall have been noted thereon over the signature of the City Manager that the guarantee of payment for public improvements is satisfactory. The City Manager may, at his discretion, require more public improvements than are re-

quired by the Commission, but in no case shall he approve a lesser amount of such improvements.

**K. MEETINGS AND FEES.**

1. The Commission shall meet at least once each month at such time and place as may be designated. Special meetings shall be upon call of the Chairman consented to by a majority of the members.

2. The following filing fees shall be paid upon filing the Preliminary Subdivision Plat and Final Plats.

- a. Preliminary Plat—\$20.00 plus 50 cents per lot.
- b. Final Plat—\$10.00 plus 25 cents per lot with a minimum total of \$15.00. Final Plats submitted under Section F. \$10.00 plus 25 cents per lot.

**L. APPEAL FROM DECISION OF COMMISSION.**

1. In case the Commission disapproves any plan submitted under the provision of this ordinance, there may be an appeal from the decision to the City Council, as provided by law; and in such case, the Commission shall forward one copy of the plan to City Council together with the reason for its disapproval and shall designate a member of the Commission to appear when the matter is heard before Council on appeal.

**Section 14. PROCEDURE AND LEGAL EFFECT OF APPROVAL OF PLAT.**

It shall be the duty of the Commission to consider plats of subdivision in the light of the regulations and restrictions adopted in Sec. 13 above as same are applicable to the plat under consideration and approve or disapprove the plat in accordance therewith. Before taking any action thereon the City Planning Commission shall afford the owner and other interested parties an opportunity to be heard after such reasonable notice as may be provided in such regulations and restrictions. Failure to act on any plat for a period of forty-five days shall be deemed to constitute approval unless a petition in a proper court has been filed as hereinafter provided. Every plat approved by the Commission shall, by virtue of such approval, be deemed to be an amendment of or an addition to or a detail of the City Plan and a part thereof. The recording of the plat shall operate to transfer in fee simple to the city such portion thereof as is on the plat set apart for streets, alleys, easements or other public use or purpose and to create a public right of passage over or use of the same. The Commission shall have the power to agree with the applicant upon use, height, area or bulk requirements or restrictions governing buildings and premises within the subdivision, provided such requirements or restrictions do not authorize the violation of the zoning ordinance. Such requirements or restrictions shall be stated upon the plat prior to the approval and recording thereof and shall have the same force of law and be enforceable in the same manner and with the same sanctions and penalties and subject to the same power of amendments or repeal as though set out as a part of the zoning ordinance.

**Section 15. PENALTIES FOR TRANSFERRING LOTS IN UNAPPROVED SUBDIVISION; INJUNCTION.**

Whoever being the owner or agent of the owner of any land in a subdivision subject to such regulations and restrictions, the plat

of which has not been approved and recorded as above provided, shall transfer, sell or offer for sale or agree to sell any lot in such subdivision by reference to or exhibition of an unapproved and unrecorded plat or otherwise, shall be punishable by fine not exceeding three hundred dollars or imprisonment in the city jail for not more than 90 days or both, for each lot or similar parcel of land transferred or agreed or negotiated to be sold; and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalty or from the remedies herein provided. The City may enjoin such transfer or sale or agreement in a court having jurisdiction of the land to which the injunction applies.

#### Section 16. IMPROVEMENTS IN UNAPPROVED STREETS.

The municipality shall not accept, lay out, open, improve, grade, pave, curb, or light any street, or lay or authorize water mains, or sewer connections to be laid in any street, within any portion of territory for which the commission shall have adopted a major street plan, unless such street (a) shall have been accepted or opened as, or shall otherwise have received the legal status of, a public street prior to the adoption of such plan, or (b) unless such street corresponds with a street shown on the official master plan or with a street on a subdivision plat approved by the commission or with a street on a street plat made by and adopted by the commission. The council may, however, accept any street not shown on or not corresponding with a street on the official master plan or on an approved subdivision plat or an approved street plat, provided the ordinance or other measure accepting such street be first submitted to the commission for its approval and, if approved by the commission, be enacted or passed by not less than a majority of the entire membership of the council or, if disapproved by the commission, be enacted or passed by not less than three-fourths of the entire membership of the council. A street approved by the commission upon submission by the council, or a street accepted by a three-fourths vote after disapproval by the commission, shall there upon have the status of an approved street as fully as though it had been originally shown on the official master plan or on a subdivision plat approved by the commission or had been originally platted by the commission.

#### Section 17. ERECTION OF BUILDINGS.

After the commission shall have adopted a major street plan of the city, no building shall be erected on any lot within such territory or part, nor shall a building permit be issued therefor unless the street giving access to the lot upon which such building is proposed to be placed (a) shall have been accepted or opened as or shall otherwise have received the legal status of a public street prior to that time, or (b) unless such street corresponds with a street shown on the official master plan or with a street on a subdivision plat approved by the commission or with a street on a street plat made by and adopted by the commission or with a street accepted by council, after submission to the commission, by the favorable vote required in section 16 of this chapter. Any building erected in violation of this section shall be deemed an unlawful structure, and the city manager may cause it to be vacated and have it removed.

Section 2. That this ordinance shall be published in the Alexandria Gazette not later than two days following its introduction together with a notice containing the time and place for a public hearing. The clerk of the council shall note in the minutes the date of the public hearing, the date of the second reading and final passage, and the date of the final passage, and the date of the recording of this ordinance by the Clerk of the Corporation Court for the City of Alexandria, Virginia. A true copy of this ordinance, attested to by the clerk, shall be forwarded to the Clerk of the Corporation Court. This ordinance shall become effective when recorded by the Clerk of said court.

Franklin P. Backus  
Mayor

Published July 13, 1950  
Adopted July 25, 1950