

*ADOPTION OF AN AMENDMENT TO APPENDIX F
(DISTRICT ORDINANCES FOR 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, February 20, 2024, 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 (District Ordinances for 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 (District Ordinances for Local Agricultural and Forestal Districts) is amended as follows:

F-60. Simanson Local Agricultural and Forestal District
(AF-2023-DR-00003).

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

Owners	Fairfax County Tax Map Parcel Number	Acreage
<u>Gary Simanson</u>	<u>13-3 ((1)) 20Z</u>	<u>9.18 acres</u>
<u>Private Historic Preservation Group LLC</u>	<u>13-3 ((1)) 19Z</u>	<u>5.01 acres</u>
	<u>13-3 ((1)) 24Z</u>	<u>2.01 acres</u>
	<u>13-3 ((1)) 25</u>	<u>4.12 acres</u>
	<u>13-3 ((1)) 26Z</u>	<u>2.49 acres</u>
	<u>13-3 ((1)) 43Z</u>	<u>5.12 acres</u>
	<u>13-3 ((16)) 3</u>	<u>1.88 acres</u>
Total:		29.81 acres

- (b) The Simanson Local Agricultural and Forestal District is established effective February 20, 2024, 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 will 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 will not be construed to restrict expansion of or improvements to the agricultural or forestal use of the land, or to prevent the construction of one (1) additional house within the district, where otherwise permitted 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 will 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 will 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 will 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 will be included in any agricultural and forestal district of local significance without such owner's written approval.
- (5) The applicant will implement and abide by the recommendations of the Soil and Water Quality Conservation Plan dated September 26, 2023, for the life of the Simanson Local Agricultural and Forestal District. The Soil and Water Conservation Plan may be updated from time to time as determined necessary by the Soil and Water Conservation District.
- (6) Those areas delineated as Environmental Quality Corridors (EQCs) must be left undisturbed, with the exception of selective thinning operations performed to enhance existing vegetation and the removal of dead, dying and diseased vegetation as approved by Forest Conservation of Land Development Services of Fairfax County. The boundaries of the EQC will be the permanent limits of clearing and grading for the life of the Simanson Local Agricultural and Forestal District (see Figure 7).
- (7) The applicant must implement and abide by the recommendations of the Land Use Forest Management Plan which was prepared by the Area Forester dated November 13, 2023, for the life of the Simanson Local Agricultural and Forestal District. The Forest Management Plan may be updated from time to time as determined necessary by the Area Forester.
- (8) 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 will be in accordance with procedures established by the Board of Supervisors and communicated to 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 will become effective upon adoption.

GIVEN under my hand this 20th day of February, 2024.

Jill G. Cooper
Clerk for the Board of Supervisors