

**MINUTES OF
FAUQUIER COUNTY AGRICULTURAL & FORESTAL
DISTRICT ADVISORY COMMITTEE**

February 23, 2017

The Fauquier County Agricultural and Forestal District Advisory Committee held a meeting on February 23, 2017, at 6:00 p.m. in the Warren Green Building, Second Floor Conference Room, 10 Hotel Street, Warrenton, Virginia. Members present were Mr. John Schied, Chairperson; Ms. Patty Leonard, Vice-Chairperson; Mr. Chris Butler, Lee District Supervisor; Mr. Ross D'Urso; Mr. David Gibson; Ms. Jolly de Give; Mr. William W. Gulick, Jr.; Mr. Ken Smith; Ms. Katherine Strother; and Mr. Tom Weber. Also present were Mr. Adam Shellenberger, Senior Planner/Urban Designer; Mr. Ben Holt, Planner II; and Mrs. Fran Williams, Administrative Manager.

ELECTION OF OFFICERS:

On motion made by Ms. de Give and seconded by Ms. Leonard, it was moved to appoint Mr. Schied as Chairperson.

The motion carried unanimously.

On motion made by Ms. de Give and seconded by Mr. Butler, it was moved to appoint Ms. Leonard as Vice-Chairperson.

The motion carried unanimously.

MINUTES:

On motion made by Mr. Weber and seconded by Mr. Butler, it was moved to approve the March 14, 2016 minutes.

The motion carried unanimously.

AGENDA ITEMS:

10th ADDITION TO THE COBBLER MOUNTAIN AGRICULTURAL & FORESTAL DISTRICT (Ben Holt, Staff)

- AGFO-17-006398 – Thomas Garson & Janet Sue Hays, Trustees (Owners/Applicants), PIN 6938-44-6646-000 and 6938-54-2293-000, located at 11216 Silo Road, Marshall, Virginia

13th ADDITION TO THE UPPERVILLE AGRICULTURAL & FORESTAL DISTRICT (Ben Holt, Staff)

- AGFO-17-006459 – J. Jacob Porter (Owner/Applicant), PIN 6044-70-4869-000 and 6044-81-3471-000, located at Greystone Road, Upperville, Virginia

22nd ADDITION TO THE MIDDLEBURG/MARSHALL AGRICULTURAL & FORESTAL DISTRICT (Ben Holt, Staff)

- AGFO-17-006508 – Enrique Solari-Garat & Ariana V. Carles, Trustees (Owners/Applicants), PIN 6093-22-9336-000, located at 1769 Zulla Road, Middleburg, Virginia

Mr. Holt reviewed the staff reports, copies of which are attached to and made part of these official minutes.

After discussion, on motion made by Mr. Weber and seconded by Ms. Leonard, it was moved to forward the 10th Addition to the Cobbler Mountain Agricultural and Forestal District; the 13th Addition to the Upperville Agricultural and Forestal District; and the 22nd Addition to the Middleburg/Marshall Agricultural and Forestal District to the Board of Supervisors with a recommendation of approval, subject to the following conditions:

1. Pursuant to Title 15.2, Chapter 43, Section 15.2-4312 of the *Code of Virginia* (1950), as amended, the Fauquier County Zoning Ordinance shall apply except as modified below. These modifications are necessary to assure that the Ordinance does not conflict with the purpose for which the District was established.
 - a. For properties in the Agricultural and Forestal District, uses listed in Zoning Ordinance Sections 3-301 through 3-317 and Sections 3-319 through 3-332 that require a Special Permit shall instead require a Special Exception. Agricultural or forestal production and construction of dwellings for persons who earn a substantial part of their livelihood from a farm operation on the property or for members of their immediate family shall be allowed as permitted under the Zoning Ordinance. No Special Exception permit shall be in conflict with the purposes for which the district was created.
 - b. Only the following divisions of land are allowed within an Agricultural and Forestal District:
 - i. Family transfers.
 - ii. Large Lots divisions.
 - c. Boundary Line Adjustments are allowed between other Agricultural and Forestal Districts. If a boundary line adjustment occurs between different Districts, the area boundary line adjusted would not be allowed to withdraw from the District any sooner than the first opportunity under the District created.

2. These parcels shall qualify for land use value assessment provided that the parcels meet the criteria of Article 4 of Section 58.1-3229 *et seq.* of Chapter 32 of Title 58.1 of the *Code of Virginia*.
3. The owners of land within the District shall not terminate the District except as provided for in Section 15.2-4314 of the *Code of Virginia*.
4. Lawful termination of any owner's association in the District shall not serve to terminate the existence of the District, but the District shall continue in effect until the review required by Section 15.2-4311 of the *Code of Virginia*.
5. If a parcel is divided or boundary line adjusted to less than 5 acres, the parcel shall be removed from the District.
6. If any parcel is boundary line adjusted or divided such that a newly created parcel contains less than 25 acres, then the parcel containing less than 25 acres shall be removed from the District. An exception to this rule shall be where such property is part of a working farm that is comprised of a contiguous collection of parcels under the same ownership; in such a case, any parcel containing less than 25 acres that is *sold* shall be removed from the District. Furthermore, if the contiguous collection of parcels under the same ownership is decreased to less than 25 acres, then all of the parcels in that collection shall be removed from the District.

The motion carried unanimously.

OTHER BUSINESS:

- The Committee discussed the possible benefits of recommending that future applicants for additions have a Conservation Plan in place.

On motion made by Mr. Weber and seconded by Ms. de Give, it was moved to have Staff review the issue of Conservation Plans and bring their findings back to the Committee in approximately six months.

After discussion, on motion made by Mr. Weber and seconded by Ms. de Give, it was moved to amend the above motion to have Staff review the issue of Conservation Plans *as a recommended part of the process for selection of sites for addition to an Agricultural and Forestal District* and bring their findings back to the Committee in approximately six months.

The amended motion carried unanimously.

Thereafter, the original motion carried unanimously, as amended.

- Mr. Smith urged the Committee to schedule future meetings at 7:00 p.m.

ADJOURNMENT:

There being no further business, the meeting was adjourned at approximately 6:50 p.m.

A tape recording of the meeting, as well as the associated staff reports and attachments for each agenda item, are retained on file in the Department of Community Development, Planning Office, 10 Hotel Street, Suite 305, Warrenton, Virginia, for a period of one (1) year after approval of the minutes.