



APPLICATION ACCEPTED: July 22, 2013
PLANNING COMMISSION: November 13, 2013
BOARD OF SUPERVISORS: November 19, 2013 @ 3:30 p.m.

County of Fairfax, Virginia

October 30, 2013

STAFF REPORT

WS

SANDERS AGRICULTURAL AND FORESTAL DISTRICT

APPLICATION AR 2005-SU-002

SULLY DISTRICT

APPLICANTS: J. David and Kimberly Ann Sanders, Trustees

ZONING: RC, WS, HD (pt.)

PARCEL(S): 63-2 ((1)) 9Z; 64-1 ((1)) 32Z; 64-3 ((1)) 1Z

ACREAGE: 131.04 acres

PLAN MAP: Residential @ 0.1-0.2 du/ac, private open space

PROPOSAL: Renewal of a Local Agricultural and Forestal District

STAFF RECOMMENDATIONS:

Staff recommends that the request to amend Appendix F of the Fairfax County Code to renew the Sanders Local Agricultural and Forestal District be approved, subject to the Ordinance Provisions listed in Appendix 1.

It should be noted that approval of an agricultural and forestal district application does not automatically qualify a property for land use value assessment. Upon application to the Department of Tax Administration (DTA) for taxation on the basis of land use assessment, DTA must independently determine if the subject property meets the definition of either agricultural and/or forestal use, as well as the appropriate guidelines, including minimum acreage, for either use, as required by Title 58.1 of the Code of Virginia, which is found in Appendix 9.

Brent Krasner, AICP

It should also be noted that it is not the intent of staff to recommend that the Board, in adopting any Ordinance Provisions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290 or TTY 711 (Virginia Relay Center).

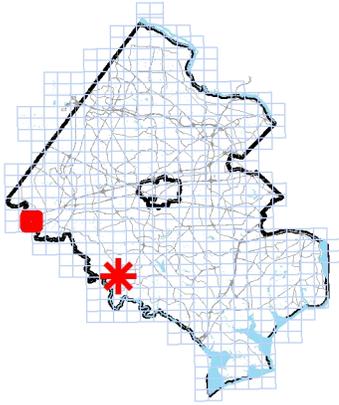
O:\bkrasner\ZED\Ag & Forest\Districts\2013-7 Sanders - Battlefield Equestrian Center\Report\Sanders - Staff Report Cover.doc



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

A&F District Renewal

AR 2005-SU-002



Applicant:

J. DAVID SANDERS, TRUSTEE & KIMBERLY ANN SANDERS, TRUSTEE

Accepted:

07/22/2013

Proposed:

AGRICULTURAL/FORESTAL DISTRICT RENEWAL

Area:

131.04 AC OF LAND; DISTRICT - SULLY

Zoning Dist Sect:

16009 LEE HWY, CENTREVILLE, VA 20121

Located:

Zoning:

R- C

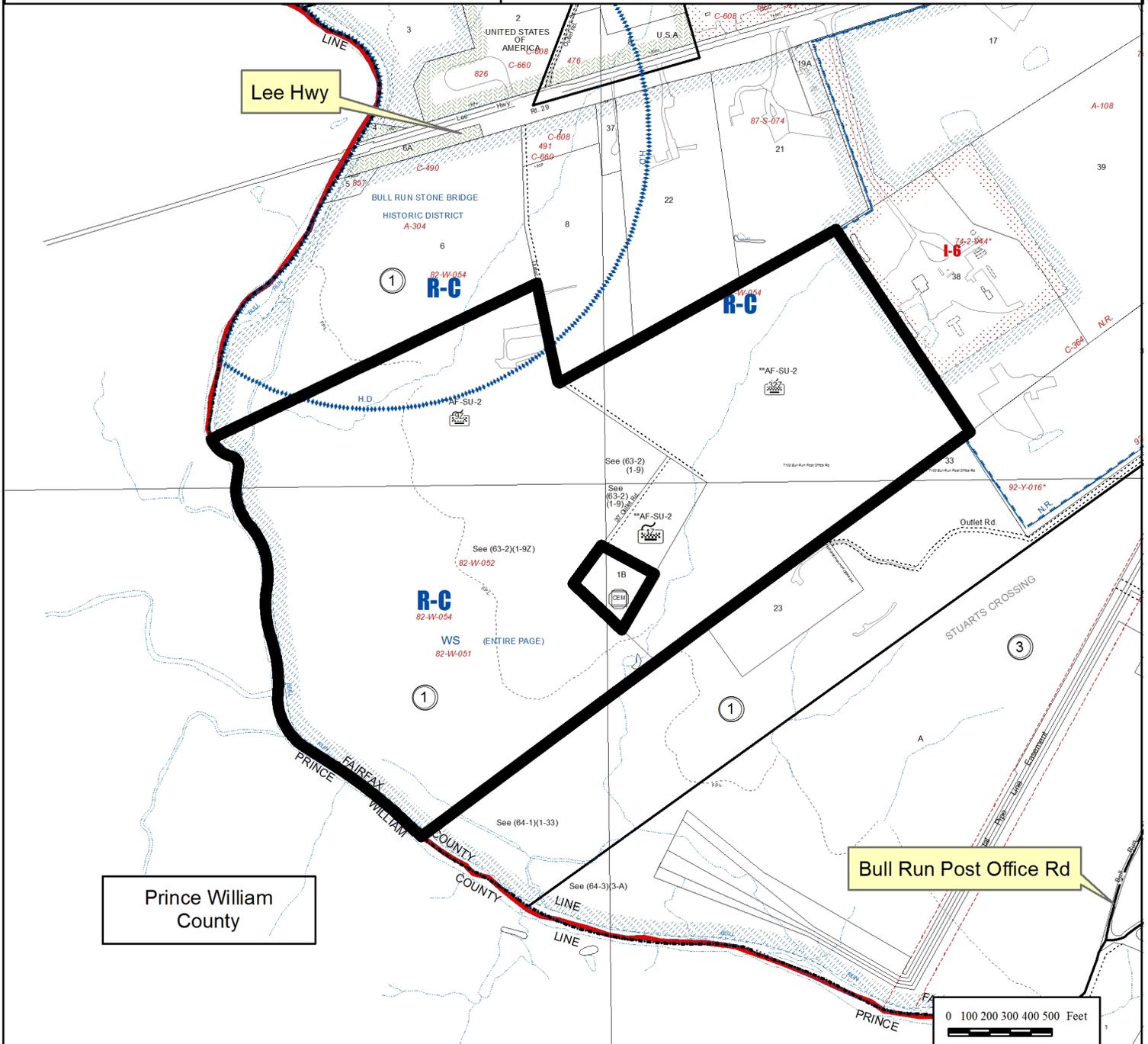
Overlay Dist:

WS, HD (pt.)

Map Ref Num:

063-2- /01/ /0009Z 064-1- /01/ /0032Z/

064-3- /01/ /0001Z



**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF APPLICATION

AR 87-S-003-03

The applicants seek to renew the Sanders Local Agricultural and Forestal (A&F) District for an eight year term under the provisions of Chapter 115 of the Fairfax County Code. A & F Districts encourage the preservation of significant tracts of agricultural and forested land throughout the County by providing a reduced real estate tax assessment in exchange for a commitment to preserve the land for the length of the term. While certain exceptions are permitted, the land is expected to remain at its present use and development intensity. Removal of the district before the conclusion of the eight year term is subject to a penalty and payment of roll back taxes, subject to the terms in Article 6 of Chapter 115. The subject property consists of 131.04 acres located south of Lee Highway, adjacent to Bull Run in the Sully District. Copies of the applicant's Statement of Justification and related application materials are contained in Appendix 2. Staff's Proposed Ordinance Provisions are contained in Appendix 1.

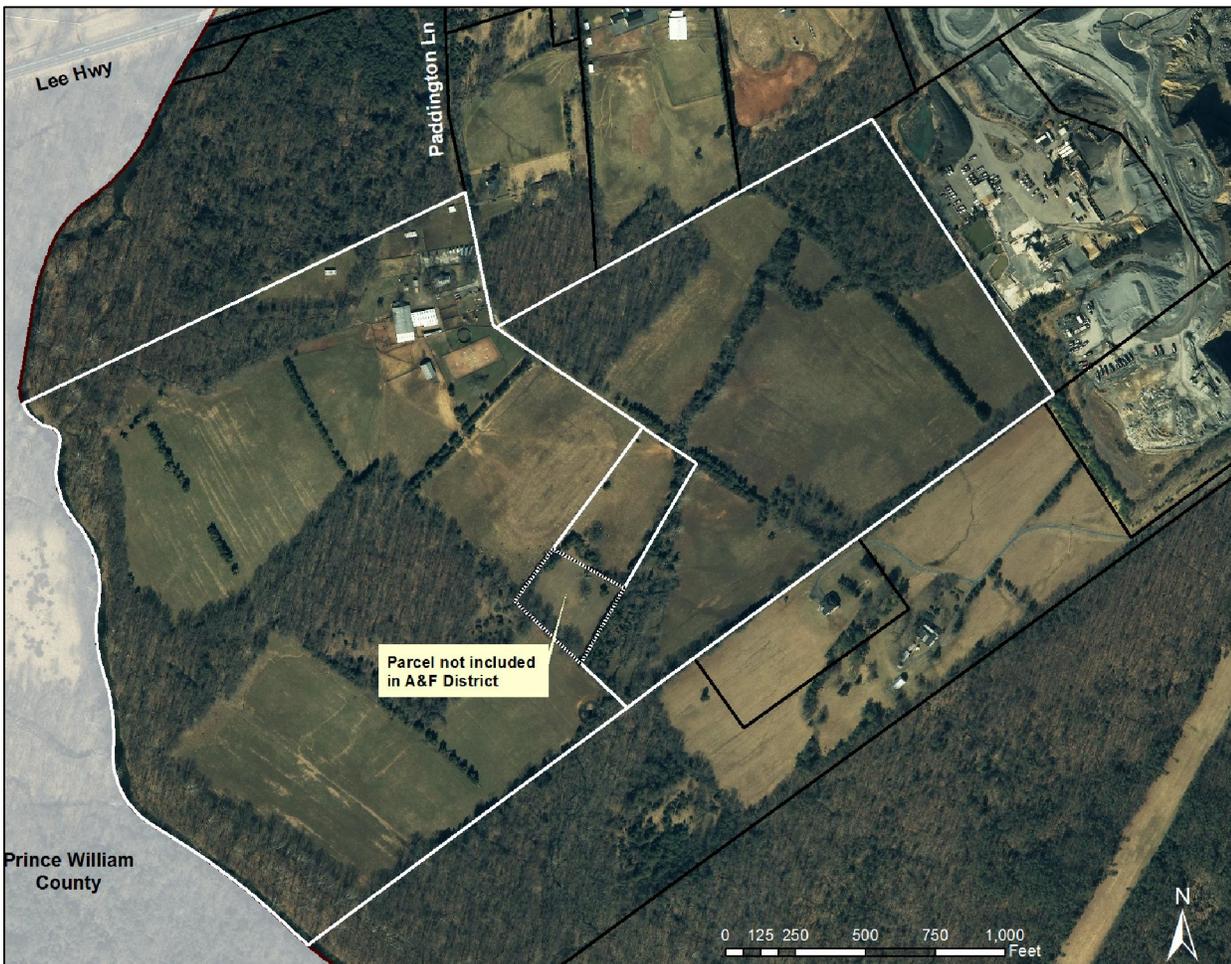


Figure 1. Aerial View of District

LOCATION AND CHARACTER

District Location

The subject property is located along Bull Run just south of Lee Highway and west of the Luck Stone Quarry. It is accessed via a 400 foot long outlet road from Lee Highway opposite the parking area for the Stone Bridge at the Manassas National Battlefield Park.

Existing Conditions/Character of the District:

The district consists of three parcels totaling 131.04 acres upon which the applicants operate a horse breeding, training and boarding facility known as Battlefield Equestrian Center. The parcels sit approximately 400 feet off of Lee Highway, and are accessed by a 20 foot wide outlet road that is also used to access a cemetery, the Sanders' house, and one neighbor's house. The cemetery parcel is not included in the district. The Sander's house, horse barns, and related outbuildings and paddocks are clustered at the northern edge of the site and occupy about 8 acres of land. The remaining 123 acres of the property are used for horse pasture and consist of mainly open land broken up by several forested areas. An unnamed tributary to Bull Run crosses the eastern portion of the district from northeast to southwest. The following chart lists the different structures present on the site along with the year built and parcel locations:

Structures in District			
Number	Structure	Year Built	Parcel Location
1	House	1925	9Z
2	Broodmare 1 stall barn	1978	9Z
3	Broodmare 2 stall barn upper	1995	9Z
4	Broodmare 1 stall barn lower	1995	9Z
5	Boarding Barn Metal	1975	9Z
6	Boarding Barn Wood	1964	9Z
7	Hay Barn Metal	1975	9Z
8	Tack Room Personal	1988	9Z
9	Tack Room Boarding	1990	9Z
10	Bedding Storage Shed	1985	9Z
11	Tool Shed	1975	9Z

Surrounding Area Description:

The property abuts undeveloped wooded land and several residential properties on large lots to the north. Bull Run Creek lies to the west; to the south is wooded and agricultural land contained within the Kulbok A and F District (approval currently pending [AF 2013-SU-002]); the Luck Stone Quarry is located to the east.



Figure 2 – View of Surrounding Area

BACKGROUND

The subject property was purchased by Oscar and Mary Sanders in 1983. Their son, J. David Sanders and his wife, have operated a horse farm on the property since it was purchased, and some sort of horse related activity has been operated there since prior to 1964. The Sanders' board approximately 50 horses as well as breed several mares per year. Training and riding lessons are provided to boarding clients, but not to the general public. The entire property is located in the Water Supply Protection Overlay District (WS), and a small portion in the northern most portion lies in the Bull Run Stone Bridge Historic

District (HD). Since the inception of the district the use of the property has not been substantially altered, and the current application is for the same land area as the original application.

COMPREHENSIVE PLAN PROVISIONS

Plan Area:	Area III
Planning District:	Bull Run
Planning Sector:	Stone Bridge (BR5)
Plan Map:	Residential use at a density of 0.1 to 0.2 dwelling units per acre; public parks, private open space

ANALYSIS

Land Use/Environmental Analysis (Appendix 3)

The establishment and continuation of agricultural and forestal districts is in conformance with the Plan goals of preserving the rural and scenic character of the surrounding area. Approximately 120 acres of the subject property are utilized for horse pasture or undeveloped forest land. The property falls within the Bull Run watershed and Resource Protection Areas (RPA) are mapped along the Bull Run and an unnamed tributary that traverses the site. These areas are also designated as Environmental Quality Corridors (EQC). A delineation of EQC and RPA may be found in the Attachment to Appendix 3 of the staff report. Ordinance provisions are proposed which require the applicant to consider the boundary of the EQC as the limits of clearing and grading for the life of the district.

Transportation Analysis (Appendix 4)

While the County's Transportation Plan has a new road alignment which affects the property, this project is not included in current construction programs. FCDOT has no objections to the renewal of the A&F District.

Park Authority/Cultural Resources Analysis (Appendix 5)

The renewal of this A&F District is consistent with the Comprehensive Plan's objective for resource protection, preservation, and sustainability. The subject district contains two known archeological sites that consist of the house and surrounding outbuildings along with the adjacent Robinson Cemetery parcel (not included in the A&F District). The Park Authority recommends as little ground disturbance as possible to protect the existing landscape.

Soil and Water Conservation District Analysis/ VA Department of Forestry Analysis (Appendices 6-7)

The updated Soil and Water Quality Conservation Plan including a soil analysis is attached as Appendix 6. The plan includes a series of recommendations to improve the health and operation of the property. Most notable among these include weed control, rotational grazing of the pastures, and erosion control along the drainage between fields 8 and 9 (as identified in the report) The previous Soil and Water Conservation Plan included a recommendation to maintain a buffer along the RPA areas and the updated report carries this recommendation forward by establishing the boundaries of the EQC areas as the limits of clearing and grading.

Approximately 33% of the property is forested. The wooded areas are primarily used to provide shaded areas for the horses and no active timber harvesting is anticipated. The previously prepared Forest Management Plan prepared by the State Forester in 2005 is included as Appendix 7. The State Forester has indicated no updates are necessary at this time as the forested land is unchanged since the 2005 report was written. The State Forester did observe, however, that weed control and management is a new problem that should be addressed to help provide healthy pasture areas. Staff has included ordinance provisions requiring continued compliance with the updated recommendations of the Soil Plan and Forestry Assessment.

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 applicable criteria in Group A, and least two criteria from Group B should be satisfied by the proposed district. It is important to note that these criteria are a guide to be applied when establishing, renewing or amending a District; they are not prerequisites. The following is an evaluation of the proposed 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 acres per district, may be included.

The subject property is 131.04 acres in size, and is almost entirely devoted to horse pasturage, forested open space, or structures utilized for the breeding, boarding and training of horses. Less than one acre is used for residential purposes. This criterion has been satisfied.

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

The property is zoned R-C. This criterion is satisfied.

3. In general, 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-.5 dwelling unit per acre; .5-1 dwelling units 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 property is planned for residential use at a density of 0.1 to 0.2 dwelling units per acre (du/ac), public parks and private open space. Therefore, this criterion has been satisfied.

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 of the criteria of Criteria Group B, if no conflicts with surrounding uses, existing and planned, are evident or likely.

The Comprehensive Plan designates all of the surrounding land within one-quarter mile of the district for low density residential use at 0.1 to 0.2 du/ac, private open space or Public Parks, with the exception of Luck Stone Quarry. Therefore, this criterion has been satisfied.

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 contain at least fifteen acres of land in agricultural use. A farm may include non-contiguous parcels within one 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 non-contiguous parcels are predominately agricultural in use and as long as the total acreage of each individual farm (including contiguous and non-contiguous land) is at least twenty acres.

The district consists of 131.04 acres; Almost the entire acreage is part of an active agricultural use, under the ownership of the Sanders family, therefore this criterion is satisfied.

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

This property qualifies as a farm; therefore this criterion is not applicable.

7. Approximately 2/3 of the land (66%) 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 1/3 of the land in agricultural use containing Class V-VIII soils may be considered if such lands have been improved and are managed to reduce soil erosion, maintain soil nutrients, and reduce non-point pollution.

The soils on this property are all Class I-IV. Staff has proposed ordinance provisions which are designed to reduce soil erosion and reduce non-point source pollution. These include requiring the applicants to abide by a Soil and Water Conservation Plan. With the imposition of these provisions, staff believes, this criterion is met.

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, control brush, woody growth and noxious weeds on crop land, hay land, and pasture land, and reduce non-point source pollution. Exceptions to this criterion may be made only for those agricultural 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.

An updated Soil and Water Conservation Plan was prepared for the district and the applicant has agreed to abide by the recommendations contained therein. An ordinance provision similarly requires conformance with the Soil and Water Conservation Plan for the life of the A&F District, as amended (if deemed necessary) by the Soil and Water Conservation District. Therefore, staff believes this criterion is satisfied.

9. Forest land and undeveloped land in the district should be kept in an undisturbed state, or if periodically harvested or experiencing erosion problems, shall be used in a planned program of soil management, soil conservation, and pollution control practices which are intended to reduce or prevent soil erosion, maintain soil nutrients, and reduce non-point 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 current forest management plan for the district is included in the appendices; Staff has proposed an ordinance provision that would require the applicant to continue to adhere to recommendations in that report as they relate to sound forestry practices. Staff believes this criterion is satisfied.

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

The applicants have demonstrated a 30 year history of improvements while operating one of the largest horse boarding and breeding operations in Fairfax County. Recent investments include new fencing, drainage improvements, and continued pasture maintenance. Staff believes that the applicants have a sincere commitment to continue the agricultural use on this property for the life of the A&F District, and therefore believe that this criterion has been satisfied.

Criteria Group B:

1. Farm and/or forest products have been regularly produced and sold from the property during the last five years.

This criterion has been satisfied. In the last 8 years the applicants have produced 2-3 foals for sale each year.

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.

The subject property is located adjacent to the Bull Run Stone Bridge Historic District and Bull Run Creek. The district would help preserve this scenic vista and contribute to the maintenance of the rural character of the historic district.

3. The property contains an historically and/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 historically and/or 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.

The property contains two known archeological sites (Sanders Ranch/Robinson Cemetery) and has a high potential to contain civil war artifacts given its proximity to the Manassas Battlefield. This criterion is met.

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

There are no unique water pollution control measures on this site.

5. The land is zoned R-A, R-P, or R-C.

The subject property is zoned R-C. This criterion is satisfied.

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

The subject property is not located within a permanent open space easement.

As previously noted, these criteria serve as a guide in determining whether or not an agricultural district should be established; they are not a prerequisite for establishing a district. All of the applicable criteria in Group A and at least two criteria in Group B should be satisfied. It is staff's opinion that this all of the applicable criteria in Group A and four of the applicable criteria in Group B (farm products, scenic vistas, R-C zoning, and archeological sites) have been satisfied.

AFDAC RECOMMENDATION (Appendix 8)

On September 10, 2013, The Agriculture and Forestal District Advisory Committee (AFDAC) voted unanimously to recommend that the Sanders Local Agricultural and Forestal District be renewed an eight year term, subject to the Ordinance Provisions contained in Appendix 1 of this report.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff believes that the application for the renewal of the Sanders Local Agricultural and Forestal District satisfies all of the applicable criteria in Group A and four of the criteria in Group B, thus meeting the guidelines outlined in Sect. 115 of the County Code. The property exceeds the minimum acreage requirement, and is in conformance with the Comprehensive Plan.

Staff Recommendations

Staff recommends the Board amend Appendix F of the Fairfax County Code to renew the Sanders Local Agricultural and Forestal District subject to the proposed Ordinance Provisions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Ordinance Provisions
2. Application Materials and Statement of Justification
3. Environmental Analysis
4. Transportation Analysis
5. Park Authority Analysis
6. Soil and Water Quality Conservation Plan
7. VA Department of Forestry Forest Management Plan
8. AFDAC Recommendation
9. Title 58.1 Article 4 *Special Assessment for Land Preservation*
10. Glossary of Terms

ORDINANCE PROVISIONS

October 30, 2013

AR 2005-SU-002

If it is the intent of the Board of Supervisors to renew the Sanders Local Agricultural and Forestal District AR 2005-SU-002, pursuant to Chapter 44 of Title 15.2 of the Code of Virginia and Chapter 115 of the Fairfax County Code on Tax Map 63-2 ((1)) 9Z; 64-1 ((1)) 32Z; and 64-3 ((1)) 1Z, staff recommends that the approval be subject to the following Ordinance Provisions:

Standard Provisions (From Chapter 115)

- (1) That no parcel included within the district shall be developed to a more intensive use than its existing use at the time of adoption of the ordinance establishing such district for eight years from the date of adoption of such ordinance. This provision shall not be construed to restrict expansion of or improvements to the agricultural or forestal use of the land, or to prevent the construction of one (1) additional house within the district, where otherwise permitted by applicable law, for either an owner, a member of an owner's family, or for a tenant who farms the land.
- (2) That 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 eight years from the date of adoption of the original ordinance.
- (3) That land used in agricultural and forestal production within the agricultural and forestal district of local significance shall automatically qualify for an agricultural and 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 requirements for such assessment contained therein are satisfied.
- (4) That the district shall be reviewed by the Board of Supervisors at the end of the eight-year period and that it may by ordinance renew the district or a modification thereof for another eight-year period. No owner(s) of land shall be included in any agricultural and forestal district of local significance without such owner's written approval.

Additional Provisions

- (5) The applicants shall implement and abide by the recommendations of the Soil and Water Conservation Plan dated September 13, 2013, for the life of the Sanders Local Agricultural and Forestal District. The Soil and Water Conservation Plan may be updated from time to time as determined necessary by the Soil and Water Conservation District.
- (6) The applicant shall implement and abide by the recommendations of the Forest Management Plan which was prepared by the Commonwealth of Virginia Department of Forestry, dated September 6, 2005, for the life of the Sanders Local Agricultural and Forestal District. The Forest Management Plan may be updated from time to time as determined necessary by the Area Forester.
- (7) Those areas delineated as Environmental Quality Corridors (EQCs) shall be left undisturbed, with the exception of selective thinning operations performed to enhance existing vegetation and the removal of dead, dying and diseased vegetation as approved by the Urban Forest Management Branch of Fairfax County. The boundaries of the EQC shall be the permanent limits of clearing and grading for the life of the Sanders Local Agricultural and Forestal District.
- (8) The Cultural Resource Management and Protection (CRMP) Section of the Fairfax County Park Authority shall be permitted to survey the property and recover artifacts. Surveys and other similar activities of the CRMP shall be conducted only with prior permission of the property owner and at terms mutually acceptable to both parties established before each occurrence.
- (9) 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.

JUN 28 2013

Zoning Evaluation Division

Application No. AR 2005 SU 002

7122113

\$50.00

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:

Owner's Name & Address	Tax Map Number	Year Acquired	Zoning District	Acres
1.) J. DAVID SANDER, TRUSTEE	0632-01-0009Z	[2010]	R-C	85.919
KIMBERLY ANN SANDER, TRUSTEE				
2.) J. DAVID SANDER, TRUSTEE	0641-01-0032Z	(2010)	R-C	42.000
KIMBERLY ANN SANDER, TRUSTEE				
3.) J. DAVID SANDER, TRUSTEE	0643-01-0001Z	(2010)	R-C	3.117
KIMBERLY ANN SANDER, TRUSTEE				

3. Total acreage in the proposed district: 131.036 acres.
4. Using the definitions on the instruction sheet, indicate the number of properties included in this application: farm 3 forest .

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

Name: J. DAVID SANDERS
Address: 16009 LEE HWY
CENTREVILLE, VA.
20121
Telephone: 703-266-4884

6. Signature of all property owners:

J. David Sanders
Heather Sanders

TO BE COMPLETED BY THE COUNTY

paid \$50.00

Date application accepted: 7/22/13 Virginia Ruffner

Date of action by Board of Supervisors: _____

- Approved as submitted Denied
- Approved with modifications

Structure	Year Built	Use
House	1925	Residence
Broodmare 1 stall barn	1978	Foaling, care of mare and foal
Broodmare 2 stall barn upper	1995	Foaling, care of mare and foal
Broodmare 1 stall barn lower	1995	Foaling, care of mare and foal
Boarding Barn Metal	1975	Boarding, feeding horses in stalls
Boarding Barn Wood	1964	Boarding, feeding horses in stalls
Hay Barn Metal	1975	Storage of Hay
Tack Room Personal	1988	Storage of equestrian gear
Tack Room Boarding	1990	Storage of equestrian gear
Bedding Storage Shed	1985	Storage of baled wood shavings
Tool Shed	1975	Storage of tools

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

NONE

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

REPLACE OLD 3 BOARD FENCING IN MULTIPLE LOCATIONS
 REPLACE PERIMETER FENCING
 IMPROVE DRAINAGE PATTERNS IN MULTIPLE LOCATIONS
 REPLACE ROOF - STANDING STALL
 FERTILIZE PASTURES TO MAXIMIZE GRAZING POTENTIAL
 APPLY BROAD LEAF KILBY TO IMPROVE GRAZING POTENTIAL
 CUT/MOW PASTURES 3 TIMES / YEAR TO IMPROVE GRAZING

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: 9/9/2005

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

If yes, date submitted: 9/9/2005

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

Product	Past year's yield	Average yield for previous 4 years
FOALS (LIVESTOCK)	2	3
PASTURE	98 ACRES	98 ACRES

FARM PROPERTY

1. Please check the appropriate description of the farm:

- Owner-operated, full-time.
 - 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	<u>130</u>	acres.	<i>NOTE: FORESTED LAND USED AS SHELTER FOR LIVESTOCK.</i>
Forested or undeveloped	<u> </u>	acres.	
Residential uses	<u>14</u>	acres.	
Total acreage	<u>131</u>	acres.	

3. Does the farm operation require that tractors or other slow moving vehicles use public roads: yes X no

If yes, which roads will be used:

4. Please estimate the number of vehicles entering or leaving your farm each day:

6-22 cars, vans and pickup trucks 0-3 heavy trucks. *3 HEAVY TRUCKS PER WEEK*

6 WEEKDAYS

FOREST PROPERTY *20-22 WEEKENDS*

1. List the acreage of the property which is in the following uses:

Future timber or pulpwood harvesting	<u>0</u>	acres
Christmas tree production and harvesting	<u>0</u>	acres
Firewood production and harvesting	<u>0</u>	acres
Conservation	<u>0</u>	acres
Residential uses	<u>1/4</u>	acres
Other: _____	<u> </u>	acres
Total acreage	<u>1/4</u>	acres

2. If tree harvesting is planned, what roads or rights-of-way will be used for access:

N/A

Fairfax County Board of Supervisors
1200 Government Center Parkway
Fairfax, VA. 22035

1 May, 2013

RECEIVED
Department of Planning & Zoning

JUN 28 2013

Zoning Evaluation Division

To Whom It May Concern:

Ref: Application for Renewal of AF-2005-SU-002 for the following property:

Tax Map Number	Acres
063-2-01-0009Z	85.919
064-1-01-0032Z	42
064-3-01-0001A	3.117

Explanation:

The (3) parcels listed above are actually one property of 131.036 acres owned by J. David Sanders and Kimberly Ann Sanders, Trustees. We have operated a horse breeding, training and boarding facility on this farm since the family purchased the land in 1983. This property has been used as a horse boarding facility since prior to 1964. J. David Sanders, his wife Kimberly and their two daughters reside on the property in its only house. J. David Sanders and his wife Kimberly inherited the property from Oscar J. Sanders and Mary E. Sanders in 2010.

The house sits on approximately $\frac{1}{4}$ acre and the parking area is approximately $\frac{3}{4}$ acre. The barns and riding ring comprise approximately 2 acres. We have 2 fields we use to isolate broodmares that are 2 acres and 3 acres respectively. The rest of the farmland is split into two areas that we call the *Upper Pasture* and the *Lower Pasture*. During the growing season, we rotate the horses from the *Upper Pasture* to the *Lower Pasture* every 30 days. The *Upper Pasture* is approximately 45 acres and the *Lower Pasture* is approximately 78 acres.

We breed anywhere from 1 to 3 broodmares per year. We raise, train and sell the offspring. We board up to 50 client horses. We train boarding client horses and offer boarding clients lessons but do not bring outside horses in for training or offer lessons to non-clients. We grain all of the horses twice per day and provide hay for them in the non-growing season. We manage any veterinary care the horses need. We provide whatever supplemental care is necessary for each individual horse. All horses are inoculated several times per year with all recommended vaccines and are wormed 6 times per year. We manage each horse's blacksmith needs as well. We manage the health of the grazing pasture by rotating the horses between the 2 pastures mentioned, chain harrowing the dormant pasture and letting it lay fallow for 30 days during the growing season. Additionally, we mow all pastures as needed to control weeds. David and his wife Kimberly are the only 2 employees of Battlefield Equestrian Center, Inc. (established in 1983) and provide day-to-day management for this horse farm.

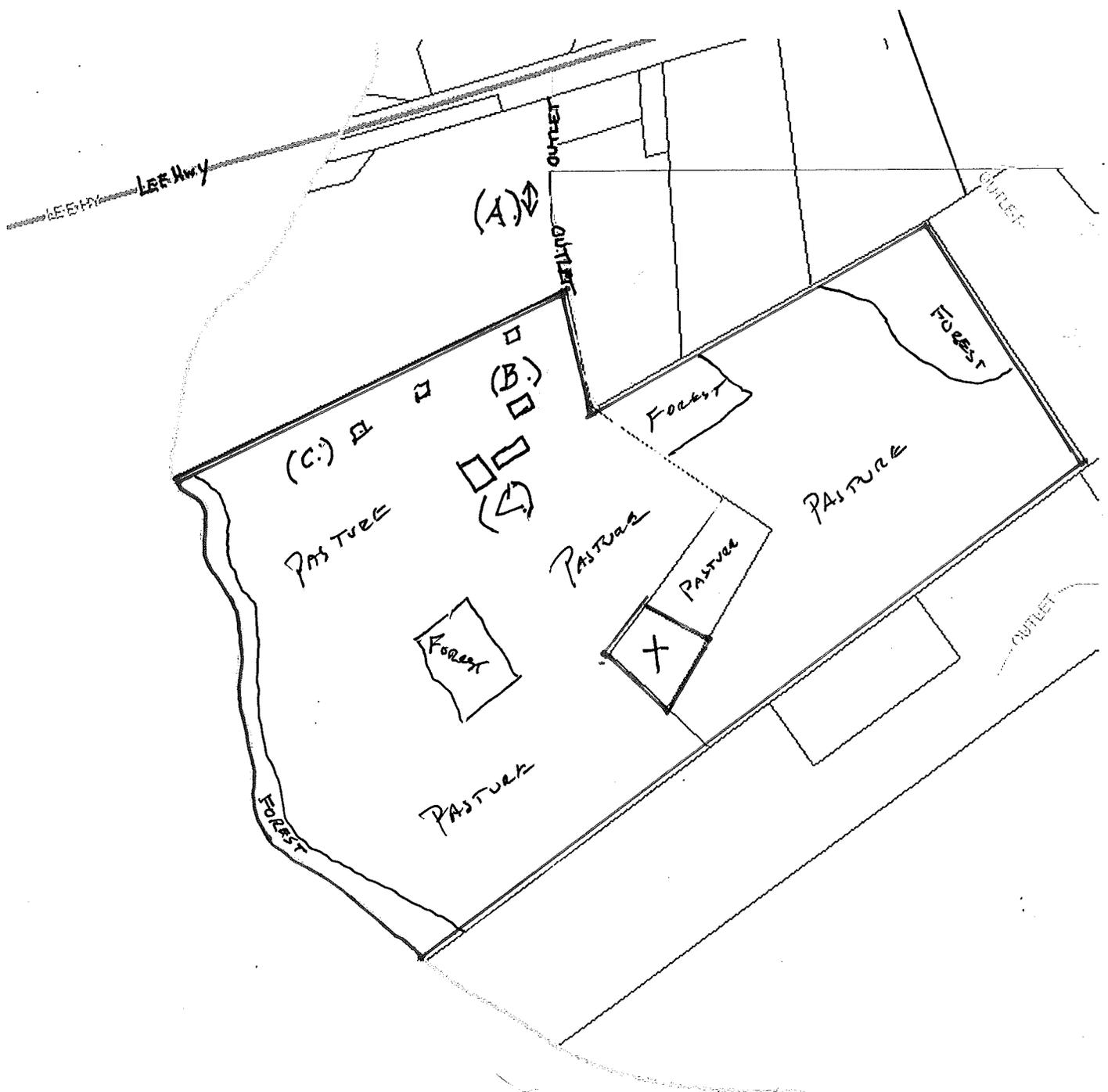
Respectfully submitted,



J. David Sanders
16009 Lee Highway



Kimberly Ann Sanders
16009 Lee Hwy



(A.) OUTLET TO LEE HIGHWAY
 (ONLY ACCESS TO PUBLIC ROAD)

(B.) FARM HOUSE

(C.) OUT BUILDINGS.

† CEMETARY



County of Fairfax, Virginia

MEMORANDUM

Date: August 30, 2013

TO: Barbara Berlin, Director
Zoning Evaluation Division, DPZ

FROM: Pamela G. Nee, Chief *PGN*
Environment and Development Review Branch, DPZ

SUBJECT: Land Use Analysis & Environmental Assessment for: AR 2005-SU-002
Sanders Agricultural & Forestal District

This memorandum, prepared by Bernard Suchicital, includes citations from the Comprehensive Plan that list and explain land use recommendations and environmental policies for this property. The extent to which the application conforms to the applicable guidance contained in the Comprehensive Plan is noted.

DESCRIPTION OF THE APPLICATION

The applicant seeks approval to renew an approximately 131.04-acre Agricultural and Forestal (A & F) District. This district is comprised of three parcels of land managed by David and Kimberly Ann Sanders, and it is located in the Stone Bridge Community Planning Sector (BR5) of the Bull Run Planning District of Area III within the Sully Magisterial District.

The parcels are owned and operated by members of the Sanders family as The Sanders Ranch Battlefield Equestrian Center. The land has been used for horse breeding, training, a boarding facility, and residential purposes by family members since 1983. There is a residential house, six barns, and four sheds on the properties. Within the past 10 years the Sanders family have replaced fencing, improved the drainage system, installed new roofs, and maintained the pasture fields on site.

The proposed district has 130 acres in agricultural use as horse pasture land. Part of this acreage is kept as forested land to provide shelter for the 50 boarded client horses, and one quarter acre is for residential uses.

LOCATION AND CHARACTER

The subject property is located in western Fairfax County within the Bull Run Watershed, and is planned for residential use at .1-.2 dwelling unit per acre (5-10 acre lots), private open space, and public parks. The three parcels comprising this district are located south of Lee Highway (Route 29), west of the Luck Stone Quarry, and east Bull Run Stream Valley. The district is surrounded by land which is planned for residential use at .1-.2 dwelling unit per acre, public parks, private open space and industrial land. Bull Run is located along the western boundary of the A&F District, and is joined with the Manassas National Battlefield Park.

Much of the planning sector is undeveloped and includes forest and farmland, large portions of which are preserved as public parkland. A majority of the planning sector is outside of the county's Approved Sewer Service Area and existing single-family residential units in this portion of the planning sector are widely scattered at very low densities. Stone resources are found in the southern part of this planning sector and are actively quarried. Pleasant Valley Road between Lee Highway and Blue Spring Drive has been designated a Virginia Byway. This road passes through the state's largest known stand of a rare oak-hickory forest and associated plant species on diabase soil.

All of Fairfax County's portion of the Bull Run Watershed, which is a part of the Occoquan Reservoir Basin, is within this planning sector. The Environmental Quality Corridors for the Bull Run Stream Valley is a major environmental feature of this planning sector.

COMPREHENSIVE PLAN MAP

Residential use at .1-.2 dwelling unit per acre, public parks, and private open space.

COMPREHENSIVE PLAN CITATIONS

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the land use and environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

Land Use

In the Fairfax County Comprehensive Plan, 2013 Edition, Area III Volume, Bull Run Planning District, as amended through April 9, 2013, BR5-Stone Bridge Community Planning Sector, Recommendations, on page 74:

“Land Use

Infill development in these neighborhoods should be of a compatible use, type and intensity... Where substantial parcel consolidation is specified, it is intended that such

consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.

1. The land on the southwest perimeter of the County, adjacent to Loudoun County and Prince William County, lying generally along Bull Run and the public parkland associated with Bull Run has remained for the most part open and undeveloped and has a rural character. It is planned for residential development at .1-.2 dwelling unit per acre and public parkland. This is in conformance with the findings of the Occoquan Basin Study. The present very low density development which characterizes this area should remain intact to protect its natural wildlife and water quality. . . .
3. Agricultural and forestal uses are alternatives to residential uses in Low Density Residential Areas. Such uses, depending upon the techniques used, can have positive impacts on water quality. Careful attention should be paid to insure that agricultural and forestal techniques are supportive of water quality goals for the Occoquan Reservoir watershed.”

Environment

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan Volume, Environment, as amended through February 12, 2013, on pages 7-9:

“Objective 2: Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County.

Policy a. Maintain a best management practices (BMP) program for Fairfax County and ensure that new development and redevelopment complies with the County’s best management practice (BMP) requirements.

Policy d. Preserve the integrity and the scenic and recreational value of stream valley EQCs. . . .

Policy l. In order to augment the EQC system, encourage protection of stream channels and associated vegetated riparian buffer areas along stream channels upstream of Resource Protection Areas (as designated pursuant to the Chesapeake Bay Preservation Ordinance) and Environmental Quality Corridors. To the extent feasible in consideration of overall site design, stormwater management needs and opportunities, and other Comprehensive Plan guidance, establish boundaries of these buffer areas consistent with the guidelines for designation of the stream valley component of the EQC system as set forth in Objective 9 of this section of the Policy Plan. Where applicable, pursue

commitments to restoration of degraded stream channels and riparian buffer areas.

Development proposals should implement best management practices to reduce runoff pollution and other impacts. Preferred practices include: those which recharge groundwater when such recharge will not degrade groundwater quality; those which preserve as much undisturbed open space as possible; and, those which contribute to ecological diversity by the creation of wetlands or other habitat enhancing BMPs, consistent with State guidelines and regulations.”

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan Volume, Environment, as amended through February 12, 2013, on page 10:

“Objective 3: Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .”

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan Volume, Environment, as amended through February 12, 2013, on pages 14 and 15:

Objective 9: Identify, protect and enhance an integrated network of ecologically valuable land and surface waters for present and future residents of Fairfax County.

Policy a: Identify, protect and restore an Environmental Quality Corridor system (EQC). . . . Lands may be included within the EQC system if they can achieve any of the following purposes:

- Habitat Quality: The land has a desirable or scarce habitat type, or one could be readily restored, or the land hosts a species of special interest. This may include: habitat for species that have been identified by state or federal agencies as being rare, threatened or endangered; rare vegetative communities; unfragmented vegetated areas that are large enough to support interior forest dwelling species; and aquatic and wetland breeding habitats (i.e., seeps, vernal pools) that are connected to and in close proximity to other EQC areas.
- Connectivity: This segment of open space could become a part of a corridor to facilitate the movement of wildlife and/or conserve biodiversity. This may include natural corridors that are wide enough to

facilitate wildlife movement and/or the transfer of genetic material between core habitat areas.

- Hydrology/Stream Buffering/Stream Protection: The land provides, or could provide, protection to one or more streams through: the provision of shade; vegetative stabilization of stream banks; moderation of sheet flow stormwater runoff velocities and volumes; trapping of pollutants from stormwater runoff and/or flood waters; flood control through temporary storage of flood waters and dissipation of stream energy; separation of potential pollution sources from streams; accommodation of stream channel evolution/migration; and protection of steeply sloping areas near streams from denudation.
- Pollution Reduction Capabilities: Preservation of this land would result in significant pollutant reductions. Water pollution, for example, may be reduced through: trapping of nutrients, sediment and/or other pollutants from runoff from adjacent areas; trapping of nutrients, sediment and/or other pollutants from flood waters; protection of highly erodible soils and/or steeply sloping areas from denudation; and/or separation of potential pollution sources from streams.

The core of the EQC system will be the County's stream valleys. Additions to the stream valleys should be selected to augment the habitats and buffers provided by the stream valleys, and to add representative elements of the landscapes that are not represented within stream valleys. The stream valley component of the EQC system shall include the following elements . . . :

- All 100 year flood plains as defined by the Zoning Ordinance;
- All areas of 15% or greater slopes adjacent to the flood plain, or if no flood plain is present, 15% or greater slopes that begin within 50 feet of the stream channel;
- All wetlands connected to the stream valleys; and
- All the land within a corridor defined by a boundary line which is 50 feet plus 4 additional feet for each % slope measured perpendicular to the stream bank. The % slope used in the calculation will be the average slope measured within 110 feet of a stream channel or, if a flood plain is present, between the flood plain boundary and a point fifty feet up slope from the flood plain. This measurement should be taken at fifty foot intervals beginning at the downstream boundary of any stream valley on or adjacent to a property under evaluation.”

In the Fairfax County Comprehensive Plan, 2013 Edition, Policy Plan Volume, Environment, as amended through February 12, 2013, on page 18:

“Objective 10: Conserve and restore tree cover on developed and developing sites. Provide tree cover on sites where it is absent prior to development.

Policy a: Protect or restore the maximum amount of tree cover on developed and developing sites consistent with planned land use and good silvicultural practices.”

LAND USE ANALYSIS

The proposed renewal of this Agricultural and Forestal District is compatible with the existing and planned very low density residential character of this site and the surrounding area.

ENVIRONMENTAL ANALYSIS

The Sanders Agricultural and Forestal District is a 131.04-acre tract of land. The property falls within the Bull Run Watershed, Bull Run and an associated Environmental Quality Corridor (EQC), and a Resource Protection Area (RPA), traverses across the entire western boundary and across the eastern spine of the properties. The extent of the EQC and RPA are identified on the attached map. In accordance with the Policy Plan, there should not be any new encroachments into the EQC.

Much of the property is undeveloped open space, forested and used for agricultural pasture land at 130 acres. One quarter acre is used for residential purposes by the owners. The district is home to the Sanders Ranch Battlefield Equestrian Center.

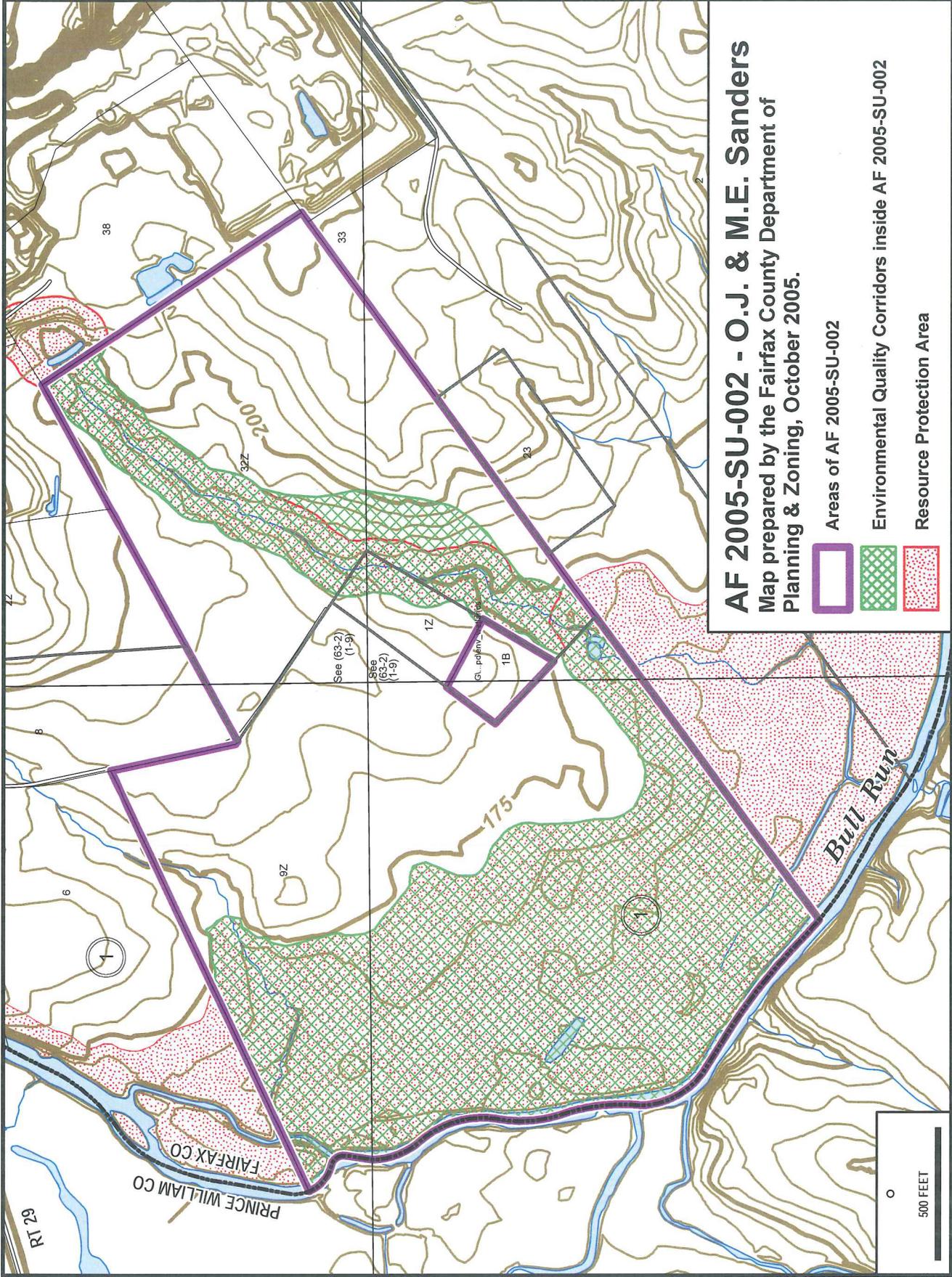
The proposed continuation of this established Agricultural and Forestal District is consistent with environmental recommendations of the Comprehensive Plan.

COUNTYWIDE TRAILS MAP:

The Countywide Trails Plan depicts a Major Regional Trail that is planned through the western portion of the subject properties near Bull Run Stream Valley. The Major Regional Trail System includes Interstate Route One Bikeway, Cross County Trail and trails along I-66 and Bull Run. Trails along Bull Run, Occoquan River and Potomac River vary in surface materials from paved, natural surface to stonedust.

PGN: BSS

Attachment



AF 2005-SU-002 - O.J. & M.E. Sanders
 Map prepared by the Fairfax County Department of
 Planning & Zoning, October 2005.

-  Areas of AF 2005-SU-002
-  Environmental Quality Corridors inside AF 2005-SU-002
-  Resource Protection Area



County of Fairfax, Virginia

MEMORANDUM

DATE: August 29, 2013

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver, Chief *MAD fw*
Site Analysis Section *AKR*
Department of Transportation

FILE: 3-4 (AF 2005-SU-002)

SUBJECT: Transportation Impact

REFERENCE: AR 2005-SU-002; J. David Sanders, Trustee &
Kimberly Ann Sanders, Trustee
Land Identification Map: 63-2 ((1)) 9Z;
64-1 ((1)) 32Z;
64-3 ((1)) 1Z

This application has no traffic impact. The Countywide Transportation Plan has a new road alignment which impacts this property; however this project is not included in current construction programs. Therefore, this department has no objections to approval of this application.

AKR/lah



FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

TO: Barbara Berlin, AICP, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, AICP, Manager
Park Planning Branch, PDD 

DATE: September 25, 2013

SUBJECT: AR 2005-SU-002, J. David & Kimberly Ann Sanders
Tax Map Number(s): 63-2((1))9Z; 64-1((1))32Z; 64-3((1))1Z

The Fairfax County Park Authority supports Agricultural and Forestal Districts as they further objective 100 of the Park Authority's Policy Manual:

“To protect and preserve the physical, cultural, and natural heritage of Fairfax County for the enjoyment and education of the citizenry.”

COMPREHENSIVE PLAN GUIDANCE

The County Comprehensive Plan includes both general and specific guidance regarding parks and resources. Resource protection is addressed in multiple objectives of the Policy Plan, focusing on protection, preservation, and sustainability of resources (Parks and Recreation Objectives 2 and 5, p.5-7).

ANALYSIS & RECOMMENDATIONS

Cultural Resources Impact:

The parcels contains two known archaeological sites and are likely to contain additional sites, including Native American, early 19th century, earlier historic sites, as well as the extremely high potential to contain Civil War sites. The first known sites consist of Sanders Ranch, listed as Archaeological site 44FX 1230 and Fairfax County Architectural site 063-2A02, which is comprised of the house, its associated outbuildings, as well as the Robinson Cemetery. The parcels also contain a site known as Virginia Division of Historic Resource (VDHR) architectural number 029-5323. Portions of the property also lie within both the Manassas National Battlefield Park Historic District as well as the Fairfax County Bull Run Stone Bridge Historic Overlay District. There should be as little ground disturbance as possible to help preserve the current historic landscape.

FCPA Reviewer: Andy Galusha

DPZ Coordinator: Brent Krasner

Copy: Cindy Walsh, Director, Resource Management Division
Brent Krasner, DPZ Coordinator
Chron Binder
File Copy



Northern Virginia Soil and Water Conservation District

12055 Government Center Parkway, Suite #905

Fairfax, VA 22035

<http://www.fairfaxcounty.gov/nvswcd/>

Tel: 703-324-1460

Fax: 703-423-1421

---Soil and Water Quality Conservation Plan---

Property Owners/Operators:

Dave Sanders A&F District
 Battle Field Equestrian Center
 16009 Lee Highway
 Centreville, VA 20109
 Tel: 703-244-7077 (M)

Plan Prepared by:

Willie Woode, Senior Conservation Specialist, NVSWCD

Date:

September 13, 2013

Property Assessment:

This property is approximately, 130 acres in the Upper Bull Run Watershed (PL-44), located at 16009 Lee Highway in Centreville. It consists of two parcels identified in the Fairfax County Tax map as 63-4 ((1)) – 9 & 64-1 ((1)) -32. The land use is a 60-horse boarding operation. Eighty-one acres is kept in pasture and a total of two acres is used as supporting Sacrifice (Heavy Use) Areas. Horses are kept out in the fields during the day and also at night, except when they go into the barn area to be fed twice a day. Various sections that add up to about 40 acres are kept natural and wooded.

4,670 linear feet of Chesapeake Bay Resource Protection Area (RPA) overlay some of the fields either totally or partially. An additional 3,646 linear feet of RPA is within the wooded areas, making a grand total of 8,316 linear feet of RPA within the property. This length of RPA is either a result of Upper Bull Run's perennial flow that forms the south western property limits and an unnamed tributary that discharges into Upper Bull Run, whose continuous flow (in a north to south direction) emanates from a daily stone quarry operation at a neighboring location.

Weed emergence is getting to be a big concern, especially for the fields within the Upper Bull Run flood plain.

Practices:

1) Nutrient Management:

Nutrients will be applied based on soil test results for expected yield goals. All sources of available nutrients will be credited. The rate, timing and method of application are shown in the attached Nutrient Management Plan. This plan was developed and signed by a Nutrient Management Planner, certified by a Commonwealth of Virginia's Nutrient Management Program.

Fields	Planned Amount	Month	Year	Applied Amount	Date
1 & 2	13.0 acs.	9	2013		
3 & 4	18.5 acs.	9	2013		
5 & 6	6.0 acs.	9	2013		
7, 8 & 9	19.5 acs.	9	2013		
11, 10 & 12	24.0 acs.	9	2013		
Total	81.0 acs.				

2) Chesapeake Bay Resource Protection Area (RPA) Management:

The green shaded area on your site map is the county delineated Chesapeake Bay Resource Protection Area (RPA). The RPA is the final barrier through which pollutants contained in runoff from adjacent land areas are filtered. RPAs are required to be kept vegetated to enhance surface filtration and soil infiltration. Pesticide and nutrient use within this area should be under highly discretionary conditions.

Fields	Planned Amount Year	Month	Year	Applied Amount	Date
1 & 2	600 ln. ft.	9	2013		
3 & 4	830 ln. ft.	9	2013		
5 & 6	---	9	2013		
8 & 9	1,420 ln. ft.	9	2013		
10 & 12	1,820 ln. ft.	9	2013		
Wooded Areas	3,646 ln. ft.	9	2013		
Total	8,316 ln. ft.				

3) Pest Management (595)

Pest Management will be carried out to control agricultural pest infestation (weeds, insects, diseases) according to current recommendations from the Cooperative Extension Service. The Pest Management Guide is updated annually.

Weeds of concern were identified as Redroot Pigweed (*Amarantus retroflexus* L.) and Magnolian Beefstake (*Perilla frutescens*). Both of these weeds are annuals that will die off soon after the first frost. Therefore, not much resources should be put towards controlling this generation of weeds at this time of the year. Alternatively, resources should be planned and put towards identifying and controlling new growth soon after spring next year.

Controlling these weeds require:

- i) Scouting for new growth population and mowing it down.
- ii) Frequent mowing, especially before reaching flower and seed producing stages.
- ii) Digging or uprooting the plants is another way of completely eliminating the plants that had be removed. The best time for this is after a long soaking rain, when the soil would be moist and loose. Getting some volunteer or paid labor should drastically reduce the plant population.
- ii) Maintaining the right soil pH and nutrient levels, and over-seeding with a pasture seed mix of your choice, will allow grasses to grow tall and dense, and choke out the weeds.
- iii) Preventing over-grazing of pastures, especially in the fields of concern.

If the weed population gets beyond an acceptable threshold level, the use of an appropriate broad leaf herbicide may be considered. For instance, a common systemic herbicide like 2,4-D (**2,4-Dichlorophenoxyacetic acid**) used at a rate of about 1.5 lbs./acre may be considered. Fields within the RPA should be very carefully treated, and only under ideal weather conditions as are specified on the label. Again it will be of little benefit to try controlling these species with herbicides at this time, since their life time will be almost over soon. Nonetheless, mowing the stand of weeds down at this time will prevent additional weed seeds from forming.

Other pests can be addressed if they begin to reach the threshold level.

Fields	Planned Amount Year	Month		Applied Amount	Date
1 & 2	13.0 acs.	9	2013		
3 & 4	18.5 acs.	9	2013		
5 & 6	6.0 acs.	9	2013		
7, 8 & 9	19.5 acs.	9	2013		
10, 11 & 12	24.0 acs.	9	2013		

Sacrifice & Barn Areas	4.0 acs.	9	2013		
Residential Area	1.5 acs.	9	2013		
Cemetery & other Protected areas	3.5acs.	9	2013		
Wooded Areas	40.0 acs.	9	2013		
Total	130.0 acs.				

4) Prescribed Grazing (528)

Rotational grazing – Graze appropriate number of fields in a rotational manner, by adjusting the pasture recovery period through the grazing season. The grazing period may vary. Grazing heights and appropriate recovery periods will be observed throughout the grazing season.

Fields	Planned Amount Year	Month		Applied Amount	Date
1 & 2	13 acs.	9	2013		
3 & 4	18.5 acs.	9	2013		
5 & 6	6.0 acs.	9	2013		
7, 8 & 9	19.5 acs.	9	2013		
10, 11 & 12	24.0 acs.	9	2013		
Sacrifice & Barn Areas	4.0 acs.	9	2013		
Total	85.0 acs.				

5) Waste Management

Horses are kept out in the fields almost all the time, and therefore the standard management style of having a confined waste management area remains impractical. However, for an effective use of your pasture areas, it is recommended that you drag your fields often, to break down deposited waist.

Also, waist collected from cleaned-out Sacrifice & Barn Areas, no matter how small should be collected in a specific area to break down and then spread in the fields.

Fields	Planned Amount	Month	Year	Applied Amount	Date
1 & 2	13.0 acs.	9	2013		
3 & 4	18.5 acs.	9	2013		
5 & 6	6.0 acs.	9	2013		
7, 8 & 9	19.5 acs.	9	2013		
11, 10 & 12	24.0 acs.	9	2013		
Sacrifice & Barn Areas	4.0 acs.	9	2013		
Total	85.0 acs.				

6) Erosion Control

Consider a bridge or a low-flow crossing device for farm vehicles going back and forth across the drainage between fields 8 & 9. Additional information can be provided upon request.

Fields	Planned Amount	Month	Year	Applied Amount	Date
8 & 9	150 ft.	9	2013		
Total	150 ft.				

7) Record Keeping

A system of records indicating the dates and applications of nutrients, or pesticides should be developed and maintained. A specimen record sheet is included.

Fields	Planned Amount Year	Month		Applied Amount	Date
1 & 2	13.0 acs.	9	2013		
3 & 4	18.5 acs.	9	2013		
5 & 6	6.0 acs.	9	2013		
7, 8 & 9	19.5 acs.	9	2013		
10, 11 & 12	24.0 acs.	9	2013		
Sacrifice & Barn Areas	4.0 acs.	9	2013		
Residential Area	1.5 acs.	9	2013		
Cemetery & other Protected areas	3.5acs.	9	2013		
Wooded Areas	40.0 acs.	9	2013		
Total	130.0 acs.				

SIGNATURES OF PARTICIPANTS – J. David Sanders A&F District.

The Sanders Ag. & Forestal District – Battle Field Equestrian Center:

J. David Sanders

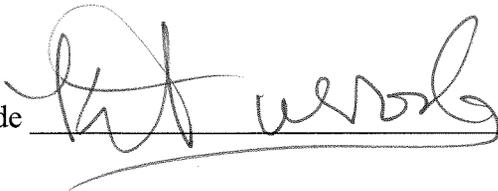


Date

10/22/13

Planner:

Wilfred Woode



Date

10/22/13

District Authority:

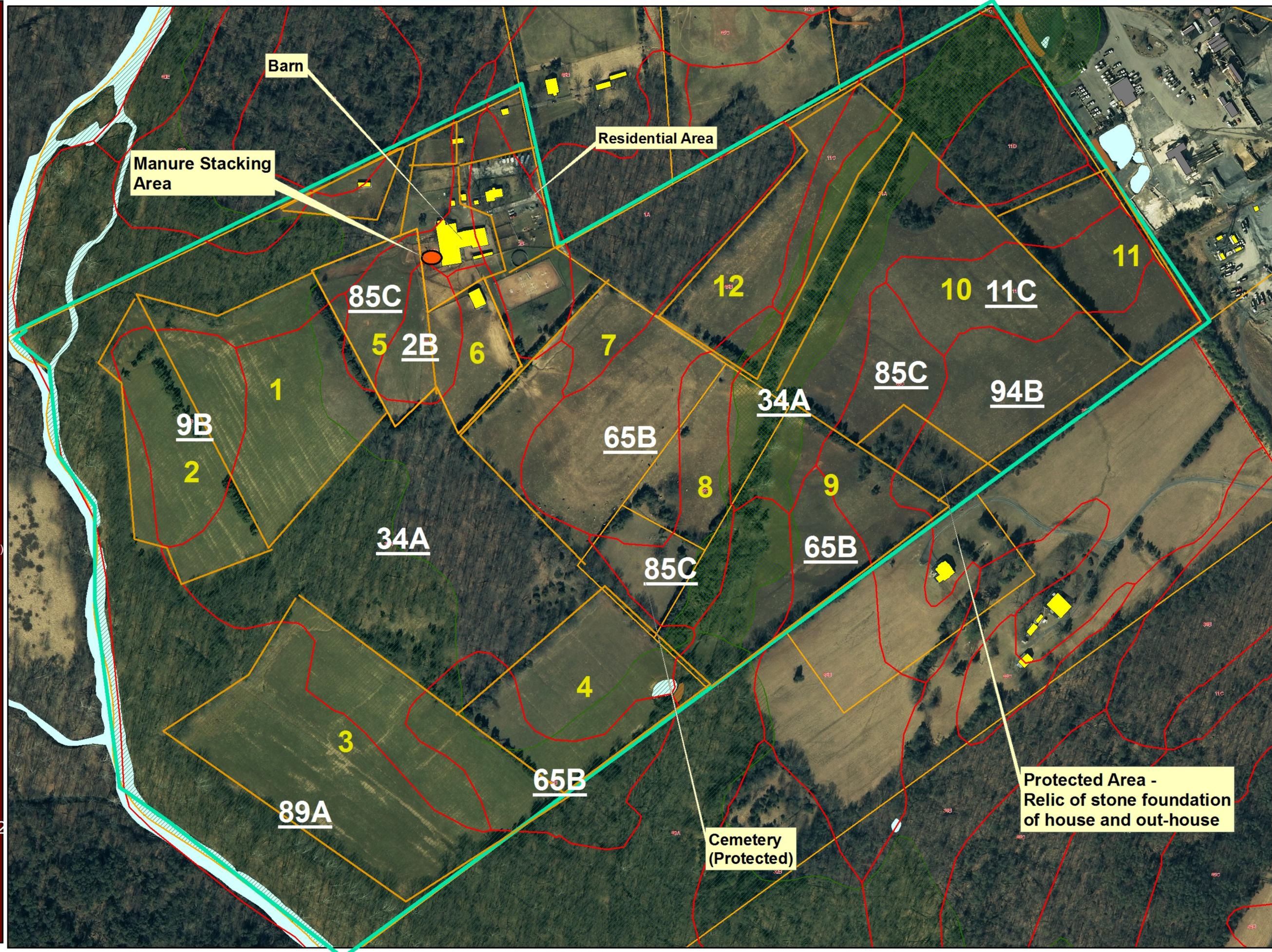
Chairman



Date

10/22/2013

**Dave Sanders
Horse Boarding
Operation
16009 Lee Hwy.
Centreville**



- Legend**
- ▭ Soils-Official 2011 (polygon)
 - ▭ 1993 RPAs
 - ▭ 2003 RPAs
 - ▭ 2003 (Rev) RPAs
 - ▭ Resource Management Areas (RMAs)



0 95 190 380 Feet
(Scale may not be accurate)

Map Prep. by Willie Woode
Using Fairfax County's 2012
Orthophoto and GIS Data
Layers

Carl E. Garrison III
State Forester



COMMONWEALTH of VIRGINIA

DEPARTMENT OF FORESTRY
12055 Government Center Parkway
Suite 904
Fairfax VA 22035
703-324-1489

August 19, 2013

J. David Sanders
16009 Lee Highway
Centreville VA 20121

Dear Mr. Sanders,

It was very nice meeting you, visiting your property and talking about your horse operation last week. As I said during my visit, your forestland is essentially unchanged since the 2005 plan was written. You should continue to follow the recommendations in that plan. I have attached a copy of the plan for your convenience. I have also attached a new stand map done on updated software that might be easier to read, as well as new RPA maps.

I have identified the plant you call pigweed as *Amaranthus spinosa*. One of the common names for the plant is spiny pigweed. It is apparently native to North America and used a food plant in other parts of the world. I believe I have seen amaranth flour in some local grocery stores. Nevertheless it is recognized as a pasture weed the may be toxic to ruminants, especially when grown with legumes. I have enclosed fact sheets on the control of this plant and the control of beef steak plant. I found no information suggesting these plants were toxic to horses, but you might want to check with your vet about them.

I have also enclosed information on urban wood users and band saw operators, who might be interested in your walnut logs.

If you have additional questions, please do not hesitate to contact me.

Respectfully,

James McGlone
Urban Forest Conservationist

September 6, 2005

Mr. J. David Sanders
16009 Lee Highway
Centreville, VA 20121

Dear Mr. Sanders,

It was good to have such great weather to review the Battlefield Equestrian Center property. Although the forested and tree cover areas make up a small percentage of the property it was very worthwhile to see the property and forest conditions. Thank you so much for the guided tour, it is always better to have the landowner state their objectives for management.

The following report has basic comments and recommendations related to the parcels of forest and the Resource Protection Areas on the property. The objective of the management report is to assist you, the landowner with obtaining the maximum health for the forest cover. The aerial photo, soils map and other information are solely for the purpose of clarification of the areas being discussed and not meant for legal usage.

If you have any questions about the report and recommendations, please contact me. 703-324-1480.
Thank you again for the assistance in getting my review done.

Sincerely,

Judith A. Okay, Ph. D.
Natural Resource Specialist



AF 2005-SU-002
Tract# FAX 05 008

Report of Tree Cover
For
Mr. J. David Sanders
Property at - 16009 Lee Highway
Centreville, VA 20121

Location: West of Fairfax in Centreville on the South side of Lee Highway just West of Bull Run Post Office Road.

Examined by : Judith A. Okay, Ph.D. - Natural Resource Specialist

Landowner's Objectives: Provide pasture and boarding for approximately 70 horses. The forested land is utilized for shade for horses. There is no intent for active timber production. Preservation of the rural character of the land and benefits for wildlife are other commitments.

Introduction: The acreage examined for forestry purposes was approximately 33 acres. This does not include forest buffers along streams. The property is in the Bull Run watershed. Current Resource Protection Area maps are included with this report. There are forestry parcels marked on the aerial photo with letters A-F. Each area will be addressed as a separate parcel because of their unique characteristics.

PARCEL A

This parcel is located along the South West edge of the small pasture located to the North and West of the residence. **2.9 acres**

Species: Black walnut, Oak, Locust, Ash, Silver maple, Cherry, Paw paw, Cedar and Mulberry make of the tree cover composition in this remnant forest (Photo 1). This particular parcel is thick with young seedlings, but the whole stand is young with an occasional toppled tree.

Quality: The trees in this parcel would not be considered of a timber quality. There is no evidence of disease. The average size of trees in this parcel is approximately 12 ". The trees along the horse trail in this area have some damage from the horse traffic (Photo 2).

Wildlife Habitat: The thick understory in this parcel is dominated by Paw paw. Considering the hard mast (Black walnut, Oak) and the soft mast (Mulberry, Paw paw, Cherry) this parcel is excellent for birds and small mammals. Turkey would also find this habitat desirable. Like all parcels on the property there is evidence of a large deer population. Because of the surrounding open field, raptors would likely nest and feed here.

Recreation: There is good access to this parcel because of the horse trail which is well used. The terrain is conducive to walking, riding or just sitting quietly to enjoy the wildlife. Hunting would be difficult because of the dense understory.

Recommendations: Ordinarily there would be a recommendation to thin some of the understory on this parcel to allow for improved growing conditions for the deciduous trees. But because on other parcels of this property there is a lack of dense habitat and cover, thinning is not recommended at this time. The drainage way on this parcel was very dry at the time of the site visit, however there has been enough moisture to create a muddy situation at the crossing on the trail. It is recommended that a harder crossing material be used in this area. This would not just be an erosion control recommendation, but it would also protect the horses and riders from slipping/ sliding injuries.

Parcel B

West to Southwest boundary of property along Bull Run stream (Photo 3). (Approx. 5 acres)

Species: The tree species found in this parcel are typical bottom land species. Black gum, Sycamore, Box elder, Blue beech (Ironwood), Hickory, Yellow poplar, Willow oak, and Ash, represent the diversity of this parcel (Photo 4). Paw paw dominates the understory in this area. However, there is a deficit in the understory of other seedlings representing the next generation of canopy trees (Photo 5). There are native ground covers such as Virginia creeper.

Quality: The trees in this area although most are not timber species they are of a good quality in terms of health. The density of cover would be considered moderate to well stocked. The average size of the trees is somewhat larger (18") than parcel A.

Wildlife Habitat: The proximity to Bull Run stream and the diversity of the tree species in this parcel makes it excellent for a wildlife corridor. The variety of seed produced would appeal to a broad range of song birds. The width of the buffer (Photo 6) gives a good length of edge for movement into open space and the water way. The lack of tree seedlings in the understory indicates the presence of deer and deer browsing. The presence of the fence along this parcel does keep the horses out of this parcel and thus there is less exposed soil and some ground cover for smaller mammals.

Recreation: There is access to the stream in the upper portion of Parcel B, but for most of the parcel there is a fence along the tree buffer next to the stream. Sitting along the stream in this area provides the opportunity to observe waterfowl as well as other members of the bird family. This is also a good area to get photos of land and water interface for wildlife and people.

Recommendations: The decision to exclude the horses from the stream in this area is good for the natural resources, as well as a safety consideration for the horses. The buffer of trees that has been allowed to grow in this Resource Protection Area (see attached RPA map) provides water quality protection and benefits such as: Erosion control, shade for aquatic life, habitat, food source for wildlife, food base for aquatic insects and nutrient removal from sheet flow. This area is best left under the current management practices.

Parcel C

This is the largest single forest stand on this property and is located adjacent to what is referred to as the "Upper Fields/Pastures" (approximately 16 acres) .

Species: Black gum, Box elder, Northern red oak , Pin oak, Black walnut, Persimmon, and Cedar are the representative species of this parcel. In some areas the understory is sparse to non-existent (Photo 7). There is one area that has a gap in the tree canopy and is quite sunny where the ground cover is good (Photo 8). The soil in this area is a silt loam and is best suited for pine species.

Quality: The trees in this area are quite young and the density would be considered adequate. The majority of the trees are less than thirty inches in diameter. Most of the pine in this parcel has reached its potential, producing some woody debris in the understory, and an occasional snag.

Wildlife: This parcel has the potential to attract many different bird species and small mammals. The debris forms a nesting, breeding habitat. The snags are suitable for woodpecker, squirrel, raccoon, fox, and owl. As with Parcels A & B, the presence of deer is predictable and the lack of understory supports this and the use of the parcel by the horses. It is possible that wild turkey would find this a suitable forage area.

Recreation: Although this parcel lacks a water feature, the tree diversity will present good fall color interest for photography. Wildlife should be prevalent here for observation, hunting and photography. It would be easy to ride horses or walk through this area and the shade presented would make these activities pleasant.

Recommendations: The lack of understory for a future forest is disturbing, however, the seed bank is present and with less traffic and some tree thinning for a few gaps in the canopy, the understory would improve. The planned use for this area dictates the potential for a sustainable patch of forest in this parcel. Perhaps allowing the horses in this area for short periods of time rather than the freedom to use it anytime would help improve the understory diversity.

Parcel D

This small triangular wood lot is located Southeast of the cemetery. (.2 acres)

Species: The species present in this area represent primarily what are referred to as bottomland species. This bottomland community contains Black walnut, Box elder, Ash, Sycamore, Viburnum and Cedar, Willow, and Persimmon. These species are frequently found in floodplains and wetland areas.

Quality: The buffer along the spring fed stream in this area is of a good quality (Photo 9). The horses have been fenced out of this sensitive Resource Protection Area. There is standing water within the buffer area, this is indicated by the Willow and other species that require wet soils for survival (Photo 10). There are some snags in this area. Overall the trees are very young in this area and the density is adequate.

Wildlife: With the stream, the wetland/floodplain, and pond, there is a unique habitat compared to other parcels on the property. Amphibians, reptiles, and other aquatic species are likely to be found here. The snags present habitat opportunities for woodpecker, owl, hawks, squirrel, and other cavity dwellers. Photography and bird watching would include opportunities to observe heron, ducks and other waterfowl.

Recreation: Photography opportunities are likely in this parcel. It is not a particularly good area for walking, or riding because it is so wet. Access is limited by the fence along the stream. However, hunting would be a good activity for this area.

Recommendations: It is recommended to continue the forest management practices currently in place. Improvement of the pond should be considered to make it more useful for the horses and to reduce erosion in the area around the pond.

Parcel E

This parcel is adjacent to the quarry and is the far Northeast corner of the property.
(Approximately 5 acres)

Species: There is a Virginia pine, cedar and hardwood mix found growing within this parcel. Southern red oak, Hickory, Black oak, are representative of the species found in this area. Blackhaw viburnum is quite frequently found in the understory (Photo 11).

Along the stream that courses through this parcel Virginia pine, Cedar, Hickory, Pin Oak and Black gum are the primary species present (Photo 12).

Quality: This parcel is very young. The largest of the hardwoods is approximately 16 inches in diameter. Pine in this area are of even age and average 12 " in diameter. The pine has reached its potential and is dropping out of the stand. This stand is quite dense and the shade is inhibiting the growth of understory. The deer (spooked 5 of them) are another reason for lack of understory in this parcel.

Wildlife: The dense cover in this area provides good habitat in terms of protection and forage for various mammals and birds. The occasional snag present here and as seen in other parcels provides for raptors, squirrel, raccoon and woodpeckers. The density and the acorns available would also be good for wild turkey.

Recreation: The shade in this area provides for pleasant walks. The density is not particularly good for riding, except for the area along the stream buffer. This parcel would be a good place for hunting, or observing wildlife and photography.

Recommendations: Although this wooded parcel is quite dense, at this time thinning is not recommended. The reason thinning is not recommended is this parcel is such a good buffer against noise from the quarry and a visual screen of the quarry. If hardwood regeneration is desired, thinning the pine and the cedar would reduce the competition and open up the canopy for the needed sunlight to encourage growth. None of the pine is really marketable and because it makes up a small percentage of the stand it is recommended to continue with current management or minimal management.

Parcel F

This parcel is located on the North border of the property across the access road from the residence. It is adjacent to the upper fields. (Approximately 3 acres)

Species: This parcel consists of a typical upland Oak/Hickory stand. There is very little understory present.

Quality: The trees in this parcel are older and are considered to be in fair condition. The horses use this area for shade and the understory is sparse. The current ground cover is a stand of *Perilla frutescens*, also known as "Beef steak plant". It is a member of the mint family, it is considered invasive and aggressive. There is little opportunity for seedlings to grow in this area and therefore the potential for a future sustainable forest is minimal.

Wildlife habitat: The occasional snags provide habitat for cavity dwellers. The Oak and Hickory hard mast is good for deer, squirrels, and wild turkey.

Recreation: This parcel is open enough that riding is possible. The openness of the understory provides good opportunities for wildlife observation and photography. This is also an ideal area for hunting.

Recommendations: It is recommended that the "Beef steak plant" be removed from this parcel and an effort be made to get other native ground cover to grow. Examples of desirable ground cover would be Partridge berry, ferns, Blood root, and Wild ginger. The seed bank is available and therefore the growth of hardwood seedlings would be expected. Providing regeneration time for this area is recommended and this will likely require limiting the time the horses have access to the parcel.

Conclusions: This property is unique in Fairfax county. There are not many horse operations of this size and contiguous acreage devoted to horses. In an effort to assist with keeping this type of agriculture in Fairfax County and retain the wooded parcels on the property, it is recommended that cost share opportunities be considered.

The particular cost share recommended is the Conservation Reserve Enhancement (CREP) program. With this program, the landowners is able to recoup the expense of activities such as fencing for Resource Protection Areas, alternative watering sources for livestock, and hardened crossings for areas with trails. An explanation of CREP is attached to this report. The landowner should be recognized for having fenced the livestock out of most of the RPA areas (Bull Run, and the spring fed stream that feeds the pond). Please also note recommendation from the Northern Virginia Soil and Water Conservation District (NVSWCD) regarding the RPA.

From the standpoint of a healthy forest, in Parcel C and F in particular, the ground cover and understory have been damaged from use by the horses seeking protection from the sun and weather. It is recommended that a pasture shelter be considered. Use of such a shelter over very dry and extreme wet periods would allow recovery of the ground and understory species of the wooded stands. This likely would need to include fencing the horses from the woods on a rotational basis. Please contact the NVSWCD for a template to build a pasture shelter.

Risks of wildfire are minimal on this property. The residence is landscaped with a few mature trees, but is not considered to be surrounded by forest. There is good access to wooded areas for wildfire control. There are water sources available across the landscape. Caution should be taken with cigarettes, camp fires, and gas powered equipment.

The landowner has been working with a raptor rescue organization to release recovered raptors on the property. An effort has also been made to reduce the deer population through bow hunting by local trained marksmen (Police officers). All of these efforts combine to support a well rounded land management effort. The Virginia Department of Forestry recommends that this A& F application be accepted.



Sanders Ag and Forestal District

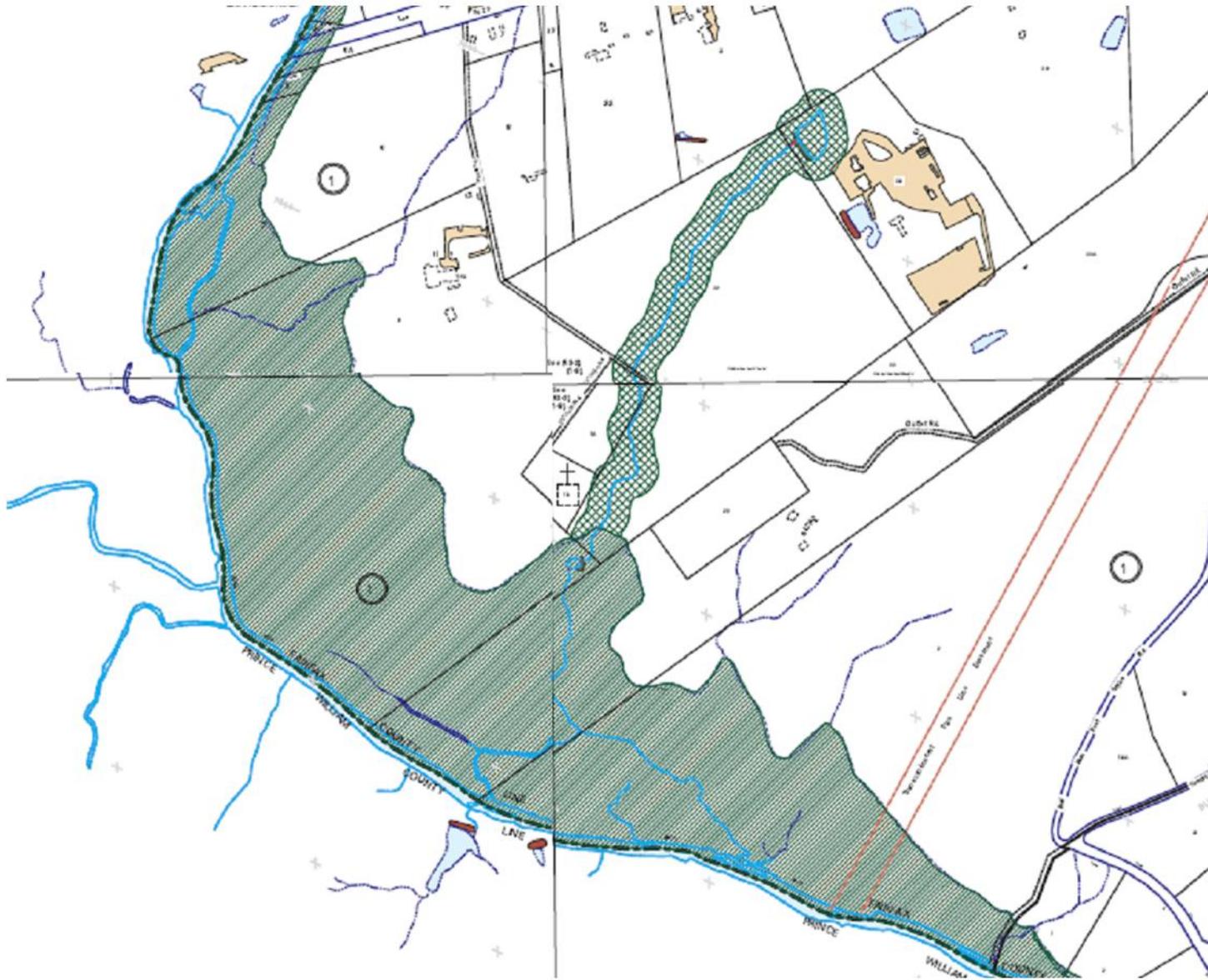
AR 2005-SU-002 FAX05008



Boundaries are approximate.

Map By: James M. McGlone

Report Date: Monday, August 19, 2013



Sanders A&F District Composite Resource Protection Act Map 2013

FAIRFAX COUNTY, VIRGINIA**MEMORANDUM**

DATE: September 11, 2013

TO: Members, Planning Commission
Members, Board of Supervisors

FROM: Agricultural and Forestal Districts Advisory Committee

SUBJECT: Recommendations on the Sanders Local Agricultural and Forestal District;
Application AF 2005-SU-002

The Agricultural and Forestal Districts Advisory Committee met on September 10, 2013, to review the application to renew the Sanders Local Agricultural and Forestal District (Application 2005-SU-002), and made the following findings:

- The Sanders Local Agricultural and Forestal District meets the minimum district size contained in Section 115-3-2;
- The Sanders Local Agricultural and Forestal District conforms with the Policy and Purpose of Chapter 115 of the Fairfax County Code;
- The Sanders Local Agricultural and Forestal District fulfills all of the applicable criteria in Group A, and four (4) of the criteria in Group B (found in Chapter 115 of the Fairfax County Code).

The Agricultural and Forestal Districts Advisory Committee therefore unanimously recommends that Appendix F of the Fairfax County Code be revised to renew the Cox Local Agricultural and Forestal District. The Advisory Committee further recommends that the establishment of this district be subject to the Ordinance Provisions which are contained in Appendix 1 of the staff report.

§ 58.1-3230. Special classifications of real estate established and defined.

For the purposes of this article the following special classifications of real estate are established and defined:

"Real estate devoted to agricultural use" shall mean real estate devoted to the bona fide production for sale of plants and animals useful to man under uniform standards prescribed by the Commissioner of Agriculture and Consumer Services in accordance with the Administrative Process Act (§ [9-6.14:1](#) et seq.), or devoted to and meeting the requirements and qualifications for payments or other compensation pursuant to a soil conservation program under an agreement with an agency of the federal government. Real estate upon which recreational activities are conducted for a profit or otherwise, shall be considered real estate devoted to agricultural use as long as the recreational activities conducted on such real estate do not change the character of the real estate so that it does not meet the uniform standards prescribed by the Commissioner.

"Real estate devoted to horticultural use" shall mean real estate devoted to the bona fide production for sale of fruits of all kinds, including grapes, nuts, and berries; vegetables; nursery and floral products under uniform standards prescribed by the Commissioner of Agriculture and Consumer Services in accordance with the Administrative Process Act (§ [9-6.14:1](#) et seq.); or real estate devoted to and meeting the requirements and qualifications for payments or other compensation pursuant to a soil conservation program under an agreement with an agency of the federal government. Real estate upon which recreational activities are conducted for profit or otherwise, shall be considered real estate devoted to horticultural use as long as the recreational activities conducted on such real estate do not change the character of the real estate so that it does not meet the uniform standards prescribed by the Commissioner.

"Real estate devoted to forest use" shall mean land including the standing timber and trees thereon, devoted to tree growth in such quantity and so spaced and maintained as to constitute a forest area under standards prescribed by the State Forester pursuant to the authority set out in § [58.1-3240](#) and in accordance with the Administrative Process Act (§ [9-6.14:1](#) et seq.). Real estate upon which recreational activities are conducted for profit, or otherwise, shall still be considered real estate devoted to forest use as long as the recreational activities conducted on such real estate do not change the character of the real estate so that it no longer constitutes a forest area under standards prescribed by the State Forester pursuant to the authority set out in § [58.1-3240](#).

"Real estate devoted to open-space use" shall mean real estate used as, or preserved for, (i) park or recreational purposes, (ii) conservation of land or other natural resources, (iii) floodways, (iv) wetlands as defined in § [58.1-3666](#), (v) riparian buffers as defined in § [58.1-3666](#), (vi) historic or scenic purposes, or (vii) assisting in the shaping of the character, direction, and timing of community development or for the public interest and consistent with the local land-use plan under uniform standards prescribed by the Director of the Department of Conservation and Recreation pursuant to the authority set out in § [58.1-3240](#), and in accordance with the Administrative Process Act (§ [9-6.14:1](#) et seq.) and the local ordinance.

§ 58.1-3233. Determinations to be made by local officers before assessment of real estate under ordinance.

Prior to the assessment of any parcel of real estate under any ordinance adopted pursuant to this article, the local assessing officer shall:

1. Determine that the real estate meets the criteria set forth in § [58.1-3230](#) and the standards prescribed thereunder to qualify for one of the classifications set forth therein, and he may request an opinion from the Director of the Department of Conservation and Recreation, the State Forester or the Commissioner of Agriculture and Consumer Services;
2. Determine further that real estate devoted solely to (i) agricultural or horticultural use consists of a minimum of five acres; except that for real estate used for purposes of engaging in aquaculture as defined in § [3.2-2600](#) or for the purposes of raising specialty crops as defined by local ordinance, the governing body may by ordinance prescribe that these uses consist of a minimum acreage of less than five acres, (ii) forest use consists of a minimum of 20 acres and (iii) open-space use consists of a minimum of five acres or such greater minimum acreage as may be prescribed by local ordinance; except that for real estate adjacent to a scenic river, a scenic highway, a Virginia Byway or public property in the Virginia Outdoors Plan or for any real estate in any city, county or town having a density of population greater than 5,000 per square mile, for any real estate in any county operating under the urban county executive form of government, or the unincorporated Town of Yorktown chartered in 1691, the governing body may by ordinance prescribe that land devoted to open-space uses consist of a minimum of one quarter of an acre.

The minimum acreage requirements for special classifications of real estate shall be determined by adding together the total area of contiguous real estate excluding recorded subdivision lots recorded after July 1, 1983, titled in the same ownership. However, for purposes of adding together such total area of contiguous real estate, any noncontiguous parcel of real property included in an agricultural, forestal, or an agricultural and forestal district of local significance pursuant to subsection B of § [15.2-4405](#) shall be deemed to be contiguous to any other real property that is located in such district. For purposes of this section, properties separated only by a public right-of-way are considered contiguous; and

3. Determine further that real estate devoted to open-space use is (i) within an agricultural, a forestal, or an agricultural and forestal district entered into pursuant to Chapter 43 (§ [15.2-4300](#) et seq.) of Title 15.2, or (ii) subject to a recorded perpetual easement that is held by a public body, and promotes the open-space use classification, as defined in § [58.1-3230](#), or (iii) subject to a recorded commitment entered into by the landowners with the local governing body, or its authorized designee, not to change the use to a nonqualifying use for a time period stated in the commitment of not less than four years nor more than 10 years. Such commitment shall be subject to uniform standards prescribed by the Director of the Department of Conservation and Recreation pursuant to the authority set out in § [58.1-3240](#). Such commitment shall run with the land for the applicable period, and may be terminated in the manner provided in § [15.2-4314](#) for withdrawal of land from an agricultural, a forestal or an agricultural and forestal district.

§ 58.1-3232. Authority of city to provide for assessment and taxation of real estate in newly annexed area.

The council of any city may adopt an ordinance to provide for the assessment and taxation of only the real estate in an area newly annexed to such city in accord with the provisions of this article. All of the provisions of this article shall be applicable to such ordinance, except that if the county from which such area was annexed has in operation an ordinance hereunder, the ordinance of such city may be adopted at any time prior to April 1 of the year for which such ordinance will be effective, and applications from landowners may be received at any time within thirty days of the adoption of the ordinance in such year. If such ordinance is adopted after the date specified in § [58.1-3231](#), the ranges of suggested values made by the State Land Evaluation Advisory Council for the county from which such area was annexed are to be considered the value recommendations for such city. An ordinance adopted under the authority of this section shall be effective only for the tax year immediately following annexation.

§ 58.1-3233. Determinations to be made by local officers before assessment of real estate under ordinance.

Prior to the assessment of any parcel of real estate under any ordinance adopted pursuant to this article, the local assessing officer shall:

1. Determine that the real estate meets the criteria set forth in § [58.1-3230](#) and the standards prescribed thereunder to qualify for one of the classifications set forth therein, and he may request an opinion from the Director of the Department of Conservation and Recreation, the State Forester or the Commissioner of Agriculture and Consumer Services;
2. Determine further that real estate devoted solely to (i) agricultural or horticultural use consists of a minimum of five acres, (ii) forest use consists of a minimum of twenty acres and (iii) open-space use consists of a minimum of five acres or such greater minimum acreage as may be prescribed by local ordinance; except that for real estate adjacent to a scenic river, a scenic highway, a Virginia Byway or public property in the Virginia Outdoors Plan or for any real estate in any city, county or town having a density of population greater than 5,000 per square mile, for any real estate in any county operating under the urban county executive form of government, or the unincorporated Town of Yorktown chartered in 1691, the governing body may by ordinance prescribe that land devoted to open-space uses consist of a minimum of two acres.

The minimum acreage requirements for special classifications of real estate shall be determined by adding together the total area of contiguous real estate excluding recorded subdivision lots recorded after July 1, 1983, titled in the same ownership. *However, for purposes of adding together such total area of contiguous real estate, any noncontiguous parcel of real property included in an agricultural, forestal, or an agricultural and forestal district of local significance pursuant to subsection B of § [15.2-4405](#) shall be deemed to be contiguous to any other real property that is located in such district.* For purposes of this section, properties separated only by a public right-of-way are considered contiguous; and

3. Determine further that real estate devoted to open-space use is (i) within an agricultural, a forestal, or an agricultural and forestal district entered into pursuant to Chapter 43 (§ [15.2-4300](#) et seq.) of Title 15.2, or (ii) subject to a recorded perpetual easement that is held by a public body, and promotes the open-space use classification, as defined in § [58.1-3230](#), or (iii) subject to a recorded commitment entered into by the landowners with the local governing body, or its authorized designee, not to change the use to a nonqualifying use for a time period stated in the commitment of not less than four years nor more than ten years. Such commitment shall be subject to uniform standards prescribed by the Director of the Department of Conservation and Recreation pursuant to the authority set out in § [58.1-3240](#). Such commitment shall run with the land for the applicable period, and may be terminated in the manner provided in § 15.1-1513 for withdrawal of land from an agricultural, a forestal or an agricultural and forestal district.

§ 58.1-3234. Application by property owners for assessment, etc., under ordinance; continuation of assessment, etc.

Property owners must submit an application for taxation on the basis of a use assessment to the local assessing officer:

1. At least sixty days preceding the tax year for which such taxation is sought; or
2. In any year in which a general reassessment is being made, the property owner may submit such application until thirty days have elapsed after his notice of increase in assessment is mailed in accordance with § [58.1-3330](#), or sixty days preceding the tax year, whichever is later; or
3. In any locality which has adopted a fiscal tax year under Chapter 30 (§ [58.1-3000](#) et seq.) of this Subtitle III, but continues to assess as of January 1, such application must be submitted for any year at least sixty days preceding the effective date of the assessment for such year.

The governing body, by ordinance, may permit applications to be filed within no more than sixty days after the filing deadline specified herein, upon the payment of a late filing fee to be established by the governing body. An individual who is owner of an undivided interest in a parcel may apply on behalf of himself and the other owners of such parcel upon submitting an affidavit that such other owners are minors or cannot be located. An application shall be submitted whenever the use or acreage of such land previously approved changes; however, no application fee may be required when a change in acreage occurs solely as a result of a conveyance necessitated by governmental action or condemnation of a portion of any land previously approved for taxation on the basis of use assessment. The governing body of any county, city or town may, however, require any such property owner to revalidate annually with such locality, on or before the date on which the last installment of property tax prior to the effective date of the assessment is due, on forms prepared by the locality, any applications previously approved. Each locality which has adopted an ordinance hereunder may provide for the imposition of a revalidation fee every sixth year. Such revalidation fee shall not, however, exceed the application fee currently charged by the locality. The governing body may also provide for late filing of revalidation forms on or before the effective date of the assessment, on payment of a late filing fee. Forms shall be prepared by the State Tax Commissioner and supplied to the locality for use of the applicants and applications shall be submitted on such forms. An application fee may be required to accompany all such applications.

In the event of a material misstatement of facts in the application or a material change in such facts prior to the date of assessment, such application for taxation based on use assessment granted thereunder shall be void and the tax for such year extended on the basis of value determined under § [58.1-3236](#) D. Except as provided by local ordinance, no application for assessment based on use shall be accepted or approved if, at the time the application is filed, the tax on the land affected is delinquent. Upon the payment of all delinquent taxes, including penalties and interest, the application shall be treated in accordance with the provisions of this section.

Continuation of valuation, assessment and taxation under an ordinance adopted pursuant to this article shall depend on continuance of the real estate in a qualifying use, continued payment of taxes as referred to in § [58.1-3235](#), and compliance with the other requirements of this article and the ordinance and not upon continuance in the same owner of title to the land.

In the event that the locality provides for a sliding scale under an ordinance, the property owner and the locality shall execute a written agreement which sets forth the period of time that the property shall remain within the classes of real estate set forth in § [58.1-3230](#). The term of the written agreement shall be for a period not exceeding twenty years, and the instrument shall be recorded in the office of the clerk of the circuit court for the locality in which the subject property is located.

§ 58.1-3235. Removal of parcels from program if taxes delinquent.

If on April 1 of any year the taxes for any prior year on any parcel of real property which has a special assessment as provided for in this article are delinquent, the appropriate county, city or town treasurer shall forthwith send notice of that fact and the general provisions of this section to the property owner by first-class mail. If, after the notice has been sent, such delinquent taxes remain unpaid on June 1, the treasurer shall notify the appropriate commissioner of the revenue who shall remove such parcel from the land use program. Such removal shall become effective for the current tax year.

§ 58.1-3236. Valuation of real estate under ordinance.

A. In valuing real estate for purposes of taxation by any county, city or town which has adopted an ordinance pursuant to this article, the commissioner of the revenue or duly appointed assessor shall consider only those indicia of value which such real estate has for agricultural, horticultural, forest or open space use, and real estate taxes for such jurisdiction shall be extended upon the value so determined. In addition to use of his personal knowledge, judgment and experience as to the value of real estate in agricultural, horticultural, forest or open space use, he shall, in arriving at the value of such land, consider available evidence of agricultural, horticultural, forest or open space capability, and the recommendations of value of such real estate as made by the State Land Evaluation Advisory Council.

B. In determining the total area of real estate actively devoted to agricultural, horticultural, forest or open space use there shall be included the area of all real estate under barns, sheds, silos, cribs, greenhouses, public recreation facilities and like structures, lakes, dams, ponds, streams, irrigation ditches and like facilities; but real estate under, and such additional real estate as may be actually used in connection with, the farmhouse or home or any other structure not related to such special use, shall be excluded in determining such total area.

C. All structures which are located on real estate in agricultural, horticultural, forest or open space use and the farmhouse or home or any other structure not related to such special use and the real estate on which the farmhouse or home or such other structure is located, together with the additional real estate used in connection therewith, shall be valued, assessed and taxed by the same standards, methods and procedures as other taxable structures and other real estate in the locality.

D. In addition, such real estate in agricultural, horticultural, forest or open space use shall be evaluated on the basis of fair market value as applied to other real estate in the taxing jurisdiction, and land book records shall be maintained to show both the use value and the fair market value of such real estate.

§ 58.1-3237. Change in use or zoning of real estate assessed under ordinance; roll-back taxes.

A. When real estate qualifies for assessment and taxation on the basis of use under an ordinance adopted pursuant to this article, and the use by which it qualified changes to a nonqualifying use, or the zoning of the real estate is changed to a more intensive use at the request of the owner or his agent, it shall be subject to additional taxes, hereinafter referred to as roll-back taxes. Such additional taxes shall only be assessed against that portion of such real estate which no longer qualifies for assessment and taxation on the basis of use or zoning. Liability for roll-back taxes shall attach and be paid to the treasurer only if the amount of tax due exceeds ten dollars.

B. In localities which have not adopted a sliding scale ordinance, the roll-back tax shall be equal to the sum of the deferred tax for each of the five most recent complete tax years including simple interest on such roll-back taxes at a rate set by the governing body, no greater than the rate applicable to delinquent taxes in such locality pursuant to § [58.1-3916](#) for each of the tax years. The deferred tax for each year shall be equal to the difference between the tax levied and the tax that would have been levied based on the fair market value assessment of the real estate for that year. In addition the taxes for the current year shall be extended on the basis of fair market value which may be accomplished by means of a supplemental assessment based upon the difference between the use value and the fair market value.

C. In localities which have adopted a sliding scale ordinance, the roll-back tax shall be equal to the sum of the deferred tax from the effective date of the written agreement including simple interest on such roll-back taxes at a rate set by the governing body, which shall not be greater than the rate applicable to delinquent taxes in such locality pursuant to § [58.1-3916](#), for each of the tax years. The deferred tax for each year shall be equal to the difference between the tax levied and the tax that would have been levied based on the fair market value assessment of the real estate for that year and based on the highest tax rate applicable to the real estate for that year, had it not been subject to special assessment. In addition the taxes for the current year shall be extended on the basis of fair market value which may be accomplished by means of a supplemental assessment based upon the difference between the use value and the fair market value and based on the highest tax rate applicable to the real estate for that year.

D. Liability to the roll-back taxes shall attach when a change in use occurs, or a change in zoning of the real estate to a more intensive use at the request of the owner or his agent occurs. Liability to the roll-back taxes shall not attach when a change in ownership of the title takes place if the new owner does not rezone the real estate to a more intensive use and continues the real estate in the use for which it is classified under the conditions prescribed in this article and in the ordinance. The owner of any real estate which has been zoned to more intensive use at the request of the owner or his agent as provided in subsection E, or otherwise subject to or liable for roll-back taxes, shall, within sixty days following such change in use or zoning, report such change to the commissioner of the revenue or other assessing officer on such forms as may be prescribed. The commissioner shall forthwith determine and assess the roll-back tax, which shall be assessed against and paid by the owner of the property at the time the change in use which no longer qualifies occurs, or at the time of the zoning of the real estate to a more intensive use at the request of the owner or his agent occurs, and shall be paid to

the treasurer within thirty days of the assessment. If the amount due is not paid by the due date, the treasurer shall impose a penalty and interest on the amount of the roll-back tax, including interest for prior years. Such penalty and interest shall be imposed in accordance with §§ 58.1-3915 and 58.1-3916.

E. Real property zoned to a more intensive use, at the request of the owner or his agent, shall be subject to and liable for the roll-back tax at the time such zoning is changed. The roll-back tax shall be levied and collected from the owner of the real estate in accordance with subsection D. Real property zoned to a more intensive use before July 1, 1988, at the request of the owner or his agent, shall be subject to and liable for the roll-back tax at the time the qualifying use is changed to a nonqualifying use. Real property zoned to a more intensive use at the request of the owner or his agent after July 1, 1988, shall be subject to and liable for the roll-back tax at the time of such zoning. Said roll-back tax, plus interest calculated in accordance with subsection B, shall be levied and collected at the time such property was rezoned. For property rezoned after July 1, 1988, but before July 1, 1992, no penalties or interest, except as provided in subsection B, shall be assessed, provided the said roll-back tax is paid on or before October 1, 1992. No real property rezoned to a more intensive use at the request of the owner or his agent shall be eligible for taxation and assessment under this article, provided that these provisions shall not be applicable to any rezoning which is required for the establishment, continuation, or expansion of a qualifying use. If the property is subsequently rezoned to agricultural, horticultural, or open space, it shall be eligible for consideration for assessment and taxation under this article only after three years have passed since the rezoning was effective.

However, the owner of any real property that qualified for assessment and taxation on the basis of use, and whose real property was rezoned to a more intensive use at the owner's request prior to 1980, may be eligible for taxation and assessment under this article provided the owner applies for rezoning to agricultural, horticultural, open-space or forest use. The real property shall be eligible for assessment and taxation on the basis of the qualifying use for the tax year following the effective date of the rezoning. If any such real property is subsequently rezoned to a more intensive use at the owner's request, within five years from the date the property was initially rezoned to a qualifying use under this section, the owner shall be liable for roll-back taxes when the property is rezoned to a more intensive use. Additionally, the owner shall be subject to a penalty equal to fifty percent of the roll-back taxes due as determined under subsection B of this section.

F. If real estate annexed by a city and granted use value assessment and taxation becomes subject to roll-back taxes, and such real estate likewise has been granted use value assessment and taxation by the county prior to annexation, the city shall collect roll-back taxes and interest for the maximum period allowed under this section and shall return to the county a share of such taxes and interest proportionate to the amount of such period, if any, for which the real estate was situated in the county.

§ 58.1-3237.1. Authority of counties to enact additional provisions concerning zoning classifications.

Any county not organized under the provisions of Chapter 5 (§ [15.2-500](#) et seq.), 6 (§ [15.2-600](#) et seq.), or 8 (§ [15.2-800](#) et seq.) of Title 15.2, which is contiguous to a county with the urban executive form of government and any county with a population of no less than 65,000 and no greater than 72,000 may include the following additional provisions in any ordinance enacted under the authority of this article:

1. The governing body may exclude land lying in planned development, industrial or commercial zoning districts from assessment under the provisions of this article. This provision applies only to zoning districts established prior to January 1, 1981.
2. The governing body may provide that when the zoning of the property taxed under the provisions of this article is changed to allow a more intensive nonagricultural use at the request of the owner or his agent, such property shall not be eligible for assessment and taxation under this article. This shall not apply, however, to property which is zoned agricultural and is subsequently rezoned to a more intensive use which is complementary to agricultural use, provided such property continues to be owned by the same owner who owned the property prior to rezoning and continues to operate the agricultural activity on the property. Notwithstanding any other provision of law, such property shall be subject to and liable for roll-back taxes at the time the zoning is changed to allow any use more intensive than the use for which it qualifies for special assessment. The roll-back tax, plus interest, shall be calculated, levied and collected from the owner of the real estate in accordance with § 58.1-3237 at the time the property is rezoned.

§ 58.1-3238. Failure to report change in use; misstatements in applications.

Any person failing to report properly any change in use of property for which an application for use value taxation had been filed shall be liable for all such taxes, in such amounts and at such times as if he had complied herewith and assessments had been properly made, and he shall be liable for such penalties and interest thereon as may be provided by ordinance. Any person making a material misstatement of fact in any such application shall be liable for all such taxes, in such amounts and at such times as if such property had been assessed on the basis of fair market value as applied to other real

estate in the taxing jurisdiction, together with interest and penalties thereon. If such material misstatement was made with the intent to defraud the locality, he shall be further assessed with an additional penalty of 100 percent of such unpaid taxes.

For purposes of this section and § [58.1-3234](#), incorrect information on the following subjects will be considered material misstatements of fact:

1. The number and identities of the known owners of the property at the time of application;
2. The actual use of the property.

The intentional misrepresentation of the number of acres in the parcel or the number of acres to be taxed according to use shall also be considered a material misstatement of fact for the purposes of this section and § 58.1-3234.

§ 58.1-3239. State Land Evaluation Advisory Committee continued as State Land Evaluation Advisory Council; membership; duties; ordinances to be filed with Council.

The State Land Evaluation Advisory Committee is continued and shall hereafter be known as the State Land Evaluation Advisory Council. The Advisory Council shall be composed of the Tax Commissioner, the dean of the College of Agriculture of Virginia Polytechnic Institute and State University, the State Forester, the Commissioner of Agriculture and Consumer Services and the Director of the Department of Conservation and Recreation.

The Advisory Council shall determine and publish a range of suggested values for each of the several soil conservation service land capability classifications for agricultural, horticultural, forest and open space uses in the various areas of the Commonwealth as needed to carry out the provisions of this article.

On or before October 1 of each year the Advisory Council shall submit recommended ranges of suggested values to be effective the following January 1 or July 1 in the case of localities with fiscal year assessment under the authority of Chapter 30 of this subtitle, within each locality which has adopted an ordinance pursuant to the provisions of this article based on the productive earning power of real estate devoted to agricultural, horticultural, forest and open space uses and make such recommended ranges available to the commissioner of the revenue or duly appointed assessor in each such locality.

The Advisory Council, in determining such ranges of values, shall base the determination on productive earning power to be determined by capitalization of warranted cash rents or by the capitalization of incomes of like real estate in the locality or a reasonable area of the locality.

Any locality adopting an ordinance pursuant to this article shall forthwith file a copy thereof with the Advisory Council.

§ 58.1-3240. Duties of Director of the Department of Conservation and Recreation, the State Forester and the Commissioner of Agriculture and Consumer Services; remedy of person aggrieved by action or nonaction of Director, State Forester or Commissioner.

The Director of the Department of Conservation and Recreation, the State Forester, and the Commissioner of Agriculture and Consumer Services shall provide, after holding public hearings, to the commissioner of the revenue or duly appointed assessor of each locality adopting an ordinance pursuant to this article, a statement of the standards referred to in § [58.1-3230](#) and subdivision 1 of § [58.1-3233](#), which shall be applied uniformly throughout the Commonwealth in determining whether real estate is devoted to agricultural use, horticultural use, forest use or open-space use for the purposes of this article and the procedure to be followed by such official to obtain the opinion referenced in subdivision 1 of § [58.1-3233](#). Upon the refusal of the Commissioner of Agriculture and Consumer Services, the State Forester or the Director of the Department of Conservation and Recreation to issue an opinion or in the event of an unfavorable opinion which does not comport with standards set forth in the statements filed pursuant to this section, the party aggrieved may seek relief in the circuit court of the county or city wherein the real estate in question is located, and in the event that the court finds in his favor, it may issue an order which shall serve in lieu of an opinion for the purposes of this article.

§ 58.1-3241. Separation of part of real estate assessed under ordinance; contiguous real estate located in more than one taxing locality.

A. Separation or split-off of lots, pieces or parcels of land from the real estate which is being valued, assessed and taxed under an ordinance adopted pursuant to this article, either by conveyance or other action of the owner of such real estate, shall subject the real estate so separated to liability for the roll-back taxes applicable thereto, but shall not impair the right of each subdivided parcel of such real estate to qualify for such valuation, assessment and taxation in any and all future

years, provided it meets the minimum acreage requirements and such other conditions of this article as may be applicable. Such separation or split-off of lots shall not impair the right of the remaining real estate to continuance of such valuation, assessment and taxation without liability for roll-back taxes, provided it meets the minimum acreage requirements and other applicable conditions of this article.

No subdivision of property which results in parcels which meet the minimum acreage requirements of this article, and which the owner attests is for one or more of the purposes set forth in § [58.1-3230](#), shall be subject to the provisions of this subsection.

B. Where contiguous real estate in agricultural, horticultural, forest or open-space use in one ownership is located in more than one taxing locality, compliance with the minimum acreage shall be determined on the basis of the total area of such real estate and not the area which is located in the particular taxing locality.

§ 58.1-3242. Taking of real estate assessed under ordinance by right of eminent domain.

The taking of real estate which is being valued, assessed and taxed under an ordinance adopted pursuant to this article by right of eminent domain shall not subject the real estate so taken to the roll-back taxes herein imposed.

§ 58.1-3243. Application of other provisions of Title 58.1.

The provisions of this title applicable to local levies and real estate assessment and taxation shall be applicable to assessments and taxation hereunder mutatis mutandis including, without limitation, provisions relating to tax liens, boards of equalization and the correction of erroneous assessments and for such purposes the roll-back taxes shall be considered to be deferred real estate taxes.

§ 58.1-3244. Article not in conflict with requirements for preparation and use of true values.

Nothing in this article shall be construed to be in conflict with the requirements for preparation and use of true values where prescribed by the General Assembly for use in any fund distribution formula.

GLOSSARY

This Glossary is presented to assist the public in understanding the staff evaluation and analysis. It should not be construed as representing legal definitions.

AGRICULTURAL AND FORESTAL DISTRICT - A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

AGRICULTURAL AND FORESTAL DISTRICT ADVISORY COMMITTEE (AFDAC) - A committee composed of four farmers, four freeholder residents of Fairfax County, the Supervisor of Assessments and one member of the Board of Supervisors. AFDAC is formed to advise the Planning Commission and the Board of Supervisors regarding the proposed establishment, modification, renewal and/or the termination of an Agricultural and Forestal District and to provide expert advice on the nature of farming and forestry in the proposed district and the relation of such activities to the County.

AGRICULTURAL PRODUCTS - Crops, livestock, and livestock products which shall include but not be limited to the following:

- 1) Field crops, including corn, wheat, oats, rye, barley, hay, tobacco, peanuts and dry beans.
- 2) Fruits, including apples, peaches, grapes, cherries, and berries.
- 3) Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.
- 4) Horticultural specialties, including nursery stock ornamental shrubs, ornamental trees and flowers.
- 5) Livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, fur-bearing animals, milk, eggs and furs.

AGRICULTURALLY SIGNIFICANT LAND - Land that has historically produced agricultural products, or land that AFDAC considers good agricultural land based on factors such as soil quality, topography, climate, agricultural product markets, farm improvements, agricultural economics and technology and other relevant factors.

AGRICULTURAL USE - Use for the production for sale of plants and animals; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery and floral products useful to man under uniform standards prescribed by the Commissioner of Agriculture and Consumer Services of the State of Virginia, or when devoted to and meeting the requirements and qualifications for payments or other compensation pursuant to a soil conservation program under an agreement with an agency of the federal government. Land or portions thereof used for processing of retail merchandise of crops, livestock products is not considered to be in agricultural use.

BEST MANAGEMENT PRACTICE (BMP) - Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by non-point sources in order to improve water quality.

CHESAPEAKE BAY PRESERVATION ORDINANCE - Regulations which the State has mandated to protect the Chesapeake Bay and its tributaries. See Fairfax County Code, Chapter 118, Chesapeake Bay Preservation Ordinance.

CLEARING - Any intentional or negligent act to cut down, remove all or a substantial part of or

damage a tree or other vegetation which will cause the tree or other vegetation to decline and/or die.

COMMERCIAL FOREST - Land which is producing or is capable of producing forest products.

DEFERRED TAX - The difference between market tax value and use value tax is known as deferred tax. The deferred tax is still owed but is not due until the use of any part or the whole of the land in an A&F District is changed. The deferred tax plus the interest due on the deferred tax is known as rollback tax. Sixty days after the use of the land is changed, notice of the change must be filed with the County Department of Taxation.

DEVELOPED LAND - The total of all parcels containing permanent structures valued at \$2,500 or more, plus all parcels not generally available for development (e.g. tax exempt land, private rights-of-way, parcels owned in common by homeowner's associations, etc.).

EASEMENT - A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, scenic easement, utility easement, open space easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDOR (EQC) - An open space system designed to link and preserve natural resource areas, provide passive recreation and wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Volume 1 of the Comprehensive Plan.

ERODIBLE SOILS - Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN - Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with EQCs. The 100 year floodplain drains 70 acres or more of land and has a 1% chance of flood occurrence in any given year.

FORESTAL PRODUCTS - Products for sale or for farm use, including but not limited to lumber, pulpwood, posts, firewood, Christmas trees and other wood products.

FORESTALLY SIGNIFICANT LAND - Land that has historically produced forestal products, or land that AFDAC considers good forest land based upon factors such as soil quality, topography, environmental quality and other relevant factors.

FORESTAL USE - Use for tree growth in such quantity and so spaced and maintained as to constitute a forest area under standards prescribed by the Director of the Department of Conservation and Economic Development of the Commonwealth of Virginia pursuant to Section 58-769.12 of the Code of Virginia, including the standing timber and trees thereon.

OPEN SPACE EASEMENT - An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request by the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700.

QUALIFYING USE - A land use which is eligible for use value taxation under Section 4-19 of the Fairfax County Code.

RESOURCE MANAGEMENT AREA (RMA) -The component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Chapter 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA) - That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Chapter 118, Chesapeake Bay Preservation Ordinance.

ROLLBACK TAX - Whenever an owner changes the acreage of an eligible tract by splitting off a parcel, or by changing the use of the land to a non-qualifying use, each applicable deferred tax plus annual simple interest at the rate annually applied to delinquent taxes becomes due and payable as a lump sum, known as the rollback tax. The rollback tax is applied to the year in which the use is changed and the previous five years the land was qualified for and assessed at use value rates.

TIDAL WETLANDS - Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

UNDEVELOPED LAND - Unimproved or under utilized land. Land containing no structures valued at \$2,500 or more.

WETLANDS - Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corp of Engineers.

WILDLIFE HABITAT - Areas which contain the proper food, water, and vegetative cover to support a diverse community of animals, birds and fish; some examples include floodplains, upland hardwoods, pinewoods, meadows and marshes.