



PLANNING COMMISSION REGULAR MEETING AGENDA

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

Monday, October 27, 2025 | 7:00 PM

1. Call to Order

2. Approval of Minutes

- a. September 8, 2025, Planning Commission Work Session
- b. September 22, 2025, Planning Commission Regular Meeting

3. Comments

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

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

4. Public Hearings

- a. Zoning Ordinance Text Amendment ZOTA #25-05, to amend Chapter 78 (ZONING), to update sections for conformance with the Code of Virginia, to clarify certain decision making authority and processes, to clarify notice requirements, and make other housekeeping amendments as deemed necessary and appropriate.
- b. Subdivision Ordinance Text Amendment SOTA #25-01 to amend Chapter 70 (SUBDIVISION OF LAND), to update sections for conformance with the Code of Virginia, to clarify certain processes and make other housekeeping amendments as deemed necessary and appropriate.

5. New Business

- a. Resolution to establish the Planning Commission meeting schedule for January 1, 2026, to December 31, 2026.

6. Closed Meeting

- a. A closed meeting pursuant to the Code of Virginia Section 2.2-3711(A)(19) for a briefing on facility security.

7. Adjournment



Planning Commission Regular Meeting
Agenda Item 2.a.

Agenda Item: September 8, 2025, Planning Commission Work Session

Meeting Date: October 27, 2025

Category: Approval of Minutes

Prepared by: Aaron Zoellick, Clerk of Boards and Commissions

Description:

This is a request to approve the September 8, 2025, Planning Commission work session minutes.

Background:

N/A

Fiscal Impact:

N/A

Staff Recommendation/Next Steps:

Recommend approval, as presented.

Attachments:

1. 09.08.2025 Planning Commission Work Session Minutes

HERNDON PLANNING COMMISSION

Work Session Minutes

Monday, September 8, 2025

1. Call to Order

Chair Romeo called the September 8, 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, Samuel Richardson, Vice Chair Meron Yohannes, and Chair Michael Romeo.

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

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

2. 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.**

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

Mr. Stromberg delivered the staff presentation dated September 8, 2025, which is on file with the Department of Community Development. Mr. Stromberg stated that this zoning ordinance text amendment will bring sections of the Town Code into conformance with the Code of Virginia, clarify certain processes and notice requirements, and make other housekeeping amendments. Staff is recommending that the Planning Commission recommend approval of ZOTA #25-04 to the Town Council. Mr. Stromberg stated that staff is specifically looking for Planning Commission feedback on section 277.

There was a discussion between the Planning Commission and staff on this item, including: (1) the five-day notice requirement for adjacent property letters in comparison with the Town's fifteen-day notice requirement. Chair Romeo noted

that the Commission appeared to be split and will discuss the item further at the September 22, 2025, regular meeting.

3. Comments

a. Comments from the Staff Members

Ms. Gilleran stated that Community Development staff will be going to the Town Council on September 23, 2025, to consider a resolution for a contract on a comprehensive plan consultant.

Commissioner Mundt asked for clarification regarding the Planning Commission's role in the review of contracts with potential consultants.

Ms. Gilleran and Ms. Yeatts responded.

Mr. Stromberg asked if any of the Planning Commissioners were interested in sitting in on interviews with the housing consultant.

Commissioners Mundt, Beatty, Donahue, Vice Chair Yohannes, and Chair Romeo expressed interest.

b. Comments from the Commissioners

Commissioner Kim asked if there is any work being done by the Town to protect trees from the lantern fly.

Ms. Gilleran provided information on the lantern flies and crepe myrtle aphids. Ms. Gilleran stated that they will ask the town arborist to put information regarding the lantern fly on the town's website. Town staff are working on ensuring native trees are planted in public grounds.

Commissioner Beatty asked if the Town had an issue or heard of issues of people not being able to use updated Freon materials.

4. Adjournment

There being no further business, and without objection, the September 8, 2025, Planning Commission work session adjourned at 7:58 p.m.

Agenda Item: September 22, 2025, Planning Commission Regular Meeting

Meeting Date: October 27, 2025

Category: Approval of Minutes

Prepared by: Aaron Zoellick, Clerk of Boards and Commissions

Description:

This is a request to approve the September 22, 2025, Planning Commission regular meeting minutes.

Background:

N/A

Fiscal Impact:

N/A

Staff Recommendation/Next Steps:

Recommend approval, as presented.

Attachments:

1. 09.22.2025 Planning Commission Regular Meeting

HERNDON PLANNING COMMISSION
Regular Meeting Minutes
Monday, September 22, 2025

1. Call to Order

Chair Romeo called the September 22, 2025, Planning Commission regular meeting to order at 7:05 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, Samuel Richards, Vice Chair Meron Yohannes, and Chair Michael Romeo.

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

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

2. Approval of Minutes

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

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

Commissioner Mundt motioned to approve the June 9, 2025, Planning Commission work session minutes and the June 23, 2025, Planning Commission regular meeting minutes. Motion seconded by Commissioner Beatty. The question was called on the motion, which was carried by a 7 - 0 roll call vote. Commissioners Beatty, Donahue, Kim, Mundt, Richardson, Vice Chair Yohannes, and Chair Romeo voted "Aye".

3. Comments

a. Comments from the Staff Members

Ms. Gilleran provided an update on the Comprehensive Plan contract going to Town Council.

Chair Romeo asked when the Planning Commission will begin reviewing the Comprehensive Plan materials?

Ms. Gilleran responded.

Ms. Gilleran stated that the Town Council will review a resolution regarding the Town Manager at their September 23, 2025, meeting.

b. Comments from the Commissioners

Commissioner Mundt asked for clarification regarding the 5-Year Plan and the Comprehensive Plan.

Ms. Gilleran responded.

Commissioner Mundt asked when the 5-Year Plan was last reviewed.

Ms. Gilleran responded.

Chair Romeo asked if plans like the Transit-Related Growth Area (TRG) are considered updates to the 5-Year Plan?

Ms. Gilleran responded.

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 September 5 and September 12, 2025, issues.

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.

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

Mr. Stromberg delivered the staff presentation dated September 22, 2025, which is on file with the Department of Community Development. Staff is recommending that the Planning Commission recommend approval of ZOTA #25-04 to the Town Council.

There was a discussion between the Planning Commission and staff on this item, including: (1) clarification on when signs are posted; (2) clarification on when applications are advertised in the newspaper; and (3) whether sending adjacent property letters five business days prior to the regular meeting would be acceptable.

Chair Romeo recognized members of the public for comment.

No comments were offered.

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

Commissioner Mundt motioned to recommend approval of ZOTA #25-04 to Town Council as presented. Motion seconded by Commissioner Donahue.

Vice Chair Yohannes stated that they support the five-day requirement for consistency.

Commissioner Beatty agreed with Vice Chair Yohannes.

Commissioner Mundt asked if the standard that signs are posted two weeks prior to the regular meeting is in writing somewhere. Mr. Stromberg responded.

Vice Chair Yohannes asked if it was necessary to have the advertising two Fridays prior to the regular meeting. Ms. Yeatts responded.

Chair Romeo stated that he prefers following the state code standard of five days for mailing notices but not enough to vote against the motion.

The question was called on the motion, which was carried by a 5 - 2 roll call vote. Commissioners Donahue, Kim, Mundt, Richardson, and Chair Romeo vote "Aye". Commissioners Beatty and Vice Chair Yohannes voted "No".

5. Adjournment

There being no further business, and without objection, the September 22, 2025, Planning Commission regular meeting adjourned at 7:27 p.m.

Agenda Item: Zoning Ordinance Text Amendment ZOTA #25-05, to amend Chapter 78 (ZONING), to update sections for conformance with the Code of Virginia, to clarify certain decision making authority and processes, to clarify notice requirements, and make other housekeeping amendments as deemed necessary and appropriate.

Meeting Date: October 27, 2025

Category: Public Hearings

Prepared by: David Stromberg, Zoning Administrator

Description:

Zoning Ordinance Text Amendment ZOTA #25-05 will update sections for conformance with the Code of Virginia. The amendment includes other housekeeping changes to clarify administrative processes.

Background:

Staff initiated a review of the Herndon Zoning Ordinance after passage of Senate Bill 974, which amended and reenacted Section 78-15.2-2241 and several other sections of the Code of Virginia. The adopted changes to the Code of Virginia removed the planning commission and governing body approval authority from the administrative review process for plats and plans and assigned such authority solely to a designated agent. In addition, the revisions to the Code of Virginia clarified the authority that governs the review process of plats, site plans, and plans of development. The changes to the State Code became effective July 1, 2025. During its review, staff identified changes that need to be made to the zoning ordinance and the subdivision ordinance (Chapter 70) in order to bring the two chapters into conformance with the Code of Virginia and to clarify administrative processes. A companion Subdivision Ordinance Text Amendment (SOTA #25-01) will proceed concurrently with this zoning ordinance text amendment.

Fiscal Impact:

N/A

Staff Recommendation/Next Steps:

Recommend approval of Zoning Ordinance Text Amendment ZOTA #25-05.

Attachments:

1. Ordinance (Proposed)

1 TOWN OF HERNDON, VIRGINIA

2 TOWN COUNCIL

3 ORDINANCE

4 _____, 2025

5
6
7
8 **Ordinance-** to adopt Zoning Ordinance Text Amendment ZOTA #25-05 to
9 amend Chapter 78 (ZONING), Article XV (Decision-Making
10 Authorities, Application Review and Permitting), by amending
11 Section 78-150.1 (Town Council); and Section 78-150.6 (Zoning
12 Administrator); and Section 78-151 (Summary Table of
13 Development Review Responsibilities), and Section 78-153.2
14 (Review Process for Applications Requiring a Public Hearing
15 (Approval by Decision Making Body)); and Section 78-155.6 (Site
16 Plans, Subdivisions, Single Lot Development Plans and Building
17 Location Surveys); and other sections as deemed necessary and
18 appropriate to update sections for conformance with the Code of
19 Virginia; to clarify certain decision making authority and
20 processes; to clarify notice requirements, and make other
21 housekeeping amendments as deemed necessary and
22 appropriate.

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

24
25 1. The following sections or provisions of the Herndon Town Code (2000), as
26 amended, are amended and re-ordained as follows:

27
28 **CHAPTER 78 (ZONING)**

29
30 **Article XV. – DECISION-MAKING AUTHORITIES, APPLICATION REVIEW AND**
31 **PERMITTING**

32 ***

33 **Sec. 78-150.1. - Town council.**

34 (a) *Powers and duties.* The town council shall have the powers and duties specified in
35 Code of Virginia tit. 15.2, ch. 22 and the Town Charter, as well as the following powers
36 and duties under this chapter:

37 ***

38 (2) *Appeals.* The town council shall review and decide appeals from:

39 a. **Reserved.** Final decisions of the zoning administrator on site and subdivision
 40 plans (section 78-155.6);

41 ***

42 **Sec. 78-150.6. - Zoning administrator.**

43 ***

44 (b) *Powers and duties.* The zoning administrator or an appropriate designee acting as
 45 zoning administrator shall have the following jurisdiction, powers, and duties under
 46 this chapter:

47 (1) *Application review.* The zoning administrator shall review and decide
 48 applications for:

49 a. **Reserved.** Site and subdivision plans and plan revisions (section 78-155.6).

50 ***

51 **Sec. 78-151. - Summary table of development review responsibilities.**

TABLE 78-151: DEVELOPMENT PERMIT REVIEW PROCEDURES (S = Staff Review, R = Review and Advise, D = Final Decision, A = Appeal)							
PROCES S	ZONING ADMINISTR ATOR	ARCHITECT URAL REVIEW BOARD (ARB)	HISTO RIC DISTRI CT REVIE W BOAR D (HDRB)	PLANNIN G COMMIS SION	TOWN COUN CIL	BOAR D OF ZONIN G APPE ALS (BZA)	CIRC UIT COUR T
TOWNWIDE:							

SUBDIVIS ION PLANS	D				-A		

52

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

55 ***

56 (j) *Time in which to act on application.* Development applications subject to public
57 hearing shall be acted upon in accordance with the following timing provisions:

58 (1) Reserved.

59 (2) *Zoning map amendment, special exception.* The town council shall have
60 one year from the **initial planning commission public hearing**
61 ~~acceptance of the initial application to make a final decision on a zoning~~
62 ~~map amendment or special exception application.~~

63 ***

64 **Sec. 78-155.6. - Site plans, subdivision plans, single lot development plans and**
65 **building location surveys.**

66 ***

67 (d) *General procedures for development applications approved administratively.*

68 ***

69 (2) *General application, review and approval procedures.* Applications that require
70 administrative approval shall be subject to the following provisions:

71 a. The basic procedures and requirements for submittal and review of an
72 application are established in section 78-153, development application
73 review procedures.

74 b. The zoning administrator shall review the application pursuant to the
75 requirements of section 78-153, development application review procedures
76 **and Virginia Code §§15.2-2259 and 15.2-2260.**

77 c. ~~The applicant may appeal a final decision of the zoning administrator on the~~
78 ~~administrative approval or disapproval of a development application to the~~
79 ~~town council within 30 days of the decision.~~

80 d. ~~If a final decision of the zoning administrator is appealed pursuant to this~~
81 ~~section, the zoning administrator shall schedule a hearing on the appeal at~~
82 ~~the earliest feasible meeting of the town council. At the hearing, the town~~
83 ~~council shall consider the appeal and application, the relevant support~~
84 ~~materials, the staff report, the decision of the zoning administrator, and the~~
85 ~~testimony and evidence given at the hearing. After the close of the hearing,~~
86 ~~and based on the standards in section 78-155.6(g), standards, the town~~

87 council shall either affirm, modify or reverse the decision of the zoning
88 administrator on the application.

89 ***

90 (f) *Major site plans and major site plan revisions.* The provisions of this section shall
91 apply to major site plans and major site plan revisions.

92 (1) *Application requirements.* Applications for a site plan shall include the items
93 required in section 78-152.2, application submission requirements and the plan
94 contents tables found in the development application manual, as maintained by
95 the zoning administrator.

96 ~~(2) *Written notice required.* Written notice of the application must be provided to~~
97 ~~adjoining neighbors prior to submission. The procedures and requirements for~~
98 ~~the provision of written notice are established in section 78-153.2(h), public~~
99 ~~hearing notification.~~

100 ~~(3) *Posted notice required.* Posted (placard) notice shall be required. The~~
101 ~~procedures and requirements for posting placards on the property are~~
102 ~~established in section 78-153.2(h)(4).~~

103 ***

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

Agenda Item: Subdivision Ordinance Text Amendment SOTA #25-01 to amend Chapter 70 (SUBDIVISION OF LAND), to update sections for conformance with the Code of Virginia, to clarify certain processes and make other housekeeping amendments as deemed necessary and appropriate.

Meeting Date: October 27, 2025

Category: Public Hearings

Prepared by: Bryce Perry, Deputy Director of Community Development

Description:

Subdivision Ordinance Text Amendment SOTA #25-01 will update sections for conformance with the Code of Virginia. The amendment includes other housekeeping changes to clarify administrative processes.

Background:

Staff initiated a review of the Herndon Subdivision Ordinance after the passage of Senate Bill 974, which amended and reenacted Section 15.2-2241 and several other sections of the Code of Virginia. The adopted changes to the Code of Virginia removed the planning commission and governing body approval authority from the administrative review process for preliminary plats, plats and plans and assigned such authority solely to a designated agent. In addition, the revisions to the Code of Virginia clarified the authority that governs the review process of plats, site plans and plans of development. The changes to the State Code became effective July 1, 2025. During its review of the Subdivision Ordinance, staff found some sections of Chapter 70 in need of amendment to bring the Herndon Subdivision Ordinance into compliance with the Code of Virginia; clarify certain decision-making authority and processes; update cross-references to other sections in the Herndon Town Code of Ordinances, Zoning Ordinance, and certain Town publications; and clarify administrative processes.

Fiscal Impact:

N/A

Staff Recommendation/Next Steps:

Recommend approval of Subdivision Ordinance Text Amendment SOTA #25-01.

Attachments:

1. Ordinance (Proposed)

1 TOWN OF HERNDON, VIRGINIA

2 TOWN COUNCIL

3
4 ORDINANCE

5
6 _____, 2025

7
8 **Ordinance-** to amend Chapter 70 (SUBDIVISION OF LAND), Article I.
9 (Subdivisions Generally), by amending Table 70-102(b)
10 (Subdivision Review Procedures); and Article II. (Subdivisions
11 Generally), by amending Section 70-201 (General Review
12 Process); and other articles and sections as deemed necessary
13 and appropriate to update sections for conformance with the
14 Code of Virginia; to clarify certain decision making authority and
15 processes; to update cross references to other sections in the
16 Herndon Town Code of Ordinances, Zoning Ordinance, and
17 certain Town publications; and to make other housekeeping
18 amendments as deemed necessary and appropriate.

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

20
21 1. The following sections or provisions of the Herndon Town Code (2000), as
22 amended, are amended and re-ordained as follows:

23
24 **CHAPTER 70 (SUBDIVISION OF LAND)**

25
26 **ARTICLE I. - SUBDIVISIONS GENERALLY**

27 ***

28 **Sec. 70-102. - Authority.**

29 (a) The town council pursuant to the recommendation of the planning commission at
30 public hearing held in accordance with Code of Virginia, § 15.2-2204 ~~of the~~ does
31 hereby exercise the police power conferred by the Code of Virginia to assure the
32 orderly subdivision of land and to implement the comprehensive plan of the town.

33 **(1) The subdivision administrator shall administer and enforce this chapter**
34 **and may establish such administrative rules and procedures as deemed**
35 **necessary, under the general direction and guidance of the town manager.**

36 (b) Table 70-102(b) summarizes the review and decision-making responsibility of the
37 entities that have specific roles in the administration of the procedures set forth in this
38 chapter.

39
40

TABLE 70-102(b): SUBDIVISION REVIEW PROCEDURES

R = Review and Advise D = Final Decision A = Appeal

	Subdivision Administrator	Planning Commission	Town Council
Appeal about compliance with provisions	D	-A	
Waiver of requirements	D		
Preliminary subdivision plan	D	-A	
Subdivision site plan	D	-A	
Vacation of plat (other than right-of-way or other public land)	R		D
Vacation of right-of-way or other public land	R	R	D
Vacation of interests granted to the town as a condition of site plan approval	D	-A	
Lot line adjustment	D	-A	
Final subdivision plat and deed (including easement and right-of-way plats and Deed)	D	-A	
Release of performance guarantee	D (town manager)		

42

43

ARTICLE II. - SUBDIVISION REVIEW PROCEDURES AND REQUIREMENTS

44

Sec. 70-201. - General review process.

45 (a) *Overview.* Review of a subdivision application shall occur in conformance with this
46 chapter, and the provisions of the zoning ordinance, Herndon Town Code **Chapter**
47 **78 - ZONING** Section 78-201, Review Procedures, and **Virginia Code §§ 15.2-2259**
48 **and 15.2-2260.**

49 (b) *Fees.* Submission of a subdivision application shall be accompanied by a fee,
50 covering the costs to the town of review, as set forth in the zoning ordinance, Herndon
51 Town Code Section **78-152.2(b)(3)**, 78-201.2(e). All outstanding review fees and other
52 fees required by the zoning ordinance relating to subdivision development shall be
53 paid prior to approval for recordation.

54 ***

55 (d) *Plan submittal requirements.* Preliminary subdivision plans and subdivision site plans
56 shall be submitted with the requirements specified in the zoning ordinance, Herndon
57 Town Code **Section 78-155.6** section 78-201.3, submittal requirements.

58 (e) *Waiver of requirements.*

59 (1) The subdivider may apply to the **subdivision administrator** reviewing authority
60 to waive a requirement of the subdivision ordinance in cases of unusual situations
61 or when strict adherence to the general regulations would result in substantial
62 injustice or hardship, except there shall be no waiver that would result in a
63 reduction of the required frontage on a public street or would result in an increase
64 in the number of lots.

65 (2) **Reserved.** An application for a waiver shall be deemed to be an acceptance by
66 the applicant that:

67 a. ~~The time period within with the submitted preliminary subdivision plan must~~
68 ~~be acted upon will be prolonged by 30 days to allow proper evaluation and~~
69 ~~consideration of the waiver; and~~

70 b. ~~The decision on the pending application for waiver shall be concurrent with~~
71 ~~the application for the preliminary subdivision plan.~~

72 (3) **Reserved.** For subdivision applications that require a public hearing, the town
73 council, upon the receipt and review of a report from the planning commission,
74 may during a public hearing waive requirements of this chapter based on the
75 criteria in section 70-201(e)(5). The waiver shall be described in materials related
76 to the public notification requirements for the subdivision application.

77 (4) The **subdivision administrator** reviewing authority may require, as a condition
78 of any such waiver, the dedication or construction of, or an agreement to dedicate
79 or construct, such improvements related to the subdivision as may reasonably be
80 required to ensure the attainment of the purposes of this chapter.

81 (5) A requested waiver shall be evaluated by the **subdivision administrator**
82 reviewing authority based on whether or not:

83 a. The applicant is able to demonstrate there exists an unusual situation such
84 that strict adherence to the general regulations would result in substantial
85 injustice or hardship; and

(f) **Reserved. Appeals.** ~~In the event of a disagreement between the subdivider and the subdivision administrator as to compliance with applicable ordinances and design standards, the subdivider may file an appeal with the subdivision administrator in writing. When filed at least 30 days prior to the next regularly scheduled work session of the planning commission, such appeal, along with a written staff report noting the alleged deficiencies, shall be heard and acted upon by the planning commission at its next regular public hearing. Such appeal shall be advertised in conformance with Code of Virginia, § 15.2-2204.~~

(g) *Performance guarantee.* The town shall require adequate financial assurance consisting of a performance guarantee agreement and a security, in a form and manner that is approved by the town attorney, for the construction of required public improvements, protection of existing public improvements, protection of trees, and required private improvements. The procedure for performance guarantees shall comply with the provisions of the Herndon Town Code **Chapter 78, Article XII, Section 78-204.**

(h) **Reserved. Registration to receive notice.** ~~Beginning in July, 2006, any individual, business, or organization in the town may register with the department of community development to receive either written notice of applications pursuant to section 78-201.9 or notice by e-mail at approximately the same time that written notice as described in section 78-201.9 is placed in the United States Mail. To be eligible for registration, the applicant shall provide the Department of Community Development information in the form required by the department to ensure notification can be made to the requester, along with a fee to cover the costs of the written notification as shown in Table 78-201.2. To continue to receive notice, an individual, business or organization shall re-register every two years.~~

Sec. 70-202. - Preliminary subdivision plan.

(a) *Purpose.* A preliminary subdivision plan involving more than 50 lots is reviewed and approved prior to the subdivider's preparation of a final subdivision plat and subdivision site plan. The review process shall be governed by the provisions of the zoning ordinance, Herndon Town Code **Chapter 78, Article XV** section 78-202.6(d), site plans that require a public hearing **and Virginia Code § 15.2-2260.** A subdivision site plan for this purpose constitutes a subdivision plat, not a site plan. For subdivisions involving 50 or fewer lots, the subdivider at the subdivider's option may undergo the preliminary subdivision plat process required for subdivision of more than 50 lots. If the subdivider does not exercise this option, the subdivider shall proceed to the final subdivision plat process.

After approval of the preliminary subdivision plan ~~by the town council, if necessary (or if not necessary, in any event),~~ the applicant shall submit a final subdivision plat and subdivision site plan for review and consideration prior to site development. The subdivider may submit a final subdivision plat and a subdivision site plan as the preliminary subdivision plan.

129 (c) *Standards.* A preliminary subdivision plan shall be approved upon a determination
130 by the **subdivision administrator** ~~decision-making authority~~ that the development
131 and uses proposed in the preliminary subdivision plan and its general layout and
132 design comply with:

- 133 (1) The Herndon Town Code, as may be amended:
- 134 a. Those standards mentioned in section 1-16 (the town's Public Facilities
135 Manual).
 - 136 b. This chapter (Chapter 70).
 - 137 c. Zoning ordinance, Chapter 78, ~~section 78-401, principal uses; categories
138 and types.~~
 - 139 d. **Reserved** ~~Zoning ordinance, Chapter 78, Article V: Development Standards.~~
 - 140 e. All other applicable standards, provisions and regulations of the Town Code.
- 141 (2) **The Herndon Historic District Overlay Guidelines** ~~The Herndon Heritage
142 Preservation Handbook, as may be amended.~~
- 143 (3) Riparian Buffers Modification and Mitigation Guidance Manual ~~approved by the
144 Chesapeake Bay Local Assistance Board on September 14, 2003, as may be
145 amended.~~
- 146 (4) Utility plan requirements of the Code of Virginia, § 15.2-2269, as may be
147 amended.
- 148 (5) **Herndon Streetscape Manual** ~~The Herndon Guidelines for the Planning and
149 Design of Town Streetscape Projects (dated November 25, 2008, as may be
150 amended, located in the Herndon Department of Community Development).~~
- 151 (6) Any other applicable federal, state or local laws or regulations.
- 152 (7) Urban Design and Architectural Guidelines for the Herndon Transit-Oriented
153 Core, **as may be amended**, ~~dated August 23, 2013, by Urban Design Associates
154 including the "List of Proposed Amendments" dated November 5, 2013, revised
155 November 26, 2013.~~

156 **(8) Downtown Herndon Pattern Book, as may be amended.**

157 (d) *Validation of approved preliminary subdivision plan.* **Once approved** ~~Within 90 days
158 of approval by the town council of a preliminary subdivision plan if necessary, the
159 subdivider shall submit **three** five copies **and one digital copy** of the approved
160 preliminary subdivision plan to the subdivision administrator for validation. The plan
161 shall show all features as approved ~~and shall include a copy of the certified town
162 council resolution approving the plan, if necessary.~~ The subdivision administrator
163 shall review the plan, if applicable, require corrections if necessary, and sign five
164 copies of the correct plan. One signed copy shall be returned to the subdivider.~~

165 (e) *Expiration and revocation.* Once a preliminary subdivision plan is approved and
166 validated, it shall be valid for five years from the date of the last recorded final plat,
167 provided the subdivider:

168 ***

169 (2) Thereafter diligently pursues approval of the subdivision site plan if required
170 and final subdivision plat. Diligent pursuit of approval means that the subdivider
171 **has incurred extensive obligations or substantial expenses relating to the**
172 **submitted final subdivision plat approval and** responds within 90 calendar
173 days after receipt of town review comments relating to the submitted subdivision
174 site plan and final subdivision plat or modifications thereto. Upon **upon** 90 days'
175 written notice by certified mail to the subdivider, the **subdivision administrator**
176 ~~town council~~ may revoke such approval upon a specific finding of facts that the
177 subdivider has not diligently pursued approval of the subdivision site plan if
178 required and final subdivision plat. A change in ownership of the property does
179 not affect this time frame.

180 (f) *Extension of time.* Upon written application submitted by the applicant at least 30
181 days prior to the expiration of the validity period and upon a showing of good cause,
182 the **subdivision administrator** reviewing authority that approved the preliminary
183 subdivision plan may grant an extension not to exceed six months after the expiration
184 of the validity period. The approval shall be deemed extended until the **subdivision**
185 **administrator** reviewing authority has acted upon the request for extension.

186

187 **Sec. 70-203. - Subdivision site plan.**

188

189 (b) *Submittal.*

190 (1) The subdivider shall, after receiving approval of a preliminary subdivision plan if
191 necessary or a proffered generalized development plan, submit a subdivision site
192 plan that conforms to the standards and requirements described in section 70-
193 202(c). Submittal of the subdivision site plan shall include the items described in
194 the zoning ordinance, Herndon Town Code **Section 78-152.2(c)**, section 78-
195 201.3, submittal requirements.

196 (g) *House location survey.* Prior to issuance of a certificate of occupancy for any new or
197 replacement single-family detached dwelling, duplex dwelling, or townhouse built in
198 accordance with a subdivision site plan, the applicant shall submit for approval a
199 house location survey on sheets of eight and one-half inches by 14 inches prepared
200 in accordance with the rules and regulations adopted by the Commonwealth of
201 Virginia, Board for Architects, Professional Engineers, Land Surveyors and
202 Landscape Architects (APELSLA) and shall also show the following:

203

204 **(4) Lot and site grading as required by the subdivision administrator.**

205 (h) *As-built plan.* Upon completion **of any development regulated by this section**, an
206 as-built plan shall be submitted, certified by a registered professional engineer or
207 certified land surveyor. Such as-built plan shall certify the installation of all public and
208 private improvements per the specifications and locations shown on the approved

209 subdivision plan. The as-built plan shall be prepared and submitted in accordance
210 with the zoning ordinance, Herndon Town Code section 78-202.6(n) **78-155.6(p)**.

211 **Sec. 70-204. - Subdivision plats.**

212 ***

213 (b) *Submittal.* Every final subdivision plat, plat of vacation, lot line adjustment, and plat
214 of easement which is intended for recording shall be submitted for review by the
215 subdivision administrator and shall include:

216 (1) **Three hardcopies and one digital copy** ~~Nine copies~~ of the final subdivision
217 plat accompanied by:

218 ***

219 (g) *Lots with required privately maintained stormwater facilities.* In accordance with
220 ~~section 78-304.4(i)(12)~~, Herndon Town Code **Section 26-330**, the landowner bears
221 the maintenance responsibilities for stormwater management and best management
222 practice facilities. For any lot on which a required privately maintained stormwater
223 facility, bioretention facility or rain garden is located, the final plat shall include a note
224 that contains the following information pertaining to any such lot: This lot contains a
225 required, privately maintained stormwater facility, bioretention facility, or rain garden
226 that shall be maintained by the owner in accordance with Town of Herndon zoning
227 regulations and that shall be made accessible and available for periodic inspection
228 by town officials upon proper notice.

229 ***

230 **Sec. 70-206. - Lot line adjustment plat.**

231 ***

232 (c) The subdivision administrator may require as a condition of approval of a lot line
233 adjustment plat the dedication of public easements, rights-of-way, and utility
234 easements as may be deemed necessary to comply with the minimum requirements
235 set forth in Section 70-302. Otherwise, the applicant for a boundary line adjustment
236 does not need to provide physical subdivision improvements or to comply with
237 associated requirements, to support physical improvements such as street right-of-
238 way and easement dedications. The reviewing authority may waive other
239 requirements of this chapter **in accordance with Town Code Section 70-201(e)**.
240 ~~when this official finds in writing that the requirement is not necessary or convenient~~
241 ~~to the accurate depiction, location and recordation of the vacated, relocated or altered~~
242 ~~boundary line.~~

243 ***

244 **ARTICLE III. - REQUIRED IMPROVEMENTS**

245 ***

246 **Sec. 70-302. - Public streets.**

247 ***

248 (c) A street with a design that is alternative to that contained in the Herndon Public
249 Facilities Manual may be proposed if it meets all of the following criteria:

250 ***

251 (2) The alternative design conforms with the standards in the zoning ordinance,
252 Herndon Town Code **Section 78-100.10** Chapter 78, Section 78-501, circulation
253 and traffic, and is consistent with accepted planning practice;

254 ***

255 **Sec. 70-303. – Open Space. ~~Public open space.~~**

256 (a) Open space shall be provided as described for the particular use in the zoning
257 ordinance, Herndon Town Code Chapter 78, ~~for all uses other than those residential~~
258 ~~uses permitted in the R-10 and R-15 residential zoning districts.~~

259 (b) ~~For subdivisions containing permitted residential uses in the R-10 and R-15~~
260 ~~residential zoning districts:~~

261 (1) ~~Onsite open space shall be provided:~~

262 a. ~~For subdivisions resulting in ten or more single family detached homes;~~

263 b. ~~In an amount equivalent to five percent of the net area used for individual~~
264 ~~single family lots; and~~

265 c. ~~In parcels of appropriate size and location that meet (a) the definition of~~
266 ~~"open space" in section 78-701; (b) the standards for "open space" in section~~
267 ~~78-504, and (c) the standards for "common area" in section 78-507.~~

268 (2) ~~In accordance with the following procedures, in lieu of providing the on-site open~~
269 ~~space, the applicant shall, at the applicant's option, make a cash contribution~~
270 ~~equivalent in value to the cost of the land that would otherwise constitute the~~
271 ~~onsite open space:~~

272 a. ~~After consultation with other town staff, the zoning administrator shall make~~
273 ~~the final determination about the value of the cash contribution using~~
274 ~~recognized standards and the land records of the Fairfax County Department~~
275 ~~of Tax Administration.~~

276 b. ~~The cash contribution shall be used by the town for the purpose of parks and~~
277 ~~recreation improvements that serve residents of the development, or for the~~
278 ~~purpose of improving nearby open space, such as repair of stream bank~~
279 ~~erosion or removal of invasive species.~~

280 ***

281 **Sec. 70-306. - Trees and landscaping.**

282 Subdivision development is governed by the requirements of the **Herndon Town**
283 **Code Chapter 78, Article XI.** ~~zoning ordinance, chapter 78, section 78-502, protection~~
284 ~~of trees and vegetation on private property and during development, and section 78-~~
285 ~~503, site landscaping.~~

286 ***

287 **Sec. 70-311. - Resource protection area.**

288 All resource protection area boundaries shall be delineated on final subdivision plats
289 with a note that states, "The Resource Protection Area is to remain an undisturbed and
290 vegetated 100-foot wide buffer area unless approval is obtained as required, and
291 comply with **Herndon Town Code Section 78-60.4.** ~~the zoning ordinance, Chapter 78,~~
292 ~~Section 78-304.4, Chesapeake Bay Preservation Area Overlay District."~~

293 ***

294 **ARTICLE IV. - DEFINITIONS**

295 **Sec. 70-401. - Words and terms defined.**

296 The following words, terms and phrases, when used in this chapter, shall have the
297 meanings ascribed to them in this section, except where the context clearly indicates a
298 different meaning. Words, terms and phrases not shown in this section shall have the
299 meanings ascribed to them elsewhere in the Herndon Town Code.

Term	Definition
***	***
Design standards.	All standards referenced in Herndon Town Code Section 1-16. The Town of Herndon Public Facilities Manual (2001).
***	***

300

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

Agenda Item: Resolution to establish the Planning Commission meeting schedule for January 1, 2026, to December 31, 2026.

Meeting Date: October 27, 2025

Category: New Business

Prepared by: Aaron Zoellick, Clerk of Boards and Commissions

Description:

The Planning Commission bylaws prescribe the meeting schedule.

The Department of Community Development, in coordination with the Town Clerk's office, would like to propose a resolution to set the meeting schedule for the calendar year 2026. The meeting schedule is generally modified to accommodate holidays and occasions of conflicts with other Town meetings and events. The adopted meeting schedule is included in the printed annual town calendar, which is currently under development.

Background:

Staff has prepared the proposed resolution for the calendar year 2026 based on the following guidelines:

- Planning Commission regular meetings are scheduled for the fourth Monday of the month;
- Planning Commission work sessions are scheduled for the second Monday of the month;
- Meeting dates may be changed by resolution of the commission.

Fiscal Impact:

N/A

Staff Recommendation/Next Steps:

Recommend approval of the 2026 Planning Commission meeting schedule in accordance with the proposed resolution.

Attachments:

1. Resolution (Proposed)

**TOWN OF HERNDON, VIRGINIA
PLANNING COMMISSION**

RESOLUTION

OCTOBER 27, 2025

Resolution- to establish the Planning Commission meeting schedule for January 1, 2026, to December 31, 2026.

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

1. In accordance with the meeting schedule set out in the Planning Commission bylaws, the meeting schedule for calendar year 2026 is hereby adopted as follows:

January 12, 2026	Work Session
January 26, 2026	Regular Meeting
February 9, 2026	Work Session
February 23, 2026	Regular Meeting
March 9, 2026	Work Session
March 23, 2026	Regular Meeting
April 13, 2026	Work Session
April 27, 2026	Regular Meeting
May 4, 2026	Work Session
May 18, 2026	Regular Meeting
June 8, 2026	Work Session
June 22, 2026	Regular Meeting
July 13, 2026	Work Session
July 27, 2026	Regular Meeting
August 10, 2026	Work Session
August 24, 2026	Regular Meeting
September 14, 2026	Work Session
September 28, 2026	Regular Meeting
October 5, 2026	Work Session
October 19, 2026	Regular Meeting
November 2, 2026	Work Session
November 16, 2026	Regular Meeting
December 7, 2026	Work Session
December 14, 2026	Regular Meeting

2. The Planning Commission directs staff to include the meeting schedule in the 2026 annual town calendar.