



PLANNING COMMISSION REGULAR MEETING AGENDA

Town Council Chambers Building
765 Lynn Street, Herndon, VA 20170

Monday, September 22, 2025 | 7:00 PM

1. Call to Order

2. Approval of Minutes

- a. June 9, 2025, Planning Commission Work Session Minutes
- b. June 23, 2025, Planning Commission Regular Meeting Minutes

3. Comments

- a. Comments from the Staff Members
- b. Comments from the Commissioners
- c. Comments from Citizens

Members of the public may, for one 3-minute period, provide public comments, requests, consent or general item comments, and comments on matters not included on the agenda.

4. Public Hearings

- a. ZOTA #25-04, to amend Chapter 78 (ZONING) to update sections for conformance with the Code of Virginia, to clarify certain processes, notice requirements, and make other housekeeping amendments as deemed necessary and appropriate.

5. Adjournment



Planning Commission Regular Meeting
Agenda Item 2.a.

Agenda Item: June 9, 2025, Planning Commission Work Session Minutes

Meeting Date: September 22, 2025

Category: Approval of Minutes

Prepared by: Aaron Zoellick, Clerk of Boards and Commissions

Description:

This is a request to approve the June 9, 2025, Planning Commission work session minutes.

Background:

N/A

Fiscal Impact:

N/A

Staff Recommendation/Next Steps:

Recommend approval, as presented.

Attachments:

1. June 9, 2025, Planning Commission Work Session Minutes

HERNDON PLANNING COMMISSION
Work Session Minutes
Monday, June 9, 2025

1. Call to Order

Chair Romeo called the June 9, 2025, Planning Commission work session to order at 7:00 p.m. in the Town of Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Commissioners Andrew Beatty, Jay Donahue, Yung Kim, Stephen Mundt, Vice Chair Meron Yohannes, and Chair Michael Romeo.

Commissioner Samuel Richardson was absent.

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

Chair Romeo welcomed Andrew Beatty to the Planning Commission.

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

2. Public Hearings

a. ZONING ORDINANCE TEXT AMENDMENT ZOTA #25-01 - PD - TRG2 - Planned Development - Transit Related Growth Low Density Residential and Low Impact Commercial.

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

Mr. Stromberg delivered the staff presentation dated June 9, 2025, which is on file with the Department of Community Development. Mr. Stromberg reviewed comments that staff received from property owner representatives and the Planning Commission. Staff withheld a recommendation pending feedback from the Planning Commission.

There was a discussion between the Planning Commission and staff on this item, including: (1) whether a special exception would be needed if the current owner of the self-storage property wanted to expand their use; (2) whether restaurants and

cafes are envisioned in the TRG-2 area; (3) clarification regarding the permitted square footage for enclosed living space above the fourth floor; (4) clarification regarding the incorporation of garage and storage space in square footage calculation; (5) clarification whether non-habitable space is considered an additional story; (6) concern regarding removing the 40-foot height limit; (7) whether proposed HVAC screening would also provide storage space for garbage cans; (8) clarification regarding the required location of HVAC units for townhomes; (9) concern regarding serviceability of HVAC units when they are screened; (11) Fairfax County's use of transitional buffers; (12) concern regarding planting too many trees in the buffer zone; and (13) clarification regarding utilities in a landscape buffer.

Chair Romeo requested an overhead shot of proposed tree planting in the buffer zone. Mr. Stromberg stated that staff can provide that.

3. New Business

a. Discussion - Comprehensive Plan

Chair Romeo opened the discussion item and called on Ms. Gilleran to lead the discussion.

Ms. Gilleran delivered that staff presentation dated June 9, 2025, which is on file with the Department of Community Development.

There was a discussion between the Planning Commission and staff on this item, including: (1) clarification on the twenty percent town match for the RAISE grant; (2) clarification on whether the market study and strategy are included in the proposal; (3) whether small area plans will be incorporated into the 2050 Comprehensive Plan; (4) suggestion for developmental sketches and descriptive text of what Herndon is looking for but also important to include variability; (5) suggestion to break up the Town into smaller areas that can be evaluated; (6) the importance of the Planning Commission to remain open to ideas that come out of the proposed focus groups; (7) clarification if the Planning Commission will be involved in the focus groups; and (8) the need for the consultant to be sensitive to the degree of comprehensive change within the Town, innovative, visionary, and factually based.

Ms. Gilleran stated that a joint Town Council-Planning Commission work session is scheduled for July 8.

4. Comments

a. Comments from the Staff Members

No comments were offered.

b. Comments from the Commissioners

Mr. Mundt and Mr. Kim will not be present for the June 23 Planning Commission regular meeting.

5. Adjournment

There being no further business, and without objection, the June 9, 2025, Planning Commission work session adjourned at 8:04 p.m.

Agenda Item: June 23, 2025, Planning Commission Regular Meeting Minutes

Meeting Date: September 22, 2025

Category: Approval of Minutes

Prepared by: Aaron Zoellick, Clerk of Boards and Commissions

Description:

This is a request to approve the June 23, 2025, Planning Commission regular meeting minutes.

Background:

N/A

Fiscal Impact:

N/A

Staff Recommendation/Next Steps:

Recommend approval, as presented.

Attachments:

1. June 23, 2025, Planning Commission Regular Meeting Minutes

HERNDON PLANNING COMMISSION
Regular Meeting Minutes
Monday, June 23, 2025

1. Call to Order

Chair Romeo called the June 23, 2025, Planning Commission regular meeting to order at 7:01 p.m. in the Town of Herndon Council Chambers Building, 765 Lynn Street, Herndon, Virginia. In attendance were: Commissioners Andrew Beatty, Jay Donahue, Vice Chair Meron Yohannes, and Chair Michael Romeo.

Commissioners Yung Kim, Stephen Mundt, and Samuel Richardson were absent.

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

Chair Romeo determined there was a quorum with four members present.

2. Approval of Minutes

a. May 5, 2025, Planning Commission Work Session

b. May 19, 2025, Planning Commission Regular Meeting

Vice Chair Yohannes motioned to approve the May 5, 2025, Planning Commission work session minutes and the May 19, 2025, Planning Commission regular meeting minutes. Motion seconded by Chair Romeo. The question was called on the motion, which was carried by a 4 - 0 roll call vote. Commissioners Beatty, Donahue, Vice Chair Yohannes, and Chair Romeo voted "Aye."

3. Comments

a. Comments from the Staff Members

Ms. Gilleran stated that there will be a joint Town Council-Planning Commission work session on July 8. Ms. Gilleran also provided an update on Panda Express moving into the old Burger King location.

b. Comments from the Commissioners

Vice Chair Yohannes commented that she passed the VCU Planning Commissioner course.

Chair Romeo asked about communication to the Planning Commissioners regarding the July 8 joint work session. Mr. Zoellick stated that the joint work session was being coordinated by the Town Clerk's office, and any communication would come from them.

c. Comments from Citizens

No comments were offered.

4. Public Hearings

Certifications of Publication from the Editor of the Fairfax County Times Newspapers were filed, showing that notices of the following public hearing items were duly advertised in the June 6 and June 13, 2025, issues.

a. ZONING ORDINANCE TEXT AMENDMENT ZOTA #25-01 - PD - TRG2 - Planned Development - Transit Related Growth Low Density Residential and Low Impact Commercial.

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

Mr. Stromberg delivered the staff presentation dated June 23, 2025, which is on file with the Department of Community Development. Staff recommends approval of Zoning Ordinance Text Amendment ZOTA #25-01 to the Town Council.

There was a discussion between the Planning Commission and staff on this item, including: (1) clarification on the prescribed height limit in line 175; and (2) clarification regarding a possible typo in the definitions.

Chair Romeo recognized members of the audience for comments.

Faheem Darab, representing Wire Gill, LLP, provided comments supporting ZOTA #25-01.

Chair Romeo closed the public hearing and moved to the Commission level for discussion and possible action.

Commissioner Donahue motioned to approve a recommendation of approval to Town Council for ZOTA #25-01. Motion seconded by Chair Romeo. The question was called on the motion, which was approved by a 4 - 0 roll call vote. Commissioners Beatty, Donahue, Vice Chair Yohannes, and Chair Romeo voted "Aye."

5. **Adjournment**

There being no further business, and without objection, the June 23, 2025, Planning Commission regular meeting adjourned at 7:20 p.m.

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

Meeting Date: September 22, 2025

Category: Public Hearings

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

Description:

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

1. Section 78-152.1. The Code of Virginia does not allow localities to require a pre-application meeting prior to applicant submission of a site plan or subdivision, so the requirement has been deleted. The language has been clarified to require a pre-application meeting for all discretionary development applications, such as special exceptions, rezonings, and HTOC development plans.
2. Section 78-152.5 and Section 78-153.1. The language has been clarified to eliminate internal inconsistencies and specify that an application may be deemed expired if a resubmission is not received within 90 days. Section 78-153.2. The language has been clarified regarding public notice requirements for mailing and posting signs. Language referencing the Town of Herndon User Guide 23 has been deleted as that guide no longer exists.
3. Section 78-155.1. The language updates the number of hard copy submissions for rezoning applications and eliminates the language regarding expiration of planned development districts.

Staff is requesting a recommendation regarding the notice requirement for adjacent property owner letters. The Code of Virginia requires written notice be provided to adjacent and abutting property owners no less than five days before the public hearing. The zoning ordinance requires written notice to be provided no less than 15 days before the public hearing.

Background:

Staff initiated a review of the Herndon Zoning Ordinance after the passage of House Bill 2660 that amended and reenacted Sections 15.2-2259 and 15.2-2260 of the Code of Virginia, which shortened the time allowed for localities to review administrative site plans and subdivisions, that became effective July 1, 2025. While staff did not find that specific amendments were required for conformance with HB 2660, staff did find other sections in Article XV in need of amendment to bring the Herndon Zoning Ordinance into compliance with Code of Virginia, and to clarify and simplify administrative processes in general.

The Herndon Town Council initiated this zoning ordinance text amendment at its August public hearing.

Fiscal Impact:

N/A

Staff Recommendation/Next Steps:

Staff will be recommending that the planning commission recommend approval of ZOTA #25-04 to the town council.

Attachments:

1. Ordinance (Proposed)

TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

ORDINANCE

_____, 2025

Ordinance- to adopt Zoning Ordinance Text Amendment ZOTA #25-04 to amend Chapter 78 (ZONING), Article XV (Decision-Making Authorities, Application Review and Permitting), by amending Section 78-152.1 (Pre-application Procedures); and Section 78-152.5 (Diligent Pursuit of Application); and Section 78-153.1 (Review Process for Applications Not Requiring a Public Hearing (Administrative Approval)); and Section 78-153.2 (Review Process for Application Requiring a Public Hearing (Approval by Decision Making Body)); and Section 78-155.1 (Zoning Map Amendment (ZMA)); and other sections as deemed necessary and appropriate to update sections for conformance with the Code of Virginia, to clarify certain processes, notice requirements, and make other housekeeping amendments as deemed necessary and appropriate.

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

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

CHAPTER 78 (ZONING)

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

Sec. 78-152.1 – Pre-application review

(a) *Pre-application conference.* A pre-application meeting with staff is available to all applicants and required for certain types of applications as follows.

(2) *Applicability.* A pre-application conference is mandatory prior to submittal of **a special exception and any application for an amendment to the official zoning map, including changes to the zoning classification, proffer condition amendments, PD-TOC and PD-TRG development plans, and generalized development plan (GDP) revisions.** ~~any application for an amendment to the official zoning map (section 78-155.1), special exception (section 78-155.3), single lot development plan (section 78-155.6(e)), site plans (major and minor) (section 78-155.6(e)(3)), and subdivision plans.~~ A pre-application

YEAR-O-XX

46 conference is optional **but strongly encouraged** prior to submittal of any
47 other application for development approval under this chapter.

48 (3) *Non-binding*. The pre-application conference is intended to facilitate
49 the review of development applications **and identify potential**
50 **modification requests**. Discussions held pursuant to this section are not
51 binding on the town or applicant. Processing times for review of
52 development applications do not begin until a formal, complete application
53 is submitted and determined to be complete.

54 (4) *Procedure*. The procedure for the pre-application conference request
55 and meeting is as follows:

56 a. Any applicant subject to a mandatory pre-application
57 conference or any other applicant requesting a pre-application
58 conference shall **submit an application on a form approved by**
59 ~~request it in writing from the zoning administrator~~. Along with the
60 request, the applicant shall provide ~~to the zoning administrator~~ a
61 description of the character, location, and magnitude or scale of the
62 proposed development, and any other appropriate supporting
63 information and documents, such as a sketch or concept plan (if
64 appropriate).

65 ***

66 **Sec. 78-152.5 – Diligent pursuit of application**
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68 Applications shall be diligently pursued by the applicant. If a period of 90 days
69 elapses following the town's written request for additional information **or**
70 **disapproval of an application for failure to comply with the relevant review**
71 **standards, or following the town's** invitation to proceed to the next stage of
72 review without a substantive response from the applicant, the zoning
73 administrator may terminate the application. Termination shall occur by letter to
74 the applicant.

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77 **Sec. 78-153.1 – Review process for applications not requiring a public**
78 **hearing (administrative approval).**

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80 Review and decision of applications for development approval conducted by the
81 zoning administrator shall comply with the following procedures.

82 ***

83 (c) *Applications requiring revision prior to approval.*

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85 (2) *Submittal of revised application and time limit for resubmission.* The
86 applicant shall have an opportunity to re-submit a revised application

87 **subject to.** ~~The application shall be considered withdrawn if a revised~~
88 ~~application is not resubmitted within 60 days from the date the applicant is~~
89 ~~notified the application fails to comply with relevant review standards.~~

90 **Section 78-152.5 – Diligent pursuit of application.**

91 ***

92 **Sec. 78-153.2 – Review process for applications requiring a public hearing**
93 **(approval by decision making body).**

94 ***

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97 (c) *Applicant response to staff comments/deficiencies.* After initial review of the
98 application, review of the development application shall proceed as determined by
99 the applicant and zoning administrator subject to the following provisions.

100 ***

101 (3) *Time limit for applicant response.* **The applicant shall have an**
102 **opportunity to re-submit a revised application subject to** ~~If the applicant~~
103 ~~fails to resubmit or to request that the application go forward within 60~~
104 ~~working days after notification of the deficiencies is mailed or delivered, the~~
105 ~~application shall be considered withdrawn. Withdrawn applications and~~
106 ~~associated application fees shall not be returned.~~ **Section 78-152.5 –**
107 **Diligent pursuit of application.**

108 (d) *Subsequent staff review.* If the applicant re-submits the application, the
109 zoning administrator shall refer the application to the appropriate staff and any
110 other review agencies for comment. After comments have been returned to the
111 zoning administrator, the zoning administrator shall determine whether or not the
112 application is suitable to be presented for consideration by the relevant reviewing
113 board, council or commission. ~~If the zoning administrator finds that the application~~
114 ~~does not comply with applicable regulations, standards or policies of the~~
115 ~~comprehensive plan (where applicable), then an additional round of submittal and~~
116 ~~review shall be recommended to the applicant subject to section 153.3.2(c).~~

117 ***

118 (f) *Staff report.* The staff shall prepare a report for the reviewing body or bodies
119 as follows:

120 ***

121 (2) *Staff report availability.* The staff report shall be available to the
122 applicant and the public **at the same time the agenda packet and all other**
123 **materials are furnished to members of the public body** ~~a minimum of~~
124 ~~five days before the first scheduled work session for applications to the~~
125 **board of zoning appeals,** architectural review board, historic district review
126 board, planning commission and town council. ~~For the board of zoning~~

127 appeals, the staff report shall be available to the applicant and the public a
128 minimum of five days before the first scheduled public hearing.

129 (g) *Public hearing requirements.* The appropriate decision-making authority shall
130 hold a minimum of one public hearing for a development application as follows:

131 ***

132 (2) *Certificate of appropriateness.* The historic district review board shall
133 conduct at least one public hearing for applications for certificates of
134 appropriateness **that are subject to historic district board review. A**
135 **public hearing is not required for certificates of appropriateness**
136 **administratively reviewed under the provisions of Section 78-**
137 **60.3(g)(4)(a).**

138 ***

139 (h) *Public hearing notification.* All applications requiring public hearing(s), in
140 addition to major site plans and subdivision plans, shall comply with the Code of
141 Virginia and the other provisions of this section with regard to public notification.

142 (1) *Public notice content.* All notices for public hearings, unless expressly
143 noted otherwise by this chapter, whether done by mail (written notice),
144 publication (publishing in a newspaper of general circulation in the town), or
145 posting shall:

146 a. Identify the application or application number, and the name of
147 the applicant or the applicant's agent (except posted notice).

148 b. Indicate the date, time and place of the public hearing(s).

149 c. Describe the land involved by its complete street address and
150 by county tax map reference number, nearest cross street, and land
151 area (except posted notice).

152 **(i) When a proposed amendment of the zoning ordinance**
153 **involves a change in the zoning map classification of**
154 **more than 25 parcels of land, or a change to the**
155 **applicable zoning ordinance text regulations that**
156 **decreases the allowed dwelling unit density of any parcel**
157 **of land, then, the written notice shall also include the**
158 **approximate acreage subject to the action.**

159 **(ii) When a proposed amendment of the zoning ordinance**
160 **involves a change in the zoning map classification of**
161 **more than 100 parcels of land, the advertisement may**
162 **instead include a description of the boundaries of the**
163 **area subject to the changes and a link to a map of the**
164 **subject area.**

165 d. Identify the current zoning district designation of the land subject
166 to the application.

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e. **Applications need not be advertised in full, but may be advertised by reference with a brief** Provide a descriptive summary of the nature, scope, and purpose of the application or proposal. ~~For an amendment to the official zoning map, describe the general usage and density range of the proposed amendment and the general usage and density range, if any, set forth in the applicable part of the comprehensive plan.~~

f. Describe in which department the public may inspect **examine** the application, the staff report, and related materials, and state that these materials are available for public inspection during normal business hours.

(2) *Written/mailed notice.* When the provisions of this chapter (see section 78-153.2(h)(5)) require that written or mailed notice be provided, the preparation and transmittal of the written notice shall comply with this section, unless expressly stated otherwise.

a. Notice shall be mailed at least 15 days prior to the associated public hearing.

b. Notice shall be mailed to:

5. The applicant shall be responsible for providing written notice when the public hearing is before the planning commission or town council. In identifying the persons to whom written notice is required to be provided pursuant to section 78-153.2(h)(5), the applicant shall use the records and maps maintained by the Fairfax County Department of Tax Administration, and reliance upon these records shall constitute sufficient compliance with the requirements of this section. The applicant shall certify, in a form prescribed by the zoning administrator, that notice meeting the requirements of section 78-153.2(h)(5), has been given pursuant to the requirements of this section.

(a) In cases where 25 or fewer parcels of land are subject to an application to amend the official zoning map, certification shall be made by furnishing the certified or registered mail receipts for persons to whom notice has been sent **if applicable**, along with an affidavit with affirmation that notice meeting the content requirements of section 78-153.2(h)(1), was mailed **either via first class mail, certified or registered mail**, pursuant to this section and a list of the persons, property identification numbers, and addresses, to which notice was sent, to the

250 (a) *Purpose and intent.* The purpose and intent of this section is to provide a
251 means for making an amendment to the official zoning map.

252 (b) *Authority.* The town council may adopt an ordinance amending the official
253 zoning map upon compliance with the provisions of this section.

254 (c) *Initiation.* An application to amend the official zoning map may be initiated as
255 follows, subject to the limitations defined herein:

256 ***

257 (3) **Reserved. Limitations.** ~~No application for a change of zoning on the~~
258 ~~same parcel of land shall be considered by the town council within a period~~
259 ~~of time of one year from its last consideration by the town council. This~~
260 ~~section, however, shall not impair the right of the town council to propose a~~
261 ~~change of zoning on its own motion.~~

262 (d) *Submittal requirements.* All applications for amendments to the official zoning
263 map shall include the items required in section 78-152.2(c), submittal
264 requirements, as well as the following:

265 ***

266 (3) *Copies of plan.* All zoning map amendments, **PD-TOC, and PD-TRG**
267 **development plans** shall include ten **three hard** copies **and electronic**
268 **file(s)** of a generalized development plan for the land subject to the
269 amendment and showing information as indicated in section 78-152.2(c)(7),
270 contents of plans.

271 ***

272 (g) **Reserved. Expiration of planned development zoning map amendments.**
273 Approval of a "conditional" application for a zoning map amendment to a planned
274 development (PD) district shall be subject to time limitations:

275 (1) ~~Two year timeframe to file site plan.~~ The approval of the adopting
276 ordinance for a PD zoning district classification and the generalized
277 development plan shall be null and void unless a site plan is submitted for
278 at least the initial phase of the generalized development plan within two
279 years after the date of approval of the PD zoning district classification. Such
280 period shall not be extended with transfer of ownership. The date of
281 expiration will be two years after the date of approval of the PD zoning
282 district classification.

283 (2) ~~Extension request procedures.~~ Upon written request, the town council
284 may grant one extension of time to submit a site plan for a period not to
285 exceed one year for good cause shown subject to the following provisions:

286 a. ~~No request for an extension shall be considered unless a written~~
287 ~~request is submitted to the zoning administrator no later than 30 days~~
288 ~~prior to the date the adopting ordinance and generalized~~
289 ~~development plan is to expire.~~

290 b.—The approval shall be deemed extended until the town council
291 has acted upon the request for extension.

292 c.—Failure to submit an application for an extension within the time
293 limits established by this section shall render the adopting ordinance
294 for a PD zoning district classification void.

295 (h) *Procedures for zoning map amendments.*

296 (1) *Application submittal, review, public hearing schedule and notification.*
297 The procedures and requirements for submittal and review of an
298 application, public notification and scheduling the public hearings are
299 established in section 78-153, review procedures. — **Development**
300 **application review procedures.**

301
302 (3) *Planning commission public hearing, review and action.* After public
303 notification and the scheduling of a public hearing, the planning commission
304 shall conduct a public hearing on the application and review the application
305 as follows:

306 ***

307 c. The report of the planning commission's recommendations shall
308 be forwarded to the town council **no later than 100 days after the**
309 **application was referred to the planning commission, unless a**
310 **continuance is requested by the applicant.**

311 ***

312 (i) *Standards for official zoning map amendments.* The advisability of amending
313 the official zoning map is a matter committed to the legislative discretion of the
314 town council and is not controlled by any one factor. The following shall be
315 considered by the town council as it evaluates proposed amendments.

316 (1) **Reserved.** ~~Town council may consider lesser area or less intense~~
317 ~~zoning district.~~ In considering an amendment to the official zoning map, the
318 town council may adopt a change for a part of the area requested or for a
319 less intense zoning district than requested by the applicant.

320 ***

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