

**APPROVED ORDINANCE PROVISIONS**  
**September 9, 2015**  
**AF 2015-SP-001**

If it is the intent of the Board of Supervisors to establish the Molleda Local Agricultural and Forestal District as proposed in AF 2015-SP-001 pursuant to Chapter 36.1 of Title 15.1 of the Code of Virginia and Chapter 115 of the Fairfax County Code on Tax Map Parcel 75-1 ((1)) 3, 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 Section 58-769.4 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 (SWCP), which was prepared by the Northern Virginia Soil and Water Conservation District on April 20, 2015 and revised on June 23, 2015, for the life of the Molleda Local Agricultural and Forestal District. The Soil and Water Conservation Plan may be updated from time to

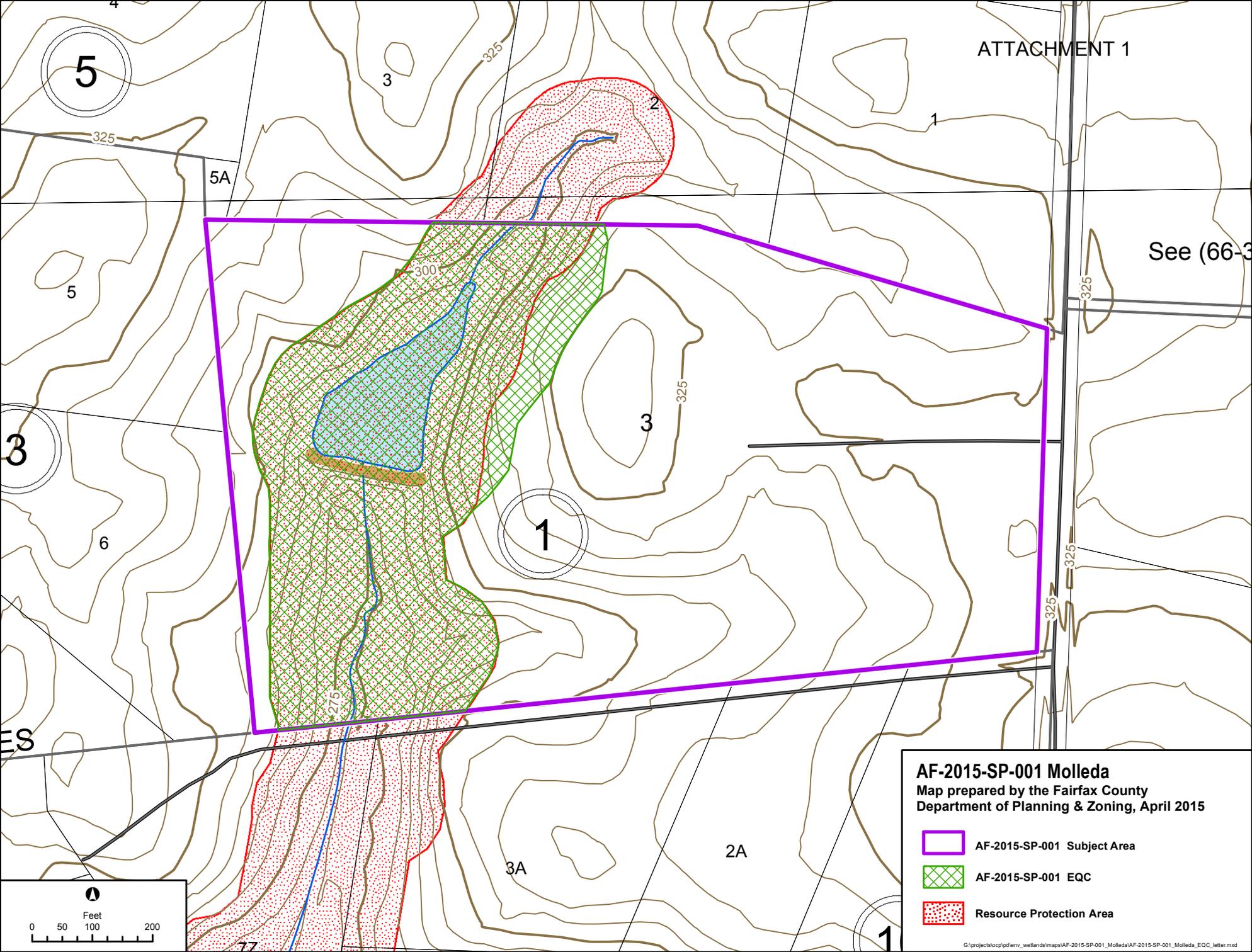
time as determined necessary by the Northern Virginia Soil and Water Conservation District.

Those elements of the SWCP which are identified as “critical” shall be corrected within two (2) years of the establishment of the A&F District, to the satisfaction of DPZ. An annual inspection shall be performed by staff to ensure that improvements have been implemented to effectively address such issues, until such time as the identified “critical” conditions have been corrected. Failure to satisfactorily address those conditions may result in Board of Supervisors reconsideration of the District, per Ordinance Provision Number 8 (below).

- (6) The applicants shall implement and abide by the recommendations of the Forest Management Plan, dated March 16, 2015 for the life of the Molloda Local Agricultural and Forestal District. The Forest Management Plan 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), selective thinning operations 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 Molleda 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 that are greater than 50 years old, and shall be permitted to survey the property and to recover artifacts, subject to prior permission of the property owner and at terms mutually acceptable to both parties and established before each occurrence.

See (66-3



**AF-2015-SP-001 Molleda**  
Map prepared by the Fairfax County  
Department of Planning & Zoning, April 2015

-  AF-2015-SP-001 Subject Area
-  AF-2015-SP-001 EQC
-  Resource Protection Area

