Town Council Regular Meeting
Agenda Item 5.d.

Agenda Item: **Ordinance 26-O-12 to approve a Zoning Ordinance Text Amendment – ZOTA #25-06, to amend Chapter 78 (ZONING), to update sections for conformance with the Virginia Administrative Code regarding changes to the Chesapeake Bay Preservation Act**

Meeting Date: April 28, 2026

Category: Public Hearings

Prepared by: David Stromberg, Zoning Administrator, Aaron Zoellick, Zoning Services Specialist

Description:
This Zoning Ordinance Text Amendment will update sections for conformance with the Virginia Administrative Code, and make other housekeeping amendments. Updates to the zoning ordinance include:

Sec. 78-60.4(l)(6). Requires a resiliency assessment for any proposed land development during the plan of development or other project review process in the RPA.
Sec. 78-60.4(m)(6). Establishes requirements for adaptation measurements located within the RPA.
Sec. 78-60.4(l)(3). Language has been added that calls for the preservation of mature trees in the RMA and RPA.
Sec. 78-180. Updates definitions as required by the Virginia Administrative Code and updates definitions to align with best practices.

Background/Timing Impact:
In September 2021, the Virginia Department of Environmental Quality (DEQ) adopted a new section of the Chesapeake Bay Preservation Area Designation and Management Regulations (9 VAC25-830-155) to incorporate criteria for addressing resilience and adaptation when reviewing proposed development in Chesapeake Bay Preservation Areas. Staff initiated a review of the Herndon Zoning Ordinance after DEQ issued Guidance Memo No. 25-2004 to assist localities in implementing the changes in their local codes. The Planning Commission recommended approval of ZOTA #25-06 at their March 23, 2026, regular meeting.

Timing Impact:
This ordinance will be effective on and after its adoption.

Strategic Focus Area:
Environmental and Economic Sustainability

Good Governance

Fiscal Impact:
There is no fiscal impact for this item.

Legal Impact:
Adoption of this Zoning Ordinance Text Amendment will align the Herndon Zoning Ordinance with changes made to the Virginia Administrative Code.

Staff Recommendation/Next Steps:
Adopt Zoning Ordinance Text Amendment (ZOTA) #25-06, as presented.

Attachments:
1. Ordinance (Proposed)
2. Legal Ad