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**PLANNING COMMISSION
Work Session
April 8, 2019**

The Planning Commission of the Town of Herndon, Virginia, met in work session on Monday, April 8, 2019 at 7:00 p.m. in the Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Chair Melissa Jonas, Vice Chair George Burke and Commissioners Paul LeReche, Sean Regan and Michael Romeo.

Others present during the meeting: Lesa Yeatts, Town Attorney; Elizabeth Gilleran, Director of Community Development; Bryce Perry, Deputy Director of Community Development; David Stromberg, Zoning Administrator and Collin Okoniewski, Planning Operations Manager.

1. DETERMINATION OF QUORUM

Chair Jonas stated that there were five members present, which constituted a quorum.

PUBLIC HEARINGS

- 2. ZONING ORDINANCE TEXT AMENDMENT – ZOTA #18-03, to consider amending Chapter 78 (ZONING), Article III (Residential Districts), Section 78-30.1 (R-15 - Residential Single-Family District), Section 78-30.2 (R-10 - Residential Single-Family District), Section 78-30.3 (RTC - Residential Townhouse Cluster District), Section 78-30.4 (RM - Residential Multi-Family District), Article V (Planned Development Districts), Section 78-50.4 (PD-R – Planned Development Residential District), Section 78-50.6 (PD-D – Planned Development Downtown District), Section 78-50.7 (PD-TD – Planned Development Traditional Downtown District), Section 78-50.8 (PD-TOC – Planned Development Transit-Oriented Core District), Section 78-50.9 (PD-W – Planned Development Worldgate District), Article VIII (Accessory Uses), Section 78-80.4 (Standards for Specific Accessory Uses and Structures by Use Type), by adding subsection 78-80.4(u), to permit and establish limitations on short-term rentals as an accessory use to residential dwelling units provided certain standards are met, whereas they are currently not permitted, and Section 78-180, (Definitions) to define the term. A fee of \$200 will be established in Section 78-152.2(b)(3) (Fees), for a two-year permit and inspection for short-term rental establishments pursuant to Virginia Code 15.2-2286(A)(6). (Continued from October 1, 2018 Planning Commission public hearing).**

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David Stromberg, Zoning Administrator provided an update on the memo dated March 8, 2019 for this item, ZOTA #18-03.

Lesa Yeatts, Town Attorney was called upon to give an update on the status of the lawsuit involving short term rentals in Fairfax County.

Staff did not provide a recommendation for action but left the decision up to the Commissioners to act. Staff did advise that there was little evidence of urgency to approve the draft ordinance.

The Commission reviewed and discussed the proposed staff definition of permanent residency in the context of this amendment.

There was a brief discussion amongst the Commission and staff about the consideration of short-term rentals as businesses, as well as whether or not they were subject to tax. This discussion was followed by a brief discussion clarifying the parking provisions in the draft ordinance.

- 3. URBAN DESIGN & ARCHITECTURAL GUIDELINES for the HERNDON TRANSIT-ORIENTED CORE (HTOC)**, to consider two additional chapters of the guidelines; one for signs within the HTOC, and the other for landscaping within the HTOC. Both chapters would be incorporated into the existing guidelines document that was adopted by the Town Council in November 2013. The proposed sign and landscaping guidelines will serve as a tool to the Town Council, Planning Commission, Architectural Review Board and town staff, in their evaluation of redevelopment proposals, in accordance with the Herndon Transit-Oriented Core Plan adopted by the Town Council in February 2012. The guidelines also provide assistance to developers by articulating expectation and high quality design direction for redevelopment projects within the HTOC. The new chapters will provide design guidance for the various types of building-mounted and freestanding signage and landscape architecture guidance for both open spaces and streetscapes. The guidelines focus on ensuring a pedestrian friendly, walkable environment that is rich in landscape character in addition to well-designed and coordinated signs. These guidelines are meant to be used in conjunction with the Herndon 2030 Comprehensive Plan, the Zoning Ordinance, the Herndon Public Facilities Manual, and other applicable Town policies.

Bryce Perry, Deputy Director of Community Development provided a summary of the staff report dated April 8, 2019. Mr. Perry stated that his report would be split into two discussions, one for the signage chapter first followed by the landscaping chapter. Mr. Perry began with recommending approval of the "List of Amendments to the Proposed Signage Guidelines for the Herndon Transit Oriented Core." Following the presentation staff fielded questions from the Commissioners concerning the signage guidelines.

There was some discussion amongst Commissioners and staff regarding the signage on tower signs and their positioning facing the Dulles Toll Road.

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Commissioner Romeo asked if the guideline could lower the tower sign requirements from 15 stories to 10 stories. This requested was supported by Chair Jonas as well.

Mr. Perry agreed that this is a reasonable change and offered to revise the guidelines accordingly.

Chair Jonas requested examples of signs in the Herndon and Reston area to get a visual depiction of sign size to better set sign size guidelines.

There was a brief discussion amongst Commissioners and staff concerning the durability of banner signs that were being allowed in the guidelines. Commissioner LeReche, in particular, was concerned that failure in the upkeep and maintenance of banner signs could make the HTOC district look poorly.

Ms. Gilleran clarified that the guideline should suggest the use of durable materials when banner signs are erected. She suggested the use of a material like those used on canopy sign types. Mr. Perry went further to suggest the addition of a material standard to the guidelines.

Vice Chair Burke requested clarification on the enforcement of material usage; he continued to ask for clarification on the brightness restrictions.

Mr. Perry referenced that the Town already has standards in place within the Zoning Ordinance that help alleviate issues with sign materials and brightness.

Mr. Perry continued the presentation, this time focusing on the "List of Amendments to the Proposed Landscaping Guidelines for the Herndon Transit Oriented Core," concluding with staff's recommendation of approval. Staff then fielded questions regarding the landscaping guidelines.

Commissioner Regan suggested the addition of drinking fountains to the landscaping guidelines.

Commissioner LeReche commented on the possibility of adding dog spots or pet relief areas.

Staff recommended approval of resolution, recommending approval with the "List of Amendments to the Proposed Landscaping Guidelines for the Herndon Transit Oriented Core" and "List of Amendments to the Proposed Signage Guidelines for the Herndon Transit Oriented Core".

Following the information staff provided, there was a brief discussion amongst the Commission, staff and the applicant on this item.

DISCUSSION

4. Items of Interest

Ms. Gilleran provided updates on the following:

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- **Comstock**-moving forward, expected to be reviewed by the HPRB in May.
- **Changes to the Town's site plan process**-migration of the process to DPW. The Planning Commission should anticipate some text amendments to formalize the site plan relocation.

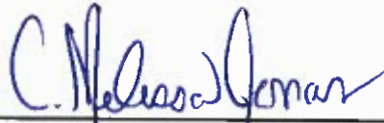
5. COMMENTS FROM THE STAFF

There were no comments from the staff.

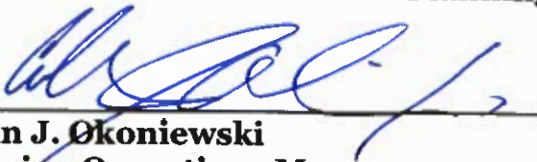
6. COMMENTS FROM THE COMISSIONERS

7. ADJOURMENT

There being no further business, the meeting adjourned at 8:24 p.m.



**C. Melissa Jonas, Chair
Planning Commission**



**Collin J. Okoniewski
Planning Operations Manager**

Minutes approved by the Planning Commission: May 20, 2019