Town Council
Regular Meeting
Agenda Item 5.b.

Agenda Item: **Ordinance 25-O-22 to adopt Subdivision Ordinance Text Amendment SOTA #25-01 to amend Chapter 70 (SUBDIVISION OF LAND), Article I (Subdivisions Generally), and Article II (Subdivision Review Procedures and Requirements), to update sections for conformance with the Code of Virginia, to clarify certain processes and make other housekeeping amendments as deemed necessary and appropriate**

Meeting Date: November 12, 2025

Category: Public Hearings

Prepared by: Bryce Perry, Deputy Director of Community Development

Description:
Subdivision Ordinance Text Amendment SOTA #25-01 will update sections for conformance with the Code of Virginia. The amendment includes other housekeeping changes to clarify administrative processes.

Background:
Staff initiated a review of the Herndon Subdivision Ordinance after the passage of Senate Bill 974, which amended and reenacted Section 15.2-2241 and several other sections of the Code of Virginia. The adopted changes to the Code of Virginia removed the planning commission and governing body approval authority from the administrative review process for preliminary plats, plats and plans and assigned such authority solely to a designated agent. In addition, the revisions to the Code of Virginia clarified the authority that governs the review process of plats, site plans and plans of development. The changes to the State Code became effective July 1, 2025. During its review of the Subdivision Ordinance, staff found some sections of Chapter 70 in need of amendment to bring the Herndon Subdivision Ordinance into compliance with the Code of Virginia; clarify certain decision-making authority and processes; update cross-references to other sections in the Herndon Town Code of Ordinances, Zoning Ordinance, and certain Town publications; and clarify administrative processes.

The Planning Commission reviewed the proposed ordinance at its October 27, 2025, Regular Meeting and voted to recommend approval as proposed.

The notices for public hearing were duly advertised in the *Fairfax County Times Newspapers* in the Friday, October 31 and November 7, 2025, editions.

Timing Impact:
This ordinance will be effective upon its adoption.

Strategic Focus Area:
Good Governance

Fiscal Impact:
N/A

Legal Impact:
Adoption of this subdivision ordinance text amendment will bring the subdivision ordinance into alignment with changes that have been made to the Code of Virginia.

Staff Recommendation/Next Steps:
Staff recommends adoption of Subdivision Ordinance Text Amendment SOTA #25-01, as presented.

Attachments:
1. Ordinance (Proposed)
2. Legal Ad
3. ZOTA and SOTA Presentation 11.12.25