TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

ORDINANCE

March 25, 2025

Ordinance- **to amend Chapter 78 (ZONING), Article XV (Decision-Making Authorities, Application Review, and Permitting), Section 78-152.2(b)(3) (Fees for Development Applications) to adjust development fees in accordance with a comprehensive fee evaluation.**

Development application fees were last adjusted with ZOTA #24-01, which passed with Town Council approval in May 2024. ZOTA #24-01 was created to address an immediate need to raise fees in accordance with rising costs, but only took the rate of inflation into account when increasing the fees. Prior to ZOTA #24-01, the last fee adjustment took place with ZOTA #06-01, approved June 2006. The proposed text amendment will adjust development application fees to account for the increased cost of staff review times and to bring fees in line with neighboring jurisdictions.

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 The following sections or provisions of the Herndon Town Code (2000), as amended, are repealed, replaced and re-ordained as follows:

CHAPTER 78 (ZONING)

Article XV. - Decision-Making Authorities, Application Review, and Permitting

Sec. 78-152.2. - Application submission, requirements and acceptance.

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TABLE 78-152.2(b)(3): FEES FOR DEVELOPMENT APPLICATIONS	
TYPE OF FEE	**AMOUNT**
ARCHITECTURAL REVIEW BOARD	
New Construction	~~$228.00~~ **$1,000.00**
Alterations, Additions	~~$228.00~~ **$350.00**

TABLE 78-152.2(b)(3): FEES FOR DEVELOPMENT APPLICATIONS	
TYPE OF FEE	**AMOUNT**
Accessory Structures	~~$228.00~~ **$350.00**
~~Wall Signs, Window Signs, Freestanding Signs, Master Sign Plans~~ **Wall Sign, Window Signs, and Freestanding Signs**	~~$114.00~~ **$250.00**
Master Sign Plans	**$350.00**
Amendments to Approved Applications	~~$114.00~~ **$350.00**
Appeal of ARB Decision	**$500.00**
HISTORIC DISTRICT OVERLAY REVIEWS	
Staff Review COA (Residential)	**$0.00**
Staff Review COA (Non-Residential)	**$200.00**
HDRB Review COA for New Single Family Residential	**$500.00**
HDRB COA for New Construction **(non-Single Family Dwelling)**	~~$228.00~~ **$1,000.00**
HDRB COA for Alterations, Additions **(non-Single Family Dwelling)**	~~$228.00~~ **$350.00**
HDRB COA for Accessory Structures **(non-Single Family Dwelling)**	~~$228.00~~ **$350.00**
HDRB COA for Demolition	**$750.00**
~~Wall Signs, Window Signs, Freestanding Signs, Master Sign Plans~~ **Wall Signs, Window Signs, and Freestanding Signs**	~~$114.00~~ **$250.00**

TABLE 78-152.2(b)(3): FEES FOR DEVELOPMENT APPLICATIONS	
TYPE OF FEE	**AMOUNT**
Master Sign Plans	**$350.00**
Amendments to Approved Applications	~~$114.00~~ **$350.00**
HDRB COA for Alterations, Additions, Accessory Structures for Residential Use	$0.00
Appeal of Staff Decision to HDRB	**$250.00**
Appeal of HDRB Decision to Town Council	**$500.00**
SIGNS	
Permanent Sign License (Administrative)	**$200.00**
Temporary Sign License (Administrative)	**$50.00**
Administrative Sign Decision Appeal	**$250.00**
BOARD OF ZONING APPEALS	
~~Single~~ Variance	~~$152.00~~ **$650.00**
~~Additional Variances~~	~~$38.00ea~~
Zoning Administrator Decision Appeal	~~$152.00~~ **$750.00**
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COMPREHENSIVE PLANNING	
Comprehensive Plan Amendment	~~$1,516.00~~ **$5,500.00**
2232 Review	**$2,500.00**

TABLE 78-152.2(b)(3): FEES FOR DEVELOPMENT APPLICATIONS	
TYPE OF FEE	**AMOUNT**
REZONING	
Zoning Map Amendment Application ~~flat fee~~ **(Includes Submission 1, 2, and 3)**	~~$7,578.00~~ **$16,000.00**
~~Zoning Map Amendment Application, per quarter acre~~	~~$388.00~~
Development Plan (Includes Submission 1, 2, and 3)	**$21,000.00**
Zoning Map Amendment or Development Plan Re-Submission Fee (per submission following 3rd)	**$1,750.00**
Request to Extend Approval flat fee	$3,789.00
~~Request to Extend Approval, per quarter acre~~	~~$388.00~~
Proffer Condition Amendment	~~$455.00~~ **$7,500.00**
Minor Proffer Condition Amendment for Residential	**$1,000.00**
Request for Modification **(per request)**	~~$455.00~~ **$1,000.00**
Request to Waive re-application time limit	~~$152.00~~ **$750.00**
ACCESSORY DEVELOPMENT REVIEWS	
~~Traffic Impact Study, PLUS, one half of consultant review fees, if required~~ Traffic Impact Study or Assessment	~~$758.00~~ **Full Consulting Fees**
Minor Water Quality Impact Assessment	~~$76.00~~ **$350.00**

TABLE 78-152.2(b)(3): FEES FOR DEVELOPMENT APPLICATIONS	
TYPE OF FEE	**AMOUNT**
Major Water Quality Impact Assessment	~~$758.00~~ **$800.00**
Exception Request to Provisions of Chesapeake Bay Preservation Overlay District Ordinance	~~$152.00~~ **$1,000.00**
Waiver Request to Provisions of Chesapeake Bay Preservation Overlay District Ordinance	~~$152.00~~ **$150.00**
Site Specific Delineation in Resource Protection Area, Areas less than 5,000 SF	~~$76.00~~ **$350.00**
Site Specific Delineation in Resource Protection Area, Areas more than 5,000 SF	~~$758.00~~ **$750.00**
Flood Plain Study~~, PLUS, one half of consultant review fees, if required~~	~~$1,516.00~~ **Full Consulting Fees**
SPECIAL EXCEPTIONS	
For Residential Uses	~~$455.00~~ **$750.00**
~~For Education, Government, Institutional, and Community Service Uses~~	~~$455.00~~
~~For All Other~~ Nonresidential Uses with no site alterations or building additions	~~$455.00~~ **$1,500.00**
~~For All Other~~ Nonresidential Uses with site alterations or building additions	~~$2,274.00~~ **$6,000.00**
Request to extend time period of approval	$455.00
Request to Waive re-application time limit	~~$152.00~~ **$750.00**
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TABLE 78-152.2(b)(3): FEES FOR DEVELOPMENT APPLICATIONS	
TYPE OF FEE	**AMOUNT**
BUILDING LOCATION SURVEYS	
Building Location Survey	~~$38.00~~ **$250.00**
TEMPORARY USE SITE PLAN	
Uses less than 90 consecutive days	~~$0.00~~ **$50.00**
Uses more than 90 consecutive days	~~$114.00~~ **$150.00**
Resubmissions	$114.00
Waiver request, per section of the zoning ordinance or PFM	~~$114.00~~ **$500.00**
Temporary health care structure application	~~$152.00~~ **$100.00**
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ZONING ~~AND SUBDIVISION~~ ORDINANCE TEXT AMENDMENTS	
Change in permitted uses, density, open space, parking, landscaping, or other provisions.	~~$1,516.00~~ **$2,500.00**
	~~$758.00~~
~~Other than changes listed above; amendment involving less than 100 words in one ordinance section~~	~~$388.00~~
MISCELLANEOUS ADMINISTRATIVE REVIEWS	
Administrative Adjustment, per building affected	~~$76.00~~ **$500.00**

TABLE 78-152.2(b)(3): FEES FOR DEVELOPMENT APPLICATIONS	
TYPE OF FEE	**AMOUNT**
Administrative Review Eligible Projects (AREPs)	$500.00
Zoning Appropriateness Permit	**$25.00**
Zoning Verification Letter: SFD properties	~~$76.00~~ **$250.00**
Zoning Verification Letter: non-SFD properties	~~$455.00~~ **$500.00**
Zoning Inspection Permit, ~~per inspection~~ **(home-based business)**	~~$38.00~~ **$50.00**
Zoning Inspection Permit, Keeping of Fowl	**$25.00**
Roll-Off Dumpster or POD Permit	**$25.00**
Request to Receive Notice of Development and Zoning applications, by mail, per year	$38.00
Request to Receive Notice of Development and Zoning applications, by e-mail, per year	$16.00
Request for early site occupation prior to completion of improvements in accordance with section 78-120.1 and 78-120.2 application flat fee	~~$76.00~~ **$500.00**
Request for early site occupation prior to completion of improvements in accordance with section 78-120.1 and 78-120.2, per inspection	~~$76.00~~ **$500.00**
Mobile Food Unit Preparer, Full Service Zoning Permit	~~$129.00~~ **$225.00**
Short-term Rental Permit	$200.00

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2. This ordinance shall be effective July 1, 2025.