TOWN OF HERNDON, VIRGINIA

ORDINANCE

_____, 2025

Ordinance - to amend Chapter 78 (ZONING), Article II (Zoning Districts), by amending Table 78-20.1 (Base Zoning Districts); Article V (Planned Development Districts), by adding a new Section 78-51.3, PD-TRG2 (Planned Development – Transit Related Growth 2 – Low Density Residential and Low Impact Commercial); and Article VII (Use Regulations), by amending Table 78-70.2(d) (Table of Permitted and Allowed Uses); and Article VII (Accessory Uses), by amending Table 78-80.2(c) (Table of Permitted and Allowed Accessory Uses and Structures); and Article X (Parking, Loading, and Circulation), by amending Section 78-100.2(e) (Minimum Off-Street Parking Standards); and Article XIV (Signs) by amending Table 78-141.2 (Sign Standards for Multi-family Districts); and other articles or sections as deemed necessary and appropriate to create a new zoning district to implement the recommendations and standards of the Transit Related Growth Small Area Plan.

BE IT ORDAINED by the Council for the Town of Herndon that:

1. The following sections or provisions of Chapter 78, (ZONING) of the Herndon Town Code (2000) is amended and ordained as follows.

CHAPTER 78 (ZONING)

ARTICLE II. – ZONING DISTRICTS-

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Section 78-20.1. – Establishment of base zoning districts.

The base zoning districts established in this chapter are shown in Table 78-20.1: Base Zoning Districts.

TABLE 78-20.1: BASE ZONING DISTRICTS	
Abbreviation	**District Name**
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Planned Development Districts	
PD-R	Planned Development - Residential
PD-B	Planned Development - Business

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PD-W	Planned Development - Worldgate
PD-D	Planned Development - Downtown
PD-TD	Planned Development - Traditional Downtown
PD-TOC	Planned Development - Transit Oriented Core
PD-UR	Planned Development – Urban Residential
PD-TRG1	Planned Development – Transit Related Growth Mixed Use, Medium Density Residential, and Office
PD-TRG2	Planned Development – Transit Related Growth Low Density Residential and Low-Impact Commercial

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ARTICLE V. – PLANNED DEVELOPMENT DISTRICTS

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Section 78-51.3. - PD-TRG2 - Planned Development – Low Density Residential and Low Impact Commercial.

(a) Administration. The provisions of this section pertain to development within the 94-acre area designated as the Transit Related Growth Area (TRG) within the Comprehensive Plan (CPA #23-01). Where there may be conflicts between this article and general zoning, subdivision, or other regulations, or requirements, the regulations of this article shall apply. The zoning administrator shall determine questions of whether or not other sections of this chapter apply. All future development of properties within the Transit Related Growth Area Low Density Residential/Low Impact Commercial areas shall conform to the standards contained in this section. Applicants may seek modifications pursuant to Section 78-50.2, provided it furthers the goals of the TRG Small Area Plan.

(b) Purpose and intent. The intent of the PD-TRG2 district is to implement the recommendations of the Low Density Residential/Low Impact Commercial areas identified in the TRG small area plan. Applications for zoning map amendments and generalized development plans implement the public and private road connections and parks and civic space identified in the TRG small area plan.

(c) A PD-TRG2 district may only be established in areas identified as Low Density Residential/Low Impact Commercial within the TRG Land Use Plan.

(d) Principal uses. Table 78-51.3 (d)(3) lists allowable principal uses in the PD-TRG2 district. There may be additional regulations in this chapter and in the Herndon Town Code that apply to specific principal uses in the PD-TRG2 district. It is the applicant's responsibility to ensure that all published rules, regulations, and standards have been addressed in any

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application submitted for development approval. Definitions for uses and terms in this section may be found in Article XVIII. Other uses not listed on the following table are not allowed in the PD-TRG2 district unless determined by the zoning administrator to be similar to a permitted use in accordance with provisions for unlisted uses, section 78-70.1(f).

(1) "Z" allowable uses. For properties without an existing PD-TRG2 designation, a "Z" in a cell indicates that a use type may be allowed in in the PD-TRG2 district, provided a zoning map amendment is approved by the town council. For properties with an approved zoning map amendment to the PD-TRG2 district, a "Z" use is allowed by-right, provided that the use does not violate any of the proffers of an approved zoning map amendment.

(2) "S" special exception uses. An "S" in a cell indicates that a use type is permitted by special exception, provided that the use does not violate any of the proffers of an approved zoning map amendment.

(3) Table of principal permitted and allowed uses in the PD-TRG2 district.

Table 78-51.3(d)(3): Allowable Uses in PD-TRG2
KEY: Z=Allowable on properties with an approved Zoning Map Amendment, Provided That The Use Does Not Violate Existing Proffers S=Use Allowed Subject to Special Exception, Provided That The Use Does Not Violate Existing Proffers;
Uses may be subject to use specific standards as noted in the last column

USE CATEGORY	USE TYPE	PD-TRG2	See Supplemental Regulations
Residential	Townhouse Dwelling	Z	§78-71.1
	Stacked Townhouse	Z	§78-71.1
	Multi-Family Dwelling	Z	§78-51.3(d)(3)(a)
	Housing for the Elderly	Z	§78-51.3(d)(3)(a)
	Assisted Living for the Elderly and Persons with Disabilities	Z	§78-51.3(d)(3)(a)
	Live-Work Development	Z	
Government Facilities	Government Buildings, Facilities and Uses not Otherwise Categorized	Z	§78-71.3
	Police Substation	Z	§78-71.3
Office	Business Incubator	Z	
Personal Services and Retail Sales	Retail Sales	Z	§78-71.10
Light Manufacturing	Small Scale Production Establishment or Maker Space	Z	§78-51.3(d)(3)(a)
Self-Service Storage	Self-Service Storage	Z	§78-51.3(d)(3)(a)

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a. Specified uses may only be permitted in the PD-TRG2 district when rezoning from a PD-B district and located more than 200 feet from any parcel improved with or zoned for single family detached residential land uses.

(e) Accessory uses and structures. Table 78-51.3 (e)(3) lists allowable accessory uses in the PD-TRG2 district. There may be additional regulations in this chapter and in the Herndon Town Code that apply to specific accessory uses in the PD-TRG2 district. It is the applicant's responsibility to ensure that all published rules, regulations, and standards have been addressed in any application submitted for development approval. Definitions for uses and terms in this section may be found in Article XVIII. Other uses not listed on the following table are not allowed in the PD-TRD2 district unless determined by the zoning administrator to be similar to a permitted use in accordance with provisions for unlisted uses, section 78-70.1(f).

(1) "Z" allowable accessory uses. For properties without an existing PD-TRG2 designation, a "Z" in a cell indicates that a use type may be allowed in the PD-TRG2 district, provided a zoning map amendment is approved by the town council. For properties with an already approved zoning map amendment to the PD-TRG2 district, a "Z" use is allowed by-right, provided that the accessory use does not violate any of the proffers of an approved zoning map amendment. Permitted accessory uses are subject to all other applicable regulations of this chapter, including those set forth in Article VIII, Accessory Use Regulations.

(2) "S" special exception uses. An "S" in a cell indicates that an accessory use type is permitted by special exception, provided that the use does not violate any of the proffers of an approved zoning map amendment.

(3) Table of permitted and allowed accessory uses in the PD-TRG2 district.

Table78-51.2(e)(3): Allowable Accessory Uses in PD-TRG2. KEY: Z=Allowable on Properties with an Approved Zoning Map Amendment, Provided That the Use Does Not Violate Existing Proffers; S=Use Allowed Subject to Special Exception Approval, Provided That the Use Does Not Violate Existing Proffers;
Uses may be subject to use specific standards as noted in the last column

ACCESSORY USE	PD-TRG2	Supplemental Use Regulations
Antennae co-location	Z	§78-80.4(c)
Parapets, Penthouses for Equipment and Other Roof Structures	Z	§78-80.3(d)
Short-Term Rental	Z	§78-80.4(u)
Features such as fences, walls, retaining walls, gate houses, trash enclosures, refuse containers, screening enclosures, storage sheds, and swimming pools	Z	§78-80.3(c) §78-21(f)

(f) Dimensional standards.

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(1) Minimum lot size. There is no minimum project area and no minimum lot size for individual townhouse lots.

(2) Maximum density. There is no maximum density when the proposal implements the site-specific guidelines and facilities identified in the TRG small area plan.

(3) Building heights. Buildings shall be limited to four stories. Additional enclosed floor area may be permitted above the fourth floor, provided it is less than 50 percent of the horizontal floor area of the unit directly underneath.

(4) Private mews. Mews shall contain the following amenities as shown on page 71 of the TRG Small Area Plan, including front yard, pedestrian circulation, landscaping, site furnishings, and pedestrian activities zone.

(5) There shall be a minimum 60-foot building setback from any existing property zoned for single family residential.

(6) There shall be a minimum 10-foot separation between buildings.

(7) There shall be a minimum 5-foot separation from the edge of the streetscape to any building.

(g) Streetscape Design. Public and private streets and streetscapes shall contain the elements identified in the Transportation Network section of the TRG Small Area Plan, including, but not limited to pedestrian circulation areas, landscape areas, and areas for an off-street two-way cycle track, where applicable. The design and construction of the elements not specified in this chapter shall be in accordance with the Town of Herndon Streetscape Manual. Existing and proposed utilities shall be relocated if any conflicts with the streetscape designs are identified in the Generalized Development Plan or site plan.

(h) Parks in PD-TRG2. A minimum of 15 percent of the gross land area shall be set aside as publicly accessible park or playground. The location and design of the required park space(s) shall match the Recreation and Open Space Design section shown on pages 61-65 of the TRG Small Area Plan to the greatest extent practicable.

(1) For sites where the TRG Small Area Plan shows a publicly accessible park, the land may be dedicated to the town or held in private ownership with public easements.

(2) For sites where the TRG Small Area Plan does not show a publicly accessible park, off-site improvements to park facilities within the TRG Small Area Plan may be used as an option to meet the 15 percent requirement.

(i) Site planning and building design in PD-TRG2. The following standards apply to sites and buildings within the PD-TRG2 district:

(1) Mews. Mews shall contribute to walkability within the site and to adjacent sites.

(2) Garage Location. Garages shall be rear loaded.

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(3) Building materials. Building materials shall comply with the TRG Small Area Plan.

(4) Mechanical Features. Gas and electric meters and other similar devices normally attached to the outside wall of the premises which they serve may continue to be installed to the wall. HVAC (Heating, Ventilation, and Air Conditioning) equipment are subject to the following:

a. HVAC equipment for townhouses and stacked townhouses shall be located in the rear and screened with removable or openable panels.

b. HVAC equipment for any other building shall be located on the roof or integrated into the building façade.

(5) Low Impact Development. Development sites shall incorporate low impact development measures as shown on page 65 of the TRG Small Area Plan.

(6) Massing and Architectural Design. Massing and architectural design shall be in accordance with the TRG Small Area Plan with the Architectural Review Board reviewing and evaluating compliance with the architectural and contextual components of the TRG Small Area Plan prior to a public hearing by the planning commission.

(7) Interim Uses. Interim uses may be established for long-term phased development as part of a zoning map amendment submission. Interim uses and improvements shall be shown on a phasing sheet within the Generalized Development Plan and all interim uses are subject to the town's administrative site plan ordinances.

(j) Landscape Requirements.

(1) A minimum 50-foot landscaped area is required from the parcel line of any property zoned or used for single family residential. Utilities are not permitted in the landscaped area unless no reasonable alternative exists. When utilities and other easements must intrude into the required buffer, they shall run perpendicular to the property line.

(2) The amount of landscaping material within the buffer shall be 1 canopy tree per 20 linear feet, 2 evergreen trees per 10 linear feet, 1 ornamental tree per 20 linear feet, and 3 evergreen shrubs per every 10 linear feet. Non-invasive vegetation shall be preserved to the extent practicable and credited toward meeting the vegetation requirement, as determined by the Town Arborist. This area shall not count towards publicly accessible park space required in Section 78-51.3(h).

(3) A 6-foot-tall fence shall be installed at the parcel line of any property zoned or used for single family residential and a new residential use.

(4) A 6-foot-tall wall shall be installed at the parcel line of any property zoned or used for single family residential and a new nonresidential use.

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ARTICLE VII. – USE REGULATIONS

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Table 78-70.2 – Table of principal permitted and allowed uses.

Table 78-70.2(d): TABLE OF PERMITTED AND ALLOWED USES
KEY: P=Use Permitted By Right; S=Use Allowed Subject to Special Exception Approval;
Z=Use Allowed Subject to Zoning Map Amendment Approval

General Notes:
1. A blank cell means the use is prohibited in the district.
2. Uses may be subject to use specific standards as noted in the last column.
3. Any principal use allowed or permitted by right in this table is permitted by special exception in the Floodplain Overlay District, subject to section 78-60.2.

District Specific Notes:
* Uses in the PD-TD and PD-D districts are subject to specific comprehensive plan policies, design objectives and/or site standards. See additional regulations in section 78-50.5 for the PD-D District and section 78-50.6 for the PD-TD District.
** For Permitted Uses in PD-TOC see section 78-50.7; For Permitted and Allowed Uses in PD-W see section 78-50.8.

		Residential Districts				Business Districts					Planned Development District				Supp'l Reqs.
USE CATEGORY	USE TYPE	R15	R10	R TC	RM	CC	CS	CO	O& LI	PD-R	PD-B	PD-TD PD-D	PD-UR	PD-TOC PD-W, PD-TRG1, PD-TRG2	See Section

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ARTICLE VIII. – ACCESSORY USES

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Section 78-80.2 – Table of permitted and allowed accessory uses and structures.

	Table 78-80.2(c): TABLE OF PERMITTED AND ALLOWED ACCESSORY USES & STRUCTURES KEY: P=Use Permitted By Right; S=Use Allowed Subject to Special Exception Approval; Z=Use Allowed Subject to Zoning Map Amendment Approval
	Notes: 1. A blank cell means the use is prohibited in the district; 2. Uses may be subject to use specific standards noted in the last column. ** For Permitted Accessory Uses in PD-TOC see section 78-50.7; For Accessory Uses Permitted and Allowed in PD-W see section 78-50.8

	Residential Districts				Business Districts						Planned Development District			Supp'l Reqs.
ACCESSORY USE	R 15	R 10	R TC	RM	CC	CS	CO	O& LI	PD-R	PD-B	PD-TD PD-D	*PD-UR*	PD-TOC PD-W, PD-TRG1, PD-TRG2	See Section

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Section 78-80.3 (d)

(d) *Architectural and mechanical features (such as parapets, penthouses for equipment, flagpoles, chimneys, skylights, steeples and other roof structures), in all districts.* Parapets, penthouses for equipment such as elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, flagpoles, chimneys, skylights, steeples and other roof structures are permitted as features accessory to the principal structure, and subject to the following:

(1) *No additional floor area.* Such features shall not be used for providing additional floor area;

(2) *Concealment.* Equipment shall be concealed by exterior material of the same type as that used in the exterior walls of the principal structure;

(3) *Height limit.* Features on noncommercial structures shall not exceed 25 feet over the prescribed height limit in the zoning district in which the principal structure is located and features on residential structures shall not exceed 12 feet over the

prescribed height limit in the zoning district in which the principal structure is located; and

(4) *Noise.* Equipment noise shall be contained or managed so as to minimize its off-site effect.

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ARTICLE X. – PARKING, LOADING AND CIRCULATION

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Section 78-100.2(e) – Minimum off-street parking standards.

(e) *Minimum number of parking spaces required in PD-TRG1* and PD-TRG2 *zoning districts.* Unless otherwise expressly stated in this chapter, off-street parking spaces in the PD-TRG1 and PD-TRG2 zoning districts shall be provided in accordance with Table 78-100.2(e): Minimum Off-Street Parking Standards, below:

Table78-100.2(e): MINIMUM OFF-STREET PARKING IN THE PD-TRG1 AND PD-TRG2 DISTRICTS		
USE	REQUIRED NUMBER OF CAR SPACES	REQUIRED NUMBER OF BICYCLE PARKING
Townhouse Dwellings and Stacked Townhouse Dwellings	2 spaces per dwelling unit	1 space per every 10 units, to be located on common area.
Multifamily Residential	1.25 spaces per dwelling unit; may be reduced to 1 space per dwelling unit for properties located within 0.25 miles of the Herndon Metro Station and the submission of a Transportation Demand Management Plan.	1 space per every 5 units
Non-residential uses	1 space per 500 square feet of gross floor area	

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ARTICLE XIV. - SIGNS

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Section 78-141.2 – Sign standards for multi-family districts.

TABLE 78-141.2;

SIGN STANDARDS FOR ~~MULTI-FAMILY RESIDENTIAL~~ RTC, RM, PD-UR, AND PD-TRG2 DISTRICTS

Type	Freestanding	Wall	Temporary
Number	1 per public street frontage per development	1 per public street frontage per development	1 per street frontage
Size	24 SF Max.	24 SF Max.	24 SF Max.
Height	6’ Max.	None	If freestanding: 6’ Max.
Location	5’ Min. from ROW; outside of sight distance triangle; on common/association ownership property	No more than 10’ high on building when fronting residential; 20’ otherwise	If freestanding: 5’ from ROW; if wall: No more than 10’ high on building
Illumination	~~Internal halo-lit or~~ external	~~Internal halo-lit or~~ external	None
Duration	Unlimited	Unlimited	60 Days

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Sec. 78-141.7. – ~~Sign standards for planned development – Urban residential (PD-UR) district.~~
Reserved

~~Type~~	~~Freestanding~~	~~Temporary~~
~~Number~~	~~1 per street frontage~~	~~1 per street frontage~~
~~Size~~	~~24 SF Max.~~	~~12 SF Max.~~
~~Height~~	~~6' Max.~~	~~If freestanding: 6' Max~~
~~Location~~	~~5' Min. from ROW~~	~~If freestanding: 5' from ROW; if wall: No more than 10' high on building~~
~~Illumination~~	~~Halo-lit or Indirect Lit~~	~~None~~
~~Duration~~	~~Unlimited~~	~~60 Days~~

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ARTICLE XVII. - DEFINITIONS

Sec. 78-180 – Definitions

Business incubator. An office establishment where shared space, resources, and support services are available to startup and early-stage businesses. Typical business incubators include shared office or conference space, administrative services, mentoring, and business development assistance.

Live-Work development. A structure of part of a structure with areas specifically designed for occupancy by a single owner, tenant, or user to accommodate a residential dwelling unit and a flexible work space. This use does not include a home-based business.

Small-Scale Production Esta blishment or Maker space. An establishment where shared or individual tools, equipment, or machinery are used to make or grow products on a small scale, including the design, production, processing, printing, assembly, treatment, testing, repair, and packaging, as well as any incidental storage, retail or wholesale sales and distribution of such products. Typical small-scale production establishments include, but are not limited to, vertical farming or the making of electronics, food products, non-alcoholic beverages, prints, household appliances, leather products, jewelry and clothing/apparel, metal work, furniture, glass, ceramic or paper, together with accessory uses such as training or educational programs. This use does not include small-scale alcohol production facilities.

2. This ordinance shall be effective on and after the date of its adoption.

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