



County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

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2/23/09

March 19, 2009

John C. McGranahan, Jr., Esquire
Nicholas H. Grainger, Esquire
Hunton & Williams
1751 Pinnacle Drive, Suite 1700
McLean, Virginia 22102

RE: Agricultural and Forestal District Renewal Application AR 80-D-001-03 (Dranesville District)
(Revised Ordinance)

Dear Mr. McGranahan:

Agricultural and Forestal District Renewal Application AR 80-D-001-03, in the name of Edith W. Spalding, Sidney P. Spalding, Jr., and Orlando W. Spalding, Trustees; and Patowmack Farm, a Virginia Limited Partnership, meeting all of the criteria and provisions pursuant to the Code of the County of Fairfax, Chapter 114 (Statewide Agricultural and Forestal Districts), Appendix E, and additional environmental provisions, was renewed by ordinance by the Board of Supervisors at a regular meeting held on February 23, 2009, as the Patowmack Farm Statewide Agricultural and Forestal District, subject to the attached ordinance provisions dated February 23, 2009. The subject property is located at 215 Seneca Road on approximately 469.98 acres of land zoned R-E in the Dranesville District, [Tax Map 2-2 ((1)) 6A; 3-1 ((1)) 3Z, 4Z, 5Z; 3-3 ((1)) 1Z; 3-4 ((1)) 2 and 3].

Sincerely,

Nancy Venrs
Clerk to the Board of Supervisors
NV/dms
Attachment

cc: Chairman Sharon Bulova
Supervisor John Foust, Dranesville District
Janet Coldsmith, Director, Real Estate Division, Dept. of Tax Administration
Regina Coyle, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, DPZ
Angela Rodeheaver, Section Chief, Transportation Planning Division, DOT
Ellen Gallagher, Capital Projects and Operations, Department of Transportation
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
District Planning Commissioner
Barbara J. Lipka, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

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*ADOPTION OF AN AMENDMENT TO
APPENDIX E (DISTRICT ORDINANCES FOR AGRICULTURAL AND
FORESTAL DISTRICTS OF STATEWIDE SIGNIFICANCE)
OF THE 1976 CODE OF THE COUNTY OF FAIRFAX, VIRGINIA*

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Monday, February 23, 2009, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted an amendment regarding Appendix E (District Ordinances for Agricultural and Forestal Districts of Statewide Significance) of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following, to-wit:

*BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF FAIRFAX
COUNTY, VIRGINIA:*

That Appendix E (District Ordinances for Agricultural and Forestal Districts of Statewide Significance), E-1, is amended as follows:

E-1. Patowmack Farm Statewide Agricultural and Forestal District
(AR 80-D-001-03)

(a) The following parcel of land situated in the Dranesville District, and more particularly described herein, is hereby included in the Patowmack Farm Statewide Agricultural and Forestal District:

Owner	Fairfax County Tax Map Parcel Number	Acreage
Patowmack Farm, A Virginia Limited Partnership	3-4 ((1)) 2	.487 acres
	3-4 ((1)) 3	.490 acres
	2-2 ((1)) 6A	2.226 acres
	3-3 ((1)) 1Z	30.842 acres
	3-1 ((1)) 3Z	216.162 acres
	3-1 ((1)) 4Z	207.106 acres
Edith W. Spalding, Sidney P. Spalding, Jr. Orlando W. Spalding, Trustees	3-1 ((1)) 5Z	12.667 acres
<hr/> Total		469.98 acres

(b) The Patowmack Farm Statewide Agricultural and Forestal District is established effective February 23, 2009, pursuant to Chapter 43, Title 15.2 of the Code of Virginia and Chapter 114 of the Fairfax County Code and is therefore subject to the provisions of those Chapters and the following provisions:

(1) The Patowmack Farm Statewide Agricultural and Forestal District shall be reviewed after a period of ten years from the date of action on this renewal by the Board of Supervisors.

(2) The Conservation Plan (dated July 2, 2008) and the Forest Management Plan (dated August 1, 2008) shall be implemented during the life of the Patowmack Farm Statewide Agricultural and Forestal District. The Conservation Plan and Forest Management Plan shall not be deviated from and shall be amended by the applicant only when it is determined to be necessary by the Northern Virginia Soil and Water Conservation District and/or the Virginia Department of Forestry to incorporate any major changes in the farming operation, such as but not limited to: an increase in the land clearing, changes in crop production, and additional water impoundments. The Conservation Plan and the Forest Management Plan shall be submitted, including any revisions, with subsequent applications for renewal or amendment of the District for review by the Department of Planning and Zoning. The applicant shall, to the extent reasonably practicable, employ Best Management Practices (BMPs) as promulgated by the Northern Virginia Soil and Water Conservation District and/or the Virginia Department of Forestry.

(3) No parcel included within the district shall be developed to a more intensive use than its existing use at the time of the adoption of the ordinance renewing such district for ten years from the date of adoption of the renewal of this district. This provision shall not be construed to restrict

expansion of, or improvements to, the agricultural or forestal use of this land, or prevent the construction of additional houses within the district, where otherwise permitted by applicable law, for either land owner, a member of the owner's family or for a tenant who farms the land.

(4) No parcel added to an already established district shall be developed to a more intensive use than its existing use at the time of addition to the district for ten (10) years from the date of adoption of the original ordinance to renew the district.

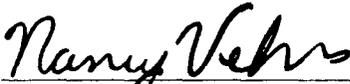
(5) Land used in agricultural and forestal production within the agricultural and forestal district of statewide significance shall qualify for an agricultural or forestal value assessment on such land pursuant to Chapter 4, Article 19 of the Fairfax County Code and to Section 58.1-3230 et seq. of the Code of Virginia, if the requirement for such assessments contained therein are satisfied.

(6) Those areas delineated as Environmental Quality Corridors (EQCs) shall be left undisturbed, except for agricultural and related activities consistent with the Conservation Plan and Forest Management Plan, and the boundaries of the EQC shall be the permanent limits of clearing and grading except for agricultural and related activities consistent with the Conservation Plan and Forest Management Plan for the life of the Patowmack Farm Statewide Agricultural and Forestal District (See Exhibit A). There shall be no new structures nor clearing and grading permitted in the EQC unless otherwise in conformance with the Forest Management Plan dated August 1, 2008. The boundaries of the EQC as depicted on Exhibit A are subject to field verification and may shift to accurately reflect the appropriate limits of the EQC. No further encroachment into the RPA as depicted on Exhibit A shall be permitted without prior approval from the Northern Virginia Soil and Water Conservation District.

(7) The establishment and continuation of this district depends upon the continuing legality and enforceability of each of the terms and conditions stated in this ordinance. This district may, at the discretion of the Board of Supervisors, be subject to reconsideration and may be terminated if warranted in the discretion of the Board of Supervisors upon determination by a court or any declaration or enactment by the General Assembly that renders any provisions illegal or unenforceable. The reconsideration shall be in accordance with procedures established by the Board of Supervisors and communicated to the property owner(s) to demonstrate that the determination by a court or the declaration or enactment by the General Assembly does not apply to the conditions of this district.

This amendment shall become effective upon adoption.

GIVEN under my hand this 23rd day of February, 2009.



NANCY VEHRS

Clerk to the Board of Supervisors