



County of Fairfax, Virginia

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

March 25, 2015

Jim Stokes
10624 Old Colchester Road
Lorton, VA 22079

RECEIVED
Department of Planning & Zoning

APR 16 2015

Zoning Evaluation Division

RE: Agricultural and Forestal District Application AF 2014-MV-001

Dear Mr. Stokes:

Agricultural and Forestal District Application AF 2014-MV-001, in the name of Jim Stokes, meeting all of the criteria and provisions pursuant to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal Districts), Appendix F, and additional environmental provisions, was established by ordinance by the Board of Supervisors at a regular meeting held on March 24, 2015, as F-71, Stokes Local Agricultural and Forestal District; subject to the attached ordinance provisions. The subject property is located at 10624 Old Colchester Road, on approximately 20.49 acres of land zoned R-1 in the Mount Vernon District [Tax Map 113-3 ((1)) 12, 13, and 14].

Sincerely,

Catherine A. Chianese
Clerk to the Board of Supervisors

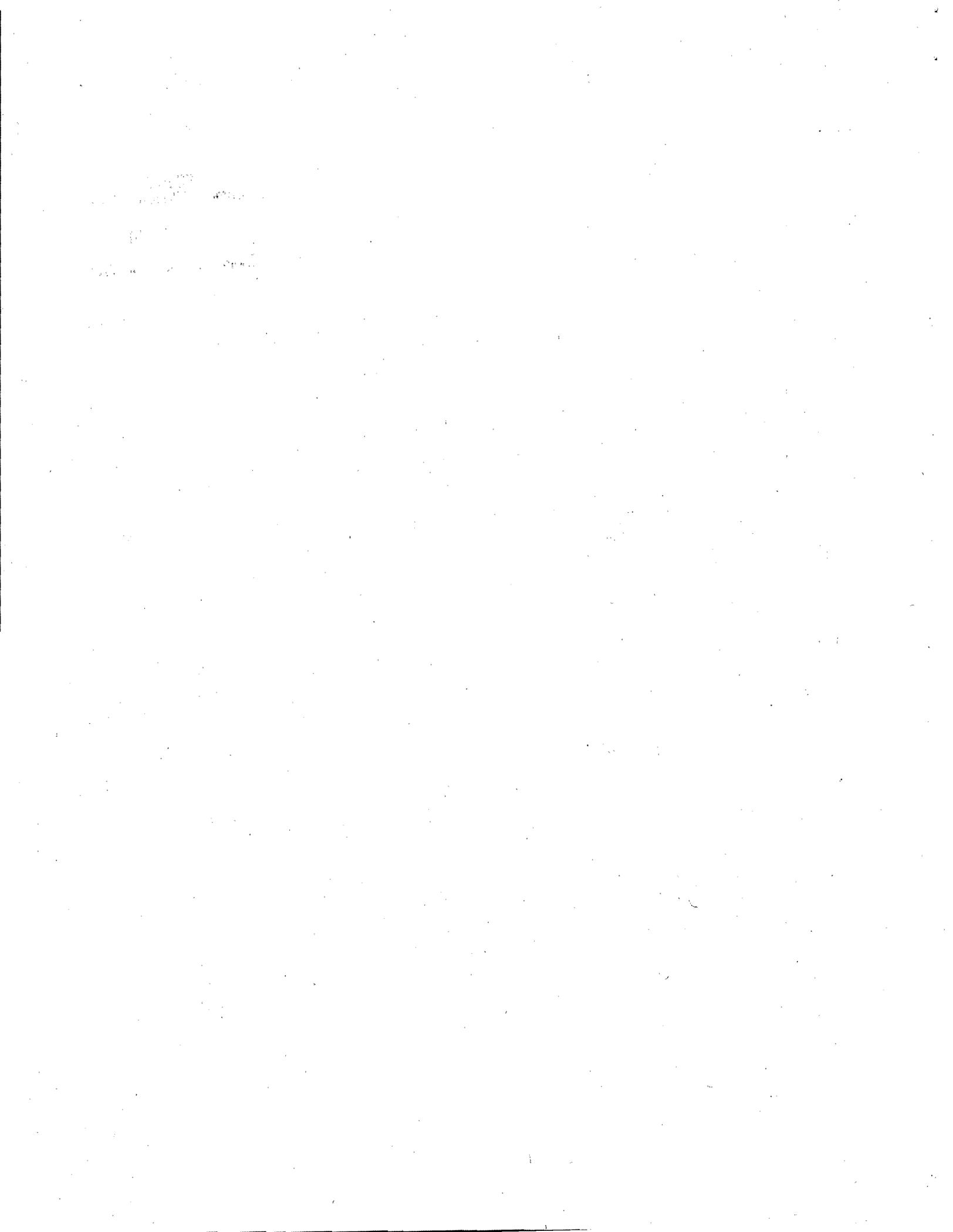
cc: Chairman Sharon Bulova
Supervisor Gerry Hyland, Mount Vernon District
Tim Shirocky, Acting Director, Real Estate Division, Dept. of Tax Administration
Barbara C. Berlin, Director, Zoning Evaluation Division, DPZ
Diane Johnson-Quinn, Deputy Zoning Administrator, DPZ
Thomas Conry, Dept. Manager, GIS Mapping/Overlay
Michael Davis, 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, March 24, 2015, 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 establishing the Stokes Local Agricultural and Forestal District, as follows:



F-71. Stokes Local Agricultural and Forestal District
(AF 2014-MV-001)

(a) The following parcels of land situated in the Mount Vernon District, and more particularly described herein, are hereby included in the Stokes Local Agricultural and Forestal District:

Owners	Fairfax County Tax Map Parcel Number	Acreage
James R. Stokes Tr.	113-3 ((1)) 12	6.4849 acres
	113-3 ((1)) 13	5.9964 acres
James R. Stokes	<u>113-3 ((1)) 14</u>	<u>8.0047 acres</u>
	Total:	20.49 acres

(b) The Stokes Local Agricultural and Forestal District is established effective March 24, 2015, 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:

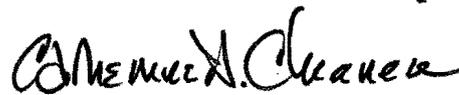
- (1) That no parcel included within the district shall be developed to a more intensive use than its existing use at the time of adoption of the ordinance establishing such district for eight years from the date of adoption of such ordinance. This provision shall not be construed to restrict expansion of or improvements to the agricultural or forestal use of the land.
- (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 Title 58.1, Section 32 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, which was prepared by the Northern Virginia Soil and Water Conservation District on November 21, 2014, for the life of the Stokes Local Agricultural and Forestal District. The Soil and Water Conservation Plan may be updated from time to time as determined necessary by the Northern Virginia Soil and Water Conservation District.
- (6) The applicants shall implement and abide by the recommendations of the Forest Management Letter, dated December 9, 2014 for the life of the Stokes Local Agricultural and Forestal District. The Forest Management Letter may be updated from time to time as determined necessary by the Area Forester.
- (7) The establishment and continuation of this district depends upon the continuing legality and enforceability of each of the terms and conditions stated in this ordinance. This district may, at

the discretion of the Board of Supervisors, be subject to reconsideration and may be terminated if warranted in the discretion of the Board of Supervisors upon determination by a court or any declaration or enactment by the General Assembly that renders any provisions illegal or unenforceable. The reconsideration/termination shall be in accordance with the procedures for the establishment, renewal, or amendment of an A & F District as outlined in Section 115 of the County Code and shall include an opportunity for 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.

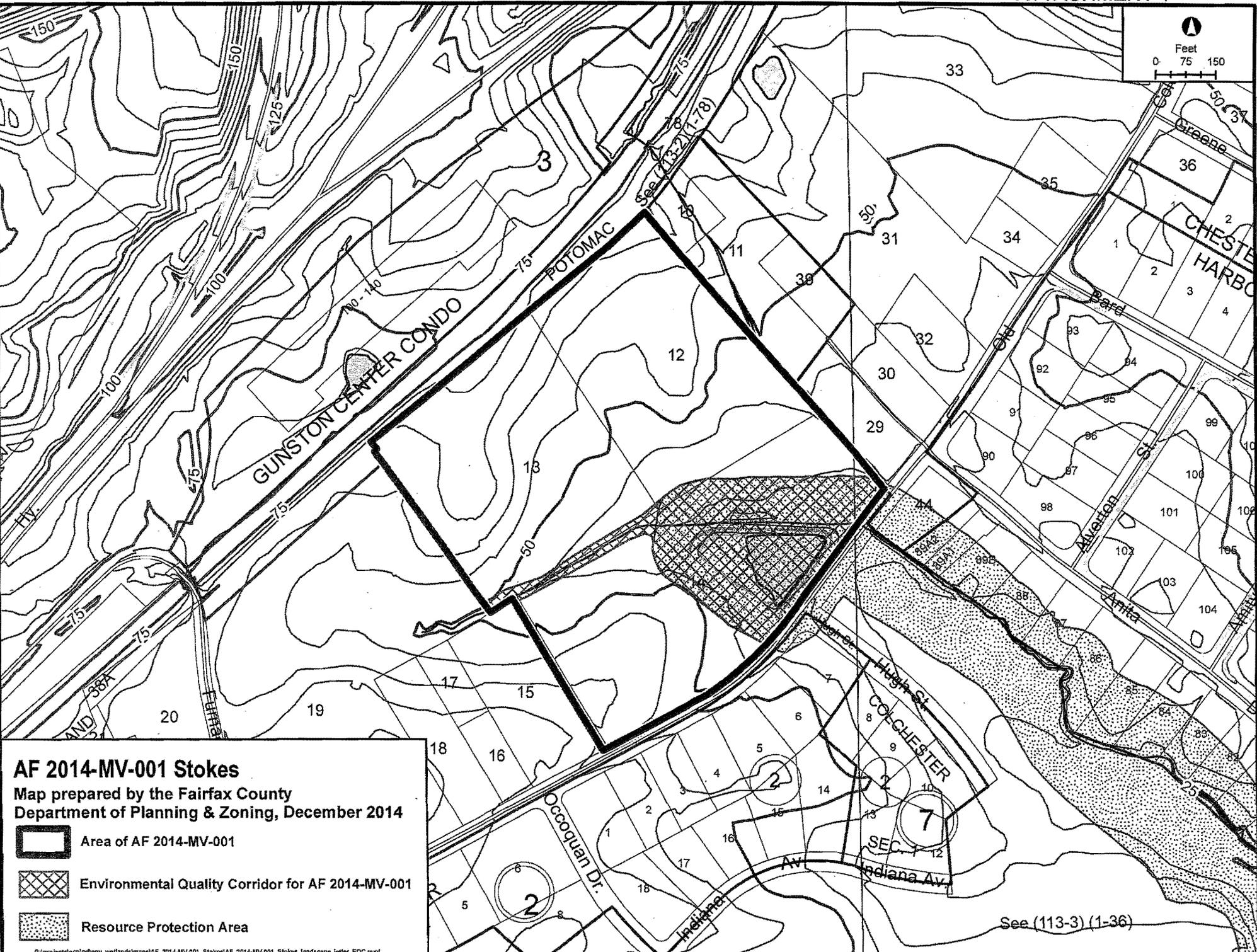
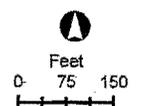
- (8) The establishment and continuation of this district depends upon the implementation of each of the terms and conditions stated in this ordinance. This district may, at the sole discretion of the Board of Supervisors, be subject to reconsideration and may be terminated if such action is determined to be warranted by the Board of Supervisors upon determination that the terms and conditions stated in this ordinance are not being implemented. The reconsideration/termination shall be in accordance with the procedures for the establishment, renewal, or amendment of an A & F District as outlined in Section 115 of the County Code.
- (9) Those areas delineated by the Department of Planning and Zoning as Environmental Quality Corridors (EQCs) (see Attachment 1) shall be left undisturbed, with the exception of any establishment of additional buffer vegetation (as recommended in the Soil and Water Conservation Plan), removal of noxious weeds and invasive species performed to enhance existing vegetation, and the removal of dead, dying and diseased vegetation. The boundaries of the EQC shall be the permanent limits of clearing and grading for the life of the Stokes Local Agricultural and Forestal District.
- (10) The Cultural Resource Management and Protection (CRMP) Division of the Fairfax County Park Authority shall be notified prior to any land-disturbing activity on the site that requires a permit, or prior to the demolition of any structures on the site, and shall be permitted to survey the property and to recover artifacts. Surveys and other similar activities of the Resource Management Division shall be conducted only with prior permission of the property owner and at terms mutually acceptable to both parties and established before each occurrence.

This amendment shall become effective upon adoption.

GIVEN under my hand this 24th day of March, 2015.



CATHERINE A. CHIANESE
Clerk to the Board of Supervisors



AF 2014-MV-001 Stokes
Map prepared by the Fairfax County
Department of Planning & Zoning, December 2014

-  Area of AF 2014-MV-001
-  Environmental Quality Corridor for AF 2014-MV-001
-  Resource Protection Area

See (113-3) (1-36)

APPROVED ORDINANCE PROVISIONS

February 4, 2015

AF 2014-MV-001

If it is the intent of the Board of Supervisors to establish the Stokes Local Agricultural and Forestal District, as proposed in AF 2014-MV-001, pursuant to Chapter 44 of Title 15.2 of the Code of Virginia and Chapter 115 of the Fairfax County Code, on Tax Map Parcels 113-3 ((1)) 12, 13 and 14, the 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.
- (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 Title 58.1, Section 32 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, which was prepared by the Northern Virginia Soil and Water Conservation District on November 21, 2014, for the life of the Stokes Local Agricultural and Forestal District. The Soil and Water Conservation Plan may be updated from time to time as determined necessary by the Northern Virginia Soil and Water Conservation District.
- (6) The applicants shall implement and abide by the recommendations of the Forest Management Letter, dated December 9, 2014 for the life of the Stokes Local

Agricultural and Forestal District. The Forest Management Letter may be updated from time to time as determined necessary by the Area Forester.

- (7) The establishment and continuation of this district depends upon the continuing legality and enforceability of each of the terms and conditions stated in this ordinance. This district may, at the discretion of the Board of Supervisors, be subject to reconsideration and may be terminated if warranted in the discretion of the Board of Supervisors upon determination by a court or any declaration or enactment by the General Assembly that renders any provisions illegal or unenforceable. The reconsideration/termination shall be in accordance with the procedures for the establishment, renewal, or amendment of an A & F District as outlined in Section 115 of the County Code and shall include an opportunity for 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.
- (8) The establishment and continuation of this district depends upon the implementation of each of the terms and conditions stated in this ordinance. This district may, at the sole discretion of the Board of Supervisors, be subject to reconsideration and may be terminated if such action is determined to be warranted by the Board of Supervisors upon determination that the terms and conditions stated in this ordinance are not being implemented. The reconsideration/termination shall be in accordance with the procedures for the establishment, renewal, or amendment of an A & F District as outlined in Section 115 of the County Code.
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- (10) The Cultural Resource Management and Protection (CRMP) Division of the Fairfax County Park Authority shall be notified prior to any land-disturbing activity on the site that requires a permit, or prior to the demolition of any structures on the site, and shall be permitted to survey the property and to recover artifacts. Surveys and other similar activities of the Resource Management Division shall be conducted only with prior permission of the property owner and at terms mutually acceptable to both parties and established before each occurrence.