



County of Fairfax, Virginia

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

July 13, 2016

Charles E. Dyer and Joanne L. Dyer, Trustees
6501 Colchester Road
Fairfax Station, VA 22039-1202

RE: Agricultural and Forestal District Application AF 2016-SP-001

Dear Mr. and Ms. Dyer:

Agricultural and Forestal District Application AF 2015-SP-001, in the name of Charles E. Dyer, Trustee, Joanne L. Dyer, Trustee, Dyer Living Trust, 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 July 12, 2016, as the Dyer Local Agricultural and Forestal District, subject to the attached ordinance provisions. The subject property is located at 6501 Colchester Road, on approximately 39.22 acres of land zoned R-C and WS in Springfield District [Tax Map 76-3 ((1)) 8].

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
Abdi Hamud, Development Officer, DHCD/Design Development Division
Jill Cooper, Executive Director, Planning Commission
Karyn Moreland, Chief Capital Projects Sections, Dept. of Transportation

*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, July 12, 2016, 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 (Creating the Dyer Local Agricultural and Forestal District) 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 Dyer Local Agricultural and Forestal District, as follows:

F-73. Dyer Local Agricultural and Forestal District
(AF 2016-SP-001)

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

Owners	Fairfax County Tax Map Parcel Number	Acreage
Charles E Dyer and Joanne L Dyer, trustees - Dyer Living Trust	76-3 ((1)) 8	39.22 acres

(b) The Dyer Local Agricultural and Forestal District is established effective July 12, 2016, 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, as remain in conformance with the approved Soil and Water Quality Management and Forest Management Plans for the property.

(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, subject to continued conformance with the approved Soil and Water Quality Management and Forest Management Plans for the property.

(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 Quality Management Plan, prepared by the Northern Virginia Soil and Water Conservation District (NVSWCD) on January 19, 2016, for the life of the Dyer Local Agricultural and Forestal District. The Soil and Water Quality Management Plan may be updated from time to time as determined necessary by NVSWCD.

(6) The applicants shall implement and abide by the recommendations of the Forest Management Plan, prepared by the Virginia Department of Forestry (VADOF) on March 29, 2016, for the life of the Dyer Local Agricultural and Forestal District. The Forest Management Plan may be updated from time to time as determined necessary by VADOF.

(7) Those areas delineated by the Department of Planning and Zoning 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, in accordance with the recommendations of VADOF (and the approved Forest Management Plan), and measures recommended by NVSWCD (and the approved Soil and Water Quality Management Plan) to address erosion and sediment control within the RPA area. The boundaries of the EQC (see Exhibit A) shall otherwise be considered the permanent limits of clearing and grading for the life of the Dyer Local Agricultural and Forestal District.

(8) The Cultural Resource Management and Protection Division (CRMP) of the Fairfax County Park Authority shall be permitted to survey the property and to recover artifacts from the property. 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 and established before each occurrence.

(9) 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.

(10) 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.

This amendment shall become effective upon adoption.

GIVEN under my hand this 12th day of June, 2016.



CATHERINE A. CHIANESE

Clerk to the Board of Supervisors

AF 2016-SP-001 - Dyer

Map prepared by the Fairfax County Department of Planning & Zoning, March 2016.

-  Area of AF 2016-SP-001
-  Environmental Quality Corridors inside AR 2016-SP-001
-  Resource Protection Area
-  Floodplain

