TOWN OF HERNDON, VIRGINIA
TOWN COUNCIL

RESOLUTION

NOVEMBER 17, 2026

Resolution- to adopt the Town of Herndon's 2027 Legislative Program.

The Mayor and the Town Council annually advise the Town's representatives in the General Assembly of legislation they desire to be advanced, and of legislative positions on important issues.

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

1. The Town generally supports the positions of the Virginia Municipal League (VML) relative to issues and legislation affecting local governments as reflected on Attachment A.

2. The Town specifically supports the positions stated on Attachment B.

3. The Town Council specifically requests that:

   - The Virginia General Assembly amend Virginia Code § 58.1-3221.1 (Attachment C), Classification of land and improvements for tax purposes, to add the Town of Herndon to the list of jurisdictions where (1) improvements to real property are declared to be a separate class of property and shall constitute a separate classification for local taxation of real property and (2) the jurisdiction may levy a tax on the property enumerated in subsection A at a different rate than the tax imposed upon the land on which it is located.

A Copy – Teste:

Margie C. Tacci
Deputy Town Clerk

TOWN OF HERNDON, VIRGINIA 1879

MOTION: **Hedrick**
SECOND: **Reyes**
RE: **Resolution 26-G-67**
ACTION: **Adopted**

Votes
Ayes: del Aguila, Garcia, Hedrick, Lloyd, Reyes, Mayor LeBlanc
Nays: None
Absent from Vote: Alam
Absent from Meeting: Alam

BETTER COMMUNITIES THROUGH SOUND GOVERNMENT

2027 VML Legislative Program
Approved Oct. 12, 2026

Legislative Program Priorities

Local Land Use

Localities must maintain control of local land use decisions. Neither the state nor the federal government should usurp or pre-empt a locality's authority to make such decisions; nor should they impose requirements that weaken planning and land use functions. This includes all types of housing, including but not limited to short-term rentals.

VML also supports local government authorities to promote affordable and mixed-income housing as well as the required infrastructure to facilitate infill development, redevelopment, and mixing of uses. Any mandate from the state should include full funding for the locality.

Local Revenue Sources

Local tax revenues are primarily derived from real estate, personal property (i.e., car tax), local sales and uses, Business, Professional, Occupational Licensing (BPOL), meals and transient occupancy taxes. These revenues are used to fund each locality's priorities that tend to focus on K-12 education and public safety. VML cannot support initiatives that phase out or eliminate sources of revenue to cities, counties, and towns without a firm commitment of ongoing general fund resources to offset local revenue losses.

Housing – Tools for Communities to Meet Housing Needs

Understanding the Commonwealth-wide need for more attainable, low-income and affordable housing, we support legislation and funding that enables localities to better meet their housing needs while respecting the critical role that local conditions and decision-making must play in development and planning.

State Assistance to Local Law Enforcement Agencies (HB 599)

Almost 70 percent of Virginians live in communities served by police departments. The State created a program of financial assistance to local police departments (HB 599) when it imposed an annexation moratorium on cities more than 30 years ago. It has increasingly de-emphasized this funding obligation as a priority but has never compromised on the annexation moratorium.

VML calls for the state to honor its commitment to local governments and public safety by funding the program as stipulated in the Code of Virginia or lift the moratorium on annexation.

Legislative Program Items (listed in alphabetical order)

CSA State and Local Funding Partnership

Local governments administer the Children's Services Act (CSA) program on behalf of the state, and local governments share in the funding responsibilities with the state. Local governments have consistently supported efforts to contain program costs, particularly the private day special education program. VML adamantly opposes the capping of state funding responsibility for this and any other component of the CSA program, which simply shifts the funding burden for mandated services onto local governments.

Fire/E911 Funding

VML supports maintaining the current distribution of aid to localities from the Virginia Fire Program Fund until a more complete examination of funding needs, administration, and distributions can be conducted; the current study is not broad enough to serve as a basis for meaningful change.

VML supports the Virginia Department of Emergency Management's request to appropriate the estimated $40M from the E-911 Wireless Fund to localities; an administrative issue in 2026 meant that this money was not appropriated to the detriment of local 911 system operations.

Local and Regional Juvenile Detention Facilities

Local and regional juvenile detention facilities play an integral role in the continuum of Virginia's juvenile justice system. A major consideration in maintaining the system of local and regional detention facilities is to serve youth closer to their families, their community support systems, the courts with which they are involved, and their legal counsel.

Any state-level discussion of the future of this system, including efforts involving closures or consolidations, must include the major stakeholders in the system, such as members of the juvenile and domestic relations courts system, detention facility managers, and youth/family advocates.

Discussions should also consider regions looking to open facilities to serve their communities and avoid sending youth long distances for placement; include examination of ways the state can improve investments in facilities to update key infrastructure; address behavioral health needs of youth and their families to improve outcomes; and find ways to effectively address state requirements for educational services.

Local Excise Taxes

VML supports the statewide authority for local governments to establish an excise tax on the sale of vaping products.

Prioritizing State Funding in Response to Changes in Federal Funding

As the federal government fundamentally changes its funding relationship with states, localities, and organizations that serve communities, VML asks that the state prioritize its resources for vital services to help protect and serve children, families, and the most vulnerable in our communities.

Referendum Authority for Towns

VML supports inclusion of towns in any legislation authorizing referenda by local governments.

Short Term Rental Registry Exemptions

Virginia Code Section 15.2-983(B)(2), enacted in 2017, created several broad exemptions from local short-term rental registry requirements. These exemptions have created health, safety, welfare, and transparency concerns for Virginia localities. VML supports narrowing or removal of these broad exemptions.

Statewide Building Code - Lis Pendens

VML supports expanding the lis pendens statute to allow a memorandum of lis pendens to be filed when there is an underlying action seeking to enforce the Virginia Statewide Building Code and to amend *Code of Virginia* Section 36-105(C)(4) to provide that if a lis pendens has been filed, a new notice of violation does not need to be issued for the same violation, and any pending non-criminal enforcement action, or enforcement appeal may continue with the new purchaser.

State-mandated Tax Policy Changes and Local Revenue

Locally elected officials understand the needs of their community as well as the burden of taxation on their constituents. The Commonwealth should refrain from encroaching upon the responsibility of local officials by imposing additional exemptions from locally generated revenues or imposing additional red tape that make it more difficult to raise revenue in their communities.

Stormwater Local Assistance Fund (SLAF)/Water Quality Improvement Fund (WQIF) Full Funding

VML supports the continued full state funding for the Stormwater Local Assistance Fund (SLAF) and the Water Quality Improvement Fund (WQIF) to include projects currently in progress.

Sovereign Immunity

Expanding liability and eroding immunities at state levels across the nation have had a chilling effect on the actions of local government officials contributing to local government insurance problems, creating immense financial risks (particularly for legal costs), and posing a substantial obstacle to the provision of needed public services. The Virginia General Assembly should strengthen and must maintain the principles of sovereign immunity for local governments and their officials.

Support Establishment of the Virginia Water Affordability Program

VML supports the establishment of the Virginia Water Affordability Program using State general funds to provide support for municipal utility customers with delinquent utility payments,

Support for Public Education

A General Assembly joint subcommittee continues to address recommendations from the 2023 Joint Legislative Audit and Review Commission (JLARC) report on the Standards of Quality (SOQ), including recommendations on updating the SOQ in the short- and long-run. VML encourages the General Assembly to expeditiously implement and fund the JLARC recommendations to more equitably share the costs of K-12 public education with local governments and to ensure the overall success of students across the Commonwealth.

VML supports innovation in public schools but opposes efforts to limit local authority or to divert state funds from the public education system.

Transportation Funding – Annual Maintenance Payments

VML supports maintaining or increasing the annual maintenance payment rates set by the Commonwealth Transportation Board; VML opposes any reduction in these payments.

Virginia Alcohol Safety Action Program (VASAP)

The *Code of Virginia* requires that individuals convicted of DUI enroll in, and successfully complete, an alcohol safety action program. The financial sustainability of the program, originally intended to be funded completely with client fee revenues, remains an open question. The Commonwealth should provide appropriate funding from its own resources and not shift responsibility for program administration and funding to localities for this state-mandated program.

Attachment B

Town of Herndon

2027 General Assembly Legislative Priorities and Advocacy Positions

PRIORITIES

Preserve Local Land Use and Planning Authority

Support legislation that preserves local authority over land use, zoning, development approvals, urban design, and community planning.

Oppose legislation that:

- Mandates by-right development without meaningful local review.
- Preempts local zoning authority.
- Imposes statewide housing production mandates.
- Eliminates local discretion regarding development standards, site design, density, parking, or infrastructure adequacy.

Local elected officials are best positioned to balance housing needs, transportation capacity, public facilities, environmental protection, and neighborhood compatibility.

The 2026 General Assembly continued a trend toward increasing state involvement in local housing and zoning decisions, including by-right affordable housing provisions. We can expect this trend to continue in 2027.

Advocacy Actions

- Support retention of local zoning authority.
- Support flexible tools for affordable housing implementation.
- Oppose additional state preemption of local land-use decisions.

Preserve Local Government Workforce Flexibility – Collective Bargaining

Herndon supports good-faith collective bargaining where locally adopted, but opposes any statewide structure that treats a 25,000-person town the same as Fairfax County, Virginia Beach, or a large school division.

Support the ability of local governments to recruit, retain, and fairly compensate employees while preserving local budget authority, management rights, and operational flexibility.

Support legislation that maintains collective bargaining as a locally adopted option and recognizes the substantially different capacity of smaller municipalities. For any

statewide public-sector collective bargaining framework, support an exemption, opt-in structure, delayed implementation, or modified compliance path for municipalities with populations under 50,000.

At minimum, support language that:

- Preserves local ordinances adopted before any statewide framework.
- Allows small localities to define appropriate bargaining units, eligible employee groups, and negotiable subjects.
- Protects local authority over staffing levels, deployment, discipline, management rights, budget preparation, appropriations, and matters controlled by state or federal law.
- Prevents a statewide board from requiring broader bargaining units than those locally authorized.
- Provides state funding, technical assistance, and phased implementation for any new administrative, legal, or labor-relations requirements.
- Ensures that dispatch, public safety, public works, and small departments are not swept into one-size-fits-all bargaining models without local governing body approval.

Oppose Unfunded Mandates

Support legislation that provides sufficient state funding whenever new local responsibilities, programs, reporting requirements, staffing obligations, or regulatory requirements are imposed.

Oppose legislation that:

- Creates new local requirements without dedicated funding.
- Transfers state responsibilities to local governments.
- Requires significant local expenditures without state financial assistance.

Local governments continue to face increasing costs associated with environmental regulation, infrastructure maintenance, housing initiatives, public safety, and labor requirements.

Advocacy Actions

- Require fiscal impact analysis for legislation affecting local governments.
- Seek state funding for all new compliance requirements.
- Support state assumption of costs associated with state-mandated programs.

Support Local Flexibility in Housing Development

Support legislation that expands local tools to encourage housing affordability while preserving local implementation flexibility.

Support:

- Affordable dwelling unit programs.
- Workforce housing incentives.
- Rehabilitation of existing housing stock.
- Housing grants and financing assistance.

Oppose:

- Mandatory statewide or locality housing quotas.
- Development mandates that bypass infrastructure planning.

The Town supports increasing housing opportunities while retaining the ability to address local conditions and infrastructure constraints.

Protect Meaningful Local Review of Major Infrastructure Projects*

Position

Support legislation that preserves local participation in decisions regarding:

- Data centers.
- Utility corridors.
- Transmission facilities.
- Energy infrastructure.
- Battery energy storage facilities.
- Telecommunications facilities.

Northern Virginia continues to experience significant infrastructure demands associated with economic growth, technological development, and energy consumption.

Local governments should retain meaningful opportunities to evaluate impacts on:

- Neighborhoods.
- Transportation networks.
- Water resources.
- Public facilities.
- Environmental resources.

Advocacy Actions

- Support local notice and review requirements.
- Oppose broad state preemption of local infrastructure oversight.

- Support regional coordination efforts.

**Governor's September 17, 2026 Executive Order*

Support Transportation Safety and Mobility

Position

Support legislation that provides local governments with tools to improve transportation safety.

Support:

- Automated speed enforcement in appropriate locations.
- Pedestrian and bicycle safety initiatives.
- Transit-oriented infrastructure investments.
- Regional transportation funding.
- Local authority to use automated safety tools, including red-light safety cameras, school-zone speed enforcement, pedestrian safety enforcement, and other proven traffic safety measures, with appropriate due-process, signage, privacy, and reporting requirements.
- Allowing localities to retain revenues from traffic safety programs for transportation safety, pedestrian and bicycle infrastructure, Safe Routes to School, local systemic safety improvements, and roadway redesign.

Transportation safety remains a priority for residents and businesses, especially in and around Metro stations.

Advocacy Actions

- Support local flexibility in implementing transportation safety programs.
- Preserve local authority regarding traffic management tools.

Protect Local Fiscal Sustainability

Support legislation that:

- Preserves existing local revenue sources.
- Provides revenue options to address growing service demands.
- Ensures equitable distribution of state funding.

Oppose legislation that:

- Erodes local revenues.
- Shifts state costs to local governments.
- Creates fiscal obligations without corresponding resources.

Preserve Local Authority to Protect Community Character and Environmental Resources

Position

Support local authority related to:

- Open space protection.
- Historic Districts
- Tree canopy preservation.
- Urban forestry programs.
- Environmental stewardship initiatives.

Local governments should retain flexibility to balance redevelopment objectives and environmental protection goals.

Preserve Local Authority Over Cannabis, Hemp, Tobacco, and Vape Retail Uses

Support a safe, well-regulated cannabis and hemp retail framework that preserves local zoning, business licensing, public safety, code enforcement, signage, distance-separation, and land-use authority.

Support local authority to regulate the location and operation of cannabis, hemp, tobacco, vape, and related retail uses, particularly near schools, parks, day care facilities, residential neighborhoods, and youth-serving uses.

Oppose legislation or regulations that preempt local zoning, eliminate local review, or limit the Town's ability to address public safety, nuisance, signage, odor, hours of operation, clustering, or enforcement concerns.

Support local revenue authority and state enforcement resources sufficient to address inspection, licensing, public education, and illegal-market enforcement impacts.

Protect Local Authority Over Gaming, Casinos, and Skill Games

Oppose legislation authorizing casino gaming, electronic skill games, or other expanded gaming activity in Northern Virginia without meaningful local approval, regional impact analysis, and local authority over zoning, enforcement, public safety, and revenue allocation.

Oppose any casino legislation that designates Fairfax County or a Silver Line-adjacent location as eligible for casino gaming without the support of the affected local governing bodies and without analysis of transportation, public safety, economic displacement, problem-gaming, and community impacts.

If the General Assembly considers regulating electronic skill games or creating a consolidated gaming commission, support strong local opt-in/opt-out authority, zoning controls, enforcement funding, machine caps, public safety protections, and direct local revenue sharing.

Protect Ratepayers and Local Participation in Utility Decisions

Support strong State Corporation Commission review of utility mergers, acquisitions, rate cases, transmission projects, and energy infrastructure proposals that affect local governments, residents, and small businesses.

Support meaningful public participation, including accessible in-person hearings in affected regions, transparent ratepayer-impact analysis, and protections ensuring that residential customers, small businesses, and local governments do not subsidize infrastructure costs driven primarily by large high-energy users.

Oppose legislation that weakens SCC oversight, limits local participation, or shifts energy, transmission, or infrastructure costs onto local ratepayers without clear public benefit.

Support Practical Transparency and FOIA Compliance

Support transparency measures that improve public access to local government information while preserving workable procedures for small localities.

Oppose unfunded technology, posting, translation, archival, or reporting mandates that impose significant administrative burdens without state support.

Support reasonable flexibility for electronic meetings, advisory bodies, emergency meetings, agenda management, and small-board compliance.

Code of Virginia
Title 58.1. Taxation
Subtitle III. Local Taxes
Chapter 32. Real Property Tax
Article 3. Other Exemptions, Credits, Partial Abatement, Apportionments, Classifications

§ 58.1-3221.1. Classification of land and improvements for tax purposes

A. In the Cities of Charlottesville, Fairfax, Falls Church, Fredericksburg, Newport News, Poquoson, Richmond, and Roanoke, improvements to real property are declared to be a separate class of property and shall constitute a separate classification for local taxation of real property.

B. The governing body of the City of Charlottesville, the City of Fairfax, the City of Falls Church, the City of Fredericksburg, the City of Newport News, the City of Richmond, and the City of Roanoke, after giving public notice and an opportunity for the public to be heard in the manner provided in § 58.1-3007, may levy a tax on the property enumerated in subsection A at a different rate than the tax imposed upon the land on which it is located, provided that the rate of tax on the property described in subsection A shall not be zero and shall not exceed the rate of tax on the land on which it is located.

C. Nothing in this section shall be construed to permit the City of Charlottesville, Fairfax, Falls Church, Fredericksburg, Newport News, Poquoson, Richmond, or Roanoke to alter in any way its valuation of real property covered by this section.

D. The governing body of the City of Poquoson, after giving public notice and an opportunity for the public to be heard in the manner provided in § 58.1-3007, may levy a tax on the property enumerated in subsection A at a different rate than the tax imposed upon the land on which it is located, provided that the rate of tax on the property described in subsection A shall not be zero.

2002, c. 16;2003, c. 164;2011, c. 146;2020, c. 790;2026, c. 100.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.