TOWN OF Herndon VIRGINIA

Town Council Regular Meeting
Agenda Item 6.f.

Agenda Item: **Resolution 25-G-72 to initiate consideration of a Zoning Ordinance Text Amendment ZOTA #25-06 to amend Chapter 78 (ZONING), Section 78-60.4 (Chesapeake Bay Preservation Area Overlay (CBPAO)), to update sections for conformance with the Virginia Administrative Code regarding changes to the Chesapeake Bay Preservation Act**

Meeting Date: December 9, 2025

Category: Consent

Prepared by: David Stromberg, Zoning Administrator

Description:
The Town of Herndon is one of the localities subject to the Chesapeake Bay Preservation Act. In September 2021, the State Water Control Board 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. The Virginia Department of Environmental Quality issued Guidance Memo No. 25-2004 in June 2025 to assist localities with implementing the changes to the Virginia Administrative Code in their locally adopted codes. Staff will utilize the Model Chesapeake Bay Preservation Area Ordinance prepared by the Department of Environmental Quality to update the zoning ordinance sections pertaining to the Chesapeake Bay Preservation District.

Background:
The Chesapeake Bay Preservation Act went into effect on October 1, 1989, and has been updated over the years. The most recent update defines and allows the implementation of adaptation measures to address resiliency within the Resource Protection Area (RPA) without the need for an exception.

Timing Impact:
Guidance documents for implementation were issued in June 2025.

Strategic Focus Area:
Environmental and Economic Sustainability

Fiscal Impact:
N/A

Legal Impact:
Adoption of this zoning ordinance text amendment will bring the Herndon Zoning Ordinance into compliance with the Virginia Administrative Code regarding changes to the Chesapeake Bay Preservation Act.

Staff Recommendation/Next Steps:
Adopt the resolution so staff can bring this text amendment before the Planning Commission for public hearing.

Attachments:
1. Resolution (Proposed)