TOWN COUNCIL
REGULAR MEETING AGENDA

Town Council Chambers
765 Lynn Street, Herndon, VA 20170

Tuesday, January 28, 2025 | 7:00 PM

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1. **Call to Order**

2. **Pledge of Allegiance to the Flag of the United States of America**

3. **Presentations/Reports/Comments**

   a. Town Manager Report

   b. Councilmember Comments

4. **Comments from the Audience**
   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.

5. **Public Hearings**

   a. Ordinance 25-O-01 to approve Zoning Ordinance Text Amendment ZOTA #24-02 to amend Chapter 78 (ZONING), Article III (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), Article VIII (Accessory Uses), Article X (Parking, Loading, and Circulation), Article XIV (Signs), adding a new Section 78-141.8 (Sign Standards for Planned Development – Transit Related Growth), 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

   b. Ordinance 25-O-02 to amend the Fiscal Year (FY) 2025 Adopted Budget for the American Rescue Plan Act (ARPA) Fund

6. General

a. Resolution 25-G-07 to adopt a new Brand Concept for the Town of Herndon

b. Resolution 25-G-08 to extend the Town of Herndon Streetery Pilot Program

7. Consent

a. Resolution 25-G-09 to initiate consideration of a Zoning Ordinance Text Amendment ZOTA #25-01 to amend Chapter 78 (ZONING), Article V (Planned Development Districts), by adding Section 78-51.3, entitled PD-TRG2 (Planned Development – Transit Related Growth 2 – Low Density Residential), and amending Article VII (Use Regulations), Article VIII (Accessory Uses), Article X (Parking, Loading, and Circulation), and other articles as deemed necessary and appropriate to implement the recommendations and standards of the Transit Related Growth Small Area Plan

b. Resolution 25-G-10 to initiate consideration of a Zoning Ordinance Text Amendment ZOTA #25-02 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

c. Resolution 25-G-11 to approve a Temporary License Agreement between the Town and JOTT, INC., for use of a designated public space in the alley adjacent to Jimmy's Old Town Tavern for outdoor seating during a one-day event

d. Resolution 25-G-12 to reinstate the Town Council's Interview Subcommittee

e. Resolution 25-G-13 to reinstate the Town Council's Pedestrian and Bicycle Advisory Committee

f. Resolution 25-G-14 to establish the Town of Herndon Community Inclusion and Engagement Committee

g. Resolution 25-G-15 to appoint the Town Council Liaison to the Herndon Youth Advisory Committee

8. Adjournment

Interpretación en Español está disponible en esta sesión.

Town Council Regular Meeting
Agenda Item 5.a.

Agenda Item: **Ordinance 25-O-01 to approve Zoning Ordinance Text Amendment ZOTA #24-02 to amend Chapter 78 (ZONING), Article III (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), Article VIII (Accessory Uses), Article X (Parking, Loading, and Circulation), Article XIV (Signs), adding a new Section 78-141.8 (Sign Standards for Planned Development – Transit Related Growth), 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**

Meeting Date: January 28, 2025

Category: Public Hearings

Prepared by: David Stromberg, Zoning Administrator

Description:
The proposed text amendment will establish the first zoning district to allow for redevelopment of properties as envisioned by the Transit Related Growth (TRG) Small Area Plan. This zoning district will be an option for properties where the TRG designates the future land use as mixed use, medium density residential, and office.

Adoption of this zoning text amendment will add a new zoning district to the town's zoning ordinance. Adoption of this zoning text amendment ***does not*** change the existing zoning designation for any property owner. Applications to rezone to PD-TRG1 (Planned Development - Transit Related Growth 1) will be reviewed by town staff and required to have a public hearing before the Planning Commission and Town Council.

Background:
The Transit Related Growth Small Area Plan is an amendment to the Town of Herndon 2030 Comprehensive Plan. Planning for the TRG began in 2022 with the hiring of Skidmore Ownings & Merrill consulting group and the formation of the TRG Advisory Committee. Town Council initiated the TRG Small Area Plan Comprehensive Plan Amendment (CPA #23-01) on December 12, 2023 and adopted the plan on April 23, 2024 (Resolution 24-G-23).

The TRG studied 94 acres in the southwest corner of town, north of Herndon Parkway up to Spring Street and west of Fairfax County Parkway. The goal of the plan is to

provide opportunities to redevelop underutilized properties near the Herndon Metro Station to establish a vibrant urban district with a diverse mix of residential, retail, office, and recreational amenities.

The notices for public hearing were duly advertised in the *Fairfax County Times Newspapers* in the Friday, January 10, and January 17, 2025, editions.

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

Strategic Focus Area:

Environmental and Economic Sustainability
Thriving Community

Fiscal Impact:
The TRG fiscal impact analysis estimates an increase in assessed value from $215 million to $1.77 billion at full plan build-out (FY 2023 dollars).

Legal Impact:
Adoption of this ordinance will amend and adopt zoning law.

Staff Recommendation/Next Steps:
Adopt the ordinance.

Attachments:
1. Ordinance (Proposed - Redline)
2. PowerPoint
3. Legal Ad

TOWN OF HERNDON, VIRGINIA

ORDINANCE

January 28, 2025

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 with 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:~~

~~a. For multi-family dwellings, a maximum of 50 percent of off-street parking shall be provided within the setback.~~

~~b. Garages for multi-family dwellings shall be designed where appropriate such that:~~

~~1. Garages shall be side- or rear-entry, and located to the side or rear of the buildings.~~

~~c. No side-entry garage door shall face any adjacent single-family detached residential development.~~

~~1. Driveways for individual units are a minimum length of 20 feet.~~

~~2. Driveways for individual units are accessed from internal streets or common driveways, and do not have direct access to a public street.~~

~~3. Individual garage doors facing a public street shall not exceed ten feet in width per door, and a maximum of two doors facing the street per dwelling unit, with a minimum separation of two feet between the doors.~~

~~4. Structured parking in the RTC district is prohibited, other than garages attached to or incorporated in individual units.~~

~~5. Attached garages with doors facing a public street:~~

~~i. Shall be recessed at least two feet behind the front facade of the ground floor living area; or~~

~~ii. Shall not extend beyond the facade line of the living area of the unit if the garage is at least three feet behind a porch; or~~

~~iii. Shall not extend beyond the facade line of the living area of the unit if an upper story overhangs the ground floor living area facade by at least two feet.~~

~~(5) *Privacy screening*. For townhouse and duplex dwellings not containing a rear yard driveway, both sides of rear yards shall be screened with a privacy fence or wall of six feet minimum height and extending not less than ten feet from the rear building wall. For such dwellings containing a rear yard driveway, the developer may or may not provide a privacy fence or wall of a height or location that does not adversely affect visibility clearance at the driveway's interface with the abutting public or private street.~~

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

(a) Administration. The provisions of this section pertain to development within the 94-acre area designated as the Transit Related Growth Area (TRG) within the Comprehensive Plan (CPA #23-01). Where there may be conflicts between this article and general zoning, subdivision, or other regulations, or requirements, the regulations of this article shall apply. The zoning administrator shall determine questions of whether or not other sections of this chapter apply. All future development of properties within the Transit Related Growth Area mixed-use, medium density residential, and office areas shall conform to the standards contained in this section. Applicants may seek modifications pursuant to Section 78-50.2, provided it furthers the goals of the TRG Small Area Plan.

(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 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

(d) Accessory uses and structures. Table 78-51.2 (d)(3) lists allowable accessory uses in the PD-TRG1 district. There may be additional regulations in this chapter and in the Herndon Town Code that apply to specific accessory 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-TRD1 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 accessory 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 accessory use does not violate any of the proffers of an approved zoning map amendment. Permitted accessory uses are subject to all other applicable regulations of this chapter, including those set forth in Article VIII, Accessory Use Regulations.

(2) "S" special exception uses. An "S" in a cell indicates that an accessory 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 permitted and allowed accessory uses in the PD-TRG1 district.

Table78-51.2(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 Utililty 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 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.

(4) Private amenity space. There shall be a private amenity space between 6 feet and 20 feet from the edge of the sidewalk to the building façade along all streets. Private amenity space shall include the terms “front or side yard”, “property frontage area,” or “seating area” from the TRG Small Area Plan.

(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 abut the street. The remainder of the building façade may be located beyond the 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. The 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 or site plan.

(g) Parks in PD-TRG1. A minimum of 15 percent of the gross land area shall be set aside as publicly accessible park or playground. 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) For sites where the TRG Small Area Plan shows 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 does 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.

(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.

(2) Refuse and Loading Areas. Trash and recycling dumpsters 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.

a. Transformers more than 40 feet from the Herndon Parkway sidewalk may be located above grade provided they are screened with a combination of masonry walls and metal gates. Gates are not permitted to swing into pedestrian walkways. Alternative materials may be approved by the Architectural Review Board.

(4) Electric Vehicle Infrastructure. A minimum of 2 percent of the minimum required parking shall be EV-installed with a minimum Level 2 charging station. A minimum of 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 public or private streets.

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

(6) Off-street Parking. Off-street parking shall be in above-grade or below-grade parking structures, except as specified below. Limited 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. On-site micro mobility parking shall be incorporated into the Generalized Development Plan.

(7) Low Impact Development. Development sites shall incorporate low impact development measures as shown on page 65 of the TRG Small Area Plan.

(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 planning commission.

(9) 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.

(l) 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.

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Section 78-70.2 – Principal permitted and allowed uses.

	Residential Districts	Business Districts		Planned Development District	Supp'l 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

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Section 78-71.1 – Residential use category.

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

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(6) Multifamily dwelling. In the PD-TOC and PD-TRG zoning districts, multi-family dwelling shall not include stacked units.

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

	Table 78-80.2(~~d~~*c*): 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

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Section 78-100.2(e) – Minimum off-street parking standards.

(e) *Minimum number of parking spaces required in* PD-TRG1 *zoning districts.* Unless otherwise expressly stated in this chapter, off-street parking spaces in the PD-TRG1 zoning districts shall be provided in accordance with Table 78-100.2(e): Minimum Off-Street Parking Standards, below:

Table78-100.2(e): MINIMUM OFF-STREET PARKING IN THE PD-TRG1 DISTRICT		
USE	REQUIRED NUMBER OF CAR SPACES	REQUIRED NUMBER OF BICYCLE PARKING
Multifamily Residential	1.25 spaces per dwelling unit; may be reduced to 1 space per dwelling unit for properties located within 0.25 miles of the Herndon Metro Station and the submission of a Transportation Demand Management Plan.	1 space per every 5 units
Non-residential uses	1 space per 500 square feet of gross floor area	

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

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

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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 1st floor storefront	On awning above 1st floor storefront	On canopy above 1st floor storefront
Illumination	Halo-lit or external	External only; not from underside of awning	External only
Duration			

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; vertical orientation
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

Type	Monument Sign	Parapet Sign	Tower Sign	Freestanding (non-monument) Sign
Number	1 per street frontage	1 per building	1 per building when building is minimum 80 feet in height	1 per street frontage
Size	Maximum 36 square feet per sign	Maximum 60 square feet	Maximum 150 square feet	Maximum 18 square feet
Height	Maximum 8 feet	N/A	N/A	Maximum 8 feet
Location	Maximum 1 per each street frontage	On parapet	At the top of the building	Maximum 1 per each street frontage
Illumination	Internal halo-lit or external	Internal halo-lit or external	Internal halo-lit or external	Internal halo-lit or external

***

Sec. 78-180 – Definitions

Electric Vehicle (EV) related terms:

(1) *EV Capable*. The installation of electrical panel capacity with a dedicated branch circuit and a continuous conduit (raceway) from the panel to the future EV parking spot to accommodate the future build-out of EV charging with 208/240-Volt, 40-amp circuits.

(2) EV Ready. The installation of electrical panel capacity and conduit (raceway) to terminate in a junction box or 208/240-volt charging outlet, similar to a dryer circuit.

(3) EV Installed. The installation of a charging station (also known as Electric Vehicle Supply Equipment).

***

Open space. Land which is not occupied by a building, parking or loading space, vehicular travel lane, driveway, street, or sidewalk ~~in the public right-of-way; also areas, whether in the public right-of-way or on private land, that meet downtown streetscape provisions of the Herndon Guidelines for the Planning and Design of Town Streetscape~~

~~Projects (dated November 25, 2008, as may be amended, located in the Herndon Department of Community Development) and as referenced in section 1-16, Herndon Town Code (2000) as amended~~. Open space may contain landscaping, walks, paths, trails, plazas, stormwater management facilities provided as a landscape amenity, play equipment, pools, basketball courts, and the like. See also definition of "green space," and open space standards in Article XI.

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

TOWN OF Herndon VIRGINIA

Zoning Ordinance Text Amendment ZOTA #24-02 – PD-TRG1
Planned Development - Transit Related Growth Mixed Use, Medium Density Residential, and Office

Town Council Public Hearing
January 28, 2025

David Stromberg, AICP
Zoning Administrator

Zoning Ordinance Text Amendments (ZOTA)s

- Town of Herndon Zoning Ordinance (Chapter 78 of Town Code)
  - Primary tool for regulating land use
  - Can only be changed by legislative (Town Council) action
  - Authority to have a local zoning ordinance is granted by the Code of Virginia
- Initiate Consideration of a ZOTA (1st step)
  - Required per Virginia Code §15.2-2286(A)(7)
  - Staff cannot initiate a ZOTA
- Planning Commission Public Hearing Review (2nd step)
  - Evaluate land use implications and consistency with the Comprehensive Plan
  - Make a recommendation to the town council
- Town Council Public Hearing Review (3rd step)
  - Evaluate policy implications and make a final decision to adopt or deny ZOTA

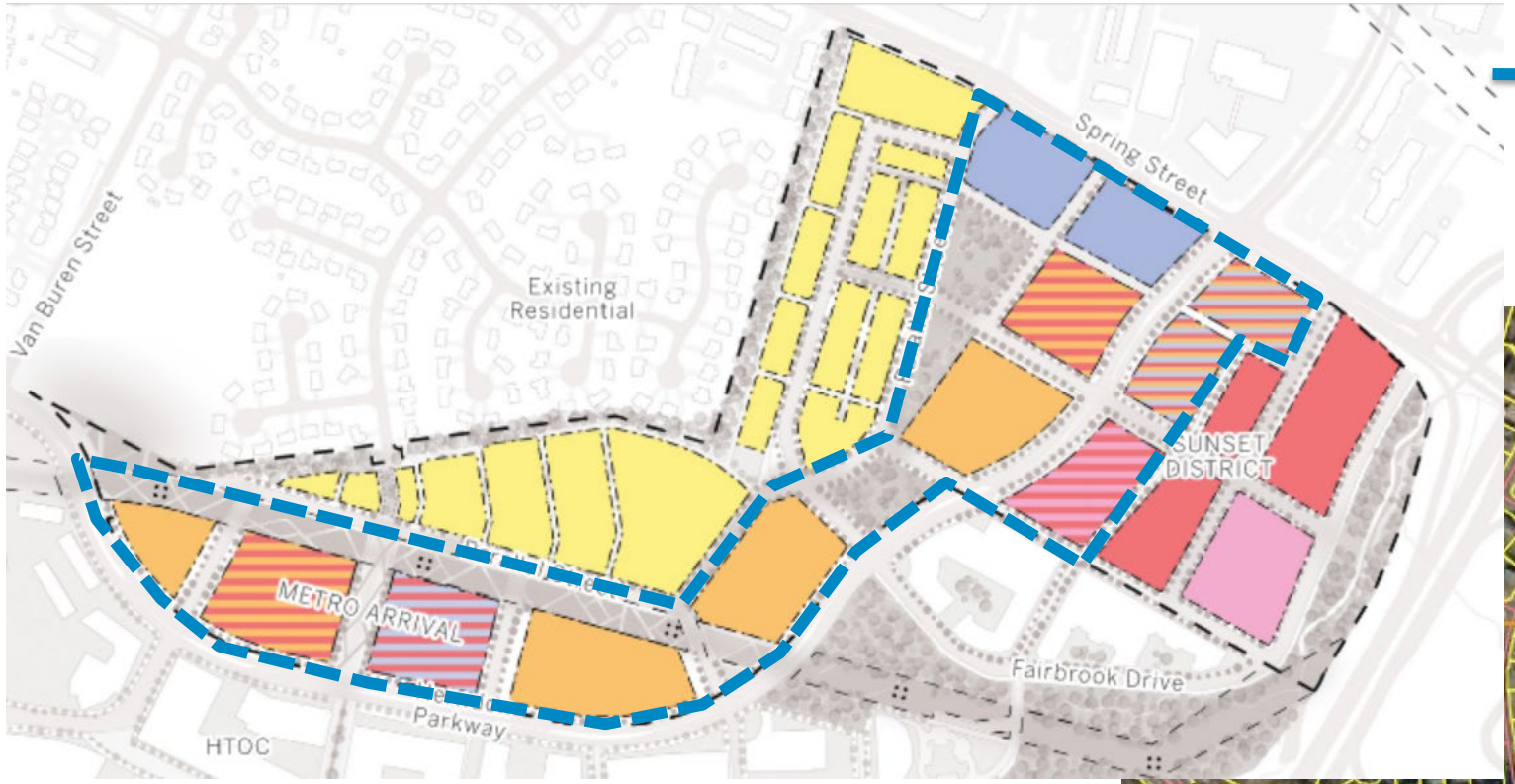
Transit Related Growth Area

Transit Related Growth Existing Parcels (p15)

PD-TRG1 Eligible Areas

Aerial Imagery

Transit Related Growth Area Land Use Map



PD-TRG1 Eligible Areas

Aerial Imagery

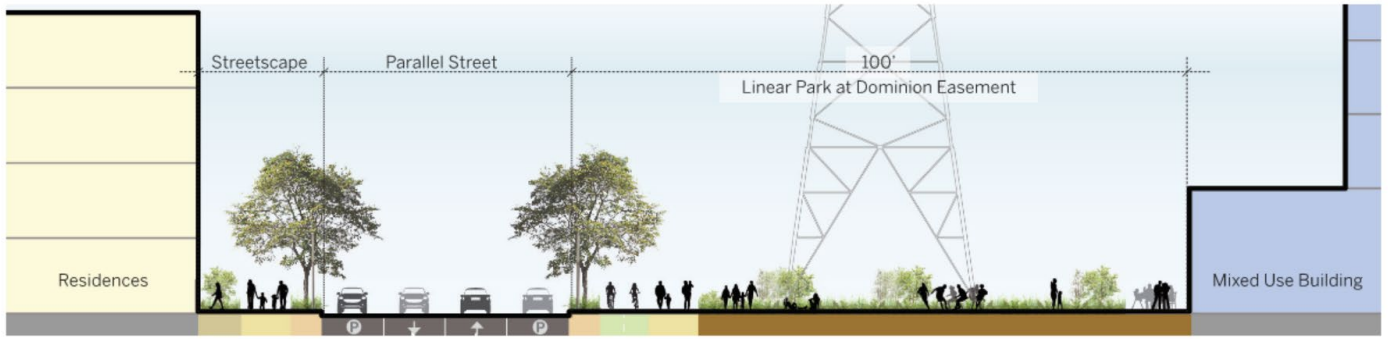
Land Use Plan (p42)

- Medium Density Residential
- Mixed Use/Residential
- Mixed Use/Office
- Office
- Mixed Use/Hospitality
- Mixed Use/Residential/Office

Zoning Requirements in PD-TRG1

- List of permitted and special exception uses
- Height requirements
- Dimensional requirements
- Public & private amenity space requirements
- Street improvements
  - Cycle track, sidewalks, etc.
- Landscape requirements
- Parking requirements

Rendering of the Linear Park looking towards the Plaza



Section though Linear Park

Proposed PD-TRG1 Electric Vehicle Requirements

- First zoning district with EV charging requirements
- Includes industry standard definitions
  - EV-Capable: The installation of electrical panel capacity with a dedicated branch circuit and a continuous conduit (raceway) from the panel to the future EV parking spot to accommodate the future build-out of EV charging with 208/240-Volt, 40-amp circuits.
  - EV-Ready: The installation of electrical panel capacity with a dedicated branch circuit and a continuous conduit (raceway) to terminate in a junction box or 208/240-Volt charging outlet, similar to a dryer circuit.
  - EV-Installed: The installation of a charging station (also known as Electric Vehicle Supply Equipment).
- Requires 2 percent EV-Installed and 15 percent EV-Capable
  - Balance initial investment with initial need
  - Ensures ability to increase charging infrastructure in the future

Recommendations

- Planning Commission
  - Adopt Zoning Ordinance Text Amendment ZOTA #24-02
- Community Development
  - Adopt Zoning Ordinance Text Amendment ZOTA #24-02

Town of Herndon, Virginia
Notice of Public Hearing

Notice is hereby given that the **Town Council** of the Town of Herndon, Virginia, will hold a public hearing on Tuesday, January 28, 2025, at 7:00 p.m. in the Herndon Council Chambers Building, located at 765 Lynn Street, Herndon on the following item:

> **Ordinance, to consider Zoning Ordinance Text Amendment ZOTA #24-02,** 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 a new Section 78-51.2, PD-TRG1 (Planned Development – Transit Related Growth Mixed Use, Medium Density Residential, and Office), amending Article VII (Use Regulations), Section 78-70.2 (Table of Permitted and Allowed Uses), and 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) and Section 78-100.5 (Construction, Dimension, and Design Standards for Off-Street Parking, Loading, and Stacking), Article XIV (Signs), by adding a new Section 78-141.8 (Sign Standards for Planned Development – Transit-Related Growth), and other articles as deemed necessary and appropriate to implement the recommendations and standards of the Transit-Related Growth Small Area Plan.

The public is encouraged to participate in the town's public hearing process. Individuals having an interest in the above item are invited to attend the public hearing and state their opinions and may also submit comments to town.clerk@herndon-va.gov. Information on this item is available for review by the public on the town's website at www.herndon-va.gov.

The Town of Herndon supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities so that they may participate in services, programs, or activities offered by the town. Please call (703) 435-6804 to arrange for any accommodation that may be necessary to allow for participation. Interpretación en Español está disponible en esta sesión.

Amanda Morrow Kertz, Acting Town Clerk

Note to Publisher:
Publish on January 10/January 17, 2025

Town Council Regular Meeting
Agenda Item 5.b.

Agenda Item: **Ordinance 25-O-02 to amend the Fiscal Year (FY) 2025 Adopted Budget for the American Rescue Plan Act (ARPA) Fund**

Meeting Date: January 28, 2025

Category: Public Hearings

Prepared by: Marjorie Sloan, Finance Director

Description:
The proposed ordinance has been submitted to amend the fiscal year 2025 Adopted Budget for the American Rescue Plan Act (ARPA) Fund. This is Amendment 5 for the fiscal year. Attachment A provides the details of the proposed amendment.

The Code of Virginia §15.2-2507 allows a locality to amend its adopted budget, and that any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by publishing notice of a meeting and a public hearing in accordance with §15.2-1427. The notices for public hearing were duly advertised in the *Fairfax County Times Newspapers* in the Friday, January 10 and January 17, 2025, editions.

Background:
The American Rescue Plan Act of 2021 provided a federal grant totaling $25.5M to the town. Over thirty projects were approved under the grant program. The town achieved the regulatory deadline on December 31, 2024, which required that the grant total be fully obligated by that date. The grant is accounted for in the ARPA Fund. Grant proceeds have been invested, and any unspent totals continue to earn interest. To-date, the fund has earned $1.9M in interest income. The most recent ARPA appropriation (April 25, 2023) included use of $520K of interest. The proposed FY 2025 budget amendment requests use of an additional $815K of the interest to serve the following purposes:

1. Additional funds of $88K is requested to provide additional contingency for the approved Herndon Municipal Center (HMC) Fire Alarm replacement project.
2. The Old Town Hall Renovation project seeks an additional $15K to cover additional expenditures related to wiring and windows.
3. A total of $495,000 is requested for additional scope for the HMC renovation. This request will cover primarily additional door replacements, systems furniture, design costs, and finishes for the Chambers.
4. The town-wide Security project includes replacement of the HMC Storefront entrance. An additional $87,500 is requested for additional consulting services,

identified tile and electrical work, including resolving any Americans with Disabilities Act (ADA) issues and project contingency.

5. Given the recent terror attacks involving vehicles, $130K is requested to fund the purchase of a portable road barrier system which will be deployed to ensure secure street closures for events.

Timing Impact:
Spending anticipated for FY 2025 upon approval of the ordinance.

Strategic Focus Area:

Good Governance
Secure and Interconnected Community
Thriving Community

Fiscal Impact:
If approved, these expenditures will be funded by the ARPA Fund Balance representing previously earned and available interest income.

Legal Impact:
The Code of Virginia §15.2-2507 allows localities to amend their adopted budget. For budget amendments that exceed one percent of the total expenditures, the governing body must hold a public hearing and advertise in accordance with Code of Virginia § 15.2-1427.

Staff Recommendation/Next Steps:
Staff recommends approval of this Ordinance to amend the FY 2025 Budget.

Attachments:
1. Ordinance (Proposed)
2. Amendment 5 (Attachment)
3. Legal Ad

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

ORDINANCE

JANUARY 28, 2025

Ordinance- to amend the Fiscal Year (FY) 2025 Adopted Budget for the American Rescue Plan Act (ARPA) Fund.

In adopting this ordinance, the Town Council has considered the Town Manager's recommended budget modifications as described in Attachment A, FY 2025 Budget Amendment Number 5.

THEREFORE, BE IT ORDAINED by the Town Council of the Town of Herndon, Virginia that:

1. The financial adjustments to the FY 2025 budget, as described in Attachment A, FY 2025 Budget Amendment Number 5 to this ordinance, are approved.

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

25-O-02

TOWN OF HERNDON, VIRGINIA

FY 2025

BUDGET AMENDMENT NUMBER 5

The following appropriations and funding sources are proposed for amendment:

AMERICAN RESCUE PLAN ACT FUND

Expenditure Appropriations	Amount	Revenue Source	Amount
HMC Fire Alarm System Changes	$88,000	Fund interest earned	$88,000
Old Town Hall Renovation Changes	$15,000	Fund interest earned	$15,000
HMC Renovation Changes	$495,000	Fund interest earned	$495,000
HMC Storefront Changes	$87,500	Fund interest earned	$87,500
Portable Road Barrier System	$130,000	Fund interest earned	$130,000
Total Expenditures Increase	**$815,500**	**Total Revenue Source**	**$815,500**

Town of Herndon, Virginia
Notice of Public Hearing

Notice is hereby given that the **Town Council** of the Town of Herndon, Virginia, will hold a public hearing on Tuesday, January 28, 2025, at 7:00 p.m. in the Herndon Council Chambers Building, located at 765 Lynn Street, Herndon, on the following item:

> **Ordinance** to amend the Fiscal Year (FY) 2025 Adopted Budget for American Rescue Plan Fund.

AMERICAN RESCUE PLAN FUND (ARPA)

Expenditure Appropriations	**Amount**	**Revenue Source**	**Amount**
HMC Fire Alarm System Changes	$88,000	Fund interest earned	$88,000
Old Town Hall Renovation Changes	$15,000	Fund interest earned	$15,000
HMC Renovation Changes	$495,000	Fund interest earned	$495,000
HMC Storefront Changes	$87,500	Fund interest earned	$87,500
Portable Road Barrier System	$130,000	Fund interest earned	$130,000
Total Expenditures Increase	**$815,500**	**Total Revenue Source**	**$815,500**

The public is encouraged to participate in the town's public hearing process. Individuals having an interest in the above item are invited to attend the public hearing and state their opinions and may also submit comments to town.clerk@herndon-va.gov. Information on this item is available for review by the public on the town's website at www.herndon-va.gov.

The Town of Herndon supports the Americans with Disabilities Act by making reasonable accommodations for persons with disabilities so that they may participate in services, programs, or activities offered by the town. Please call (703) 435-6804 to arrange for any accommodation that may be necessary to allow for participation. Interpretación en Español está disponible en esta sesión.

Amanda Morrow Kertz, Acting Town Clerk

Note to Publisher:
Publish on January 10/January 17, 2025

Town Council Regular Meeting
Agenda Item 6.a.

Agenda Item: **Resolution 25-G-07 to adopt a new Brand Concept for the Town of Herndon**

Meeting Date: January 28, 2025

Category: General

Prepared by: Anne Papa, Chief Communications Officer

Description:
In alignment with the Strategic Plan and under the advisement of a brand advisory task force, the town has undertaken a comprehensive project to refresh the existing town brand, developed over a decade ago, into a new, dynamic concept that will be used to build community spirit and attract residents, businesses and visitors to Herndon. A new brand concept has been developed as part of the project and is presented to the Town Council for their consideration and adoption by resolution.

Background:
In January 2024, the town issued a Request for Proposal (RFP) and selected a marketing consultant to facilitate a comprehensive, multi-phase process to 1) identify Herndon's unique attributes, also called brand pillars; 2) based on these pillars, create a new brand concept; and 3) develop a marketing plan based on the new concept.

Simultaneously, the town manager appointed a brand advisory task force, comprised of town residents and others with both a vested interest in the town as well as marketing expertise, to advise staff throughout the life of the project. The project commenced in June 2024 with extensive research, to include focus groups, one-on-one interviews, community- and outsider-perception surveys, socio-economic data, human movement data and more. From this research, four brand pillars were identified and presented to the Town Council in October 2024: prime location, historic small-town charm, ethnic diversity and welcoming friendly spirit. The town's consultant then developed brand concepts based on these pillars, which were presented to the brand advisory task force in January 2025 for their consideration. The concept recommended to the Town by the brand task force builds on the brand pillars and embodies the tagline "Live Differently." Following adoption by the Town Council, a marketing plan based on the new brand concept will be developed and executed against.

Timing Impact
Adoption of the brand concept and identity is the next-to-final phase of the rebranding project, which began in June 2024. Following Town Council adoption, the town's consultant will deliver a marketing plan with strategies for implementation of the new

brand. Execution of the plan, as well as of a correlative communications plan, will commence in late FY 2025/FY 2026.

Strategic Focus Area:

Thriving Community

Fiscal Impact:
The marketing plan will require funding, to be determined.

Legal Impact:
Any graphic components developed to promote the new brand will be trademarked, to ensure usage is consistent with the brand strategy.

Staff Recommendation/Next Steps:
Staff recommends Town Council approval of the Resolution to adopt a new brand concept for the Town of Herndon. Following, a marketing plan based on the new concept will be developed and executed against.

Attachments:
1. Resolution (Proposed)

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

RESOLUTION

JANUARY 28, 2025

Resolution- **Resolution to Adopt a New Brand Concept for the Town of Herndon.**

The Town has undergone a rebranding process that is grounded in extensive community research, to include surveys, interviews, focus groups, data analysis, and more, to determine Herndon's key attributes, or brand pillars: prime location, historic small-town charm, ethnic diversity, and welcoming friendly spirit.

Based on these pillars, and in consultation with a brand advisory task force of town residents and others with a vested interest in the town, a brand concept embodied by the tagline "Live Differently" has been recommended. From the "Live Differently" concept, a marketing plan will be developed and executed against to attract residents, businesses, and visitors to the town.

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that:

1. The "Live Differently" concept recommended by the brand advisory task force as the official brand identity for the Town of Herndon is adopted; and

2. Furthermore, the Town Council directs staff to develop a marketing plan based on the "Live Differently" concept to market Herndon as a great place to live, work, and visit.

25-G-07

Town Council
Regular Meeting
Agenda Item 6.b.

Agenda Item: **Resolution 25-G-08 to extend the Town of Herndon Streetery Pilot Program**

Meeting Date: January 28, 2025

Category: General

Prepared by: Lesa Yeatts, Town Attorney, David Stromberg, Zoning Administrator

Description:
By Resolution dated May 28, 2024, adopted the Town of Herndon Streetery Pilot Program and rules and regulations were created for the efficient establishment and administration of the program.

Town Council now desires to extend the program through November 30, 2025 in order to allow more participation and time to review the program.

Background:
The Streetery Pilot Program created by Resolution dated May 28, 2024, expired November 30, 2024. Only one business participated in the program.

Strategic Focus Area:

Thriving Community

Fiscal Impact:
N/A

Legal Impact:
Resolution only. No code amendment.

Staff Recommendation/Next Steps:
Staff recommends adoption of the Resolution as proposed.

Attachments:
1. Resolution (Proposed)
2. Extended Streetery Pilot Program Regulations

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

RESOLUTION

JANUARY 28, 2025

Resolution- to extend the Town of Herndon Streetery Pilot Program.

By Resolution dated May 28, 2024, the Town Council adopted the Town of Herndon Streetery Pilot Program and rules and regulations were created for the efficient establishment and administration of the program.

Town Council now desires to extend the program through November 30, 2025 in order to allow more participation and time to review the program.

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that:

1. The Town of Herndon Streetery Pilot Program is hereby extended through November 30, 2025;

2. The Interim Town Manager is directed to update the rules and regulations to reflect this extension;

3. The Interim Town Manager is directed to obtain data from the 2025 Season (March 15 through November 30, 2025); and

4. This resolution shall be effective on the date of its adoption through November 30, 2025.

25-G-08

TOWN OF HERNDON STREETERY PILOT PROGRAM RULES AND REGULATIONS

1. Administrative approval required for Streetery.

In accordance with the Code of Virginia § 15.2-2009, as amended, the town council hereby authorizes the director of community development and the director of public works or their designee, upon application to the department of community development, to administratively approve streetery seating areas that encroach into public rights-of-way and other public places subject to the terms and conditions more specifically described below. Furthermore, the town council hereby authorizes the director of public works to enforce the provisions of these regulations.

If an application for a streetery encroachment does not meet all of the criteria of paragraph 3, then the directors of public works and community development or their designees are prohibited from administratively approving the encroachment application, which said application must be denied.

2. Streetery Permit; definitions.

The terms used in these regulations and not here defined shall carry their ordinary meanings. For purposes of this program, the terms set out below shall carry the meanings set out below:

ABC means the Virginia Department of Alcoholic Beverage Control.

ADA means the Americans with Disabilities Act of 1990 and the ADA Amendments Act of 2008, 42 U.S.C. § 12101 et seq.

Director of community development means the director of the department of community development and their authorized designees.

Director of public works means the director of the department of public works and their authorized designees.

Eating establishment means any business meeting the criteria in section 78-71.6 of the zoning ordinance which is properly licensed and lawfully located in the PD-TD, Planned Development Traditional Downtown, PD-D, Planned Development Downtown, and CC, Central Commercial zoning districts.

Principal operator means the person or entity that operates an establishment.

Public shared parking spaces means as defined in section 78-180 of the zoning ordinance but specifically exclude public shared parking spaces located on public streets.

Public parking means for the purpose of this program, parking spaces located in public right-of-way (on-street parking spaces) or, in a public street easement, but specifically excluding public shared parking spaces.

Public right-of-way means for the purpose of this program, dedicated and otherwise acquired public right-of-way and public street easements having the characteristics of a municipal public street for the purpose of public travel and other uses consistent with a public municipal street.

Public shared parking seating area means an area on a public shared parking space to be used for a streetery associated with an adjacent eating establishment.

Public sidewalk means for the purpose of this program, dedicated and otherwise acquired public right-of-way and public streetscape easements having the characteristics of a municipal sidewalk for the purpose of non-vehicular public travel and other uses consistent with a public municipal sidewalk.

Streetery means any outdoor group of tables, chairs, or other seating fixtures and all related appurtenances maintained within the public sidewalk, or other right-of-way when located adjacent to an eating establishment having the same principal operator. A streetery is typically an extension of an existing eating establishment's "dining room" and is not considered a public space. Further, a streetery shall be temporary in nature, shall not be permanently affixed so as to extend below the sidewalk or other right-of-way, must not involve penetration of the sidewalk or right-of-way surface or be attached to any building, and shall be

readily removable without damage to the surface of the sidewalk or other right-of-way. The term for the extended streetery pilot program will be from January 28, 2025 to November 30, 2025 after which time the town council will evaluate the streetery program and make any changes it deems necessary.

Right-of-way seating area means an extension of the sidewalk into the parking lane on a public right-of-way or public street easement to be used for a streetery associated with an adjacent eating establishment. The establishment of a right-of-way seating area for eligible eating establishments is limited to Lynn Street, Pine Street, Station Street, and the 700 block of Center Street.

Sidewalk seating area means an area on a public sidewalk or public streetscape easement to be used for a streetery associated with an adjacent eating establishment.

3. Requirements.

(a) *Permit required; enforcement.* Subject to the provisions of these regulations a streetery may encroach into a portion of the public sidewalk, public right-of-way, or public shared parking only upon issuance of a streetery permit as provided for in these regulations. No other use of the area devoted to a streetery shall be permitted. It shall be the responsibility of the director of public works to enforce the provisions of these regulation. A streetery permit shall not be transferable to another principal operator or location.

(b) *Application requirements.*

(1) Application for a streetery permit shall be made to the director of community development on such application form and subject to such written procedures as the director may establish. Application for a streetery permit shall be made by the principal operator of an eating establishment that is located at street level adjacent to the proposed streetery. The application shall be signed by principal operator of the eating establishment and by the owner of the property on which the eating establishment is located if the property owner is not the eating establishment operator.

(2) Streetery areas whether in a sidewalk or public right-of way, must comply with all streetery requirements, which address the allowed locations, design requirements, safety, and maintenance responsibilities that are approved by the directors of community development and public works. The use of tents with or without sides are prohibited due to the safety hazard presented by impeding the site distance for vehicles operating around the streety areas. A streetery located in a public shared parking area may have a tent with a minimum 7-foot overhead clearance provided it does not impede visibility for vehicles operating around the streetery. Umbrellas must have a minimum 7-foot overhead clearance and be securely weighted. Signs are prohibited on umbrellas.

(3) Application fee. A nonrefundable application fee of $100.00 shall accompany each application for a streetery permit.

(4) Term of permit. A streetery permit is limited to a period beginning March 15, 2025 through November 30, 2025. A streetery permit shall be valid until the time stated in the permit, the establishment ceases operation, the permit is suspended, or the permit is revoked.

(5) Fees for use of public right-of-way or public share parking shall be $1.00 per square foot per term for the first two parking spaces and shall be $5.00 per square foot per term for the third and fourth parking spaces. The fees for use of the public sidewalk shall be $1.00 per square foot per term.

(c) *Limitations on right-of-way seating areas.* An eating establishment shall be limited to the permitted use of four public parking spaces per establishment. At any one time, the town shall limit the total number of issued permits for a streetery to no more than 30 percent of the total parking spaces along a street block. Permits will be issued based on the order of complete applications received. (d) *Limitations on use of public shared parking.* An eating establishment shall be limited to the permitted use of four public shared parking space per establishment, however the use of public shared parking spaces can

only be used for streetery seating if the parking spaces have not been allocated through the public shared parking program pursuant to section 78-100.7 of the zoning ordinance.

If as described in section 66-137(b)(1)f of the town code, a development applicant has voluntarily proffered or chosen to participate in the public shared parking program and the only remaining spaces are occupied by an eating establishment pursuant to these regulations, the director of public works shall provide written notice to the principal operator and owner of the property.

(e) *Liability insurance and indemnity.* Prior to approval of any streetery permit, the applicant shall submit a certificate of liability insurance in such amounts and such coverages as may be required by the risk manager, naming the Town of Herndon as an additional insured in a form satisfactory to the risk manager.

(f) *Fees and taxes to be paid.* All Town of Herndon fees and taxes required by law and applicable to the eating establishment, or to the property on which the eating establishment is located, shall be paid in full and all required town licenses shall be current prior to approval of a streetery permit.

(g) *Encroachment agreement.* Prior to the approval of a streetery permit the applicant shall submit an executed encroachment agreement, incorporating all terms and conditions imposed by town staff and in a form approved by the town attorney or their designee, which shall include but not be limited to provisions regarding insurance and indemnification as may be required by the risk manager.

4. Review process.

(a) After a complete application, including all required materials as set forth in paragraph 3 is submitted, the director of community development and the director of public works shall jointly approve the streetery permit, approve the streetery permit with conditions, or deny the streetery permit.

(b) Standards for application review. Approval of a streetery permit shall be granted only if:

(1) The eating establishment is properly licensed and lawfully located in a PD-TD, Planned Development Traditional Downtown, PD-D, Planned Development Downtown, or CC, Central Commercial zoning districts;

(2) The proposed streetery complies with the uniform statewide building code, state and local fire codes, state and local health codes, and all applicable provisions of federal, state, and local law, including these regulations;

(3) The proposed streetery complies with all streetery requirements;

(4) The public sidewalk maintains 60 inches passage way to back of curb and 36 inch passage around any sidewalk obstruction;

(5) The eating establishment complies with ADA requirements for the indoor and outdoor streetery areas. This includes required ADA access within the streetery area;

(6) The proposed streetery will not unreasonably interfere with the normal use of town property by the town or general public, and does not present a safety, health, or environmental hazard; and

(7) The proposed streetery shall not block egress from the adjacent buildings, block or hinder access to any fire hydrant, fire lane or fire department hose connection.

(c) Availability of approved permit on the premises. If approved, the streetery permit shall be available on the premises of the eating establishment at all times and shall be provided to representatives of the town upon request.

5. Changes to approved permit.

No material change to an approved streetery permit shall be made without prior written approval by the director of community development and the director of public works, provided that the director of public

works may modify an approved permit if they find there is a public need relative to use of the adjacent sidewalk area or right-of-way.

6. Enforcement, revocation and suspension.

(a) *Generally.* Operation of streetery is a licensed privilege granted by the Town of Herndon to occupy a portion of the public right-of-way or public shared parking and is predicated on the streetery being operated in compliance with all applicable regulations and on maintaining the superseding public interest in the use of public rights-of-ways in the town and shall be revocable at the pleasure of the town council.

(b) *Administrative revocation of approved permit by the director of public works.*

(1) The director of public works shall have the authority to revoke an approved streetery permit if any of the following occurs:

a. The applicant has misrepresented facts or provided false information in the streetery permit application;

b. The streetery is operated in violation of the terms or conditions of the streetery permit, encroachment agreement, or ABC regulations;

c. The streetery or the eating establishment is operated in violation of the zoning ordinance, town code, or other applicable federal, state or local law;

d. The streetery constitutes a public nuisance or a hazard to the public health, safety, or welfare of the public, or is endangering the life or property of others;

e. The eating establishment has delinquent taxes, unpaid fees, or has not maintained all licenses necessary for operation of the eating establishment and streetery; or

f. The director of public works determines that there is a superseding public need relative to the portion of the public sidewalk, public right-of-way, or public shared parking space(s) occupied by or otherwise affected by the streetery, including but not limited to: 1) work or repair in the public sidewalk or public right-of-way areas, or 2) need of access for work or repair to a public facility or public utility or 3) if a development applicant has voluntarily proffered or chosen to participate in the public shared parking program and the only remaining spaces are occupied by a streetery.

(2) The director of public works shall provide written notice that shall be reasonable under the circumstances to the principal operator and owner of the property where the eating establishment is located setting forth the effective date of the revocation and the grounds therefor. Such revocation shall not be appealable.

(3) In the case of revocation of a streetery permit on grounds other than specified in paragraph (b)(1)f of this subsection, the principal operator of the streetery shall not be permitted to re-apply for an administrative streetery permit to operate a streetery area for the same establishment within one year of revocation.

(c) *Administrative suspension of an approved permit by the director of public works.*

(1) The director of public works shall have the authority to suspend an approved streetery permit for a period of up to 30 days, or such longer period as may be necessary, if any of the conditions of paragrph (b)(1) occur.

(2) The director of public works shall provide written notice to the principal operator setting forth the effective date of the suspension, the length of the suspension, and the grounds therefor.

(3) The director of public works may reinstate a streetery permit if the director is satisfied that the grounds for the suspension have been abated.

Dated January 28, 2025

7. Marking of Streetery area for inspection.

After approval of a streetery permit and prior to initial occupancy of any area approved for use for streetery seating, the principal operator of the streetery shall mark the corners of the approved streetery area in a conspicuous but non-permanent manner on the sidewalk surface or other public space and shall notify the director of public works for inspection by the town building official and approval of the same.

8. Appeal of denial, of permit, or Administrative Suspension.

A person aggrieved by the denial of an application for a Streetery Permit or an Administrative Suspension of a Streetery Permit shall have the right to appeal to the Town Manager. The appeal shall be made in writing to the Town Manager within 72 hours from the receipt of the written denial or suspension. The written appeal shall state the reasons for the appeal. Town Manager shall review the appeal and issue a written decision within five business days of its receipt.

Dated January 28, 2025

Town Council Regular Meeting
Agenda Item 7.a.

Agenda Item: **Resolution 25-G-09 to initiate consideration of a Zoning Ordinance Text Amendment ZOTA #25-01 to amend Chapter 78 (ZONING), Article V (Planned Development Districts), by adding Section 78-51.3, entitled PD-TRG2 (Planned Development – Transit Related Growth 2 – Low Density Residential), and amending Article VII (Use Regulations), Article VIII (Accessory Uses), Article X (Parking, Loading, and Circulation), and other articles as deemed necessary and appropriate to implement the recommendations and standards of the Transit Related Growth Small Area Plan**

Meeting Date: January 28, 2025

Category: Consent

Prepared by: David Stromberg, Zoning Administrator

Description:
The proposed text amendment will establish the second zoning district to allow redevelopment of properties as envisioned by the Transit Related Growth (TRG) Small Area Plan. This zoning district will be an option for properties where the TRG designates the future land use as Low Density Residential/Low Impact Commercial. The primary development patterns for this future land use are townhomes and two-over-two units with garages along rear alleys and frontage along streets and mews.

Adoption of this zoning text amendment will add a new zoning district to the town's zoning ordinance. Adoption of this text amendment does not change the existing zoning designation for any property owner. Applications to rezone to PD-TRG2 (Planned Development - Transit Related Growth 2) will be reviewed by town staff and required to have a public hearing before the Planning Commission and Town Council.

Background:
The Transit Related Growth Small Area Plan is an amendment to the Town of Herndon 2030 Comprehensive Plan. Planning for the TRG began in 2022 with the hiring of Skidmore Ownings & Merrill consulting group and the formation of the TRG Advisory Committee. Town Council initiated the TRHG Small Area Plan Comprehensive Plan Amendment (CPA #23-01) on December 12, 2023 and adopted the plan on April 23, 2024 (Resolution 24-G-23).

The TRG studied 94 acres in the southwest corner of town, north of Herndon Parkway up to Spring Street and west of Fairfax County Parkway. The goal of the plan is to

provide opportunities to redevelop underutilized properties near the Herndon Metro Station to establish a vibrant urban district with a diverse mix of residential, retail, office, and recreational amenities.

Timing Impact:
With the approval of this initiating resolution, staff is able to bring the item to the Planning Commission's March meetings for discussion and action, with the hope of bringing a final version of this Zoning Ordinance Text Amendment to the Town Council in April or May for discussion, consideration and final action.

Strategic Focus Area:

Environmental and Economic Sustainability

Fiscal Impact:
The TRG fiscal impact analysis estimates an increase in assessed value from $215 million to $1.77 billion at full plan build-out (FY 2023 dollars).

Legal Impact:
The Code of Virginia Section 15.2-2286(A)(7) requires the Planning Commission or governing body to pass an initiating resolution before staff can bring a proposed zoning ordinance amendment to a public hearing. Passing the resolution will allow staff to bring the draft language to a public hearing of the Planning Commission.

Staff Recommendation/Next Steps:
Recommend approval.

Attachments:
1. Resolution (Proposed)

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

RESOLUTION

JANUARY 28, 2025

Resolution- **to initiate consideration of a Zoning Ordinance Text Amendment ZOTA #25-01 to amend Chapter 78 (ZONING), Article V (Planned Development Districts), by adding Section 78-51.3, entitled PD-TRG2 (Planned Development – Transit Related Growth 2 – Low Density Residential), and amending Article VII (Use Regulations), Section 78-70.2 (Table of Permitted and Allowed Uses), 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), and other articles as deemed necessary and appropriate to implement the recommendations and standards of the Transit Related Growth Small Area Plan.**

BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that:

1. The Town Council initiates consideration of an amendment to Chapter 78 (ZONING) of the Herndon Town Code to implement the recommendations and standards of the Transit Related Growth Small Area Plan; and

2. Out of public necessity, convenience, general welfare, or good zoning practice, requires the Town Council's consideration of this proposed amendment.

25-G-09

Town Council
Regular Meeting
Agenda Item 7.b.

Agenda Item: **Resolution 25-G-10 to initiate consideration of a Zoning Ordinance Text Amendment ZOTA #25-02 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**

Meeting Date: January 28, 2025

Category: Consent

Prepared by: Collin Okoniewski, Planning Operations Manager

Description:
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. Development application fees are specified in Article XV of the zoning ordinance in Table 78-152.2(b)(3). This table includes land use applications (rezoning and special exception), design review applications (Architectural Review Board and Historic District Review Board), Board of Zoning Appeals applications (variance and appeals), site plan and subdivision review applications (including bonding), and miscellaneous administrative zoning reviews.

Application fees that are limited by the Code of Virginia or regulated by other sections of the town code have not been adjusted.

A comprehensive evaluation of application fees occurred as part of the process. This analysis identified the amount and estimated cost of staff time that is required to review the various types of applications. In addition, the current fees and their structure were compared to those of similar neighboring localities. With the completion of the comprehensive fee evaluation, the goal is for the adjustment of fees by this ZOTA be approved in concurrence with the FY 2026 budget.

Background:
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.

Timing Impact:
With the approval of this initiating resolution, staff is able to bring the item to the Planning Commission's February meetings for discussion and action, with the hope of bringing a final version of this Zoning Ordinance Text Amendment to the Town Council in March for discussion, consideration and final action. Given the fiscal nature of this item it is best that it presented to the Town Council in proximity to the Town Budget items.

Strategic Focus Area:

Strong Fiscal Stewardship

Fiscal Impact:
The amendment will result in increased development application fee revenue. Based on applications submitted in FY2024 there would be an increase in application revenue from approximately $11,800 to $50,825; this equates to roughly a 430% increase.

This is a conservative estimation and takes into account that FY2024 did not produce any large-scale development application submissions. Staff would project that a significantly higher percentage point increase would be expected as development occurs throughout town. Staff would project that a significantly higher percentage point increase would be expected as development occurs throughout town.

Legal Impact:
The Code of Virginia Section 15.2-2286(A)(7) requires the Planning Commission or governing body to pass an initiating resolution before staff can bring a proposed zoning ordinance amendment to a public hearing. Passing the resolution will allow staff to bring the draft language to a public hearing of the Planning Commission.

Staff Recommendation/Next Steps:
Recommend approval of the initiating resolution.

Attachments:
1. Resolution (Proposed)
2. Proposed Fee Schedule
3. Application Fee Breakdown
4. Application Review Time Analysis
5. Town Review Cost Analysis
6. PowerPoint

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

RESOLUTION

JANUARY 28, 2025

Resolution- **to initiate consideration of a Zoning Ordinance Text Amendment ZOTA #24-01 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 for inflation to current rates.**

BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that:

1. The Town Council initiates consideration of an amendment to Chapter 78 (ZONING) of the Herndon Town Code to adjust development fees in accordance with a comprehensive study conducted by Town staff; and

2. Out of public necessity, convenience, general welfare, or good zoning practice, requires the Town Council's consideration of this proposed amendment.

25-G-10

Community Development Proposed Fee Schedule

Legislative Reviews	Town of Herndon (Current) 7/2024 Update	Suggested Change	% Difference
ARB			
New Construction	$ 228.00	$ 1,000.00	439%
Alterations	$ 228.00	$ 350.00	154%
Additions	$ 228.00	$ 350.00	154%
Accessory Structures	$ 228.00	$ 350.00	154%
Wall Signs	$ 114.00	$ 250.00	219%
Free Standing Signs	$ 114.00	$ 250.00	219%
Master Sign Plans	$ 114.00	$ 350.00	307%
Amendments to Approved Applications	$ 114.00	$ 350.00	307%
HDRB			
COA New Construction (non-SFD)	$ 228.00	$ 1,000.00	439%
COA Alterations	$ 228.00	$ 350.00	154%
COA Additions	$ 228.00	$ 350.00	154%
COA Accessory Structures	$ 228.00	$ 350.00	154%
COA Demolitions	$ 228.00	$ 750.00	329%
Wall Signs	$ 114.00	$ 250.00	219%
Freestanding Signs	$ 114.00	$ 250.00	219%
Master Sign Plans	$ 114.00	$ 350.00	307%
Amendments to Approved Applications	$ 114.00	$ 350.00	307%
Residential COA Alt., Additions, Acc. Structures	$ -	$ -	
Board of Zoning Appeals			
Variance	$ 152.00	$ 650.00	428%
Additional Variances (each)	$ 38.00	**REMOVE**	-
Zoning Administrator Decision Appeal	$ 152.00	$ 750.00	493%
Zoning			
Zoning Permits			
Zoning Appropriateness Permits (ZAPs)	$ -	$ 25.00	
Zoning Inspection Permit, Home Business	$ 38.00	$ 50.00	132%
Zoning Inspection Permit, Keeping of Fowl	$ 25.00	$ 25.00	100%
Zoning Inspection Permit, Food Truck (per inspection)	$ 129.00	$ 225.00	174%

Zoning Inspection Permit, Short Term Rental (per inspection)	$ 200.00	$ 200.00	100%
Administrative Adjustment (per building affected)	$ 76.00	$ 500.00	658%
Zoning Verification Letter SFD	$ 76.00	$ 250.00	329%
Zoning Verification Letter non-SFD	$ 455.00	$ 500.00	110%
Temporary Use Permit (greater than 90 days)	$ 114.00	$ 150.00	132%
Waiver Requests	$ 114.00	$ 500.00	439%
Temporary health care structure application	$ 152.00	$ 100.00	66%
Administrative Review Eligible Projects (AREPs)	$ 500.00	$ 500.00	100%
Zoning Ordinance Text Amendments (Remove Subdivision)			
Change in permitted uses	$ 1,516.00	$ 2,500.00	165%
Other changes, more than 100 words, more than one section	$ 758.00	$ 2,500.00	330%
Amendment less than 100 words changed	$ 388.00	**REMOVE**	-
Planning/Zoning Applications			
Comprehensive Planning			
Comp Plan Amendment	$ 1,516.00	$ 5,250.00	346%
Building Location Surveys	$ 38.00	$ 250.00	658%
Rezoning			
ZMA (Includes Submissions 1, 2 & 3)	$ 7,578.00	$ 13,000.00	172%
Proffer Condition Amendment	$ 488.00	$ 5,000.00	1025%
Modification Request (each)	$ 455.00	$ 1,000.00	220%
Traffic Impact (plus 1/2 consultant fees, if req.)	$ 758.00	Full Consulting Fees up to $10K	
Subsequent Review Hours			
Accessory Reviews			
Minor Water Quality Impact Assessment	$ 76.00	$ 350.00	461%
Major Water Quality Impact Assessment	$ 758.00	$ 800.00	106%
Exception Request to Provisions of Ches. Bay Pres. Overlay Dist.	$ 152.00	$ 1,000.00	658%
Ches. Bay Waiver Request	$ 152.00	$ 150.00	99%
Site Specific Delineation in RPA less than 5,000 SF	$ 76.00	$ 350.00	461%
Site Specific Delineation in RPA more that 5,000 SF	$ 758.00	$ 750.00	99%
Additional Studies			
Flood Plain Study (plus full consultant fees, if req.)	$ 1,516.00	Full Consulting Fees up to $10K	
Special Exceptions			

Residential Uses	$ 455.00	$ 750.00	165%
Education, Government, Institutional, Community Service Uses	$ 455.00	**REMOVE**	-
Non-Residential Uses with no site alt.	$ 455.00	$ 1,500.00	330%
Non-Res. Uses with site alt or additions	$ 2,274.00	$ 6,000.00	264%
Re-application time limit waiver	$ 152.00	$ 750.00	493%
Traffic Impact (plus 1/2 consultant fees, if req.)	$ 758.00	**REMOVE, duplicate**	-
New Fees			
Sign Appeal Fees	$ -	$ 250.00	New Fee
Appeal of ARB Decision	$ -	$ 500.00	New Fee
Appeal of HDRB Decision to Town Council	$ -	$ 500.00	New Fee
Appeal of Staff to HDRB	$ -	$ 250.00	New Fee
HDRB- COA New Construction (SFD)	$ -	$ 500.00	New Fee
Permanent Sign License (Administrative)	$ -	$ 200.00	New Fee
Temporary Sign License (Administrative)	$ -	$ 50.00	New Fee
Development Plan and ZMA Re-submission Fee (per submission following 3rd)	$ -	$ 1,750.00	New Fee
HDO - Staff Review COA (Residential)	$ -	$ -	New Fee
HDO - Staff Review COA (Non-Residential)	$ -	$ 200.00	New Fee
22.32 Reviews (Under Comp Planning)	$ -	$ 2,500.00	New Fee
Temporary Use Permit (less than 90 days)	$ -	$ 50.00	New Fee
*Roll-Off Dumpsters/PODs	$ -	$ 25.00	New Fee
Development Plan (Includes Submissions 1, 2 & 3)	$ -	$ 17,000.00	New Fee

Legislative Reviews	Town of Herndon (Current) 7/2024 Update	Suggested Change	% Difference	Total Staff Costs	% of Staff Cost Covered by Fee
ARB					
New Construction	$ 228.00	$ 1,000.00	439%	$ 3,023.65	33%
Alterations	$ 228.00	$ 350.00	154%	$ 1,182.48	30%
Additions	$ 228.00	$ 350.00	154%	$ 1,570.80	22%
Accessory Structures	$ 228.00	$ 350.00	154%	$ 617.64	57%
Wall Signs	$ 114.00	$ 250.00	219%	$ 511.65	49%
Free Standing Signs	$ 114.00	$ 250.00	219%	$ 511.65	49%
Master Sign Plans	$ 114.00	$ 350.00	307%	$ 1,117.87	31%
Amendments to Approved Applications	$ 114.00	$ 350.00	307%	$ 829.63	42%
HDRB					
COA New Construction (non-SFD)	$ 228.00	$ 1,000.00	439%	$ 2,500.18	40%
COA Alterations	$ 228.00	$ 350.00	154%	$ 1,182.48	30%
COA Additions	$ 228.00	$ 350.00	154%	$ 1,570.80	22%
COA Accessory Structures	$ 228.00	$ 350.00	154%	$ 1,023.49	34%
COA Demolitions	$ 228.00	$ 750.00	329%	$ 2,364.43	32%
Wall Signs	$ 114.00	$ 250.00	219%	$ 511.65	49%
Freestanding Signs	$ 114.00	$ 250.00	219%	$ 511.65	49%
Master Sign Plans	$ 114.00	$ 350.00	307%	$ 1,117.87	31%
Amendments to Approved Applications	$ 114.00	$ 350.00	307%	$ 829.63	42%
Residential COA Alt., Additions, Acc. Structures	$ -	$ -		$ 1,288.88	0%
Board of Zoning Appeals					
Variance	$ 152.00	$ 650.00	428%	$ 938.71	69%
Additional Variances (each)	$ 38.00	**REMOVE**			
Zoning Administrator Decision Appeal	$ 152.00	$ 750.00	493%	$ 1,149.13	65%
Zoning					
Zoning Permits					
Zoning Appropriateness Permits (ZAPs)	$ -	$ 25.00		$ 21.80	115%
Zoning Inspection Permit, Home Business	$ 38.00	$ 50.00	132%	$ 21.80	229%
Zoning Inspection Permit, Keeping of Fowl	$ 25.00	$ 25.00	100%	$ 21.80	115%
Zoning Inspection Permit, Food Truck (per inspection)	$ 129.00	$ 225.00	174%	$ 43.60	516%
Zoning Inspection Permit, Short Term Rental (per inspection)	$ 200.00	$ 200.00	100%	$ 43.60	459%
Administrative Adjustment (per building affected)	$ 76.00	$ 500.00	658%	$ 293.48	170%
Zoning Verification Letter SFD	$ 76.00	$ 250.00	329%	$ 184.06	136%
Zoning Verification Letter non-SFD	$ 455.00	$ 500.00	110%	$ 184.06	272%
Temporary Use Permit (greater than 90 days)	$ 114.00	$ 150.00	132%	$ 370.93	40%

Waiver Requests	$ 114.00	$ 500.00	439%	$ 1,074.42	47%
Temporary health care structure application	$ 152.00	$ 100.00	66%	$ 122.70	81%
Administrative Review Eligible Projects (AREPs)	$ 500.00	$ 500.00	100%	$ 529.50	94%
Zoning Ordinance Text Amendments (Remove Subdivision)					
Change in permitted uses	$ 1,516.00	$ 2,500.00	165%	$ 5,674.62	44%
Other changes, more than 100 words, more than one section	$ 758.00	$ 2,500.00	330%	$ 5,838.55	43%
Amendment less than 100 words changed	$ 388.00	**REMOVE**	-		
Planning/Zoning Applications					
Comprehensive Planning					
Comp Plan Amendment	$ 1,516.00	$ 5,250.00	346%	$ 14,873.20	35%
Building Location Surveys	$ 38.00	$ 250.00	658%	$ 1,329.57	19%
Rezoning					
ZMA (Includes Submissions 1, 2 & 3)	$ 7,578.00	$ 13,000.00	172%	$ 21,253.44	61%
Proffer Condition Amendment	$ 488.00	$ 5,000.00	1025%	$ 4,447.83	112%
Modification Request (each)	$ 455.00	$ 1,000.00	220%	$ 1,337.40	75%
Traffic Impact (plus 1/2 consultant fees, if req.)	$ 758.00	Full Consulting Fees up to $10K		$ 4,732.85	
Subsequent Review Hours					
Accessory Reviews					
Minor Water Quality Impact Assessment	$ 76.00	$ 350.00	461%	$ 766.01	46%
Major Water Quality Impact Assessment	$ 758.00	$ 800.00	106%	$ 1,556.41	51%
Exception Request to Provisions of Ches. Bay Pres. Overlay Dist.	$ 152.00	$ 1,000.00	658%	$ 2,944.88	34%
Ches. Bay Waiver Request	$ 152.00	$ 150.00	99%	$ 327.62	46%
Site Specific Delineation in RPA less than 5,000 SF	$ 76.00	$ 350.00	461%	$ 400.47	87%
Site Specific Delineation in RPA more that 5,000 SF	$ 758.00	$ 750.00	99%	$ 720.30	104%
Additional Studies					
Flood Plain Study (plus full consultant fees, if req.)	$ 1,516.00	Full Consulting Fees up to $10K		$ 1,469.16	
Special Exceptions					
Residential Uses	$ 455.00	$ 750.00	165%	$ 5,072.32	15%
Education, Government, Institutional, Community Service Uses	$ 455.00	**REMOVE**	-		
Non-Residential Uses with no site alt.	$ 455.00	$ 1,500.00	330%	$ 6,565.22	23%
Non-Res. Uses with site alt or additions	$ 2,274.00	$ 6,000.00	264%	$ 19,184.59	31%
Re-application time limit waiver	$ 152.00	$ 750.00	493%	$ 614.14	122%
Traffic Impact (plus 1/2 consultant fees, if req.)	$ 758.00	**REMOVE, duplicate**	-		

New Fees					
Sign Appeal Fees	$ -	$ 250.00	New Fee	$ 765.21	33%
Appeal of ARB Decision	$ -	$ 500.00	New Fee	$ 2,761.24	18%
Appeal of HDRB Decision to Town Council	$ -	$ 500.00	New Fee	$ 2,208.02	23%

Appeal of Staff to HDRB	$ -	$ 250.00	New Fee	$ 1,288.88	19%
HDRB- COA New Construction (SFD)	$ -	$ 500.00	New Fee	$ 2,500.18	20%
Permanent Sign License (Administrative)	$ -	$ 200.00	New Fee	$ 488.60	41%
Temporary Sign License (Administrative)	$ -	$ 50.00	New Fee	$ 382.61	13%
Development Plan and ZMA Re-submission Fee (per submission f	$ -	$ 1,750.00	New Fee	$ 4,871.37	36%
HDO - Staff Review COA (Residential)	$ -	$ -	New Fee	$ 1,118.07	0%
HDO - Staff Review COA (Non-Residential)	$ -	$ 200.00	New Fee	$ 1,118.07	18%
22.32 Reviews (Under Comp Planning)	$ -	$ 2,500.00	New Fee	$ 4,647.89	54%
Temporary Use Permit (less than 90 days)	$ -	$ 50.00	New Fee	$ 278.90	18%
*Roll-Off Dumpsters/PODs	$ -	$ 25.00	New Fee	$ 21.80	115%
Development Plan (Includes Submissions 1, 2 & 3)	$ -	$ 17,000.00	New Fee	$ 25,138.81	68%

Application Review Times (in hours)

	COMMUNITY DEVELOPMENT									CD	PUBLIC WORKS- HMC					DPW-HMC	PUBLIC WORKS - TOWN SHOP			DPW-Shop	LEGAL		Legal	
Legislative Reviews	Director	Deputy Director	Zoning Administrator	Development Planner	Long-Range Planner	HDRB Planner	Community Planner	Zoning Inspector	Arborist	Total Dept. Time	Deputy Director	Chief Engineer	Engineer	Building Official	Traffic Engineer	Total Dept. Time	Deputy Director	Utility Manager	Project Engineer	Total Dept. Time	Town Attorney	Deputy Town Attorney	Total Dept. Time	Total Town Time
ARB																								
New Construction	4	12				35				51						0				0	1		1	52
Alterations		5				15				20						0				0	1		1	21
Additions	1.5	5				20				26.5						0				0	1		1	27.5
Accessory Structures		2				8				10						0				0	1		1	11
Wall Signs		2				6				8						0				0	1		1	9
Free Standing Signs		2				6				8						0				0	1		1	9
Master Sign Plans		4				15				19						0				0	1		1	20
Amendments to Approved Applications		2				12				14						0				0	1		1	15
										0						0				0			0	0
*Sign Appeal Fees		2				12				14						0				0			0	14
*Appeal ARB	4	6	15			20				45						0				0	1		1	46
										0						0				0			0	0
HDRB																								
COA New Construction	4	8				30				42						0				0	1		1	43
COA Alterations		5				15				20						0				0	1		1	21
COA Additions	1.5	5				20				26.5						0				0	1		1	27.5
COA Accessory Structures		5				12				17						0				0	1		1	18
COA Demolitions	4	10				25				39						0				0	1		1	40
Wall Signs		2				6				8						0				0	1		1	9
Freestanding Signs		2				6				8						0				0	1		1	9
Master Sign Plans		4				15				19						0				0	1		1	20
Amendments to Approved Applications		2				12				14						0				0	1		1	15
Residential COA Alt., Additions, Acc. Structures		4				18	0.25			22.25						0				0	1		1	23.25
										0						0				0			0	0
*HDRB Appeals	4	4	15			12				35						0				0	1		1	36
**Look to differentiate fees based on Board and Staff review										0						0				0			0	0
										0						0				0			0	0
Board of Zoning Appeals																								
Variance	2	1	8				2			13				2		2				0	1		1	16
Additional Variances (each)	1	1	2							4						0				0	1		1	5
Zoning Administrator Decision Appeal	2		15							17						0				0	1		1	18
										0						0				0			0	0
Zoning																								
Zoning Permits																								
Zoning Appropriateness Permits (ZAPs)								0.5		0.5						0				0			0	0.5
Zoning Inspection Permit, Home Business								0.5		0.5						0				0			0	0.5
Zoning Inspection Permit, Keeping of Fowl								0.5		0.5						0				0			0	0.5
Zoning Inspection Permit, Food Truck (per inspection)								1		1						0				0			0	1
Zoning Inspection Permit, Short Term Rental (per inspection)								1		1						0				0			0	1
Administrative Adjustment (per building affected)			4				1			5						0				0			0	5
Zoning Verification Letter SFD			3							3						0				0			0	3
Zoning Verification Letter non-SFD			3							3						0				0			0	3
Temporary Use Permit (less than 90 days)			0.5					1.25		1.75				2		2	1			1			0	4.75
Temporary Use Permit (greater than 90 days)			2					1.25		3.25				2		2	1			1			0	6.25
Waiver Requests			3							3			16			16				0			0	19
Temporary health care structure application										0				2		2				0			0	2
Administrative Review Eligible Projects (AREPs)			4							4						0	4			4			0	8
Signs		1				8				9						0				0			0	9
*Roll-Off Dumpsters/PODs								0.5		0.5						0				0			0	0.5
*Small Cells (Admin. Review Eligible Program (AREP))			4							4						0				0			0	4
										0						0				0			0	0
Zoning Ordinance Text Amendments *(Remove Subdivision)*																								
Change in permitted uses	3	2	72	4	10					91						0				0	2		2	93
Other changes, more than 100 words, more than one section		20	72							92						0				0	2		2	94
Amendment less than 100 words changed		10	48							58						0				0	1		1	59
										0						0				0			0	0
Planning/Zoning Applications																								
Comprehensive Planning										0						0				0			0	0
Comp Plan Amendment	5	80	8		160					253						0				0	5		5	258
										0						0				0			0	0
Rezoning																								
ZMA First Submission	20	80	48	80	30				8	266	1	16	56	2	8	83	1	2	2	5	1		1	355
Proffer Condition Amendment	3	15	48	4						70						0				0	1		1	71
Modification Request (each)		15	6							21						0				0			0	21
Traffic Impact (plus 1/2 consultant fees, if req.)	3.5	8	1	16						28.5		8	16		26	50		2	2	4			0	82.5
Development Plan	36	95	48	80	30				8	297	1	16	64	8	8	97	2	8	8	18	2		2	414
Subsequent Review Hours	6									6		8	36	1	8	53	0.5	2	2	4.5			0	63.5
**Remove per quarter acre of first submission										0						0				0			0	0
**Remove waiver for re-application time limit										0						0				0			0	0
										0						0				0			0	0
										0						0				0			0	0
Accessory Reviews																								
Minor Water Quality Impact Assessment	0.5	1	4	4					4	13.5						0				0			0	13.5
Major Water Quality Impact Assessment	1	5	12	4					4	26						0				0			0	26
Exception Request to Provisions of Ches. Bay Pres. Overlay Dist.			48							48						0				0			0	48
Ches. Bay Waiver Request	1		4							5						0				0			0	5
Site Specific Delineation in RPA less than 5,000 SF	1	1	1						4	7						0				0			0	7
Site Specific Delineation in RPA more that 5,000 SF	1	5	2						4	12						0				0			0	12
										0						0				0			0	0
Additional Studies										0						0				0			0	0
Flood Plain Study (plus 1/2 consultant fees, if req.)	2	5	16							23						0				0			0	23
Special Exceptions																								
Residential Uses	3	5	32				1			41	1	8	24	1	4	38	1	2	2	5	0.5		0.5	84.5
Education, Government, Institutional, Community Service Uses	5	10	56							71				2		2				0	0.5		0.5	73.5
Non-Residential Uses with no site alt.	1.5	5	32				12			50.5	1	16	24	2	10	53	1	4	4	9	0.5		0.5	113
Non-Res. Uses with site alt or additions	4	80	56	80			13		8	241	1	16	56	2	2	77	2	2	2	6	0.5		0.5	324.5
Re-application time limit waiver	1.5		8							9.5						0				0			0	9.5
Traffic Impact (plus 1/2 consultant fees, if req.)	2.5	8	1	16						27.5		8	16		26	50		2	2	4			0	81.5

Building Location Surveys																								
Building Location Surveys		1	0.5				4			5.5		8	8		2	18				0			0	23.5
RPA Permits							3			3						0				0			0	3
New Fees																								
Sign Appeal Fees		2				12				14						0				0			0	14
Appeal of ARB Decision	4	6	15			20				45						0				0	1		1	46
Appeal of HDRB Decision to Town Council	4	4	15			12				35						0				0	1		1	36
Appeal of Staff to HDRB		4				18	0.25			22.25						0				0	1		1	23.25
HDRB- COA New Construction (SFD)	4	8				30				42						0				0	1		1	43
Permanent Sign License (Administrative)		1				8				9						0				0			0	9
Temporary Sign License (Administrative)		1				6				7						0				0			0	7
Development Plan and ZMA Re-submission Fee (per submission following 3rd)	5	15	12	15	10				2	59	0.5	4	12	0.5	2	19	0.5	1	1	2.5	1		1	81.5
HDO - Staff Review COA (Residential)		5				15				20						0				0			0	20
HDO - Staff Review COA (Non-Residential)		5				15				20						0				0			0	20
22.32 Reviews (Under Comp Planning)	5	10	56							71				2		2				0	0.5		0.5	73.5
Temporary Use Permit (less than 90 days)			0.5					1.25		1.75				2		2	1			1			0	4.75
*Roll-Off Dumpsters/PODs								0.5		0.5						0				0			0	0.5
Development Plan (Includes Submissions 1, 2 & 3)	36	95	48	80	30				8	297	1	16	64	8	8	97	2	8	8	18	2		2	414

Application Review Times		COMMUNITY DEVELOPMENT									PUBLIC WORKS- HMC						PUBLIC WORKS - TOWN SHOP				LEGAL		
	TOTAL Town Staff Cost	Director	Deputy Director	Zoning Administrator	Development Planner	Long-Range Planner	HDRB Planner	Community Planner	Zoning Inspector	Arborist	Total Dept. Time	Deputy Director	Chief Engineer	Engineer	Building Official	Traffic Engineer	Total Dept. Time	Deputy Director	Utility Manager	Project Engineer	Total Dept. Time	Town Attorney	Deputy Town Attorney	Total Dept. Cost
		82.2171	64.6193	61.3517	55.6478	52.9679	52.9679	48.0706	43.6015	48.0706		71.0223	61.3517	55.6478	61.3517	52.9679		71.0223	55.6478	52.9679		64.4193		
Legislative Reviews																								
ARB																								
New Construction	$ 3,023.65	$ 328.87	$ 775.43	$ -	$ -	$ -	$ 1,854.93	$ -	$ -	$ -	$ 2,959.23	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Alterations	$ 1,182.48	$ -	$ 323.10	$ -	$ -	$ -	$ 794.97	$ -	$ -	$ -	$ 1,118.07	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Additions	$ 1,570.80	$ 123.33	$ 323.10	$ -	$ -	$ -	$ 1,059.96	$ -	$ -	$ -	$ 1,506.38	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Accessory Structures	$ 617.84	$ -	$ 129.24	$ -	$ -	$ -	$ 423.98	$ -	$ -	$ -	$ 553.22	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Wall Signs	$ 511.65	$ -	$ 129.24	$ -	$ -	$ -	$ 317.99	$ -	$ -	$ -	$ 447.23	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Free Standing Signs	$ 511.65	$ -	$ 129.24	$ -	$ -	$ -	$ 317.99	$ -	$ -	$ -	$ 447.23	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Master Sign Plans	$ 1,117.87	$ -	$ 258.48	$ -	$ -	$ -	$ 794.97	$ -	$ -	$ -	$ 1,053.45	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Amendments to Approved Applications	$ 829.63	$ -	$ 129.24	$ -	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 765.21	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
	$ -																							
*Sign Appeal Fees	$ 765.21	$ -	$ 129.24	$ -	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 765.21	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
*Appeal ARB	$ 2,761.24	$ 328.87	$ 387.72	$ 920.28	$ -	$ -	$ 1,059.96	$ -	$ -	$ -	$ 2,696.82	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
	$ -																							
HDRB																								
COA New Construction	$ 2,500.18	$ 328.87	$ 516.95	$ -	$ -	$ -	$ 1,589.94	$ -	$ -	$ -	$ 2,435.76	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
COA Alterations	$ 1,182.48	$ -	$ 323.10	$ -	$ -	$ -	$ 794.97	$ -	$ -	$ -	$ 1,118.07	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
COA Additions	$ 1,570.80	$ 123.33	$ 323.10	$ -	$ -	$ -	$ 1,059.96	$ -	$ -	$ -	$ 1,506.38	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
COA Accessory Structures	$ 1,023.49	$ -	$ 323.10	$ -	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 959.07	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
COA Demolitions	$ 2,364.43	$ 328.87	$ 646.19	$ -	$ -	$ -	$ 1,324.95	$ -	$ -	$ -	$ 2,300.01	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Wall Signs	$ 511.65	$ -	$ 129.24	$ -	$ -	$ -	$ 317.99	$ -	$ -	$ -	$ 447.23	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Freestanding Signs	$ 511.65	$ -	$ 129.24	$ -	$ -	$ -	$ 317.99	$ -	$ -	$ -	$ 447.23	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Master Sign Plans	$ 1,117.87	$ -	$ 258.48	$ -	$ -	$ -	$ 794.97	$ -	$ -	$ -	$ 1,053.45	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Amendments to Approved Applications	$ 829.63	$ -	$ 129.24	$ -	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 765.21	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Residential COA Alt., Additions, Acc. Structures	$ 1,288.88	$ -	$ 258.48	$ -	$ -	$ -	$ 953.96	$ 12.02	$ -	$ -	$ 1,224.46	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
	$ -																				$ -			$ -
*HDRB Appeals	$ 2,208.02	$ 328.87	$ 258.48	$ 920.28	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 2,143.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Board of Zoning Appeals																								
Variance	$ 938.71	$ 164.43	$ 64.62	$ 490.81	$ -	$ -	$ -	$ 96.14	$ -	$ -	$ 816.01	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Additional Variances (each)	$ 333.96	$ 82.22	$ 64.62	$ 122.70	$ -	$ -	$ -	$ -	$ -	$ -	$ 269.54	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Zoning Administrator Decision Appeal	$ 1,149.13	$ 164.43	$ -	$ 920.28	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,084.71	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Zoning																								
Zoning Permits																								
Zoning Appropriateness Permits (ZAPs)	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 21.80	$ -	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Inspection Permit, Home Business	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 21.80	$ -	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Inspection Permit, Keeping of Fowl	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 21.80	$ -	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Inspection Permit, Food Truck (per inspection)	$ 43.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 43.60	$ -	$ 43.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Inspection Permit, Short Term Rental (per inspection)	$ 43.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 43.60	$ -	$ 43.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Administrative Adjustment (per building affected)	$ 293.48	$ -	$ -	$ 245.41	$ -	$ -	$ -	48.07	$ -	$ -	$ 293.48	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Verification Letter SFD	$ 184.06	$ -	$ -	$ 184.06	$ -	$ -	$ -	$ -	$ -	$ -	$ 184.06	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Verification Letter non-SFD	$ 184.06	$ -	$ -	$ 184.06	$ -	$ -	$ -	$ -	$ -	$ -	$ 184.06	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Temporary Use Permit (less than 90 days)	$ 278.90	$ -	$ -	$ 30.68	$ -	$ -	$ -	$ -	$ 54.50	$ -	$ 85.18	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ 71.02	$ -	$ -	$ 71.02	$ -	$ -	$ -
Temporary Use Permit (greater than 90 days)	$ 370.93	$ -	$ -	$ 122.70	$ -	$ -	$ -	$ -	$ 54.50	$ -	$ 177.21	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ 71.02	$ -	$ -	$ 71.02	$ -	$ -	$ -
Waiver Requests	$ 1,074.42	$ -	$ -	$ 184.06	$ -	$ -	$ -	$ -	$ -	$ -	$ 184.06	$ -	$ -	$ 890.36	$ -	$ -	$ 890.36	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Temporary health care structure application	$ 122.70	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Administrative Review Eligible Projects (AREPs)	$ 529.50	$ -	$ -	$ 245.41	$ -	$ -	$ -	$ -	$ -	$ -	$ 245.41	$ -	$ -	$ -	$ -	$ -	$ -	$ 284.09	$ -	$ -	$ 284.09	$ -	$ -	$ -
Signs	$ 488.60	$ -	$ 64.62	$ -	$ -	$ -	$ 423.98	$ -	$ -	$ -	$ 488.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Ordinance Text Amendments *(Remove Subdivision)*																								
Change in permitted uses	$ 5,674.62	$ 246.65	$ 129.24	$ 4,417.32	$ 222.59	$ 529.98	$ -	$ -	$ -	$ -	$ 5,545.78	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 128.84	$ -	$ 128.84
Other changes, more than 100 words, more than one section	$ 5,838.55	$ -	$ 1,292.39	$ 4,417.32	$ -	$ -	$ -	$ -	$ -	$ -	$ 5,709.71	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 128.84	$ -	$ 128.84
Amendment less than 100 words changed	$ 3,655.49	$ -	$ 646.19	$ 2,944.88	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,591.07	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
																								$ -
Planning/Zoning Applications																								
Comprehensive Planning	$ -										$ -													$ -
Comp Plan Amendment	$ 14,873.20	$ 411.09	$ 5,169.54	$ 490.81	$ -	$ 8,479.66	$ -	$ -	$ -	$ -	$ 14,551.11	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 322.10	$ -	$ 322.10
	$ -										$ -	$ -												$ -
Rezoning																								
ZMA First Submission	$ 21,253.44	$ 1,644.34	$ 5,169.54	$ 2,944.88	$ 4,451.82	$ 1,589.94	$ -	$ -	$ -	$ 384.56	$ 16,185.09	$ 71.02	$ 981.63	$ 3,116.28	$ 122.70	$ 423.98	$ 4,715.61	$ 71.02	$ 111.30	$ 106.00	$ 288.31	$ 64.42	$ -	$ 64.42
Proffer Condition Amendment	$ 4,447.83	$ 246.65	$ 969.29	$ 2,944.88	$ 222.59	$ -	$ -	$ -	$ -	$ -	$ 4,383.41	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Modification Request (each)	$ 1,337.40	$ -	$ 969.29	$ 368.11	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,337.40	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Traffic Impact (plus 1/2 consultant fees, if req.)	$ 4,732.85	$ 287.76	$ 516.95	$ 61.35	$ 890.36	$ -	$ -	$ -	$ -	$ -	$ 1,756.43	$ -	$ 490.81	$ 890.36	$ -	$ 1,377.95	$ 2,759.12	$ -	$ 111.30	$ 106.00	$ 217.29	$ -	$ -	$ -
Development Plan	$ 25,138.81	$ 2,959.82	$ 6,138.83	$ 2,944.88	$ 4,451.82	$ 1,589.94	$ -	$ -	$ -	$ 384.56	$ 18,469.86	$ 71.02	$ 981.63	$ 3,561.46	$ 490.81	$ 423.98	$ 5,528.91	$ 142.04	$ 445.18	$ 423.98	$ 1,011.21	$ 128.84	$ -	$ 128.84
	$ 3,232.27										$ -	$ -	$ 490.81	$ 2,003.32	$ 61.35	$ 423.98	$ 2,979.47	$ 35.51	$ 111.30	$ 106.00	$ 252.80	$ -	$ -	$ -
	$ -										$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Accessory Reviews																								
Minor Water Quality Impact Assessment	$ 766.01	$ 41.11	$ 64.62	$ 245.41	$ 222.59	$ -	$ -	$ -	$ -	$ 192.28	$ 766.01	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Major Water Quality Impact Assessment	$ 1,556.41	$ 82.22	$ 323.10	$ 736.22	$ 222.59	$ -	$ -	$ -	$ -	$ 192.28	$ 1,556.41	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Exception Request to Provisions of Ches. Bay Pres. Overlay Dist.	$ 2,944.88	$ -	$ -	$ 2,944.88	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,944.88	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Ches. Bay Waiver Request	$ 327.62	$ 82.22	$ -	$ 245.41	$ -	$ -	$ -	$ -	$ -	$ -	$ 327.62	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Site Specific Delineation in RPA less than 5,000 SF	$ 400.47	$ 82.22	$ 64.62	$ 61.35	$ -	$ -	$ -	$ -	$ -	$ 192.28	$ 400.47	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Site Specific Delineation in RPA more that 5,000 SF	$ 720.30	$ 82.22	$ 323.10	$ 122.70	$ -	$ -	$ -	$ -	$ -	$ 192.28	$ 720.30	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Additional Studies	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Flood Plain Study (plus 1/2 consultant fees, if req.)	$ 1,469.16	$ 164.43	$ 323.10	$ 981.63	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,469.16	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Special Exceptions																								
Residential Uses	$ 5,072.32	$ 246.65	$ 323.10	$ 1,963.25	$ -	$ -	$ -	$ 48.07	$ -	$ -	$ 2,581.07	$ 71.02	$ 490.81	$ 1,335.55	$ 61.35	$ 211.99	$ 2,170.73	$ 71.02	$ 111.30	$ 106.00	$ 288.31	$ 32.21	$ -	$ 32.21
Education, Government, Institutional, Community Service Uses	$ 4,647.89	$ 411.09	$ 646.19	$ 3,435.70	$ -	$ -	$ -	$ -	$ -	$ -	$ 4,492.97	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ -	$ -	$ -	$ -	$ 32.21	$ -	$ 32.21
Non-Residential Uses with no site alt.	$ 6,565.22	$ 123.33	$ 323.10	$ 1,963.25	$ -	$ -	$ -	$ 576.85	$ -	$ -	$ 2,986.52	$ 71.02	$ 981.63	$ 1,335.55	$ 122.70	$ 529.98	$ 3,040.88	$ 71.02	$ 222.59	$ 211.99	$ 505.61	$ 32.21	$ -	$ 32.21
Non-Res. Uses with site alt or additions	$ 19,184.59	$ 328.87	$ 5,169.54	$ 3,435.70	$ 4,451.82	$ -	$ -	$ 624.92	$ -	$ 384.56	$ 14,395.41	$ 71.02	$ 981.63	$ 3,116.28	$ 122.70	$ 106.00	$ 4,397.63	$ 142.04	$ 111.30	$ 106.00	$ 359.34	$ 32.21	$ -	$ 32.21
Re-application time limit waiver	$ 614.14	$ 123.33	$ -	$ 490.81	$ -	$ -	$ -	$ -	$ -	$ -	$ 614.14	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Traffic Impact (plus 1/2 consultant fees, if req.)	$ 4,650.63	$ 205.54	$ 516.95	$ 61.35	$ 890.36	$ -	$ -	$ -	$ -	$ -	$ 1,674.21	$ -	$ -	$ 890.36	$ -	$ 1,377.95	$ 2,759.12	$ -	$ 111.30	$ 106.00	$ 217.29	$ -	$ -	$ -
Building Location Surveys																								
Building Location Surveys	$ 1,329.57	$ -	$ 64.62	$ 30.68	$ -	$ -	$ -	$ 192.28	$ -	$ -	$ 287.58	$ -	$ 490.81	$ 445.18	$ -	$ 106.00	$ 1,041.99	$ -	$ -	$ -	$ -	$ -	$ -	$ -
RPA Permits	$ 144.21	$ -	$ -	$ -	$ -	$ -	$ -	144.21	$ -	$ -	$ 144.21	$ -	$ -	$ -	$ -	$ -		$ -	$ -	$ -	$ -	$ -	$ -	$ -
New Fees																								
Sign Appeal Fees	$ 765.21	$ -	$ 129.24	$ -	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 765.21	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Appeal of ARB Decision	$ 2,761.24	$ 328.87	$ 387.72	$ 920.28	$ -	$ -	$ 1,059.96	$ -	$ -	$ -	$ 2,696.82	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Appeal of HDRB Decision to Town Council	$ 2,208.02	$ 328.87	$ 258.48	$ 920.28	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 2,143.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Appeal of Staff to HDRB	$ 1,288.88	$ -	$ 258.48	$ -	$ -	$ -	$ 953.96	$ 12.02	$ -	$ -	$ 1,224.46	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
HDRB- COA New Construction (SFD)	$ 2,500.18	$ 328.87	$ 516.95	$ -	$ -	$ -	$ 1,589.94	$ -	$ -	$ -	$ 2,435.76	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Permanent Sign License (Administrative)	$ 488.60	$ -	$ 64.62	$ -	$ -	$ -	$ 423.98	$ -	$ -	$ -	$ 488.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Temporary Sign License (Administrative)	$ 382.61	$ -	$ 64.62	$ -	$ -	$ -	$ 317.99	$ -	$ -	$ -	$ 382.61	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Development Plan and ZMA Re-submission Fee (per submission following 3rd)	$ 4,871.37	$ 411.09	$ 969.29	$ 736.22	$ 834.72	$ 529.98	$ -	$ -	$ -	$ 96.14	$ 3,577.43	$ 35.51	$ 245.41	$ 667.77	$ 30.68	$ 106.00	$ 1,085.36	$ 35.51	$ 55.65	$ 53.00	$ 144.16	$ 64.42	$ -	$ 64.42
HDO - Staff Review COA (Residential)	$ 1,118.07	$ -	$ 323.10	$ -	$ -	$ -	$ 794.97	$ -	$ -	$ -	$ 1,118.07	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
HDO - Staff Review COA (Non-Residential)	$ 1,118.07	$ -	$ 323.10	$ -	$ -	$ -	$ 794.97	$ -	$ -	$ -	$ 1,118.07	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
22.32 Reviews (Under Comp Planning)	$ 4,647.89	$ 411.09	$ 646.19	$ 3,435.70	$ -	$ -	$ -	$ -	$ -	$ -	$ 4,492.97	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ -	$ -	$ -	$ -	$ 32.21	$ -	$ 32.21
Temporary Use Permit (less than 90 days)	$ 278.90	$ -	$ -	$ 30.68	$ -	$ -	$ -	$ -	$ 54.50	$ -	$ 85.18	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ 71.02	$ -	$ -	$ 71.02	$ -	$ -	$ -
*Roll-Off Dumpsters/PODs	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 21.80	$ -	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Development Plan (Includes Submissions 1, 2 & 3)	$ 25,138.81	$ 2,959.82	$ 6,138.83	$ 2,944.88	$ 4,451.82	$ 1,589.94	$ -	$ -	$ -	$ 384.56	$ 18,469.86	$ 71.02	$ 981.63	$ 3,561.46	$ 490.81	$ 423.98	$ 5,528.91	$ 142.04	$ 445.18	$ 423.98	$ 1,011.21	$ 128.84	$ -	$ 128.84

Application Review Times		COMMUNITY DEVELOPMENT										PUBLIC WORKS- HMC						PUBLIC WORKS - TOWN SHOP				LEGAL		
	TOTAL Town Staff Cost	Director	Deputy Director	Zoning Administrator	Development Planner	Long-Range Planner	HDRB Planner	Community Planner	Zoning Inspector	Arborist	Total Dept. Time	Deputy Director	Chief Engineer	Engineer	Building Official	Traffic Engineer	Total Dept. Time	Deputy Director	Utility Manager	Project Engineer	Total Dept. Time	Town Attorney	Deputy Town Attorney	Total Dept. Cost
Legislative Reviews		82.2171	64.6193	61.3517	55.6478	52.9979	52.9979	48.0706	43.6015	48.0706		71.0223	61.3517	55.6478	61.3517	52.9979		71.0223	55.6478	52.9979		64.4193		
ARB																								
New Construction	$ 3,023.65	$ 328.87	$ 775.43	$ -	$ -	$ -	$ 1,854.93	$ -	$ -	$ -	$ 2,959.23	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Alterations	$ 1,182.48	$ -	$ 323.10	$ -	$ -	$ -	$ 794.97	$ -	$ -	$ -	$ 1,118.07	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Additions	$ 1,570.80	$ 123.33	$ 323.10	$ -	$ -	$ -	$ 1,059.96	$ -	$ -	$ -	$ 1,506.38	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Accessory Structures	$ 617.64	$ -	$ 129.24	$ -	$ -	$ -	$ 423.98	$ -	$ -	$ -	$ 553.22	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Wall Signs	$ 511.65	$ -	$ 129.24	$ -	$ -	$ -	$ 317.99	$ -	$ -	$ -	$ 447.23	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Free Standing Signs	$ 511.65	$ -	$ 129.24	$ -	$ -	$ -	$ 317.99	$ -	$ -	$ -	$ 447.23	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Master Sign Plans	$ 1,117.87	$ -	$ 258.48	$ -	$ -	$ -	$ 794.97	$ -	$ -	$ -	$ 1,053.45	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Amendments to Approved Applications	$ 829.63	$ -	$ 129.24	$ -	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 765.21	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
	$ -																							
*Sign Appeal Fees	$ 765.21	$ -	$ 129.24	$ -	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 765.21	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
*Appeal ARB	$ 2,761.24	$ 328.87	$ 387.72	$ 920.28	$ -	$ -	$ 1,059.96	$ -	$ -	$ -	$ 2,696.82	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
	$ -																							
HDRB																								
COA New Construction	$ 2,500.18	$ 328.87	$ 516.95	$ -	$ -	$ -	$ 1,589.94	$ -	$ -	$ -	$ 2,435.76	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
COA Alterations	$ 1,182.48	$ -	$ 323.10	$ -	$ -	$ -	$ 794.97	$ -	$ -	$ -	$ 1,118.07	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
COA Additions	$ 1,570.80	$ 123.33	$ 323.10	$ -	$ -	$ -	$ 1,059.96	$ -	$ -	$ -	$ 1,506.38	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
COA Accessory Structures	$ 1,023.49	$ -	$ 323.10	$ -	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 959.07	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
COA Demolitions	$ 2,364.43	$ 328.87	$ 646.19	$ -	$ -	$ -	$ 1,324.95	$ -	$ -	$ -	$ 2,300.01	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Wall Signs	$ 511.65	$ -	$ 129.24	$ -	$ -	$ -	$ 317.99	$ -	$ -	$ -	$ 447.23	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Freestanding Signs	$ 511.65	$ -	$ 129.24	$ -	$ -	$ -	$ 317.99	$ -	$ -	$ -	$ 447.23	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Master Sign Plans	$ 1,117.87	$ -	$ 258.48	$ -	$ -	$ -	$ 794.97	$ -	$ -	$ -	$ 1,053.45	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Amendments to Approved Applications	$ 829.63	$ -	$ 129.24	$ -	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 765.21	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Residential COA Alt., Additions, Acc. Structures	$ 1,288.88	$ -	$ 258.48	$ -	$ -	$ -	$ 953.96	$ 12.02	$ -	$ -	$ 1,224.46	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
	$ -																				$ -			$ -
*HDRB Appeals	$ 2,208.02	$ 328.87	$ 258.48	$ 920.28	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 2,143.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Board of Zoning Appeals																								
Variance	$ 938.71	$ 164.43	$ 64.62	$ 490.81	$ -	$ -	$ -	$ 96.14	$ -	$ -	$ 816.01	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Additional Variances (each)	$ 333.96	$ 82.22	$ 64.62	$ 122.70	$ -	$ -	$ -	$ -	$ -	$ -	$ 269.54	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Zoning Administrator Decision Appeal	$ 1,149.13	$ 164.43	$ -	$ 920.28	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,084.71	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Zoning																								
Zoning Permits																								
Zoning Appropriateness Permits (ZAPs)	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 21.80	$ -	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Inspection Permit, Home Business	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 21.80	$ -	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Inspection Permit, Keeping of Fowl	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 21.80	$ -	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Inspection Permit, Food Truck (per inspection)	$ 43.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 43.60	$ -	$ 43.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Inspection Permit, Short Term Rental (per inspection)	$ 43.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 43.60	$ -	$ 43.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Administrative Adjustment (per building affected)	$ 293.48	$ -	$ -	$ 245.41	$ -	$ -	$ -	$ 48.07	$ -	$ -	$ 293.48	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Verification Letter SFD	$ 184.06	$ -	$ -	$ 184.06	$ -	$ -	$ -	$ -	$ -	$ -	$ 184.06	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Verification Letter non-SFD	$ 184.06	$ -	$ -	$ 184.06	$ -	$ -	$ -	$ -	$ -	$ -	$ 184.06	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Temporary Use Permit (less than 90 days)	$ 278.90	$ -	$ -	$ 30.68	$ -	$ -	$ -	$ -	$ 54.50	$ -	$ 85.18	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ 71.02	$ -	$ -	$ 71.02	$ -	$ -	$ -
Temporary Use Permit (greater than 90 days)	$ 370.93	$ -	$ -	$ 122.70	$ -	$ -	$ -	$ -	$ 54.50	$ -	$ 177.21	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ 71.02	$ -	$ -	$ 71.02	$ -	$ -	$ -
Waiver Requests	$ 1,074.42	$ -	$ -	$ 184.06	$ -	$ -	$ -	$ -	$ -	$ -	$ 184.06	$ -	$ -	$ 890.36	$ -	$ -	$ 890.36	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Temporary health care structure application	$ 122.70	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Administrative Review Eligible Projects (AREPs)	$ 529.50	$ -	$ -	$ 245.41	$ -	$ -	$ -	$ -	$ -	$ -	$ 245.41	$ -	$ -	$ -	$ -	$ -	$ -	$ 284.09	$ -	$ -	$ 284.09	$ -	$ -	$ -
Signs	$ 488.60	$ -	$ 64.62	$ -	$ -	$ -	$ 423.98	$ -	$ -	$ -	$ 488.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Zoning Ordinance Text Amendments *(Remove Subdivision)*																								
Change in permitted uses	$ 5,674.62	$ 246.65	$ 129.24	$ 4,417.32	$ 222.59	$ 529.98	$ -	$ -	$ -	$ -	$ 5,545.78	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 128.84	$ -	$ 128.84
Other changes, more than 100 words, more than one section	$ 5,838.55	$ -	$ 1,292.39	$ 4,417.32	$ -	$ -	$ -	$ -	$ -	$ -	$ 5,709.71	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 128.84	$ -	$ 128.84
Amendment less than 100 words changed	$ 3,655.49	$ -	$ 646.19	$ 2,944.88	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,591.07	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
																								$ -
Planning/Zoning Applications																								
Comprehensive Planning	$ -										$ -													$ -
Comp Plan Amendment	$ 14,873.20	$ 411.09	$ 5,169.54	$ 490.81	$ -	$ 8,479.66	$ -	$ -	$ -	$ -	$ 14,551.11	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 322.10	$ -	$ 322.10
	$ -										$ -	$ -												$ -
Rezoning																								
ZMA First Submission	$ 21,253.44	$ 1,644.34	$ 5,169.54	$ 2,944.88	$ 4,451.82	$ 1,589.94	$ -	$ -	$ -	$ 384.56	$ 16,185.09	$ 71.02	$ 981.63	$ 3,116.28	$ 122.70	$ 423.98	$ 4,715.61	$ 71.02	$ 111.30	$ 106.00	$ 288.31	$ 64.42	$ -	$ 64.42
Proffer Condition Amendment	$ 4,447.83	$ 246.65	$ 969.29	$ 2,944.88	$ 222.59	$ -	$ -	$ -	$ -	$ -	$ 4,383.41	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Modification Request (each)	$ 1,337.40	$ -	$ 969.29	$ 368.11	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,337.40	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Traffic Impact (plus 1/2 consultant fees, if req.)	$ 4,732.85	$ 287.76	$ 516.95	$ 61.35	$ 890.36	$ -	$ -	$ -	$ -	$ -	$ 1,756.43	$ -	$ 490.81	$ 890.36	$ -	$ 1,377.95	$ 2,759.12	$ -	$ 111.30	$ 106.00	$ 217.29	$ -	$ -	$ -
Development Plan	$ 25,138.81	$ 2,959.82	$ 6,138.83	$ 2,944.88	$ 4,451.82	$ 1,589.94	$ -	$ -	$ -	$ 384.56	$ 18,469.86	$ 71.02	$ 981.63	$ 3,561.46	$ 490.81	$ 423.98	$ 5,528.91	$ 142.04	$ 445.18	$ 423.98	$ 1,011.21	$ 128.84	$ -	$ 128.84
	$ 3,232.27										$ -	$ -	$ 490.81	$ 2,003.32	$ 61.35	$ 423.98	$ 2,979.47	$ 35.51	$ 111.30	$ 106.00	$ 252.80	$ -	$ -	$ -
	$ -										$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Accessory Reviews																								
Minor Water Quality Impact Assessment	$ 766.01	$ 41.11	$ 64.62	$ 245.41	$ 222.59	$ -	$ -	$ -	$ -	$ 192.28	$ 766.01	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Major Water Quality Impact Assessment	$ 1,556.41	$ 82.22	$ 323.10	$ 736.22	$ 222.59	$ -	$ -	$ -	$ -	$ 192.28	$ 1,556.41	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Exception Request to Provisions of Ches. Bay Pres. Overlay Dist.	$ 2,944.88	$ -	$ -	$ 2,944.88	$ -	$ -	$ -	$ -	$ -	$ -	$ 2,944.88	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Ches. Bay Waiver Request	$ 327.62	$ 82.22	$ -	$ 245.41	$ -	$ -	$ -	$ -	$ -	$ -	$ 327.62	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Site Specific Delineation in RPA less than 5,000 SF	$ 400.47	$ 82.22	$ 64.62	$ 61.35	$ -	$ -	$ -	$ -	$ -	$ 192.28	$ 400.47	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Site Specific Delineation in RPA more that 5,000 SF	$ 720.30	$ 82.22	$ 323.10	$ 122.70	$ -	$ -	$ -	$ -	$ -	$ 192.28	$ 720.30	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
		$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Additional Studies	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Flood Plain Study (plus 1/2 consultant fees, if req.)	$ 1,469.16	$ 164.43	$ 323.10	$ 981.63	$ -	$ -	$ -	$ -	$ -	$ -	$ 1,469.16	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Special Exceptions																								
Residential Uses	$ 5,072.32	$ 246.65	$ 323.10	$ 1,963.25	$ -	$ -	$ -	$ 48.07	$ -	$ -	$ 2,581.07	$ 71.02	$ 490.81	$ 1,335.55	$ 61.35	$ 211.99	$ 2,170.73	$ 71.02	$ 111.30	$ 106.00	$ 288.31	$ 32.21	$ -	$ 32.21
Education, Government, Institutional, Community Service Uses	$ 4,647.89	$ 411.09	$ 646.19	$ 3,435.70	$ -	$ -	$ -	$ -	$ -	$ -	$ 4,492.97	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ -	$ -	$ -	$ -	$ 32.21	$ -	$ 32.21
Non-Residential Uses with no site alt.	$ 6,565.22	$ 123.33	$ 323.10	$ 1,963.25	$ -	$ -	$ -	$ 576.85	$ -	$ -	$ 2,986.52	$ 71.02	$ 981.63	$ 1,335.55	$ 122.70	$ 529.98	$ 3,040.88	$ 71.02	$ 222.59	$ 211.99	$ 505.61	$ 32.21	$ -	$ 32.21
Non-Res. Uses with site alt or additions	$ 19,184.59	$ 328.87	$ 5,169.54	$ 3,435.70	$ 4,451.82	$ -	$ -	$ 624.92	$ -	$ 384.56	$ 14,395.41	$ 71.02	$ 981.63	$ 3,116.28	$ 122.70	$ 106.00	$ 4,397.63	$ 142.04	$ 111.30	$ 106.00	$ 359.34	$ 32.21	$ -	$ 32.21
Re-application time limit waiver	$ 614.14	$ 123.33	$ -	$ 490.81	$ -	$ -	$ -	$ -	$ -	$ -	$ 614.14	$ -	$ -	$ -	$ -	$ -		$ -	$ -	$ -	$ -	$ -	$ -	$ -
Traffic Impact (plus 1/2 consultant fees, if req.)	$ 4,650.63	$ 205.54	$ 516.95	$ 61.35	$ 890.36	$ -	$ -	$ -	$ -	$ -	$ 1,674.21	$ -	$ 490.81	$ 890.36	$ -	$ 1,377.95	$ 2,759.12	$ -	$ 111.30	$ 106.00	$ 217.29	$ -	$ -	$ -
Building Location Surveys																								
Building Location Surveys	$ 1,329.57	$ -	$ 64.62	$ 30.68	$ -	$ -	$ -	$ 192.28	$ -	$ -	$ 287.58	$ -	$ 490.81	$ 445.18	$ -	$ 106.00	$ 1,041.99	$ -	$ -	$ -	$ -	$ -	$ -	$ -
RPA Permits	$ 144.21	$ -	$ -	$ -	$ -	$ -	$ -	$ 144.21	$ -	$ -	$ 144.21	$ -	$ -	$ -	$ -	$ -		$ -	$ -	$ -	$ -	$ -	$ -	$ -
New Fees																								
Sign Appeal Fees	$ 765.21	$ -	$ 129.24	$ -	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 765.21	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Appeal of ARB Decision	$ 2,761.24	$ 328.87	$ 387.72	$ 920.28	$ -	$ -	$ 1,059.96	$ -	$ -	$ -	$ 2,696.82	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Appeal of HDRB Decision to Town Council	$ 2,208.02	$ 328.87	$ 258.48	$ 920.28	$ -	$ -	$ 635.97	$ -	$ -	$ -	$ 2,143.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Appeal of Staff to HDRB	$ 1,288.88	$ -	$ 258.48	$ -	$ -	$ -	$ 953.96	12.02	$ -	$ -	$ 1,224.46	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
HDRB- COA New Construction (SFD)	$ 2,500.18	$ 328.87	$ 516.95	$ -	$ -	$ -	$ 1,589.94	$ -	$ -	$ -	$ 2,435.76	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ 64.42	$ -	$ 64.42
Permanent Sign License (Administrative)	$ 488.60	$ -	$ 64.62	$ -	$ -	$ -	$ 423.98	$ -	$ -	$ -	$ 488.60	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Temporary Sign License (Administrative)	$ 382.61	$ -	$ 64.62	$ -	$ -	$ -	$ 317.99	$ -	$ -	$ -	$ 382.61	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Development Plan and ZMA Re-submission Fee (per submission following 3rd)	$ 4,871.37	$ 411.09	$ 969.29	$ 736.22	$ 834.72	$ 529.98	$ -	$ -	$ -	$ 96.14	$ 3,577.43	$ 35.51	$ 245.41	$ 667.77	$ 30.68	$ 106.00	$ 1,085.36	$ 35.51	$ 55.65	$ 53.00	$ 144.16	$ 64.42	$ -	$ 64.42
HDO - Staff Review COA (Residential)	$ 1,118.07	$ -	$ 323.10	$ -	$ -	$ -	$ 794.97	$ -	$ -	$ -	$ 1,118.07	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
HDO - Staff Review COA (Non-Residential)	$ 1,118.07	$ -	$ 323.10	$ -	$ -	$ -	$ 794.97	$ -	$ -	$ -	$ 1,118.07	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
22.32 Reviews (Under Comp Planning)	$ 4,647.89	$ 411.09	$ 646.19	$ 3,435.70	$ -	$ -	$ -	$ -	$ -	$ -	$ 4,492.97	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ -	$ -	$ -	$ -	$ 32.21	$ -	$ 32.21
Temporary Use Permit (less than 90 days)	$ 278.90	$ -	$ -	$ 30.68	$ -	$ -	$ -	$ -	$ 54.50	$ -	$ 85.18	$ -	$ -	$ -	$ 122.70	$ -	$ 122.70	$ 71.02	$ -	$ -	$ 71.02	$ -	$ -	$ -
*Roll-Off Dumpsters/PODs	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	21.80	$ -	$ 21.80	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Development Plan (Includes Submissions 1, 2 & 3)	$ 25,138.81	$ 2,959.82	$ 6,138.83	$ 2,944.88	$ 4,451.82	$ 1,589.94	$ -	$ -	$ -	$ 384.56	$ 18,469.86	$ 71.02	$ 981.63	$ 3,561.46	$ 490.81	$ 423.98	$ 5,528.91	$ 142.04	$ 445.18	$ 423.98	$ 1,011.21	$ 128.84	$ -	$ 128.84

TOWN OF Herndon VIRGINIA

ZOTA #25-02: Adjustment of Community Development Fee Schedule in accordance with a Comprehensive Fee Evaluation

Town Council Regular Meeting
January 28, 2025

Collin J. Okoniewski
Planning Operations Manager

Background

- Development application fees were last adjusted with the adoption of ZOTA #24-01 in May 2024.
  - Immediate change to raise fees in accordance with rising costs
  - Only took the rate of inflation into account with the increase
- Prior to ZOTA #24-01, development fees were last adjusted with ZOTA #06-01 in June 2006.

Project Description

- The proposed development fee schedule was developed to address increased costs to the Town through staff review time, and update fees in line with neighboring jurisdictions.
- Development application fees are specified in Article XV of the zoning ordinance in Table 78-152.2(b)(3). Fees include:
  - Land use applications (rezoning and special exception),
  - Design review applications (Architectural Review Board and Historic District Review Board),
  - Board of Zoning Appeals applications (variance and appeals),
  - Site plan and subdivision review applications (including bonding), and
  - Miscellaneous administrative zoning reviews.

Project Description (cont.)

- The evaluation of fees included:
  - Comprehensive evaluation of fees in neighboring jurisdictions (Leesburg, Fairfax City, Vienna, Fairfax County, Arlington County, Loudoun County, Alexandria City).
  - Staff time and cost analysis per application type.
    - Staff time collected from the departments of: Community Development, Public Works-Engineering, Building Inspections, Public Works-Operations, Town Attorney.
  - Process evaluation and fee structure comparison/reform
- Application fees that are limited by the Code of Virginia or regulated by other sections of the town code have not been adjusted as part of this evaluation

Fiscal Impact

- Adoption of the increase in development application fees in its current form will result in increased fee revenue for the Town.
  - Based on applications submitted in FY2024 there would be an increase in application revenue from approximately $11,800 to $50,825; this equates to a 430% increase.
  - This is a conservative estimation and takes into account that FY2024 did not produce any large-scale development application submissions.
  - Staff would project that a significantly higher percentage point increase would be expected as development occurs throughout town.

Staff Recommendation/Next Steps

- Staff recommends approval of the initiating resolution
  - Following the approval of the initiating resolution, staff can bring ZOTA #25-02 to the Planning Commission for further consideration and action.
  - The Town Council will have another opportunity to discuss and take final action on this item following the Planning Commissions evaluation and recommendation.

Town Council Regular Meeting
Agenda Item 7.c.

Agenda Item: **Resolution 25-G-11 to approve a Temporary License Agreement between the Town and JOTT, INC., for use of a designated public space in the alley adjacent to Jimmy's Old Town Tavern for outdoor seating during a one-day event**

Meeting Date: January 28, 2025

Category: Consent

Prepared by: Lesa Yeatts, Town Attorney

Description:
Resolution approving a Temporary License Agreement granting Jimmy's Old Town Tavern use of town-owned public property for outdoor seating for a one-day event.

Background:
The applicant, Jimmy's Old Town Tavern, is requesting authorization to use a designated town-owned public alley space located between 689 and 681 Spring Street for outdoor seating during a Super Bowl event. The event will be held from 12:00 p.m. to 11:00 p.m. on Sunday, February 9, 2025. The applicant has been approved for a Temporary Use Permit by the Zoning Administrator pursuant to Section 78-90.2 of the Town of Herndon Zoning Ordinance, pending an approved building permit for the requested tent set-up. This resolution authorizes the mayor to sign the necessary license agreement to permit Jimmy's Old Town Tavern to utilize the town's property for this event.

Timing Impact:
The event is February 9, 2025.

Strategic Focus Area:

Thriving Community

Fiscal Impact:
None

Legal Impact:
None

Staff Recommendation/Next Steps:
Staff recommends approval of the resolution as proposed.

Attachments:
1. Resolution (Proposed)
2. Temporary License Agreement
3. TUP 2-9-25 Event

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

RESOLUTION

JANUARY 28, 2025

Resolution- **to approve a Temporary License Agreement between the Town and JOTT, INC., for use of a designated public space in the alley adjacent to Jimmy's Old Town Tavern for outdoor seating during a one-day event.**

BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that:

1. The temporary license agreement dated January 28, 2025, between the Town of Herndon and JOTT, INC., d/b/a Jimmy's Old Town Tavern (Jimmy's) is approved. The license allows Jimmy's to use designated public alley space adjacent to Jimmy's for outdoor seating during a one-day event on February 9, 2025. The license agreement may contain other terms agreed to by the mayor and is on file in the office of the Town Attorney; and

2. The mayor is authorized to sign and deliver this temporary license agreement and any other instrument necessary to evidence or effectuate this agreement.

25-G-11

TEMPORARY LICENSE AGREEMENT

This Agreement ("Agreement") is made this 28th day of January 2025 by and between JOTT, INC. d/b/a Jimmy's Old Town Tavern ("Jimmy's) and the TOWN OF HERNDON, VIRGINIA, ("Town").

WHEREAS Jimmy's represents that they have a Temporary Use Permit to conduct an event in the Town of Herndon on February 9, 2025, represented in "Exhibit A" attached hereto ("Permit") and that Jimmy's would like to use the Town's property behind Jimmy's Old Town Tavern Restaurant as shown on the Permit and known as the "Alley";

WHEREAS the Town desires to permit the use of the Alley by Jimmy's on the dates as described in the Permit (on February 9, 2025, only).

Now therefore the parties agree as follows:

1. The Town hereby grants Jimmy's authorization to temporarily use the Alley for purposes described in the Permit

2. Jimmy's shall comply with the terms of the Permit, this License, and all applicable town, state and federal laws and regulations obtaining and maintaining at all times any other permit(s) required under applicable law for this use.

3. The parties expressly agree and contract that there shall be no fee for the use of the Town property on this occasion only.

4. The permission to use the property granted by this agreement is nonexclusive in nature, and the Town reserves the right to make concurrent use of the Property.

5. Jimmy's hereby assumes all risk of damage by reason of its occupation of the Alley caused by any defects therein or activity occurring thereon, whether caused by the negligence of the Town, its officers, agents, or employees, or otherwise, and Jimmy's hereby agrees to hold harmless and indemnify the Town, its officers, agents and employees, from and against any such liability for such damage or injury to the extent permitted under the laws of the Commonwealth of Virginia.

6. Jimmy's shall secure, provide and maintain insurance to protect the Town of such type and in such amount as is described below naming the Town as an additional insured. This Agreement shall not take effect until evidence of insurance is provided to the Town and the Town gives Jimmy's written confirmation that the type and amount of insurance is accepted.

Insurance limits shall not be less than the following amounts:

Liability - Coverage totaling $5,000.000.00. All policies shall be endorsed to name the Town of Herndon as an additional insured.

The insurance required hereunder shall be maintained in effect during the duration of this Agreement. Insurance Policy(s) shall contain a valid provision or endorsement that the policy may not be canceled, terminated, changed or modified without giving thirty (30) calendar days advance written notice thereof to the Town.

7. Termination: The Town may terminate this Agreement upon 24 hours notice to Jimmy's for cause.

8. This Agreement, having been executed in the Commonwealth of Virginia, the construction and performance thereof or any dispute shall be governed by the laws of Virginia. Venue shall be proper in the County of Fairfax, Virginia.

9. This Agreement contains the entire and only agreement between the parties, and it supersedes and merges all pre-existing agreements. Any representations, understandings, promises and any conditions not expressly incorporated herein shall not be binding upon either party or their respective successors in interest.

JOTT, INC.

d/b/a Jimmy's Old Town Tavern

By James C. Cirrito

James C. Cirrito, President

TOWN OF HERNDON, VIRGINIA

By_____

Keven J. LeBlanc, Jr., Mayor

APPROVED AS TO FORM:

Lesa J. Yeatts

Lesa J. Yeatts, Town Attorney

EXHIBIT A

TUP #24-018

July 2018

RECEIVED ON

NOV 19 2024

DEPARTMENT OF COMMUNITY DEVELOPMENT

TOWN OF Herndon VIRGINIA

Department of Community Development
777 Lynn Street
Herndon, Virginia 20170-4602

APPLICATION FOR APPROVAL OF A TEMPORARY USE SITE PLAN AND ASSOCIATED ZONING INSPECTION PERMIT (TEMPORARY USE PERMIT)

(Not all temporary uses require a permit. See § 78-90.1 of the Herndon Town Code.)

Submittal of this form with **original signatures is required**. ***PLEASE PRINT OR TYPE*** *(Unless otherwise indicated.)*

Name of Business or Organization: Jimmy's Old Town Tavern

Street Address of the Subject Property (including apt/suite #): 697 Spring St. Herndon VA 20170

Please describe the requested activity, proposed dates and daily hours of operation. Add more sheets if necessary. Outdoor Dining/Superbowl Feb 9, 2025 12pm - 11pm

Lot Area (site area) Proposed for the Temporary Use: Alley behind Jimmy's/Former Robert's Carpet Lot

Are any site alterations or any alterations to the building's exterior or interior planned or underway in connection with this use (or were any alterations done)? ■ No ☐ Yes Please describe :

Name of Contact for the Temporary Use (Applicant): Jimmy Cirrito

Address of Permanent Residence: 9254 Matthew Dr. Manassas Park, VA 20111

Jimcirrito@aol.com
E-mail address

703-470-4014
Telephone # for duration of temporary use

The undersigned hereby applies for a Temporary Use Permit under the provisions of § 78-90.3 and § 78-90.4 of the Herndon Town Code.

I hereby affirm and certify that:

- *The information provided on this form is true and correct to the best of my knowledge.*
- *The requirements associated with this application under § 78-90.3 and § 78-90.4 of the Herndon Town Code have been read and are understood.*
- *The use and occupancy of buildings and/or the use of land noted above is in conformance with all provisions of the Town of Herndon, Virginia Zoning Ordinance regulations to the best of my knowledge.*
- *The site shall be returned within 48 hours to its condition prior to the establishment of the temporary use.*

James C Cirrito 11-11-2024

Signature of Contact (Applicant) **Date**

APPLICATION FOR APPROVAL OF A TEMPORARY USE SITE PLAN AND ASSOCIATED ZONING INSPECTION PERMIT (TEMPORARY USE PERMIT) - continued

Name and Title of Property Owner (Applicant): Jimmy Cirrito JMK 12 LLC

Mailing Address: same

E-mail address | Telephone

TO BE SUBMITTED WITH THIS APPLICATION

X A letter signed by the owner or owner's agent consenting to the application for the Temporary Use Permit;

X A Site Plan prepared in accordance with § 78-155.6(4) and showing the area of proposed activity with signage, display areas, illumination, vehicular entrances to the site (location, type and size), parking area associated with the temporary use (location, layout, and surface material);

X The detailed description of the proposed temporary activity requested above should include an analysis of any noise that may not comply with the noise provisions in the Herndon Town Code;

X Sample signage to be used;

N/A A statement from the landowner(s) authorizing an agent to act on their behalf (if applicable);

N/A If a pre-application conference took place, a statement indicating the date and time a pre-application conference was held with the Town, as well as a list of participants in the conference;

N/A A list of proposed vendors to include security firms, food trucks, portable toilet providers, or any other vendors that will be onsite during the event.

AUTHORIZATION STEP ONE. SITE IMPROVEMENTS ONLY (verification of Site Plan approval)

The applicant is authorized to proceed to **make the site improvements** for the purposes of conducting the temporary use described above.

Signature and Authorization of Zoning Administrator

AUTHORIZATION STEP TWO: AUTHORIZATION TO BEGIN OPERATION OF THE TEMPORARY USE (Temporary Use Permit/Zoning Inspection Permit)

The applicant has completed the site improvements and the applicant is authorized to **begin operation of the temporary use**.

This Permit is effective beginning 2/9/2025 for 1 days.

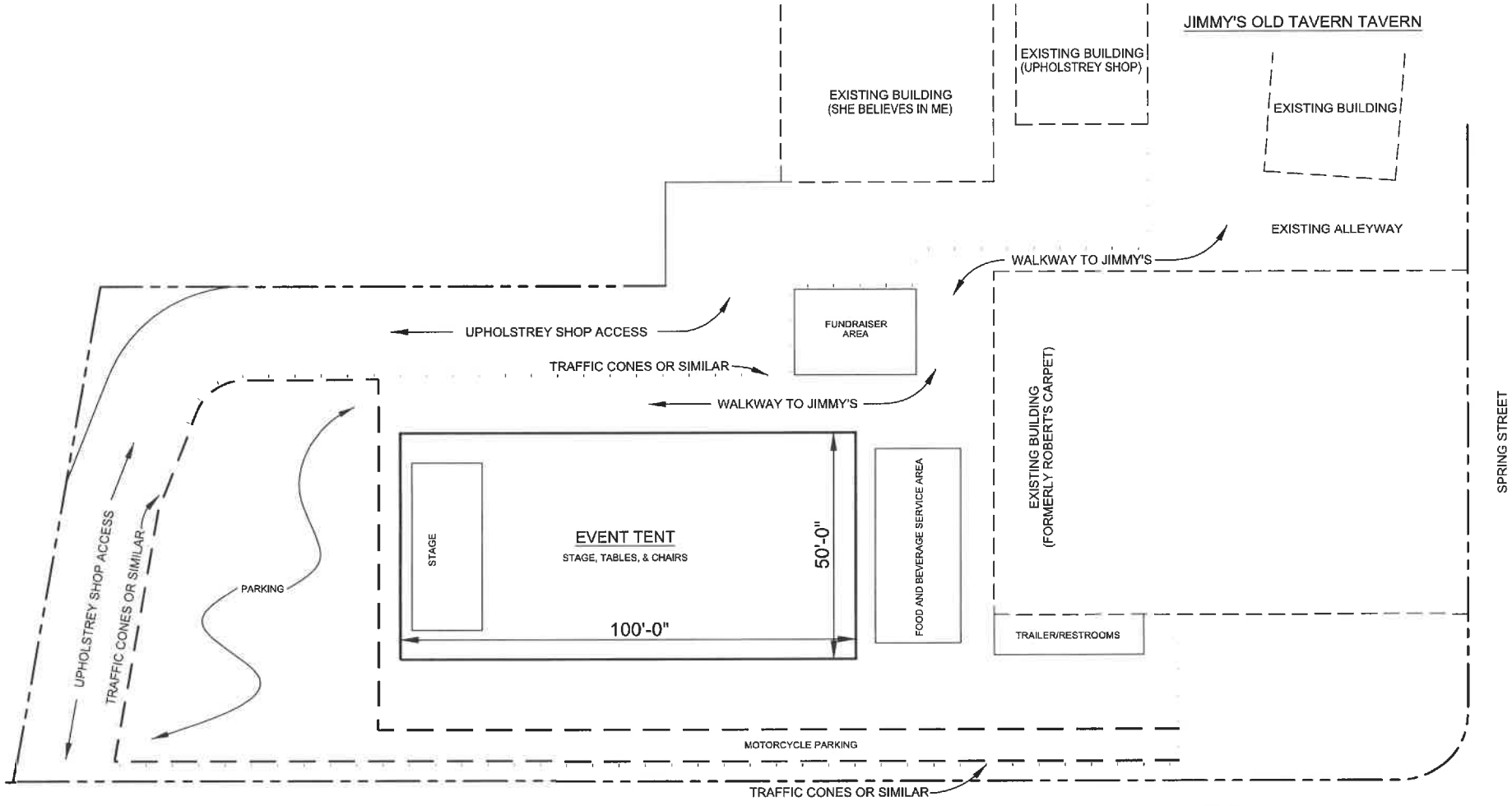
Signature of Zoning Inspector

APPLICATION FOR APPROVAL OF A TEMPORARY USE SITE PLAN AND ASSOCIATED ZONING INSPECTION PERMIT (TEMPORARY USE PERMIT) - continued

For Office Use Only:

STEP ONE (Site Plan)	Received by:	Fee paid for **Temporary Use Site Plan*** application:	Date: 11/19/24	Case No.: TUP #24-018
	Use permitted by Town Code Section:			
	Tax Map Reference: 0162 02 0085A		Zoning District: CC	
	Business and Occupational License #:		Status of Taxes: ☑ Paid ☐ Delinquent	
STEP TWO (ZIP)	Received by:	Fee paid for **Zoning Inspection Permit/Temporary Use Permit**:		Date:
**Note: no application fee is required for uses of less than 90 consecutive days in duration.*				

Distribution after approval:	Applicant	Community Development	Fire Department	Finance



JIMMY'S OLD TOWN TAVERN MEMORIAL DAY SITE PLAN LAYOUT

NO ALCOHOL PAST THIS POINT

November 11, 2024

David Stromberg

Zoning Department

Town of Herndon

777 Lynn Street
Herndon VA 20170-0427

Re: Temporary Use Permit for the Extension of Retail Sales, Sunday, February 9, 2025

Dear Mr. Stromberg,

This letter serves as a Request/Application for permission for Jimmy's Old Town Tavern, 697 Spring Street, to have the Town of Herndon issue a Temporary Use Permit for the Extension of Outdoor Retail Sales per The Town of Herndon Zoning Ordinance, Division 3. Temporary Uses; Sec.78-1392 Item (3) and Sec. 78-1395 Item (3) Outdoor Retail Sales Events & Sec. 78-1395 Item (4). Additional Permits for Temporary Use inclusive of Sunday, February 9, 2025 from 12PM to 11:00PM.

Enclosed please find the following:

- Drawing of the proposed area
- Letter to the ABC Board of Virginia requesting an extension of license privileges.

Note: This event will ONLY take place if the Buffalo Bills are in the Super Bowl.

If you have any questions, please contact me at 703-470-4014.

Sincerely,

James C. Cirrito

James C. Cirrito
Owner
Jimmy's Old Town Tavern

November 11, 2024

Town of Herndon
Dept. of Community Development
777 Lynn Street
Herndon VA 20170

Re: Temporary Use Permit for the Extension of Retail Sales for Outdoor Event, February 9, 2025.

Dear TOH:

Relative to your request, I hereby give my permission for my business neighbor, Jimmy's Old Town Tavern, to provide an outdoor event on February 9, 2025. The location shall be in the parking area behind and adjoining our businesses. The purpose of this event is to provide and sell food and beverages as an extension of the existing retail business known as Jimmy's Old Town Tavern.

I am aware that this event will not take place if the Buffalo Bills are not in the Superbowl.

Sincerely,

Khurram Afzal, Owner
Fairprice Groceries
681 Spring Street
Herndon, VA 20170

Date: _____

Printable page

MAP #: 0162 02 0086A

JMK 12 LLC

695 SPRING ST

Owner

Name	JMK 12 LLC,
Mailing Address	697 SPRING ST HERNDON VA 20170
Book	27812
Page	1619

Parcel

Property Location	695 SPRING ST HERNDON VA 20170 5125
Map #	0162 02 0086A
Tax District	HT000
District Name	DRANESVILLE TOWN OF HERNDON TRANSPORT
Land Use Code	Specialty Center
Land Area (acreage)	
Land Area (SQFT)	6,583
Zoning Description	CC(Central Comm District)
Utilities	WATER CONNECTED SEWER CONNECTED GAS NOT AVAILABLE
County Inventory of Historic Sites	YES
County Historic Overlay District	NO For further information about the Fairfax County Historic Overlay Districts, CLICK HERE For properties within the towns of Herndon, Vienna or Clifton please contact the town to determine if the property is within a town historic district.
Street/Road	PAVED
Site Description	COMMERCIAL RANK #1

Stub Number

411011540

Legal Description

Legal Description	SPRING STREET ELDEN SPRING STS LT 86A

Printable page

MAP #: 0162 02 0086A

JMK 12 LLC 695 SPRING ST

Stub Number

411011540

Summary of 2024 Taxes

Year	General Fund Net Taxes	Special Tax District	Service Charges	Interest	Penalty	Other Charges	Amount Paid	Balance Due
2024 1ST HALF DUE	$8,639.95	$3,214.07	$.00	$.00	$.00	$.00	-$11,854.02	$.00
2024 2ND HALF DUE	$8,639.94	$3,214.05	$.00	$.00	$.00	$.00	-$11,853.99	$.00
Total:	$17,279.89	$6,428.12	$.00	$.00	$.00	$.00	-$23,708.01	$.00

Prepays and Refunds

Prepays	$.00
Pending Refunds	$.00
GRAND TOTAL	$.00

Source: Fairfax County Department of Tax Administration, Real Estate Division.

November 11, 2024

Judy Fry
Town Manager's Office
Town of Herndon
777 Lynn Street
Herndon VA 20170

Re: Request for Noise Permit for Outdoor Event, Sunday, February 9, 2025

Dear Ms. Fry:

This letter serves as an Application/Request for a Noise Permit for Jimmy's Old Town Tavern, 697 Spring Street, to be issued in conjunction with a Temporary Use Permit for an Outdoor Event to begin at 12:00 PM and ending at 11:00 PM on Sunday, February 9, 2025. In accordance with the Town's noise ordinance, music/tv sound will be allowed to be played from 12:00 PM to 10:00 PM outside in the rear alley and in the lot behind the former Robert's Carpet building.

Please note, this event will ONLY take place if the Buffalo Bills are in the Super Bowl.

If you have any questions, please contact me at 703-470-4014

Sincerely,

James C. Cirrito

James C. Cirrito
Owner
Jimmy's Old Town Tavern

697 Spring Street ★ Herndon, VA 20710
Phone: 703.435.JIMS ★ Fax: 703.435.2182 ★ www.jimmystavern.com

TOWN OF Herndon VIRGINIA

Christopher E. Martino
INTERIM TOWN MANAGER
T (703) 787-7368
Chris.Martino@herndon-va.gov

January 15, 2025

Jimmy's Old Town Tavern
697 Spring Street
Herndon, VA 20170

Dear Mr. Cirrito,

This is in response to your request for a noise permit for your event on Sunday, February 9, 2025, from 12 PM to 11 PM, to be held at Jimmy's Old Town Tavern, 697 Spring Street, Herndon, VA 20170. Since you will be using amplified sound, you are required to follow the town code regarding noise.
Sections of the Town Code pertaining to noise can be reviewed here: https://library.municode.com/va/herndon/codes/code_of_ordinances?nodeId=PTIICOOR_CH26EN_ARTVINO. Please keep in mind that the noise permit only allows amplified sound between 7 AM and 10 PM.

I am approving the noise permit and this letter will serve as such. With copy of this letter to the Herndon Police, I am advising them of your event since they enforce the noise ordinance.

Best wishes for a successful event.

Regards,

Christopher E. Martino
Interim Town Manager

c. Maggie A. DeBoard, Chief of Police

Town Council Regular Meeting
Agenda Item 7.d.

Agenda Item: **Resolution 25-G-12 to reinstate the Town Council's Interview Subcommittee**

Meeting Date: January 28, 2025

Category: Consent

Prepared by: Amanda Kertz, Acting Town Clerk

Description:
The Herndon Town Council, as part of organizational housekeeping matters at the onset of each term, reviews council subcommittees to determine whether to reinstate or disband existing committees. Throughout the term, council may change representation and/or create additional subcommittees.

Background:
At the January 21, 2025 Town Council work session, staff was directed to draft a resolution reinstating the Interview Subcommittee.

Timing Impact:
Reinstating the Interview Committee will aid the Town Council in making appointments to boards, commissions, and committees.

Strategic Focus Area:

Good Governance

Fiscal Impact:
N/A

Legal Impact:
The Interview Subcommittee's terms follow the Herndon Town Council's elected terms.

Staff Recommendation/Next Steps:
Staff recommends approval of the proposed resolution, reinstating the Interview Subcommittee for the Herndon Town Council.

Attachments:
1. Resolution (Proposed)

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

RESOLUTION

JANUARY 28, 2025

Resolution- to reinstate the Town Council's Interview Subcommittee.

BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that:

1. The Town Council's Interview Subcommittee is reinstated for the 2025-2026 term; and

2. The following appointments are made:

- **Mayor Keven LeBlanc** and **Vice Mayor Clark Hedrick** as members; and

- **Councilmember Michael T. Lloyd** to serve as the first alternate member, and **Councilmember Cesar del Aguila** to serve as the second alternate member.

25-G-12

Town Council Regular Meeting
Agenda Item 7.e.

Agenda Item: **Resolution 25-G-13 to reinstate the Town Council's Pedestrian and Bicycle Advisory Committee**

Meeting Date: January 28, 2025

Category: Consent

Prepared by: Amanda Kertz, Acting Town Clerk

Description:
At the start of each term, the Herndon Town Council reviews council advisory committees to determine whether to reinstate, revise, or disband existing committees. Throughout the term, the Council may change representation and/or create additional advisory committees.

Background:
The Pedestrian and Bicycle Advisory Committee (PBAC) was established on October 14, 2008, and reestablished at the start of the Council's terms in 2010, 2012, 2014, 2017, 2019, and 2023. It includes seven town residents, staff representation from relevant departments, a member from the Planning Commission and Historic District Review Board, and a Town Councilmember liaison to the Committee. Their mission is to provide advice on pedestrian and bicycle matters through the promotion of safe walking and bicycling as a viable means of transportation and physical activity.

At the January 21, 2025 Town Council work session, staff was directed to draft a resolution reinstating the Pedestrian and Bicycle Advisory Committee.

Timing Impact:
Upon reinstatement, candidates will be considered for appointment by the Town Council. Once appointments are made, the Committee can begin holding meetings.

Strategic Focus Area:

Good Governance
Secure and Interconnected Community
Thriving Community

Fiscal Impact:
N/A

Legal Impact:
The Pedestrian and Bicycle Advisory Committee terms follow the Herndon Town Council's elected terms.

Staff Recommendation/Next Steps:
Staff recommends approval of the proposed resolution, reinstating the Pedestrian and Bicycle Advisory Committee, and directing the Town Clerk to proceed with coordinating the appointment process.

Attachments:
1. Resolution (Proposed)
2. Establishing Guidelines, Revised 01.28.25

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

RESOLUTION

JANUARY 28, 2025

Resolution- **to reinstate the Town Council's Pedestrian and Bicycle Advisory Committee.**

BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that:

1. The Pedestrian and Bicycle Advisory Committee (PBAC), as outlined in the "Pedestrian and Bicycle Advisory Committee (PBAC) Establishing Guidelines," dated January 28, 2025, is reinstated for the 2025-2026 Town Council term;

2. **Councilmember Cesar del Aguila** is appointed to serve as the Town Council liaison to the Committee through December 31, 2026; and

3. The Town Clerk is directed to proceed with coordinating the appointment process.

25-G-13

Town of Herndon, VA
Pedestrian and Bicycle Advisory Committee (PBAC)
Establishing Guidelines

October 14, 2008
Revised January 28, 2025

Mission:
To improve the quality of life in the Town of Herndon through the promotion of safe walking and bicycling as a viable means of transportation and physical activity, and provide advice to the appropriate bodies (Town Council, Planning Commission and/or the Town's Transportation Engineering Improvement Committee - TEIC) on matters relating to bicycle and pedestrian issues, to provide health, recreation and transportation benefits for all Town citizens.

Objectives:
To facilitate alternative transportation modes within the Town and provide safe streets that are friendly to pedestrians and bicyclists;

To support the integration of pedestrian and bicycle facilities with the street and transit network through the Trail and Sidewalk Program and other components of the Town's Capital Improvement Program involving transportation improvements; and

To support pedestrian and bicycle initiatives and strategies in accordance with the Town's 2030 Comprehensive Plan and the ~~Town's visioning document titled *2027: A Vision for the Town of Herndon*.~~ **Town of Herndon 2024-2029 Strategic Plan.**

Purpose:
- Review pedestrian and bicycle issues, to include matters affecting pedestrian and bicycle transportation and their relationship to parks, schools, transit stops and other major town facilities and, through coordination with Town staff, make recommendations to the appropriate bodies ~ Town Council, Planning Commission and/or the Town's TEIC;

- Perform studies and projects as requested by Town Council on pedestrian and bicycle matters;

- Facilitate citizen participation in the Town's consideration of matters involving pedestrian and bicycle questions;

- Integrate walking and bicycling into the Town's policies and practices;

- Seek funding via the Town Council for pedestrian and bicycle programs and facilities and advocate for the needs of Town pedestrians and bicyclists to applicable county, region, state and Federal departments and agencies;

- Study changes on applicable regulations, laws and best practices concerning pedestrian and bicycle issues;
- Promote safety programs and provide incentives for increasing walking and bicycling and promote physical and mental health benefits of walking and bicycling; and
- Promote intergovernmental and public/private cooperation and coordination on pedestrian and bicycle matters.

Composition:

1 ~~Town Council representative, who shall be chair~~ **non-voting member of the Herndon Town Council to serve as a liaison to work with PBAC**

1 Planning Commission representative

1 Architectural Review Board/~~Heritage Preservation Review Board~~ **Historic District Review Board** representative

~~6~~**7** Citizens

1 Department of Community Development staff, who serves as the primary staff

1 Department of Parks and Recreation staff, who serves as an "ex-officio" member and support staff

1 Department of Public Works staff, who serves as an "ex-officio" member and support staff

1 Herndon Police Department staff, who serves as an "ex-officio" member and support staff

Town Council Regular Meeting
Agenda Item 7.f.

Agenda Item: **Resolution 25-G-14 to establish the Town of Herndon Community Inclusion and Engagement Committee**

Meeting Date: January 28, 2025

Category: Consent

Prepared by: Amanda Kertz, Acting Town Clerk

Description:
At the start of each term, the Herndon Town Council reviews council advisory committees to determine whether to reinstate, revise or disband existing committees. Throughout the term, the Council may change representation and/or create additional advisory committees.

Background:
Following discussion at the January 21, 2025 Town Council work session, staff was directed to bring forth a resolution to establish the Town of Herndon Community Inclusion and Engagement Committee (CIEC), with the mission to help foster inclusion within the community at large.

The Community Inclusion and Engagement Committee's purpose is to provide recommendations to the Town Council that enhance the Town of Herndon's ability to engage and communicate with and to deliver services more effectively to minority resident and business communities; and to make recommendations that provide the Town with the opportunity to foster inclusion and celebrate the Town's diverse community.

The CIEC shall include one non-voting Herndon Town Councilmember to serve as a liaison; and seven individuals, a majority of whom shall be Town of Herndon residents. Six of these members shall represent non-profit organizations that serve the Herndon community, and one member shall represent the Town's business community, as outlined in the Establishing Guidelines attached to the item. Members will serve two-year terms to coincide with election terms.

Timing Impact:
Upon reinstatement, candidates will be considered for appointment by the Town Council. Once appointments are made, the Committee can begin holding meetings.

Strategic Focus Area:

Good Governance
Thriving Community

Fiscal Impact:
N/A

Legal Impact:
The Community Inclusion and Engagement Committee's terms follow the Herndon Town Council's elected terms.

Staff Recommendation/Next Steps:
Staff recommends approval of the proposed resolution, establishing the Community Inclusion and Engagement Committee, and directing the Town Clerk to coordinate the appointment process.

Attachments:
1. Resolution (Proposed)
2. Establishment Guidelines (Attachment)

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

RESOLUTION

JANUARY 28, 2025

Resolution- to establish the Town of Herndon Community Inclusion and Engagement Committee.

At the January 21, 2025 work session, the Herndon Town Council directed the formation of the Community Inclusion and Engagement Committee (CIEC) to help foster inclusion within the community at large.

The CIEC's purpose includes making recommendations to the Town Council that enhance engagement and communication between the Town of Herndon and minority residents and business communities; to foster inclusion and celebrate Herndon's diverse community; and to participate in communicating and engaging respective affinity communities in the Town's inclusive outreach programs and events, policy and procedural actions.

THEREFORE, BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that:

1. The Town of Herndon Community Inclusion and Engagement Committee (CIEC) as outlined in "Community Inclusion and Engagement Committee Establishing Guidelines", is created;

2. **Councilmember Alex Reyes** is appointed to serve as the Town Council liaison to the Committee through December 31, 2026; and

3. The Town Clerk is directed to proceed with coordinating the appointment process.

25-G-14

Town of Herndon, VA
Community Inclusion and Engagement Committee
Establishing Guidelines

January 28, 2025

Mission:
To help foster inclusion within the community at large.

Purpose:
Make recommendations to the Town Council that enhance the Town of Herndon's ability to engage and communicate with and to deliver services more effectively to minority resident and business communities. Make recommendations that provide the Town with the opportunity to foster inclusion and celebrate the Town's diverse community. Participate in communicating and engaging respective affinity communities in the Town's inclusive outreach programs and events, policy and procedural actions.

Member Composition:
Members of the Town of Herndon Community Inclusion and Engagement Committee shall be appointed by the Herndon Town Council and will consist of:

1. One (1) non-voting member of the Herndon Town Council to serve as a liaison;

2. Seven (7) individuals, a majority of whom, which is four (4), shall be residents of the Town of Herndon:

    - Six (6) individuals with membership in non-profit organizations that serve the Herndon community, as follows:
        - Two (2) individuals that are ambassadors of Opportunity Neighborhoods or under-represented communities;
        - Two (2) individuals representing faith-based organizations serving the Herndon community;
        - One (1) individual representing a local Pride (LGBTQ+) organization;
        - One (1) individual representing a senior needs organization; and
    - One (1) member representing town businesses, who owns or manages a business in the Town of Herndon and has expertise in the business sector;

3. Members will serve two-year terms to coincide with Town Council election terms;

4. The committee will operate similar to other existing Town Council advisory committees; and

5. The committee shall hold meetings legally convened by the Town Clerk to meet Town and state law requirements.

Town Council Regular Meeting
Agenda Item 7.g.

Agenda Item: **Resolution 25-G-15 to appoint the Town Council Liaison to the Herndon Youth Advisory Committee**

Meeting Date: January 28, 2025

Category: Consent

Prepared by: Amanda Kertz, Acting Town Clerk

Description:
At the start of each term, the Herndon Town Council reviews council advisory committees to determine whether to reinstate or disband existing committees. Throughout the term, the Council may change representation and/or create additional advisory committees.

Background:
At the Town Council work session on January 21, 2025, the Council directed staff to bring forth a resolution appointing Councilmember Garcia as the Town Council's liaison member to the Herndon Youth Advisory Committee for a term expiring on December 31, 2026.

Timing Impact:
The next meeting of the HYAC is in March; it is prudent to appoint the Town Council liaison member to the committee so they can attend this upcoming meeting.

Strategic Focus Area:

Good Governance
Thriving Community

Fiscal Impact:
N/A

Legal Impact:
The Town Council liaison's term will follow the Town Council elected term. Appointed youth members of the Herndon Youth Advisory Committee serve terms that coincide with the academic school year.

Staff Recommendation/Next Steps:
Recommend approval as presented.

Attachments:
1. Resolution (Proposed)

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

RESOLUTION

JANUARY 28, 2025

Resolution- **to appoint the Town Council liaison to the Herndon Youth Advisory Committee.**

BE IT RESOLVED by the Town Council of the Town of Herndon, Virginia that:

1. **Councilmember Kelvin Garcia** is appointed as the Town Council liaison to the Herndon Youth Advisory Committee through December 31, 2026.

25-G-15