



PLANNING COMMISSION REGULAR MEETING AGENDA

Town Council Chambers
765 Lynn Street, Herndon, VA 20170

Monday, October 28, 2024 | 7:00 PM

1. Call to Order

2. Approval of Minutes

- a. September 9, 2024, Planning Commission Work Session Minutes
- b. September 23, 2024, Planning Commission Regular Meeting Minutes

3. Comments

- a. Comments from the Staff Members
- b. Comments from the Commissioners
- c. Comments from Citizens
Members of the public may, for one 3-minute period, provide public comments, requests, consent or general item comments, and comments on matters not included on the agenda.

4. Public Hearings

- a. Zoning Ordinance Text Amendment ZOTA #24-02 - Transit Related Growth Mixed Use, Medium Density Residential, and Office

5. Adjournment



Planning Commission Regular Meeting

Agenda Item 2.a.

Agenda Item: September 9, 2024, Planning Commission Work Session Minutes

Meeting Date: October 28, 2024

Category: Approval of Minutes

Prepared by: Aaron Zoellick, Clerk of Boards and Commissions

Description:

This is a request to approve the September 9, 2024, Planning Commission work session minutes.

Background:

N/A

Budget Impact:

N/A

Recommendation:

Recommend approval, as presented.

Attachments:

1. 09.09.2024 Planning Commission Work Session Minutes



**HERNDON PLANNING COMMISSION
Regular Meeting Minutes
Monday, September 9, 2024**

1. Call to Order

Chair Romeo called the September 9, 2024, Planning Commission work session to order at 7:00 p.m. in the Town of Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Commissioners Jay Donahue, Dua'a Elbarasse, Kevin Moses, Meron Yohannes, Vice Chair George Burke, and Chair Michael Romeo.

Staff present during the meeting: Lesa Yeatts, Town Attorney; Lisa Gilleran, Director of Community Development; Bryce Perry, Deputy Director of Community Development; David Stromberg, Zoning Administrator; and Aaron Zoellick, Clerk of Boards and Commissions.

Chair Romeo determined there was a quorum of six members present.

2. Public Hearings

a. Zoning Ordinance Text Amendment ZOTA #24-02 - Transit Related Growth Mixed Use, Medium Density Residential, and Office

Chair Romeo opened the work session and called on Mr. Stromberg for the staff presentation.

Mr. Stromberg delivered the staff report and presentation dated September 9, 2024, which are on file with the Department of Community Development. Mr. Stromberg stated that staff is looking for feedback from the Planning Commission, the public, and developers. Staff is recommending a continuance to the October 28, 2024, regular meeting.

There was discussion among the Planning Commissioners and staff on this item, including: (1) facade setbacks; (2) evaluation of offsite improvements; (3) infrastructure for electric vehicles; (4) reasons for splitting up the TRG into different districts; (5) discrepancies between the staff report and staff presentation; (6) clarification on long-term and short-term bicycle parking; (7) guest parking; (8)

whether any of the traffic lanes on secondary streets will be designated as bicycle safe; (9) including "and office" in line 105 - mixed-use and medium density residential areas; (10) clarification on daycare listed as a principle and secondary use; (11) clarification on the location of the cycle track; (12) clarification on setback requirements; (13) the possibility of modifying the required 1.5 car spaces for multifamily residential units; and, (14) the possibility of reducing the minimum length of driveways for individual residential units from 20 feet to 18 feet.

Chair Romeo asked if the facade setback could be moved from 30 feet to 40–50 feet? Ms. Gilleran stated that staff can look at a range of options.

Chair Romeo requested that staff provide maps with the next dispatch. Mr. Stormberg agreed.

Mr. Stromberg stated that staff would provide an updated redlined ordinance before the regular meeting.

3. Comments

a. Comments from the Staff Members

Ms. Gilleran stated that Tamsin Himes is no longer with the town.

b. Comments from the Commissioners

Vice Chair Burke recommended the Planning Commissioners visit the former business center to see the development.

Chair Romeo commented on a Reston Now article about the Panda Express at the old Burger King location.

4. Adjournment

There being no further business, and without objection, the September 9, 2024, Planning Commission work session adjourned at 7:50 p.m.



Planning Commission Regular Meeting

Agenda Item 2.b.

Agenda Item: September 23, 2024, Planning Commission Regular Meeting Minutes

Meeting Date: October 28, 2024

Category: Approval of Minutes

Prepared by: Aaron Zoellick, Clerk of Boards and Commissions

Description:

This is a request to approve the September 23, 2024, Planning Commission regular meeting minutes.

Background:

N/A

Budget Impact:

N/A

Recommendation:

Recommend approval, as presented.

Attachments:

1. 09.23.2024 Planning Commission Regular Meeting Minutes



**HERNDON PLANNING COMMISSION
Regular Meeting Minutes
Monday, September 23, 2024**

1. Call to Order

Chair Romeo called the September 23, 2024, Planning Commission regular meeting to order at 7:00 p.m. in the Town of Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Commissioners Jay Donahue, Dua'a Elbarasse, Kevin Moses, Meron Yohannes, Vice Chair George Burke, and Chair Michael Romeo.

Staff present during the meeting: Lesa Yeatts, Town Attorney; Lisa Gilleran, Director of Community Development; David Stromberg, Zoning Administrator; and Aaron Zoellick, Clerk of Boards and Commissions.

Chair Romeo determined there was a quorum of six members present.

2. Approval of Minutes

a. August 12, 2024, Planning Commission Work Session Minutes

b. August 26, 2024, Planning Commission Regular Meeting Minutes

Commissioner Moses motioned to approve the August 12, 2024, Planning Commission work session minutes and the August 26, 2024, Planning Commission regular meeting minutes. Motion seconded by Vice Chair Burke. The question was called on the motion, which was approved by a 6 - 0 roll call vote. Commissioners Donahue, Elbarasse, Moses, Yohannes, Vice Chair Burke, and Chair Romeo voted "Aye."

3. Comments

a. Comments from the Staff Members

Ms. Gilleran provided comment regarding the September 19, 2024, Town Council

work session on affordable housing.

b. Comments from the Commissioners

Commissioner Donahue congratulated the Town Council and staff on their affordable housing efforts.

Chair Romeo welcomed Samuel Richardson to the Planning Commission in October 2024.

c. Comments from Citizens

No comments were provided.

4. Public Hearings

Certifications of Publications from the Editor of the Fairfax County Times Newspapers were filed, showing that notices of the following public hearing items were duly advertised in the September 6 and September 13, 2024, issues.

a. Zoning Ordinance Text Amendment ZOTA #24-02 - Transit Related Growth Mixed Use, Medium Density Residential, and Office

Chair Romeo opened the public hearing and called on Mr. Stromberg for the staff report.

Mr. Stromberg delivered the staff report and staff presentation dated September 23, 2024, which are on file with the Department of Community Development. Staff is recommending continuing ZOTA #24-02 to the October 28, 2024, Planning Commission regular meeting.

There was discussion among the Planning Commission and staff on this item, including: (1) the number of electric vehicle parking spaces; (2) the cycling track; (3) the number of parking spaces for multifamily units; (4) communication with developers before the October Planning Commission meetings; and, (5) applications received for the Transit-Related Growth Area.

Chair Romeo recognized members of the audience for comments.

Faheem Darab, representing Wire Gill and Whitewaters Group, provided comments looking forward to working with the Planning Commission and staff to provide input on ZOTA #24-02.

Chair Romeo left the public hearing open and moved to the Commission level for discussion.

Chair Romeo motioned to continue ZOTA #24-02 to the October 28, 2024, regular meeting. Motion seconded by Vice Chair Burke. The question was called on the

motion, which was carried by a 6 - 0 roll call vote. Commissioners Donahue, Elbarasse, Moses, Yohannes, Vice Chair Burke, and Chair Romeo voted "Aye."

5. New Business

a. Resolution to establish the Planning Commission meeting schedule for January 1, 2025, to December 31, 2025

Chair Romeo called on Ms. Gilleran for the staff report.

Ms. Gilleran presented the proposed Planning Commission calendar for January 1, 2025, to December 31, 2025. Staff is recommending approval as presented.

There was discussion among the Planning Commission and staff on this item regarding moving the proposed October 13 work session to accommodate the federal holiday.

Chair Romeo motioned to approve the calendar with the amendment of moving the October 13, 2025, Planning Commission work session to October 20, 2025. Motion seconded by Commissioner Elbarasse. The question was called on the motion, which was carried by a 5 - 1 roll call vote. Commissioners Donahue, Elbarasse, Moses, Vice Chair Burke, and Chair Romeo voted "Aye." Commissioner Yohannes voted "No."

6. Adjournment

There being no further business, and without objection, the September 23, 2024, Planning Commission regular meeting was adjourned at 7:37 p.m.

Agenda Item: Zoning Ordinance Text Amendment ZOTA #24-02 - Transit Related Growth Mixed Use, Medium Density Residential, and Office

Meeting Date: October 28, 2024

Category: Public Hearings

Prepared by: David Stromberg, Zoning Administrator

Description:

The Planning Commission requested that staff provide responses to the comments provided by Wire Gill LLP on October 14, 2024, McGuireWoods LLP on October 22, 2024, and Shorenstein on October 22, 2024. Below is a summary of the responses.

COMMENT: PD-TRG1 should include townhouses and stacked townhouses as a permitted use.

RESPONSE: The Transit Related Growth Small Area Plan (TRG SAP) provides a distinct difference between the low-density residential areas and the mixed-use, higher density areas. The low-density residential area requires different considerations because it is the only part of the TRG SAP that will be developed directly adjacent to existing single family neighborhoods. A separate zoning district, PD-TRG2, will be drafted to incorporate the unique requirements of the low-density residential areas.

COMMENT: Electrical transformers should not be required to be within primary structures, on the roof, or in underground vaults.

RESPONSE: This is a common requirement in transit-oriented development and is the requirement in the Herndon Transit-Oriented Core. Staff will continue evaluating if there is an acceptable alternative.

COMMENT: There should not be a requirement for shade trees or shade structures on parking garage rooftops because reflective paint can reduce the heat island effect.

RESPONSE: This is the same requirement that Fairfax County has and provides additional benefits such as cooling the vehicles themselves (and reducing remote starting to run the A/C), plant diversity, and/or options for solar panels. Staff will continue evaluating if there is an acceptable alternative.

COMMENT: There should not be a 10-foot setback from property lines not abutting a public or private right-of-way.

RESPONSE: Allowing a zero-foot setback for one property owner prevents an adjacent property owner from installing windows on their building unless they move their building

far enough away to comply with fire codes. This 10-foot setback requirement would not apply to developments that are developed under the provisions of a unified commercial subdivision.

COMMENT: Credit should be provided to sites that provide more than 15 percent publicly accessible park space.

RESPONSE: Staff is willing to discuss what type of credits could be provided.

COMMENT: The 60 percent requirement for ground floor activation along should not apply to secondary streets.

RESPONSE: The TRG SAP recommends ground floor activation along both primary and secondary streets. Forty percent of a building frontage is available for service uses.

COMMENT: The language regarding low impact development is too vague.

RESPONSE: Staff will continue working with DPW Engineering to refine the language.

COMMENT: The parking requirement of 1.25 spaces per dwelling unit is still too high for multifamily.

RESPONSE: Several parts of the TRG SAP are more than 0.25 miles from the Metro station and existing single family neighborhoods are sensitive to overflow parking. Staff may consider parking reductions as part of a future package of incentive zoning for affordable housing.

COMMENT: The electric vehicle requirements of 5 percent installed and an additional 15 percent EV capable are too high.

RESPONSE: The October 2022 issue of the American Planning Association's Zoning Practice provided guidance for localities to prepare for electric vehicles. The issue examined several electric vehicle ordinances that have been adopted throughout the country. At the low end was St. Louis, MO and Madison, WI with a requirement of 2 percent EV-installed and 10 percent EV-ready. At the high end was San Jose, CA with a requirement of 10 percent EV-installed, 20 percent EV-ready, and 70 percent EV-capable. Washington DC requires 20 percent of spaces be EV-ready.

Background:

The first draft of this zoning ordinance text amendment was presented to the commission for review on September 9 and 23, 2024. A second draft with revisions was presented to the Commission on October 14, 2024.

Budget Impact:

N/A

Recommendation:

At the October 15, 2024, Town Council work session, the council directed staff to bring forward a resolution to hire a consultant to establish an affordable housing program and associated zoning ordinance text amendments. Staff is recommending the Planning Commission continue this item to the December 16, 2024, public hearing to review the

draft language to ensure it does not inadvertently limit future options for incentive zoning amendments and, if necessary, present any changes to the commission.

Attachments:

1. PD-TRG1 Redline Ordinance (Proposed)

TOWN OF HERNDON, VIRGINIA

ORDINANCE

_____, 2024

Ordinance - to amend Chapter 78 (ZONING), Article III (Residential Districts), Section 78-30.6 (Specific Use Standards for Residential Districts), Article V (Planned Development Districts), by adding Section 78-51.2, entitled PD-TRG1 (Planned Development – Transit Related Growth Mixed Use, Medium Density Residential, and Office), by amending Article VII (Use Regulations), Section 78-70.2 (Table of Permitted and Allowed Uses), Section 78-71.1 (Residential Use Category), Article VIII (Accessory Uses), Section 78-80.2 (Table of Permitted and Allowed Accessory Uses and Structures), Article X (Parking, Loading, and Circulation), Section 78-100.2 (Minimum Off-Street Parking and Loading Standards), Article XIV (Signs), adding a new Section 78-141.8 (Sign Standards for Planned Development – Transit Related Growth), Section 78-180 (Definitions), and other articles as deemed necessary and appropriate to create a new zoning districts to implement the recommendations and standards of the Transit Related Growth Small Area Plan.

BE IT ORDAINED by the Council for the Town of Herndon that:

1. Chapter 78, (ZONING) of the Herndon Town Code is amended and reenacted as follows.

Section 78-30.6 – Specific use standards for residential districts.

All uses shall comply with all applicable standards in this chapter. In addition, the following standards shall apply, unless, in the judgment of the reviewing authority, exceptional circumstances warrant adjustment:

(a) *Single-family detached dwellings.* All single-family detached dwellings shall be subject to the following standards:

(1) *Frontage requirements.* All lots shall have frontage on a public street **of at least 30 feet in right-of-way width**, except in planned development-downtown and planned development traditional downtown, where private streets may be used to add flexibility for site design in urban conditions.

(2) *Single lot development.* Single lot development shall be subject to additional standards in section 78-155.6.

(3) ~~*Infill.* For infill development on an existing block with detached dwellings on each adjacent lot along the street, the required setback shall be equivalent to the average of the existing building setback lines of the detached dwellings along the street and in the same block.~~

~~(b) *Multi-family, townhouse, rental townhouse residential development, quadruplex and duplex dwellings.* The following standards shall apply to developments containing multi-family, townhouses, quadraplex and duplex dwellings.~~

~~(1) *Lot frontage and access standards.* The following lot frontage and access standards shall be met for the specified residential use types:~~

- a. ~~Each multi-family development shall have frontage on a public street. Each multi-family development may have privately maintained driveways for internal circulation among the multi-family dwellings and between those buildings and the public street.~~
- b. ~~Each townhouse and duplex lot shall have frontage on a dedicated public street or on a 30-foot minimum width privately maintained public access easement which shall provide adequate vehicular and pedestrian access to the lot from a public street, as determined by the town using the standards in the public facilities manual.~~
- c. ~~No more than 30 townhouse or duplex dwelling units shall be provided access to a public street by a single privately maintained roadway.~~

~~(2) Dimensional limitations and requirements. The following dimensional standards shall be met for the specified residential use types:~~

- a. ~~The height of buildings located within 100 feet of existing single-family detached development or undeveloped land in a single-family detached zoning district shall not exceed the maximum height permitted in the adjacent single-family detached district.~~
- b. ~~Lot areas for townhouses shall not exceed 50 percent of the gross site acreage of the townhouse development.~~
- c. ~~Townhouses and duplexes shall have a minimum area of 1,800 square feet of living space. Townhouses constructed or approved for construction prior to October 12, 1982 which are in conformance with all other regulations, shall not be deemed nonconforming if they have less than 1,800 square feet of gross area.~~
- d. ~~End unit townhouses shall have a minimum width of 24 feet.~~
- e. ~~Townhouses that are not end units shall have a minimum width of 22 feet.~~
- f. ~~No two abutting townhouses or duplexes shall have the same distance between the rear or side building facade and the rear or side property line, respectively, and the distance shall vary by a minimum of two feet.~~
- g. ~~For infill development on an existing block with detached dwellings on each adjacent lot along the street, the required setback shall be equivalent to the average of the existing building setback lines of the detached dwellings on the adjacent lots.~~

~~(3) Design standards. The following design standards shall be met for the specified residential use types:~~

- a. ~~No more than eight townhouses shall be included in one structure.~~
- b. ~~Primary building entrances shall be on the front facade of the building, except that townhouse end units shall have primary entrances on the sides.~~
- c. ~~Buildings which are 50 feet in length or greater shall incorporate wall offsets, a minimum of three feet in depth, a minimum of every 35 feet.~~
- d. ~~At least 20 percent of the facade facing a street shall consist of glazing (window surfaces, excluding doors and storm doors.~~
- e. ~~The development shall be designed to be pedestrian-friendly and shall comply with the standards for pedestrian movement in section 78-100.10.~~

~~(4) Parking, garages and driveways. The following standards shall apply to parking, garages and driveways for the specified residential use types:~~

- 65 a. ~~For multi-family dwellings, a maximum of 50 percent of off-street parking shall be~~
66 ~~provided within the setback.~~
- 67 b. ~~Garages for multi-family dwellings shall be designed where appropriate such that:~~
- 68 1. ~~Garages shall be side or rear entry, and located to the side or rear of the~~
69 ~~buildings.~~
- 70 c. ~~No side-entry garage door shall face any adjacent single-family detached residential~~
71 ~~development.~~
- 72 1. ~~Driveways for individual units are a minimum length of 20 feet.~~
- 73 2. ~~Driveways for individual units are accessed from internal streets or common~~
74 ~~driveways, and do not have direct access to a public street.~~
- 75 3. ~~Individual garage doors facing a public street shall not exceed ten feet in width~~
76 ~~per door, and a maximum of two doors facing the street per dwelling unit, with~~
77 ~~a minimum separation of two feet between the doors.~~
- 78 4. ~~Structured parking in the RTC district is prohibited, other than garages attached~~
79 ~~to or incorporated in individual units.~~
- 80 5. ~~Attached garages with doors facing a public street:~~
- 81 i. ~~Shall be recessed at least two feet behind the front facade of the ground floor~~
82 ~~living area; or~~
- 83 ii. ~~Shall not extend beyond the facade line of the living area of the unit if the garage~~
84 ~~is at least three feet behind a porch; or~~
- 85 iii. ~~Shall not extend beyond the facade line of the living area of the unit if an upper~~
86 ~~story overhangs the ground floor living area facade by at least two feet.~~
- 87 (5) ~~Privacy screening. For townhouse and duplex dwellings not containing a rear yard~~
88 ~~driveway, both sides of rear yards shall be screened with a privacy fence or wall of six~~
89 ~~feet minimum height and extending not less than ten feet from the rear building wall. For~~
90 ~~such dwellings containing a rear yard driveway, the developer may or may not provide a~~
91 ~~privacy fence or wall of a height or location that does not adversely affect visibility~~
92 ~~clearance at the driveway's interface with the abutting public or private street.~~

93 ***
94

95
96 **Section 78-51.2. - PD-TRG1 - Planned Development – Transit Related Growth Mixed Use,**
97 **Medium Density Residential, and Office.**
98

- 99 (a) Administration. The provisions of this section pertain to development within the 94-acre
100 area designated as the Transit Related Growth Area (TRG) within the Comprehensive Plan
101 (CPA #23-01). Where there may be conflicts between this article and general zoning,
102 subdivision, or other regulations, or requirements, the regulations of this article shall apply.
103 The zoning administrator shall determine questions of whether or not other sections of this
104 chapter apply. All future development of properties within the Transit Related Growth Area
105 mixed-use and, medium density residential, and office-residential areas shall conform to
106 the standards contained in this section.

- (b) Purpose and intent. The intent of the PD-TRG1 district is to implement the recommendations of the mixed-use and medium density residential areas identified in the TRG small area plan. Applications for zoning map amendments and generalized development plans implement the public and private road connections and parks and civic space identified in the TRG small area plan.
- (c) A PD-TRG1 district may only be established in areas identified as Mixed-Use, Office, or Medium Density Residential within the TRG Land Use Plan.
- (d) Principal uses. Table 78-51.2 (c)(3) lists allowable principal uses in the PD-TRG1 district. There may be additional regulations in this chapter and in the Herndon Town Code that apply to specific principal uses in the PD-TRG1 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-TRG1 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).
- (1) "Z" allowable uses. For properties without an existing PD-TRG1 designation, a "Z" in a cell indicates that a use type may be allowed in the PD-TRG1 district, provided a zoning map amendment is approved by the town council. For properties with an approved zoning map amendment to the PD-TRG1 district, a "Z" use is allowed by-right, provided that the use does not violate any of the proffers of an approved zoning map amendment.
 - (2) "S" special exception uses. An "S" in a cell indicates that a use type is permitted by special exception, provided that the use does not violate any of the proffers of an approved zoning map amendment.
 - (3) Table of principal permitted and allowed uses in the PD-TRG1 district.

Table 78-51.2(c)(3): Allowable Uses in PD-TRG1 KEY: Z=Allowable on properties with an approved Zoning Map Amendment, Provided That The Use Does Not Violate Existing Proffers S=Use Allowed Subject to Special Exception, Provided That The Use Does Not Violate Existing Proffers; Uses may be subject to use specific standards as noted in the last column			
USE CATEGORY	USE TYPE	PD-TRG1	See Supplemental Regulations
Residential	Multi-Family Dwelling	Z	§78-71.1
	Housing for the Elderly	Z	§78-71.1
	Assisted Living for the Elderly and Persons with Disabilities	Z	§78-71.1
Education	Childcare Center, Daycare Center or Preschool	Z	§78-71.2
	Post-Secondary Education and Career Schools	Z	§78-71.2
	School, Public or Private (K-12)	Z	§78-71.2
Government Facilities	Government Buildings, Facilities and Uses not Otherwise Categorized	Z	§78-71.3

	Police Substation	Z	§78-71.3
Institutional and Community Service Uses	Community Centers	Z	§78-71.4
	Hospital	Z,S	§78-71.4
	Library	Z	§78-71.4
	Museum, Fine Arts Center	Z	§78-71.4
	Religious Institution (with a capacity of 300 or fewer persons) gathered for religious observance, with or without any accessory schools, daycare centers, or recreational facilities)	Z	§78-71.4
	Senior Center	Z	§78-71.4
Alcohol Production Facilities, Small	Craft Breweries, Micro-Distilleries, Micro-Cideries, Micro-Wineries (without on-site vineyard)	Z	§78-71.5
	Brewpubs (eating establishment where food is prepared and served but also to produce alcoholic beverages on a small scale)	Z	§78-71.5
Eating Establishments	Restaurant	Z	§78-71.6
Entertainment, Indoor	Commercial Recreation/Entertainment Indoor	Z	§78-71.8
	Theater	Z	§78-71.8
Lodging Business	Conference Center, Hotel, Motel, Inn, Boarding House, Rooming House	Z	§78-71.12
Offices	All Office Uses (excluding any medical or health related services – see “health care facility”)	Z	§78-71.7
Personal Services and Retail Sales	Animal Hospital, Kennel, Pet Daycare, Animal Shelter, and Veterinary Clinic	Z	§78-71.10
	Artist’s Studio or Gallery	Z	§78-71.10
	Dry-Cleaning/Laundry, Laundromats	Z	§78-71.10
	Financial Institution	Z	§78-71.10
	Health Care Facility	Z	§78-71.10
	Health Care Laboratory	Z	§78-71.10
	Mailing and Packing Service	Z	§78-71.10
	Personal Services, General	Z	§78-71.10
	Pharmacy	Z	§78-71.10
	Product Repair and Services	Z	§78-71.10
	Retail Sales	Z	§78-71.10
	School of Special Instruction	Z	§78-71.10

	Other Personal Services and Retail Sales Uses	Z	§78-71.10
Commercial Utilities	Commercial Communication Tower, Freestanding	Z,S	§78-71.13
Industrial Service	Scientific Research and Scientific Development	Z	§78-71.14

133

134 (d) Accessory uses and structures. Table 78-51.2 (d)(3) lists allowable accessory uses in the
135 PD-TRG1 district. There may be additional regulations in this chapter and in the Herndon
136 Town Code that apply to specific accessory uses in the PD-TRG1 district. It is the
137 applicant's responsibility to ensure that all published rules, regulations, and standards
138 have been addressed in any application submitted for development approval. Definitions
139 for uses and terms in this section may be found in Article XVIII. Other uses not listed on
140 the following table are not allowed in the PD-TRD1 district unless determined by the zoning
141 administrator to be similar to a permitted use in accordance with provisions for unlisted
142 uses, section 78-70.1(f).

143 (1) "Z" allowable accessory uses. For properties without an existing PD-TRG1
144 designation, a "Z" in a cell indicates that a use type may be allowed in the PD-TRG1
145 district, provided a zoning map amendment is approved by the town council. For
146 properties with an approved zoning map amendment to the PD-TRG1 district, a "Z"
147 use is allowed by-right, provided that the accessory use does not violate any of the
148 proffers of an approved zoning map amendment. Permitted accessory uses are
149 subject to all other applicable regulations of this chapter, including those set forth in
150 Article VIII, Accessory Use Regulations.

151 (2) "S" special exception uses. An "S" in a cell indicates that an accessory use type is
152 permitted by special exception, provided that the use does not violate any of the
153 proffers of an approved zoning map amendment.

154 (3) Table of permitted and allowed accessory uses in the PD-TRG1 district.

Table 78-51.2(d)(3): Allowable Accessory Uses in PD-TRG1. KEY: Z=Allowable on Properties with an Approved Zoning Map Amendment, Provided That the Use Does Not Violate Existing Proffers; S=Use Allowed Subject to Special Exception Approval, Provided That the Use Does Not Violate Existing Proffers; Uses may be subject to use specific standards as noted in the last column		
ACCESSORY USE	PD-TRG1	Supplemental Use Regulations
Antennae co-location	Z	§78-80.4(c)
Car/Vehicle Rental	Z,S	§78-80.4(e)
Daycare Center, Childcare Center or Pre-School	Z	§78-80.4(i)
Financial Institutions, Accessory	Z	§78-80.4(k)
Home-Based Business, Including Daycare or Childcare	Z	§78-80.5
Minor Utilities	Z	§78-80.4(m)
Mobile Food Unit Preparer, Full Service	Z	§78-80.4(t)

Outdoor Restaurant Seating	Z	§78-80.4(n)
Outdoor Display of Products for Sale	Z	§78-51.2(e)
Parapets, Penthouses for Equipment and Other Roof Structures	Z	§78-80.3(d)
School Uses in Conjunction with, and on the same site as, Religious Institution	Z	§78-80.4(r)
Short-Term Rental	Z	§78-80.4(u)
Small Cell Facilities on a Utility Distribution or Transmission Pole	Z	§78-71.13(d)(3)
Features such as fences, walls, retaining walls, gate houses, trash enclosures, refuse containers, screening enclosures, storage sheds, and swimming pools	Z	§78-80.3(c) §78-21(f)

(e) Accessory use standards.

- (1) Outdoor displays of products for sale shall not impair circulation and shall be shown on an approved site plan.

(f) Dimensional standards.

- (1) Minimum lot size. There is no minimum lot size within PD-TRG1.

- (2) Maximum density. There is no maximum density when the proposal implements the site-specific guidelines and facilities identified in the TRG small area plan.

- (3) Building heights. The minimum building height shall not be less than 60 feet and the maximum building height shall not exceed the following:

a. 90 feet for Herndon Parkway Podium Buildings, identified as area 3 on page 57 of the TRG Small Area Plan.

b. 160 feet for Metro Arrival buildings, identified as area 2 on page 57 of the TRG Small Area Plan.

c. There shall be a façade setback of 10 feet after 30 feet in height.

- (4) Private amenity space. There shall be a private amenity space between 8 feet and 20 feet from the edge of the streetscape to the building façade along primary and secondary streets. Setbacks along frontages abutting public or private rights-of-way.

a. Herndon Parkway. Building setbacks along Herndon Parkway shall range from 28 feet to 34 feet from the back of curb to the building façade. The setback may be reduced on a linear foot-per-foot equivalency for land

dedicated to the town for street frontage features. Setbacks shall not be reduced for street frontage features within a streetscape easement.

b. ~~The Parallel street or future name. Building setbacks along the Parallel street shall range from 20 feet to 30 feet from the back of curb to the building façade. Buildings on the south and east side of the Parallel Street must be able to accommodate the cycle track. The setback may be reduced on a linear foot-per-foot equivalency for land dedicated to the town. Setbacks shall not be reduced for street frontage features within a streetscape easement.~~

c. ~~Secondary private or public streets. Building setbacks along secondary private or public streets shall range from 20 feet to 30 feet from the back of curb to the building façade. The setback may be reduced on a linear foot-per-foot equivalency for land dedicated to the town. Setbacks shall not be reduced for street frontage features within a streetscape easement.~~

d. ~~Spring Street. Building setbacks along Spring Street shall range from 28 feet to 34 feet. The setback may be reduced on a linear foot-per-foot equivalency for land dedicated to the town for street frontage features. Setbacks shall not be reduced for street frontage features within an easement.~~

(5) There shall be a 10-foot building setback from property lines not abutting public or private rights-of-way.

(6) A minimum of 60 percent of the building façade shall be located within the setback range about the private amenity space. The remainder of the building façade may be located beyond the maximum setback private amenity space.

(7) Streetscape Design. Public and private streets and streetscapes shall contain the elements identified in the Transportation Network section of the TRG Small Area Plan, including, but not limited to pedestrian circulation areas, landscape areas, and areas for an off-street two-way cycle track, where applicable. Design and construction of the elements not specified in this chapter shall be in accordance with the Town of Herndon Streetscape Manual. Existing and proposed utilities shall be relocated if any conflicts with the streetscape designs are identified in the Generalized Development Plan.

(g) Park space in PD-TRG1. A minimum of 15 percent of the gross land area shall be set aside as publicly accessible park space. The location and design of the required park space(s) shall match the Recreation and Open Space Design section shown on pages 61-65 of the TRG Small Area Plan to the greatest extent practicable.

~~—— (1) Alternatives to providing on-site publicly accessible park space. For sites where the TRG Small Area Plan show a publicly accessible park, the land may be dedicated to the town or held in private ownership with public easements.~~

~~(2) For sites where the TRG Small Area Plan do not show a publicly accessible park, off-site improvements to park facilities within the TRG Small Area Plan may be used as an option to meet the 15 percent requirement.~~

~~a.—— Dedication of land to the town for public park purposes.~~

~~b.—— Off-site improvements to park facilities within the TRG Small Area Plan.~~

(h) Site planning and building design in PD-TRG1. The following standards apply to sites and buildings within the PD-TRG1 district:

(1) Ground floor activation. A minimum of 60 percent of the ground floor frontage along primary and secondary streets shall be activated by the following, or similar, uses: Lobby space, amenity space, retail, restaurant, other commercial storefronts, or residential walk-out units.

~~Streetscape Design.~~ Private streets and public or private streetscapes shall contain the elements identified in the Transportation Network section of the TRG small area plan, including, but not limited to pedestrian circulation areas, landscape and site furnishing areas, and areas for a cycle track, where applicable. ~~Design and construction of the elements shall be in accordance with the Town of Herndon Streetscape Manual.~~

(2) Refuse and Loading Areas. Trash and recycling dumpsters ~~or and compactors~~ shall be located within primary structures. Loading areas shall be located within primary structures.

(3) Mechanical Features. Mechanical equipment, generators, transformers, and similar equipment shall be located within primary structures, in underground vaults, or on rooftops. Rooftop equipment shall be screened if visible from the street.

(4) Electric Vehicle Infrastructure. A minimum of ~~35~~ percent of the minimum required parking shall be EV-installed with a minimum Level 2 charging station. A minimum of ~~10~~15 percent of the minimum required parking shall be EV-capable. Transformers for EV stations shall be screened or located so as not to be visible from the ~~public-right-of-way~~ public or private streets.

(5) Multifamily Garage Doors. Parking garage, refuse, and loading bay ~~doors~~ openings shall be ~~garage doors~~ fully screened with doors. Movable arms or other partial barriers are prohibited.

(6) Off-street Pparking land loading. Off-street parking and loaded ~~should~~ shall be in above-grade or below-grade parking structures, except as specified below. Surface parking shall be Llimited surface parking may be allowed for parking that is temporary in nature, such as ride sharing, deliveries, and pick-ups. Existing surface

parking may remain if established as an interim use, subject to Section 78-51.2(h)(8), provided it is in conformance with Section 78-110.5, Vehicular Use Area Screening and Landscaping. ~~Parking or storage areas need to be provided for single person or autonomous modes of transit.~~ Off-site micro mobility parking shall be incorporated into the Generalized Development Plan.

(7) Low Impact Development. Development sites shall incorporate low impact development measures, such as green roofs, rain gardens, or bioretention facilities, in addition to any other below grade manufactured devices required to comply with stormwater management requirements.

(8) Massing and Architectural Design. Massing and architectural design shall be in accordance with the TRG Small Area Plan with the Architectural Review Board reviewing and evaluating compliance with the architectural and contextual components of the TRG Small Area Plan prior to a public hearing by the town council.

(8) Interim Uses. Interim uses may be established for long-term phased development as part of a zoning map amendment submission. Interim uses and improvements shall be shown on a phasing sheet within the Generalized Development Plan and all interim uses are subject to the town's administrative site plan ordinances.

(I) Landscape Requirements.

(1) Parking Structures. Any parking structure with an exposed surface containing ten or more parking spaces must include shade trees (at a rate of 1 canopy tree per 2,000 square feet) or a combination of trees and shade structures, located on the exposed portion of the parking structure, as required for interior parking lot landscaping in Article XI. Alternatively, the required percentage of shade may be provided through shade structures covering a minimum of ten percent of the total area of the exposed portion of the parking structure.

Section 78-70.2 – Principal permitted and allowed uses.

		Residential Districts				Business Districts						Planned Development District			Suppl 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, PD- TRG1	See Section

281 ***

282 **Section 78-71.1 – Residential use category.**

283 ***

284 (c) Similar use types, accessory uses and prohibited use types.

285 ***

286 (6) Multifamily dwelling. In the PD-TOC and PD-TRG zoning districts, multi-family
287 dwelling shall be limited to buildings with six or more dwellings.

288 ***

289 **Section 78-80.2 – Table of permitted and allowed accessory uses and structures.**

	Table 78-80.2(dc): TABLE OF PERMITTED AND ALLOWED ACCESSORY USES & STRUCTURES KEY: P=Use Permitted By Right; S=Use Allowed Subject to Special Exception Approval; Z=Use Allowed Subject to Zoning Map Amendment Approval													
	Notes: 1. A blank cell means the use is prohibited in the district; 2. Uses may be subject to use specific standards noted in the last column. ** For Permitted Accessory Uses in PD-TOC see section 78-50.7; For Accessory Uses Permitted and Allowed in PD-W see section 78-50.8													
	Residential Districts				Business Districts					Planned Development District				Supp'l Reqs.
ACCESSORY USE	R 15	R 10	R TC	RM	CC	CS	CO	O& LI	PD-R	PD-B	PD-TD PD-D	PD-UR	PD-TOC PD-W, PD-TRG1	See Section

290

291 ***

292 **Section 78-100.2(e) – Minimum off-street parking ~~and loading~~ standards.**

293 (e~~b~~) Minimum number of parking spaces required in ~~PD-TD, CC, PD-TRG1, and PD-D~~ zoning
294 districts. Unless otherwise expressly stated in this chapter, off-street parking spaces in
295 the ~~PD-TD, CC, PD-D PD-TRG1~~ zoning districts shall be provided in accordance with
296 Table 78-100.2(e~~b~~): Minimum Off-Street Parking Standards, below:

Table 78-100.2(e): MINIMUM OFF-STREET PARKING IN THE PD-TRG1 DISTRICT

<u>USE</u>	<u>REQUIRED NUMBER OF CAR SPACES</u>	<u>REQUIRED NUMBER OF BICYCLE PARKING</u>
<u>Multifamily Residential</u>	<u>1.25 spaces per dwelling unit</u>	<u>1 space per every 5 units</u>
<u>Non-residential uses</u>	<u>3.3 spaces per 1,000 square feet of gross floor area</u>	

297

**TABLE 78-100.2(b): MINIMUM OFF-STREET PARKING STANDARDS IN THE PD-TD, CC PD-TRG1 and PD-D ZONING DISTRICTS
(see section 78-100.7 for public parking options)**

298

TABLE 78-100.2(b): MINIMUM OFF-STREET PARKING STANDARDS IN THE PD-TD, CC and PD-D ZONING DISTRICTS (see section 78-100.7 for public parking options)		
USE TYPE	REQUIRED NUMBER OF CAR SPACES	REQUIRED NUMBER OF BICYCLE SPACES
RESIDENTIAL USE CATEGORY		
Single-Family Detached Dwelling	2 spaces per dwelling	0
Duplex, Townhouse Dwellings and Stacked Townhouse Dwellings	2 spaces per dwelling	0
Multi-Family	1.5 spaces per dwelling unit	1 interior or exterior long-term covered space per every 5 units; 1 short-term space per every 12 units
OFFICE		
Office Uses including General Business, Medical, Professional and Governmental	3.3 spaces per 1,000 square feet of gross floor area	1 short-term space per every 1,500 square feet of gross floor area
COMMERCIAL		

Retail, Personal Service	3.3 spaces per 1,000 square feet of gross floor area	1 short-term space per every 1,500 square feet of gross floor area
Restaurant, and other Nonresidential and Non-Office Uses	3.3 spaces per 1,000 square feet of gross floor area	1 short-term space per every 1,500 square feet of gross floor area
Craft Breweries, Micro-Distilleries, Micro-Cideries, Micro-Wineries (without on-site Vineyard)	3.3 spaces per 1,000 square feet of gross floor area	1 short-term space per every 1,500 square feet of gross floor area
Brewpubs (eating establishment where food is prepared and served but also to produce alcoholic beverages on a small scale)	3.3 spaces per 1,000 square feet of gross floor area	1 short-term space per every 1,500 square feet of gross floor area

Section 78-100.5 – Construction, dimension and design standards for off-street parking, loading and stacking.

(d) Driveways for individual residential units shall be a minimum length of 20 feet.

Section 78-141.8. – Sign standards for Planned Development – Transit Related Growth districts.

Type	Sign Band	Awning Sign	Canopy Sign
Number	1 per establishment	1 per establishment	1 per establishment and 1 per lobby entrance
Size	1 square foot of sign area for every 1 foot of establishment linear frontage	10 percent of awning area (top and valence); maximum 10-inch lettering	25 square feet
Height	N/A	N/A	Maximum 8 feet above canopy
Location	Above 1 st floor storefront	On awning above 1 st floor storefront	On canopy above 1 st floor storefront

Illumination	Internal H halo-lit or external	External only; <u>not from underside of awning</u>	External only
Duration			

307

Type	Projecting Sign	A-Frame Sign	Blade Sign
Number	1 per establishment	Unlimited	1 per building
Size	12 square feet; maximum height is 4 feet and maximum width is 3 feet	12 square feet; maximum width is 3 feet	60 square feet; <u>vertical orientation</u>
Height	Minimum 9 feet from bottom of sign	Maximum 4 feet	Maximum ½ height of the building
Location	Below sign band	In front of establishment and not blocking pedestrian travel	On façade or building corner
Illumination	External only	None	Internal or external
Materials	N/A	Wood and/or metal frame; chalk or marker board copy area	N/A

308

Type	Monument Sign	Parapet Sign	Freestanding (non-monument) Sign
Number	1 per street frontage	1 per building	1 per street frontage
Size	Maximum 36 square feet per sign	Maximum 60 square feet	18 square feet
Height	Maximum 8 feet	N/A	Maximum 8 feet
Location	Maximum 1 per each street frontage	On parapet	Maximum 1 per each street frontage

Illumination	Internal halo-lit or external	Internal halo-lit or external	Internal halo-lit or external
Duration			

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

DRAFT