



# County of Fairfax, Virginia

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

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Department of Planning & Zoning

SEP 02 2016

Zoning Evaluation Division

July 27, 2016

Carol C. Mattusch and Richard S. Mason  
12301 Fairfax Station Road  
Clifton, VA 20124

RE: Agricultural and Forestal District Application AR 83-S-008-04

Dear Ms. Mattusch and Mr. Mason:

Agricultural and Forestal District Application AR 83-S-008-04, in the name of Carol C. Mattusch and Richard S. Mason, 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 July 26, 2016, as the Popes Head Local Agricultural and Forestal District, subject to the attached ordinance provisions. The subject property is located at 12301 Fairfax Station Road, on approximately 31.87 acres of land zoned RC and WS in the Springfield District, [Tax Map 76-3 ((1)) 4Z and 24Z].

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  
Michael Davis, Section Chief, Transportation Planning Division, DOT  
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 26, 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 (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 the Popes Head Local Agricultural and Forestal District, as follows:*

F-7. Popes Head Local Agricultural and Forestal District  
(AR 83-S-008-04)

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

Owners	Fairfax County Tax Map Parcel Number	Acreage
Carol Mattusch and Richard S. Mason	76-3 ((1)) 4Z	5.00
Carol Mattusch	76-3 ((1)) 24Z	26.87
Total:		31.87

(b) The Popes Head Local Agricultural and Forestal District is established effective July 26, 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 represented on the application materials associated with this approval and as remains in conformance with the approved Soil and Water Quality Management Plan and Forest Management Plan for the property, or to prevent the construction of one (1) additional house within the district, where otherwise permissible 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, subject to continued conformance with the approved Soil and Water Quality Management Plan and Forest Management Plan 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 Conservation Plan, prepared by the Northern Virginia Soil and Water Conservation District (NVSWCD) on June 6, 2016, for the life of the Popes Head Local Agricultural and Forestal District. The Soil and Water Quality Conservation Plan may be updated from time to time as determined necessary by NVSWCD. The applicants shall also, within one year of approval of this application, work with NVSWCD to develop a supplemental plan to specifically address all recommendations

designated as "critical" in said Soil and Water Quality Conservation Plan, to the satisfaction of NVSWCD.

(6) The applicants shall continue to implement and abide by the recommendations of the Forest Management Plan, prepared by the Virginia Department of Forestry (VADOF) on May 21, 2008, for the life of the Popes Head Local Agricultural and Forestal District. The Forest Management Plan may be updated from time to time as determined necessary by VADOF. If the applicants choose to harvest the timber on the lands within this Agricultural and Forestal District, such harvesting shall be in coordination with the State Forester, to ensure that appropriate techniques designed to protect water quality are utilized.

(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 Forest Management Plan, and as approved by the VADOF. The boundaries of the EQC (see Exhibit A) shall be the permanent limits of clearing and grading for the life of the Popes Head Local Agricultural and Forestal District.

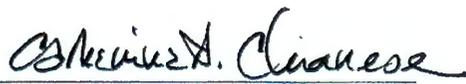
(8) The establishment and continuation of this district depends upon the implementation of each of the terms and conditions stated in this ordinance. This district may, at the sole discretion of the Board of Supervisors, be subject to reconsideration and may be terminated if such action is determined 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) The Cultural Resource Management and Protection Division (CRMP) of the Fairfax County Park Authority shall be permitted to survey the property for historic resources, upon request, and to recover artifacts from the property, subject to terms mutually acceptable to both parties and established before each occurrence.

(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 26<sup>th</sup> day of July, 2016.*

  
CATHERINE A. CHIANESE  
Clerk to the Board of Supervisors