TOWN OF Herndon VIRGINIA

Town Council Regular Meeting
Agenda Item 5.b.

Agenda Item: **Ordinance 25-O-20 to adopt Zoning Ordinance Text Amendment ZOTA #25-04, to amend Chapter 78 (ZONING), to update sections for conformance with the Code of Virginia, to clarify certain processes, notice requirements, and make other housekeeping amendments as deemed necessary and appropriate**

Meeting Date: October 28, 2025

Category: Public Hearings

Prepared by: David Stromberg, Zoning Administrator, Lauri Sigler, Deputy Town Attorney

Description:
This zoning ordinance text amendment will update sections for conformance with the Code of Virginia, will clarify certain processes, notice requirements, and make other housekeeping amendments. A summary of the changes is below.

1. Section 78-152.1. The Code of Virginia does not allow localities to require a pre-application meeting prior to applicant submission of a site plan or subdivision, so the requirement has been deleted. The language has been clarified to require a pre-application meeting for all discretionary development applications, such as special exceptions, rezonings, and HTOC development plans.

2. Section 78-152.5 and Section 78-153.1. The language has been clarified to eliminate internal inconsistencies and specify that an application may be deemed expired if a resubmission is not received within 90 days. Section 78-153.2. The language has been clarified regarding public notice requirements for mailing and posting signs. Language referencing the Town of Herndon User Guide 23 has been deleted as that guide no longer exists.

3. Section 78-155.1. The language updates the number of hard copy submissions for rezoning applications and eliminates the language regarding expiration of planned development districts.

Background:
Staff initiated a review of the Herndon Zoning Ordinance after the passage of House Bill 2660 that amended and reenacted Sections 15.2-2259 and 15.2-2260 of the Code of Virginia, which shortened the time allowed for localities to review administrative site

plans and subdivisions, that became effective July 1, 2025. Staff revised sections in Article XV in need of amendment to bring the Herndon Zoning Ordinance into compliance with Code of Virginia, and to clarify and simplify administrative processes in general.

The Herndon Town Council initiated this zoning ordinance text amendment at its August regular meeting and the Herndon Planning Commission voted to recommend approval at its September meeting.

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

Strategic Focus Area:
Good Governance

Fiscal Impact:
N/A

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

Staff Recommendation/Next Steps:
Adopt Zoning Ordinance Text Amendment ZOTA #25-04, as presented.

Attachments:
1. Ordinance (Proposed)
2. 10-28-25, ZOTA #25-04, 2X Ad