TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

ORDINANCE

APRIL 8, 2025

Ordinance - to amend Chapter 78 (ZONING), Article IV (Business Districts), by amending Section 78-40.4, O&LI - Office and light industrial district; and Article V (Planned Development Districts), by amending Section 78-50.5, PD-B – Planned Development – Business; and Article VII (Use Regulations), by amending Section 78-70.2, Table of permitted and allowed uses, and Section 78-71.18, Warehousing use category, to update regulations related to the Electronic Warehousing use type.

BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia that:

1. The following sections or provisions of the Herndon Town Code (2000), as amended, are amended and re-ordained as follows:

CHAPTER 78 (ZONING)

ARTICLE IV. – BUSINESS DISTRICTS

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Section 78-40.4. - O&LI - Office and light industrial district.

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(c) *Principal uses*. Table 78-40.4(c)(3), lists uses permitted and allowed in the O&LI district as principal uses. There may be additional regulations in this chapter and in the Herndon Town Code that apply to specific principal uses in the O&LI district. It is the applicant's responsibility to ensure that all published rules, regulations and standards have been addressed in any application submitted 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 O&LI 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).

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(3) *Table of principal permitted and allowed uses in the O&LI district*.

Table 78-40.4(c)(3): Principal Permitted and Allowed Uses O&LI
KEY: P = Use Permitted By Right; S=Use Allowed Subject to Special Exception Approval;
Uses may be subject to use specific standards as noted in the last column

USE CATEGORY	USE TYPE	~~R-10~~ O&LI	Supplemental Use Regulations
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Warehousing	Electronic Warehousing	~~P~~ S	§78-71.18
	Warehouse (storage)	S	§78-71.18
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ARTICLE V. – PLANNED DEVELOPMENT DISTRICTS

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Section 78-50.5. – PD-B – Planned development business district.

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(c) *Principal uses*. Table 78-5**0.**5(c)(4) lists uses permitted and allowed in the PD-B district as principal uses. There may be additional regulations in this chapter and in the Herndon Town Code that apply to specific principal uses in the PD-B 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-B 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).

Table 78-50.5(c)(4): Principal Permitted and Allowed Uses PD-B
KEY: P = Use Permitted By Right; S=Use Allowed Subject to Special Exception Approval; Z = Use Allowed Subject to Zoning Map Amendment Approval
Uses may be subject to use specific standards as noted in the last column

USE CATEGORY	USE TYPE	PD-B	See Supplemental Regulations
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Warehousing	Electronic Warehouse	Z , **S**	§78-71.18
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* See also section XVIII, Definitions. Drive-in (not drive-through) window service is a term used to describe an establishment designed to be operated to serve a patron while seated in an automobile parked in an off-street parking space.

ARTICLE VII. - USE REGULATIONS

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Section 78-70.2. - Table of permitted and allowed uses.

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(d) *Table of permitted and allowed uses*. Table 78-70.2(d), Table of Principal Permitted and Allowed Uses, sets forth the uses permitted within the base zoning districts. See also Table 78-80.2, Accessory Use Table and Table 78-90.1(b) Temporary Uses and Structures.

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

<u>District Specific Notes:</u>
*** 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	See Section
***	***														
Warehousing	Electronic Warehousing						S		~~P~~ **S**		Z **,S**			**	§78-71.18
	Warehouse (storage)								S					**	§78-71.18
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Section 78-71.18 – Warehousing use category.

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(d) Warehousing category specific use standards. All uses shall comply with all applicable standards in this chapter. In addition, the following standards shall apply.

(1) Electronic warehousing. For all electronic warehousing uses, exterior areas devoted to auxiliary generators shall be screened on all sides by a brick or block enclosure that matches the exterior color of the principal building. Telecommunications uses and related electronic and mechanical equipment are subject to the following standards:

(a) Equipment area. The area for equipment shall be designated on a site plan and shall occupy at least 2,000 square feet **and no more than 40,000 gross square feet** of floor area ~~within a single building~~. **A maximum of 55,000 gross square feet may be permitted for adaptive reuse of a principle structure existing on April 8, 2025.**

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