County of Fairfax, Virginia

MEMORANDUM

DATE: 2/8/2021

TO: Distribution List

FROM: Tracy D. Strunk, AICP
Director, Zoning Evaluation Division
Department of Planning and Development

SUBJECT: Zoning Application Analysis

REFERENCE: Application No. AR 2004-SP-001-02
(Mark A. and Lisa K. Kosters, Trustees, Marvin H. Kosters and Bonnie M. Kosters, Trustees)

Case Information

Staff Coordinator: Ellen Alster
Tentative PC: 9/22/2021  Tentative BOS: 10/26/2021

Memo Includes Full-Size Development Plans for Noted (ﬁ) Addressees: Yes □  No □

Attached for your review and comment is the zoning case information for the subject application.

Action addressess are requested to provide written comments to the staff coordinator by (9/1/2021) to be considered in preparing staff’s recommendation on this application. Information addressees may also submit any comments by the same date.

Action Addressees

1. DPD Planning Division
   Chief, Env. & Dev. Review Br.
   Attn: Denise James

2. Virginia Department of Forestry
   Forester
   Attn: Jim Mc Glone

3. Northern Va Soil and Water
   Conservation District
   Attn: Willie Woode

4. Planning Commission
   Board of Supervisors
   Springfield District

5. Dept. of Tax Administration
   Attn: Jay Doshi/Daniel Mould

Informant Addressees

1. Fairfax County Park Authority
   Planning & Development Div.
   Plan Review Coordinator
   Attn: Lynne Johnson 4th fl.

2. Virginia Department of Forestry
   Forest Management
   Attn: Jill Cooper

3. Dept. of Tax Administration
   Real Estate Division Director
   Attn: Thomas Reed

4. Dept. of Tax Administration
   Property Mapping
   Attn: Thomas Conry

5. DPD-ZED Division Director
   Attn: Tracy Strunk, AICP

6. DPD-ZED Asst. Director
   Attn: Mary Ann Tsai

DPD-ZED
Attn: Branch Chiefs

DPD-ZED
Admin. Asst., Legal Notices
Attn: Rachel Pendergraph

Department of Planning and Development
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia, 22035-5509
Phone: 703 324-1290 / Fax: 703 324-3924
www.fairfaxcounty.gov/planning-development/
APPLICATION FOR THE ESTABLISHMENT OF A  
AGRICULTURAL AND FORESTAL DISTRICT

FAIRFAX COUNTY

1. Type of application: Local ( ) Statewide ( )
   Initial ( ) Amendment ( ) Renewal ( )

2. Please list the Tax Map number, the name and address of each owner and other
   information for each parcel proposed for this district:

<table>
<thead>
<tr>
<th>Owner's Name &amp; Address</th>
<th>Tax Map Number</th>
<th>Year Acquired</th>
<th>Zoning District</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mark A. and</td>
<td>0751-10-00072</td>
<td>2000</td>
<td>R-C</td>
<td>5.0</td>
</tr>
<tr>
<td>Lisa K Koster, Trustees</td>
<td>0751-10-00082</td>
<td>2000</td>
<td>R-C</td>
<td>5.0</td>
</tr>
<tr>
<td>13211 Fox Shadow Lane</td>
<td>0751-00082</td>
<td>2000</td>
<td>R-C</td>
<td>5.0</td>
</tr>
<tr>
<td>Clifton, VA 20124</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marvin H and</td>
<td>0751-08-00067</td>
<td>R-C</td>
<td>5.0</td>
<td></td>
</tr>
<tr>
<td>Bonnie H Koster, Trustees</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13120 Cedar Ridge Dr.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clifton, VA 20124</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3. Total acreage in the proposed district: 20.3 acres.

4. Using the definitions on the instruction sheet, indicate the number of properties
   included in this application: farm ___ forest ___.

- 1 -
5. Name, address and telephone number of the property owner or representative who will act as a contact person for this application:

Name: Mark A Koster
Address: 13121 Fox Shadow Lane
Clifton, VA 20124
Telephone: 703-815-5646

6. Signature of all property owners:

[Signatures]

Date application accepted: 4/20/2021
Date of action by Board of Supervisors:

(____) Approved as submitted
(____) Denied
(____) Approved with modifications
ALL APPLICANTS

1. List all structures on the property, the year the structure was built and the present use of the structure:

<table>
<thead>
<tr>
<th>Structure</th>
<th>Year built</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>13120 Cedar Ridge Dr</td>
<td>1982</td>
<td>Residence</td>
</tr>
<tr>
<td>13121 Fox Shadow Lane</td>
<td>2001</td>
<td>Residence</td>
</tr>
</tbody>
</table>

use additional page(s) if necessary

2. List any historic sites, as listed on the Fairfax County Inventory of Historic Sites, located on the subject property:

3. List any improvements made to the property in the past 10 years, including buildings, fencing, equipment, drainage projects, and conservation measures:

- Repaired and replaced fencing on both properties
- Painted fencing on both properties
- Reseeded, limed, fertilized grass on both properties
- Cleared away several dead and fallen trees
- Maintained and increased one of riparian buffer/filter strip on Fox Shadow Lane
4. Is a Soil and Water Conservation Plan on file with the Northern Virginia Soil and Water Conservation District (NVSWCD):  yes  no

If yes, date prepared: ____________________________

If no, has an application been filed with NVSWCD:  yes  no

If yes, date submitted: ____________________________

5. List the products and yields from this farm or forest property:

<table>
<thead>
<tr>
<th>Product</th>
<th>Past year's yield</th>
<th>Average yield for previous 4 years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tree harvesting</td>
<td>3 cords</td>
<td>3 cords</td>
</tr>
<tr>
<td>for firewood</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Horseback riding lessons</td>
<td>periodic</td>
<td></td>
</tr>
</tbody>
</table>
FARM PROPERTY

1. Please check the appropriate description of the farm:
   - [ ] Owner-operated, full-time.
   - [x] Owner-operated, part-time.
   - [ ] Farm manager operated.
   - [ ] Rented to another farmer
     Portion of farm rented: __all ______ acres.
   - [ ] Other. Please describe:

2. List the acreage of the property which is in the following uses:
   - Active agricultural uses: ______ acres.
   - Forested or undeveloped: ______ acres.
   - Residential uses: ______ acres.
   - Total acreage: ______ acres.

3. Does the farm operation require that tractors or other slow moving vehicles use public roads: ___yes ___no
   If yes, which roads will be used:
   Direct access between both properties

4. Please estimate the number of vehicles entering or leaving your farm each day:
   15 cars, vans and pickup trucks 0 heavy trucks.

FOREST PROPERTY

1. List the acreage of the property which is in the following uses:
   - Future timber or pulpwood harvesting: ______ acres.
   - Christmas tree production and harvesting: ______ acres.
   - Firewood production and harvesting: ______ acres.
   - Conservation: ______ acres.
   - Residential uses: ______ acres.
   - Other: ______ acres.
   - Total acreage: ______ acres.

2. If tree harvesting is planned, what roads or rights-of-way will be used for access:
   Tree harvesting not planned—except for clearing of dead trees
A&F District Renewal
AR 2004-SP-001-02

Applicant: MARK A. AND LISA K. KOSTERS, TRUSTEES, MARVIN H. KOSTERS AND BONNIE M. KOSTERS, TRUSTEES

Accepted: 04/20/2021
Proposed: AGRICULTURAL AND FORESTAL DISTRICT RENEWAL

Area: 20.3 AC; DISTRICT - SPRINGFIELD
Zoning Dist Sect: 
Located: 13120 CEDAR RIDGE DRIVE & 13121 FOX SHADOW LANE, CLIFTON, VA 20124
Zoning: R- C
Overlay Dist: WS
Map Ref Num: 075-1-08/006Z/10/0007Z/10/0008Z/10/0009Z

Springdale Estates Rd.
Fox Shadow Ln.
Cedar Ridge Dr.
March 16, 2021

Background Information in Support of
Application for Renewal of Agricultural and Forestal District Status

Description of this Application

This application is a request by Mark A. Kosters and Lisa K. Kosters and by
Marvin H. Kosters and Bonnie M. Kosters for renewal of the status of the Kosters Local
Agricultural and Forestal District created under the provisions of Chapter 115 of the
Fairfax County Code with the County's decision conveyed to us by a letter dated
February 4, 2005. This A&F district was renewed again by letter dated July 10, 2013.
The district consists of 20.3 acres located approximately ¼ mile west of Clifton Road
(Rte. 645) between the addresses at the 6600 and 6700 blocks (beginning about ¼ mile
south of Popes Head Road in the Springfield District). The applicants for renewal of A &
F status are proposing to continue to utilize the property for pasture for grazing and for
wooded open space. Two stables are available for horses.

Location and Character of the District

The subject property is located approximately ¼ mile west of Clifton Road,
approximately ¼ mile south of Popes Head Road. The subject properties are lots 4, 5,
and 6 of the Cedar Ridge Estates subdivision (also known as the Gilliam division) and lot
6 of the Cedar Knolls of Clifton subdivision. The Cedar Ridge Estates lots are owned by
Mark and Lisa Kosters, and the Cedar Knolls of Clifton lot is owned by Marvin and
Bonnie Kosters. (Their addresses, respectively, are 13121 Fox Shadow Road and 13120
Cedar Ridge Drive.) Marvin and Bonnie Kosters are the parents of Mark Kosters, thus
satisfying the family ownership requirements of Fairfax County. The Cedar Knolls lot
adjoins the Cedar Ridge estates lots, so that the properties for which this application for
renewal is submitted are contiguous.

The subject properties are zoned R-C (Residential-Conservation) and WSOD
(Water Supply Protection Overlay District). The properties are planned for residential
and farming and forestal use. Two private residences and two stables for horses are at
this time constructed on the combined properties. Approximately 3/4 of the total area of
the properties is cleared for use as pasture and approximately 1/4 is generally wooded.

Character of the Surrounding Area

The surrounding area is zoned R-C. is predominately planned for residential use
at 0.1 to 0.2 dwelling units per acre and is located within WSPOD. The area adjacent to
these properties is generally developed with single-family detached houses on lots of five
or more acres. Three adjoining properties have equestrian facilities.
Comprehensive Plan Citations

The properties are located in Johnny Moore Community Planning Sector P3 of the Pohick Planning District in Area III.

As adopted by the Board of Supervisors on July 1, 1991, under the heading “Sector Recommendation, Land Use,” the Area III plan states:

“1. The entire P3 planning sector is located within the watershed of the Occoquan Reservoir. Protection of the Occoquan Reservoir water quality is the primary objective for this area. Land in this sector should be planned for residential use within a density range of 0.1 to 0.2 dwelling units per acre. This conforms with the findings in the Occoquan Basin Study and is commensurate with predominate densities and the well-established character of existing development in this sector . . .

3. Agricultural and forestal uses are alternatives to residential uses in Low Density Residential areas. Such uses, depending on the techniques used, can have positive impacts on water quality. Careful attention should be paid to insure that agricultural and forestall techniques are supportive of water quality goals for the Occoquan Reservoir watershed . . .”

The Comprehensive Plan map shows that the property is planned for residential use at 0.1 to 0.2 dwelling units per acre, public park, and private open space.

Land Use Analysis

Prior to January 2000, lots 4, 5, and 6 of Cedar Ridge Estates were part of a parcel owned by J. William and Sandra G. Gilliam that had been devoted to agricultural and forestal use for several years under an agreement that had most recently been renewed in February 1992. Since that time, a residential unit and a stable were constructed on lot 6 of Cedar Ridge Estates. Cleared areas have been re-seeded with several varieties of tall fescue and clover to rejuvenate the pasture areas for grazing and the pasture areas have been enclosed with wooden fencing. Arabian horses were raised on the adjoining lot 6 of Cedar Knolls of Clifton in the period before 1999. The Kosters families have been using these properties for private open space, for maintaining natural woodlands, for grazing of horses, and for selling firewood from mature trees that have been downed by storms such as the derecho storm in 2012 and earlier by Hurricane Isabel.

Transportation Analysis

This application does not represent any conflict with the County Plan transportation recommendations, and would have no adverse traffic impacts. Since the two properties covered by this application are adjoining properties, movement of agricultural, forestal, or equestrian equipment from one property to the other does not generally involve use of Clifton Road or other public roads.
Environmental Analysis

This site is located in the Johnny Moore Watershed of WSPOD. The topography on this site divides into two sub-sheds. Approximately two thirds of this property drains south and west on these properties into two tributaries of Johnny Moore Creek on these and adjoining properties. Approximately one third drains west directly into that portion of Johnny Moore Creek that forms the western boundary of the Cedar Ridge Estates lots.

The Johnny Moore floodplain contains alluvial soil. Alluvial soil is also located along the tributary located near the eastern boundary of Cedar Ridge Estate lot 4 and along the tributary crossing Cedar Knolls lot 6. Alluvial soils are indicative of the presence of wetlands. These drainage-ways are bordered by highly erodible soils on fairly steep slopes that are used as either woodlands or pasturelands.

As already noted, the site covered by this application is about one-fourth wooded and three-fourths is maintained as grassland. A combination of old field, old field with hardwood cover, upland hardwood, upland softwood, floodplain forest and possibly wooded wetlands form a series of interconnected forest communities on this site. In the floodplain areas of the tributaries of Johnny Moore Creek, red maple and beech are prominent in the canopy, dogwood forms the understory, and ground cover consists mainly of grass and ferns. Closer to the tops of the slopes, tulip poplars, oak, beech, hickory, and walnut trees are found. On the slope facing west toward Johnny Moore Creek, deciduous trees such as tulip poplar, oak, and sycamore have crowded out most of the pine. Trees in the floodplain area near Johnny Moore Creek include sycamores and some very large tulip poplars with diameter at breast height of at least three to four feet.

The Johnny Moore Creek floodplain and steep slopes on the Cedar Ridge Estates portion of these properties and a portion near the northern end of Cedar Knolls lot 6 form a stream valley environmental quality corridor. The location of these stream valley areas, and their relationship to other adjoining properties, provide food value and protective cover for wildlife. There are several deer trails in these areas, and other wildlife such as fox and wild turkeys are frequently observed. The characteristics of this vegetated area improve the habitat quality of the environmental quality corridor. Applicants are aware of these characteristics of these properties, and limit clearing, grading, and mowing to the boundaries of the environmental quality corridor. Vegetation in these areas will be allowed to continue to naturally regenerate so a protective buffer will continue to be maintained along both sides of stream channels and the stream valley on the properties.

Johnny Moore Creek is a perennial stream and is considered a Resource Protection Area, in accordance with the Chesapeake Bay Preservation Ordinance. The other watercourses located on the property have a drainage area larger than 70 acres and also include Resource Protection Area. The soils within the floodplain and along the watercourses are hydric indicating that non-tidal wetlands may be present. If these wetlands are contiguous with the tributary stream, they are included in the Resource Protection Area. Other environmental characteristics on this site, such as the steep slopes
and wetlands contiguous to the watercourse form a protective buffer for the Resource Protection Area and provide water quality protection.

Agricultural and Forestal District Criteria Analysis

Article 5 of Chapter 115 of the Fairfax County Code contains two sets of criteria which are designed to serve as a guide in the evaluation of proposed local Agricultural and Forestal Districts. All of the criteria in Group A and at least two from Group B should be satisfied by this Agricultural and Forestal district. It is important to note that these criteria are guides to establishing an A & F district, they are not prerequisites. The following is an evaluation of the Kosters Local A & F District's conformance with these criteria:

Criteria Group A

(1) All district acreage should be currently devoted to agricultural use or forestal use or should be undeveloped and suitable for such uses, except that a reasonable amount of residential or other use, related to the agricultural or forestal use and generally not more than five (5) acres per district may be included.

The subject properties consist of approximately 15 acres of pastures for grazing and 5 acres of forest. Approximately three-tenths of an acre is devoted directly to residential use.

(2) All lands in the district should be zoned to the R-P, R-C, R-A, or R-E District.

The subject properties are entirely zoned R-C (Residential Conservation) District.

(3) The district should be consistent with the Comprehensive Plan. The following land uses identified in the plan are appropriate for a district: .1-.2 dwelling unit per acre, .2 dwelling unit per acre, .2-.5 dwelling unit per acre, .5-1 dwelling unit per acre, Private Recreation, Private Open Space, Public Park, Agriculture, Environmental Quality Corridor. Lands not planned as such may be considered for a district if they meet at least (3) of Criteria Group B.

The Comprehensive Plan proposes low density development for these properties at a density not to exceed 0.1 to 0.2 dwelling unit per acre.

(4) A majority of the surrounding land within one-quarter mile of the district should be planned according to the Comprehensive Plan for uses identified in (a)(3), above. Exceptions may be made for lands located at the edge of a planned growth area or which meet at least three (3) of the criteria of Criteria Group B, if no conflicts with surrounding uses, existing and planned, are evident or likely.

The Comprehensive Plan designates the majority of the surrounding land within one-quarter mile of the proposed district for use at 0.1 to 0.2 dwelling unit per acre.
(5) All farms to be included in a district should be at least twenty (20) acres in size. A farm may include several parcels of land; however, all parcels must have the same owner or else owners must be members of the same immediate family or a family trust or family corporation. A farm must include at least 15 acres of land in agricultural use. A farm may include noncontiguous parcels within one (1) mile of the core acreage (the largest parcel or group of contiguous parcels or the parcel where the farm buildings are located) as long as the noncontiguous parcels are predominately agricultural in use and as long as the total acreage of each individual farm (including contiguous and noncontiguous lands) is at least twenty (20) acres.

Approximately 15 acres of the subject properties are used for pasture and grazing, out of the total of 20.3 acres. The Cedar Ridge Drive property is owned by Marvin H. Kosters and Bonnie M. Kosters. The Fox Shadow Road properties are owned by members of the immediate family — their son, Mark A. Kosters, and daughter-in-law Lisa K. Kosters.

(6) All other properties not included in a farm as defined in (a)(5), that is, forested and partially forested properties and properties with less than fifteen (15) acres in agricultural use, should be as least twenty (20) acres in size. These properties may contain several parcels; but all parcels must be contiguous, and all must have the same owner or else owners must be members of the same family or a family trust or family corporation.

About 5 acres of the subject properties are wooded, out of the total of 20.3 acres. All of the parcels, which are contiguous, are owned by Mark A. and Lisa K. Kosters, and Mark’s parents, Marvin H. and Bonnie M. Kosters.

(7) Approximately two thirds of the land in agricultural use in the district should contain Class I, II, III or IV soils as defined by the USDA Soil Conservation Service. Districts having more than one-third of the land in agricultural use containing Classes V-VIII soils may be considered if such lands have been improved and managed to reduce soil erosion, maintain soil nutrients, and reduce nonpoint source pollution.

An estimated two thirds of the land devoted to pasture and grazing contains Class I-IV soils. All of the agricultural land is seeded, limed, and fertilized as necessary to maintain soil nutrients, reduce soil erosion, and reduce nonpoint source pollution.

(8) Agricultural land in the district should be used in a planned program of soil management, soil conservation and pollution control practices which is intended to reduce or prevent soil erosion, maintain soil nutrients and reduce nonpoint source pollution. Exceptions to this criterion may be made only for those lands which upon initial application for the establishment of a district are not used in such a program but for which a conservation plan is being prepared or has been
requested from the Northern Virginia Soil and Water Conservation District or the Virginia Division of Forestry.

The agricultural land in the district is all devoted to pasture and grazing. Consequently, the soil is not worked or cultivated in ways that make it vulnerable to erosion. The soil is maintained to foster continual ground cover by over-seeding as necessary, periodic aeration, liming as needed, and application of fertilizer.

In addition, special efforts are being made to prevent erosion and protect the quality of surface water runoff. About 75 woody bushes (mountain pieris) were planted to guard against soil erosion, to provide a buffer and filter strip, and to stabilize stream banks on the property. The brush and grasses help to prevent runoff from adjacent properties from degrading water quality and eroding stream banks.

(9) Forest land and undeveloped land in the district should be kept in an undisturbed state, or if periodically harvested or experiencing erosion problems, should be used in a planned program of soil management, soil conservation and pollution control practices which is intended to reduce or prevent soil erosion, maintain soil nutrients and reduce nonpoint source pollution. Exceptions to this criterion may be made only for those lands which upon initial application for the establishment of a district are not used in such a program but for which a conservation plan is being prepared or has been requested from the Northern Virginia Soil and Water Conservation District or the Virginia Division of Forestry.

The forested land is being left undisturbed and shows no evidence of soil deterioration or erosion. Except for clearing away trees that have fallen from natural causes (such as storms) and harvesting some of the hardwoods among them for firewood, forest areas are left to regenerate themselves through new growth and underbrush.

(10) There should be evidence of a history of investment in farm or forest improvements or other commitments to continuing agricultural or forestal use in the district. In particular, districts with no history of investments in farm or forest improvements must evidence a firm commitment to agricultural or forest use for at least the life of the district.

The agricultural areas of the Fox Shadow Road parcels have been aerated, limed, fertilized, and over-seeded with various varieties of fescue grasses and clover to maintain the soil and achieve healthy and productive pasture and grazing lands since these parcels were purchased in 2000. In addition, a stable was constructed on one of these parcels, new oak board fencing was built where required to enclose the pastures, and existing oak board fencing has been repaired and replaced as necessary. Pasture land has been aerated, limed, fertilized, and over-seeded to maintain the soil and to provide forage for grazing horses.
(1) Farm and/or forest products have been regularly produced and sold from the property during the last five (5) years.

The main farm or forest products produced or sold from this property have been firewood harvested from mature trees that were downed by storms. An additional benefit of harvesting downed trees has been reducing fire hazards and improving environmental attractiveness of wooded areas on the property.

In addition, although this does not specifically involve regular sales of farm or forest products produced on the property, the facilities were used during summer months by family members to give riding lessons to young people in the community. Also, horseback riding and training on the property have enabled family members to do volunteer work related to Full Cry Farm, the therapeutic riding facility located almost directly across Clifton Road.

(2) The land provides scenic vistas, improves the aesthetic quality of views from County roads or contributes to maintaining the existing rural character of an area.

Preservation of wooded areas and development of open space for pasture on these parcels improves scenic vistas and contributes to aesthetic quality of views. This usage definitely contributes to maintaining the existing rural character of this area north of Clifton.

(3) The property contains an historically or archaeologically significant site which would be preserved in conjunction with the establishment of a district. A site that is listed on the Federal Registry of Historic Places, the State Registry of Historic Places and/or the County Inventory of Historic Places will be considered historically and/or archaeologically significant. A property which contains a site that is considered to be archaeologically significant by the County Archaeologist, or is located in an area with a high potential for archaeological sites, provided that the property owner has agreed to permit the County Archaeologist access to the site, may also be considered historically and/or archaeologically significant.

There is no known historical or archaeological site on the subject properties. Therefore, this criterion is not applicable.

(4) Farming or forestry operations practice unique or particularly effective water pollution control measures (BMP’s).

Efforts to deter erosion and to maintain water quality include planting brush and woody plants on the banks of streams keep water run-off from adjoining properties from degrading the environment. Since these practices may not be sufficiently unique, this criterion may not be satisfied.

(5) The land is zoned R-A, R-P, or R-C.
All of the parcels in the proposed district are zoned R-C. Therefore, this criterion is satisfied.

(6) The land is entirely in a permanent open space easement.

The land in these parcels is not located within a permanent open space easement. Therefore, this criterion is not satisfied.

***

As noted above, these criteria serve as a guide for designation of a property for agricultural and forestal district status. They are not a prerequisite for establishing a district. Nevertheless, the applicants believe that the proposed district satisfies all of the applicable criteria in Group A, and at least two of the criteria in Group B. Therefore, the applicants believe that this proposed district meets the criteria contained in Article 5 of Chapter 115 of the Fairfax County Code. The applicants accordingly request renewal of the A & F status of the Kosters Local Agricultural and Forestal District.

Signatures

Mark A. Kosters  Date  3/16/21

Lisa K. Kosters  3/14/21

Marvin H. Kosters  3/14/21

Bonnie M. Kosters  3/16/21