



# County of Fairfax, Virginia

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

RECEIVED  
Department of Planning & Zoning

OCT 26 2015

Zoning Evaluation Division

October 21, 2015

Jose Maria Molleda and Heather Scott-Molleda  
6500 Clifton Road  
Clifton, VA 20124

RE: Agricultural and Forestal District Application AF 2015-SP-001

Dear Mr. and Ms. Molleda:

Agricultural and Forestal District Application AF 2015-SP-001, in the name of Jose Maria Molleda and Heather Scott-Molleda, meeting all of the criteria and provisions pursuant to the Code of the County of Fairfax, Chapter 115 (Local Agricultural and Forestal Districts), and additional environmental provisions, was established by ordinance by the Board of Supervisors at a regular meeting held on October 20, 2015, as F-72, Molleda Local Agricultural and Forestal District, subject to the attached ordinance provisions. The subject property is located at 6500 Clifton Road, on approximately 23.17 acres of land zoned R-C and WS in Springfield District [Tax Map 75-1 ((1)) 3].

Sincerely,

Catherine A. Chianese  
Clerk to the Board of Supervisors

cc: Chairman Sharon Bulova  
Supervisor Pat Herrity, Springfield District  
Kevin Greenlief, Director, 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, October 20, 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 Molleda Local Agricultural and Forestal District, as follows:*

F-72. Molleda Local Agricultural and Forestal District  
(AF 2015-SP-001)

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

Owners	Fairfax County Tax Map Parcel Number	Acreage
<u>Heather Scott-Molleda and Jose Maria Molleda</u>	<u>75-1 ((1)) 3</u>	<u>23.17 acres</u>
	Total:	23.17 acres

(b) The Molleda Local Agricultural and Forestal District is established effective October 20, 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 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.

(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 Molleda 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 EQC map on file with the Department of Planning and Zoning) 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.

*This amendment shall become effective upon adoption.*

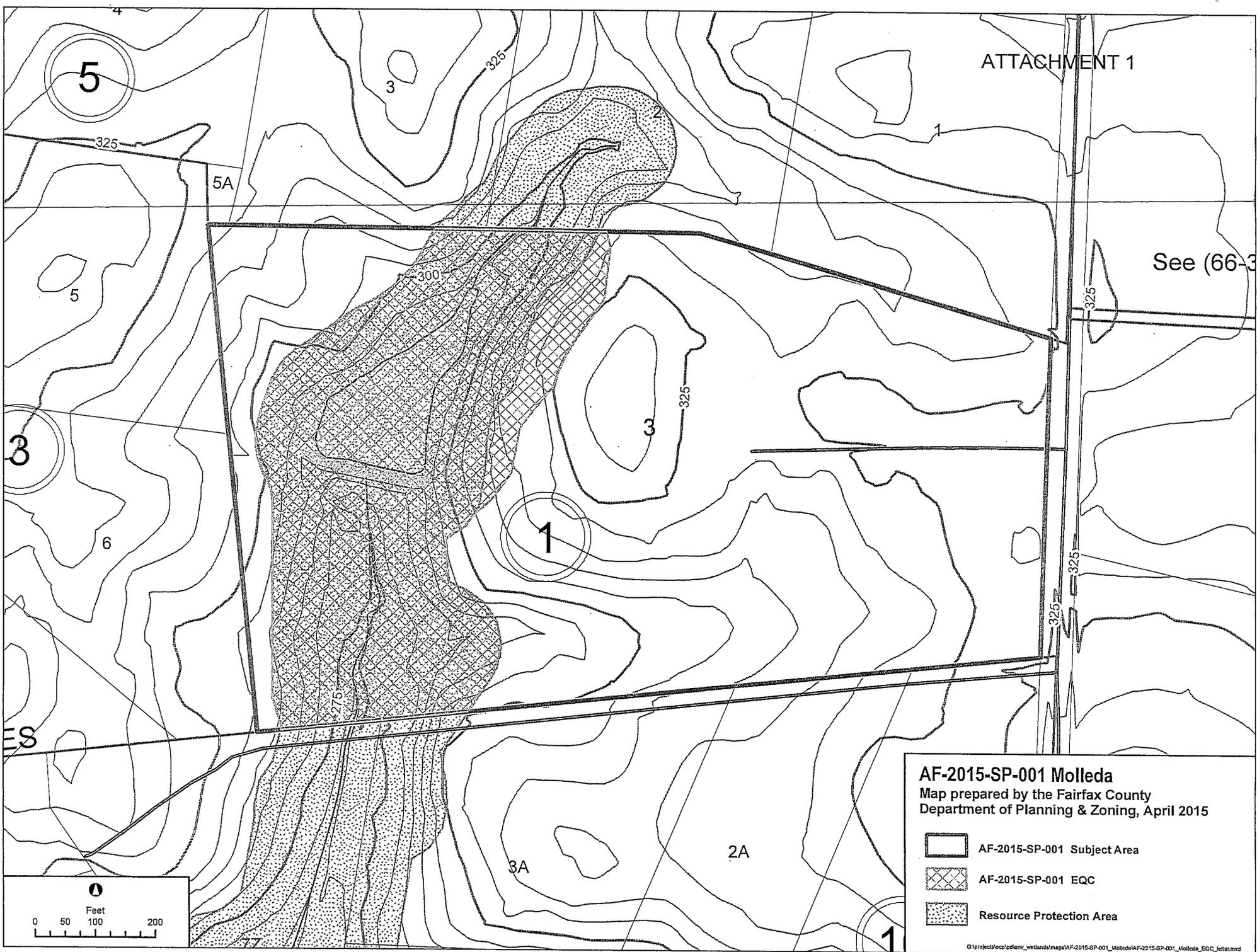
*GIVEN under my hand this 20<sup>th</sup> day of October, 2015.*



CATHERINE A. CHIANESE

Clerk to the Board of Supervisors

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

