



County of Fairfax, Virginia

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

May 14, 2014

David R. Gill
McGuireWoods LLP
McLean, VA 22102

RE: Agricultural and Forestal District Application AR 87-D-002-03 (Dranesville District)

Dear Mr. Gill:

Agricultural and Forestal District Application AR 87-D-002-03, in the name of 1999 Land Acquisitions, LLC, meeting the required criteria and provisions pursuant to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal Districts), and additional environmental provisions, was renewed by ordinance by the Board of Supervisors at a regular meeting held on May 13, 2014, as the 1999 Land Acquisitions, LLC (Rhinehart) Local Agricultural and Forestal District, subject to the attached ordinance provisions. The subject property is located at 1013-A Leigh Mill Road, on approximately 43.98 acres of land zoned R-E in the Dranesville District, [Tax Map 13-4 ((1)) 47Z].

Sincerely,

Catherine A. Chianese
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova
Supervisor Gerry Hyland, Mount Vernon District
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, DPZ
Angela Rodeheaver, Section Chief, Transportation Planning Division, DOT
Department of Highways-VDOT
Sandy Stallman, Park Planning Branch Manager, FCPA
Charlene Fuhrman-Schulz, Development Officer, DHCD/Design Development Division
Jill Cooper, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

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ADOPTION OF AN AMENDMENT TO
APPENDIX F (LOCAL AGRICULTURAL AND FORESTAL DISTRICTS)
OF THE 1976 CODE OF THE COUNTY OF FAIRFAX, VIRGINIA

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, May 13, 2014, the Board after having first given notice of its intention so to do, in the manner prescribed by law, adopted an amendment regarding Appendix F (Local Agricultural and Forestal Districts) of the 1976 Code of the County of Fairfax, Virginia, said amendment so adopted being in the words and figures following, to-wit:

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

That Appendix F (Local Agricultural and Forestal Districts), is amended by renewing F-23, the Rhinehart Local Agricultural and Forestal District, as follows:

F-23. Rhinehart Local Agricultural and Forestal District
(AR 87-D-002-3)

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

Owner	Fairfax County Tax Map Parcel Number	Acreage
1999 Land Acquisitions, LLC	13-4 ((1)) 47Z	43.98 acres

(b) The Rhinehart Local Agricultural and Forestal District is established effective May 13, 2014, pursuant to Chapter 44, Title 15.2 of the Code of Virginia and Chapter 115 of the Fairfax County Code and is therefore subject to the provisions of those Chapters and the following provisions:

(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 (8) 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;

(5) The applicants shall implement and abide by the recommendations of the Soil and Water Conservation Plan dated April 1, 2014, for the life of the Rhinehart 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) 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 Rhinehart Local Agricultural and Forestal District (map on file with the Department of Planning and Zoning);

(7) The applicants shall implement and abide by the recommendations of the Forest Management Plan dated January 3, 2005, for the life of the Rhinehart Local Agricultural and Forestal District. The Forest Management Plan may be updated from time to time as determined necessary by the State Forester; and

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

This amendment shall become effective upon adoption.

GIVEN under my hand this 13th day of May, 2014.



CATHERINE A. CHIANESE
Clerk to the Board of Supervisors