County of Fairfax, Virginia
Planning Commission Meeting
April 8, 2026
Planning Commission Action

AFR 2025-SU-00003– HICKOX LOCAL AGRICULTURAL AND FORESTAL DISTRICT
(Sully District)

PLANNING COMMISSION RECOMMENDATIONS:
On April 8, 2026, the Planning Commission voted 11-0 (Commissioner Thomas was absent from the meeting) to recommend that the Board of Supervisors adopt a district ordinance renewing the Hickox Local Agricultural and Forestal District, to be codified in Appendix F of the County Code, as proposed in AFR 2025-SU-00003, pursuant to Chapter 44 of Title 15.2 of the Code of Virginia and Chapter 115 of the Fairfax County Code, as set forth in the Staff Report dated March 25, 2026.

ATTACHED DOCUMENTS:
Staff Report dated March 25, 2026

MJ

APPLICATION ACCEPTED:	November 21, 2025
PLANNING COMMISSION:	April 8, 2026
BOARD OF SUPERVISORS:	May 5, 2026 @ 4:00 p.m.

County of Fairfax, Virginia

March 25, 2026

STAFF REPORT

AFR 2025-SU-00003

HICKOX LOCAL AGRICULTURAL AND FORESTAL DISTRICT APPLICATION

SULLY DISTRICT

APPLICANT:	Jon and Kim Hickox
ZONING:	Residential Conservation (R-C), Water Supply Overlay District (WSPOD), Historic District (HD)
PARCEL(S):	53-3 ((7)) 32Z, 33Z; 64-1 ((4)) 7Z1, 7Z2, 7Z3, 7Z4; 64-1 ((7)) 31Z, 34Z, 35Z, 36Z, 37Z, 38Z, 39Z, 40Z, 41Z, 42Z
LOCATION:	15950, 16006, 16010, 16012 Route 29; 6852 Lady Adelaide Ct; 6780 Bull Run Post Office Rd, Centreville, 20120
SITE ACREAGE:	80.94
PLAN RECOMMENDATION:	Residential (0.1-0.2 du/acre)
PROPOSAL:	Renew the Local Agricultural and Forestal District

Sophia S. Fisher, AICP

Department of Planning and Development
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia, 22035-5509
Phone: 703 324-1380 / Fax: 703 653-9447
www.fairfaxcounty.gov/planning-development/

STAFF RECOMMENDATIONS:

Staff recommends that Appendix F of the Fairfax County Code be amended to renew the Hickox Local Agricultural and Forestal (A&F) District subject to the proposed Ordinance Provisions contained in Appendix 1 of this report.

It should be noted that approval of an A&F District application does not automatically qualify a property for land use value assessment. Upon application to the Department of Tax Administration (DTA) for taxation on the basis of land use assessment, DTA must independently determine if the subject property meets the definition of either agricultural and/or forestal use, as well as the appropriate guidelines, including minimum acreage, for either use, as required by Title 58.1 of the Code of Virginia, which is found in Appendix 8. The land use assessment value is based on rates recommended by the State Land Evaluation and Advisory Council (SLEAC). The SLEAC was established in accordance with Title 58.1 of the Code of Virginia with the mandate to determine and publish use-value estimates of eligible land for each jurisdiction participating in the use-value taxation program.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any development conditions, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendation of staff; it does not reflect the position of the Board of Supervisors.

The approval of this A&F District does not interfere with, abrogate, or annul any easement, covenants, or other agreements between parties as they may apply to the property subject to this application.

For information, contact the Planning Division, Department of Planning and Development, 12055 Government Center Parkway, Suite 730, Fairfax, Virginia 22035-5505, (703) 324-1380.

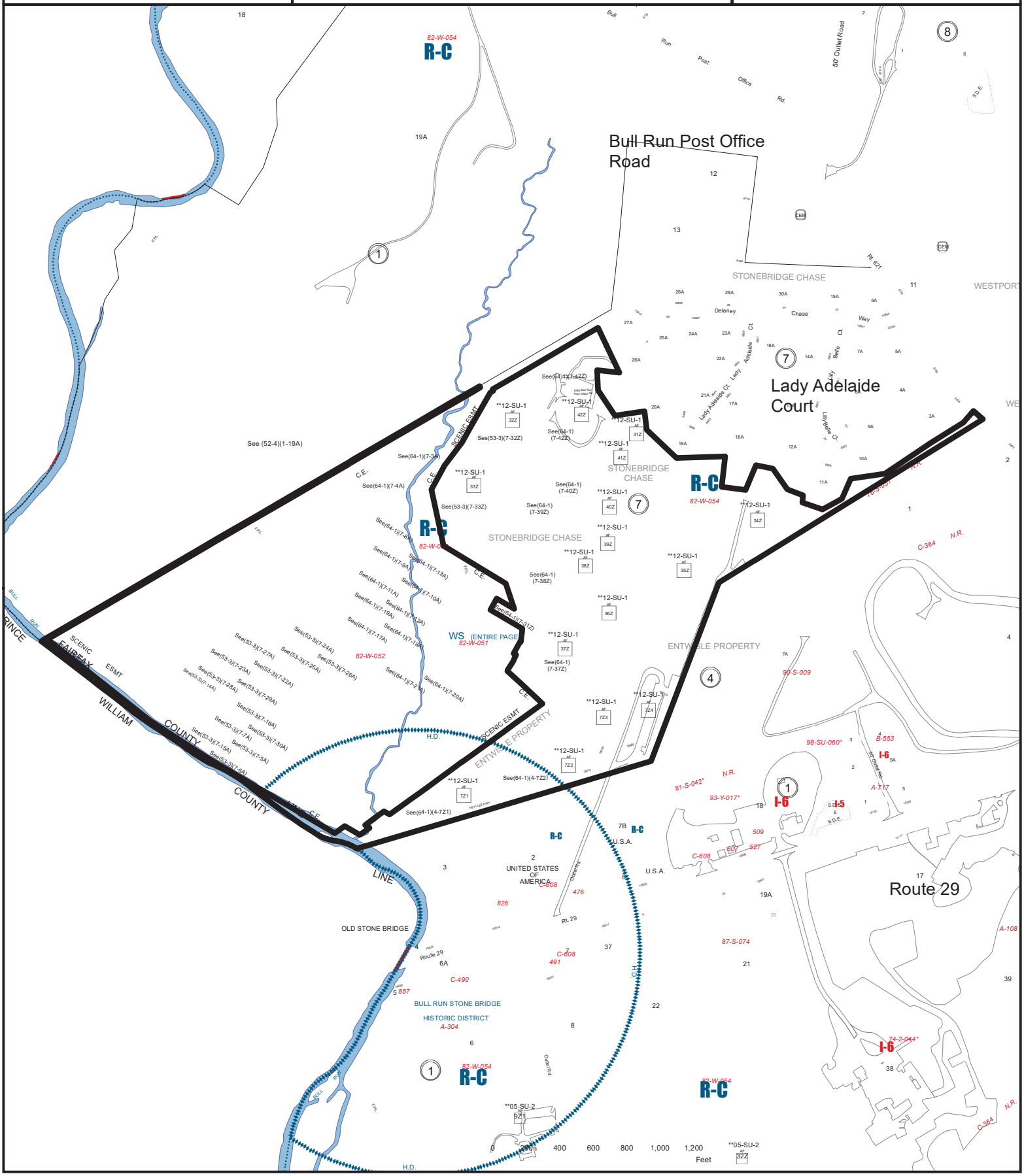
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 48 hours advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

A&F District

AFR-2025-SU-00003

JOHN & KIM HICKOX
HICKOX LOCAL AGRICULTURAL
AND FORESTAL DISTRICT RENEWAL





A GLOSSARY OF TERMS FREQUENTLY USED IN STAFF REPORTS WILL BE FOUND AT THE BACK OF THIS REPORT

DESCRIPTION OF APPLICATION

AFR-2025-SU-00003 is a request to renew the Hickox Local Agricultural and Forestal (A&F) District for an eight-year term (under the provisions of Chapter 115 of the Fairfax County Code). A&F Districts encourage the preservation of significant tracts of agricultural and forested land throughout the County by providing a reduced real estate tax assessment in exchange for a commitment to preserve the land for the length of the term. While certain exceptions are permitted, the land is expected to remain at its present use and development intensity for the extent of the eight-year term. Removal of the district before the conclusion of the term is subject to a penalty and payment of roll back taxes, per the terms in Article 6 of Chapter 115. Staff's Proposed Code Provisions are contained in Appendix 1. A copy of the applicant's statement of justification is contained in Appendix 2.

Applicant: Jon and Kim Hickox
Acreage: 80.94 acres
Uses: Agricultural – 7.75
Residential – 0.25 acres
Forested or undeveloped uses – 72.94

BACKGROUND

The Hickox Local A&F District is comprised of 16 parcels identified as Tax Map # 53-3 ((7)) 32Z, 33Z; 64-1 ((4)) 7Z1, 7Z2, 7Z3, 7Z4; 64-1 ((7)) 31Z, 34Z, 35Z, 36Z, 37Z, 38Z, 39Z, 40Z, 41Z, 42Z. 15950, 16006, 16010,16012 Route 29; 6852 Lady Adelaide Ct; 6780 Bull Run Post Office Rd, Centreville, 20120. The applicant purchased the property in 2008 and established the Winery at Bull Run on the property the same year. The A&F district was first established in 2012 with approximately 21.94 acres and amended in 2017 to include an additional 59 acres.

In 2015 the applicant purchased a 200-acre property adjacent to his winery operation and subsequently subdivided it by-right into 5-acre lots. 30 of the lots were developed as part of the Stonebridge Chase residential subdivision. The remainder of the parcels were set aside for the horse operation and for a possible expansion of the applicant's winery operation. Although each residential parcel measures at least five aces in total, they have an unusual configuration with two-acre house sites clustered on the eastern one-third of the overall property near Bull Run Post Office Rd. and undeveloped "flag" portions that wrap around the middle of the property to form stacked tails for each parcel on the western one-third of the larger property. The Deed of Division was recorded in the land records in July 2015 and, as a five-acre-per-lot subdivision in the RC district, was not subject to the County Subdivision Ordinance or the shape factor

provisions of the Zoning Ordinance (which govern lot configuration for most other residential subdivisions). The Zoning Ordinance has since been amended to apply the shape factor requirements to residential lots in the RC district. The applicant placed a scenic conservation easement on the undeveloped portions of the residential properties prior to selling the 30 lots for development, preserving approximately 90 acres adjacent to the A&F district.

In 2017, the applicant received Special Permit approval for a Riding and Boarding Stable with up to 50 horses. The Riding and Boarding stable use was established prior to the adoption of the 1978 Zoning Ordinance, and was operating as a legally nonconforming use until 2015 when the applicant purchased the 200-acre parcel it was located on, subdivided it into residential lots, sold 30 lots to a developer, and incorporated the remaining 59 acres into the A&F district. At that point, the Zoning Administrator determined that a Special Permit was necessary because the subdivision had the effect of intensifying the existing use.

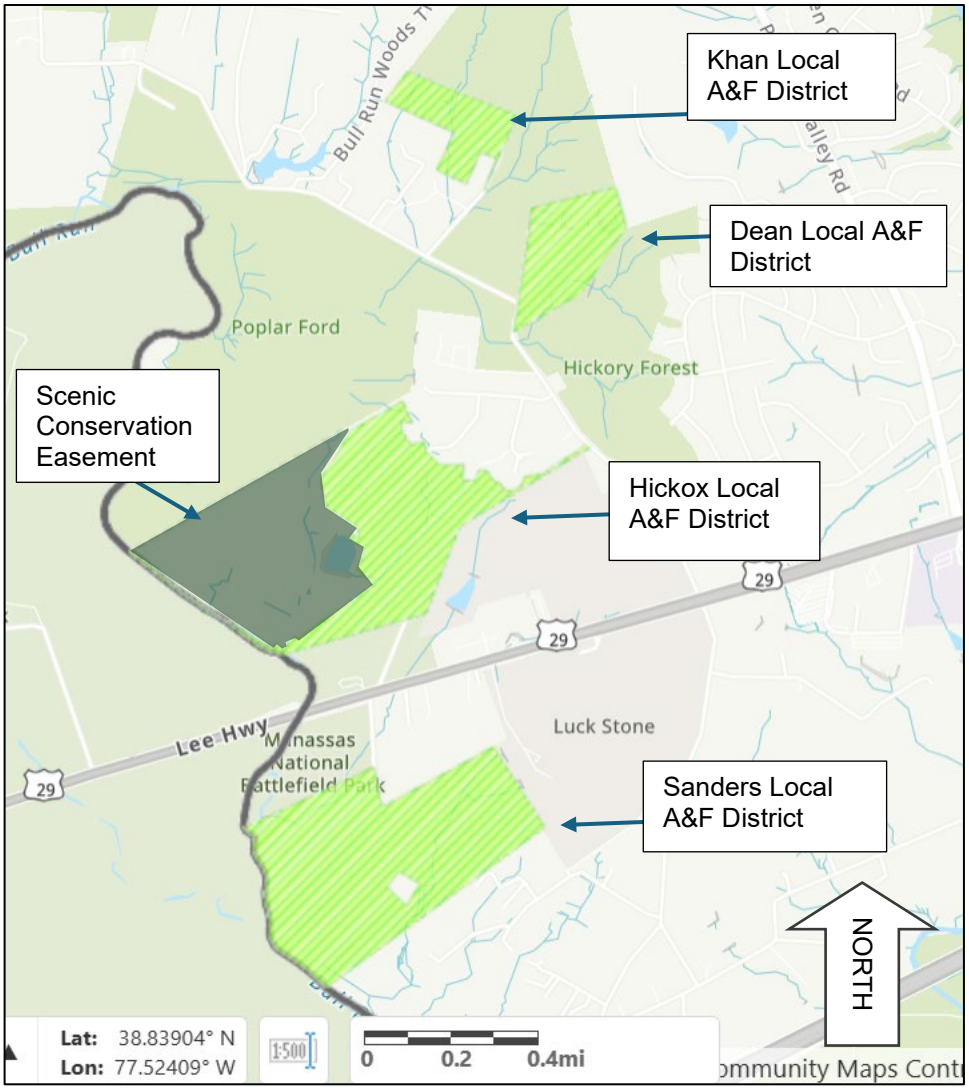


Figure 1: Property location map. Source: Fairfax County GIS

LOCATION AND CHARACTER

The subject property is located along Bull Run, adjacent to Prince William County and Manassas National Battlefield Park (to the west), and the Vulcan quarry (to the southeast). Federal Forest Service property lies directly to the south that is traversed by an access easement to the existing winery, and the Fairfax County Park Authority-owned 535-acre Poplar Ford Park lies directly to the north. Three other Local A&F Districts (Khan, Dean, and Sanders) are located in close proximity as shown in Figure 1. The subject parcels and surrounding area are all zoned to the R-C (Residential Conservation) District and are subject to the Water Supply Protection Overlay District (WS). The Bull Run Stone Bridge Historic Overlay District (HD) also applies to the far southwestern corner of this site where the historic Stone Bridge site is located.

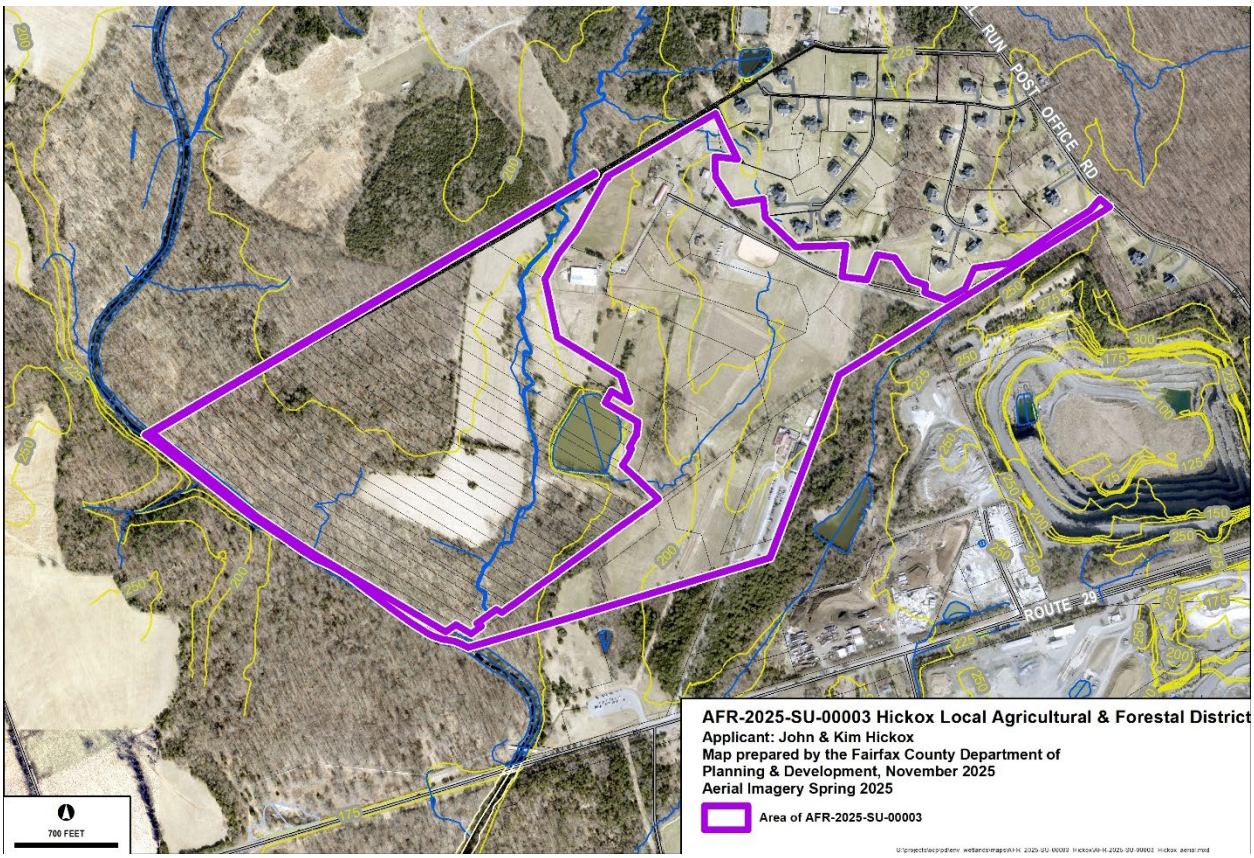


Figure 2: Aerial view of the property. Source: Fairfax County GIS

Figure 3: Current Structures on the Property		
Structure:	**Year Built:**	**Use:**
Winery Barn/Tasting Room	2011	Wine Tasting, Wine Making, Offices, Museum
“Hillwood House” Ruins	Mid 1800s	Outdoor patio with historical markers
Smoke House	Mid 1800s	Preserved ruins
Arena Barn	1970s	Horse Stalls/Indoor Arena
Barn	1940s	Horse Stalls
Tool Barn	1980s	Storage/Equipment
House	1950s	Residential
House	1960s	Residential
Ruins of additional house	Unknown	Not usable





Figure 4: Remnants of historic structures on the property. Source: DPD Staff





Figure 5: Wine tasting room and wine production facility (left); Vinyard and outdoor event space (right). Source: DPD Staff

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area III

Planning District: Bull Run

Planning Sector: BR5 – Stone Bridge

Plan Map: Residential use at a density of 0.1 to 0.2 du/ac., private open space, and public parks.

ANALYSIS

Land Use / Environmental Analysis

Land Use

Current Commonwealth of Virginia and County codes consider farm wineries and associated infrastructure an agricultural use. The current winery operation on Parcel 7Z is a licensed farm winery and therefore is permissible by the Zoning Ordinance as a by-right use in a Residential Conservation District.

The Comprehensive Plan for this area recommends low-intensity residential use or public parkland, in harmony with R-C District objectives to protect the environment and water quality goals. Agricultural and forestal uses are specifically recommended by the Plan as alternatives to residential uses in this area and are encouraged to employ agricultural and forestal methods that are supportive of water quality goals. A portion of

Parcel 7Z is also located within the Bull Run Stone Bridge Historic District, which is intended to minimize impacts to the historic Stone Bridge. The affected portion of Parcel 7Z is currently undeveloped and the continuation of the A&F District serves to further ensure that the area remains undeveloped to support the goals of the Historic District.

Staff finds that renewing the agricultural and forestal district would be compatible with the existing and planned low density residential character and would help preserve the rural, historical, and scenic character of the site and surrounding area.

Environmental

The subject property encompasses approximately 80.94 acres in the Bull Run watershed. A Resource Protection Area (RPA) and Environmental Quality Corridor (EQC) associated with Bull Run traverses the west edge of the application property in a north-south direction along the Bull Run Stream valley. Steeply sloping terrain characterizes the banks along the stream valley. The majority of the environmentally sensitive land seen in Figure 6 is outside of the A&F District and subject to a conservation easement as shown in Figure 1.

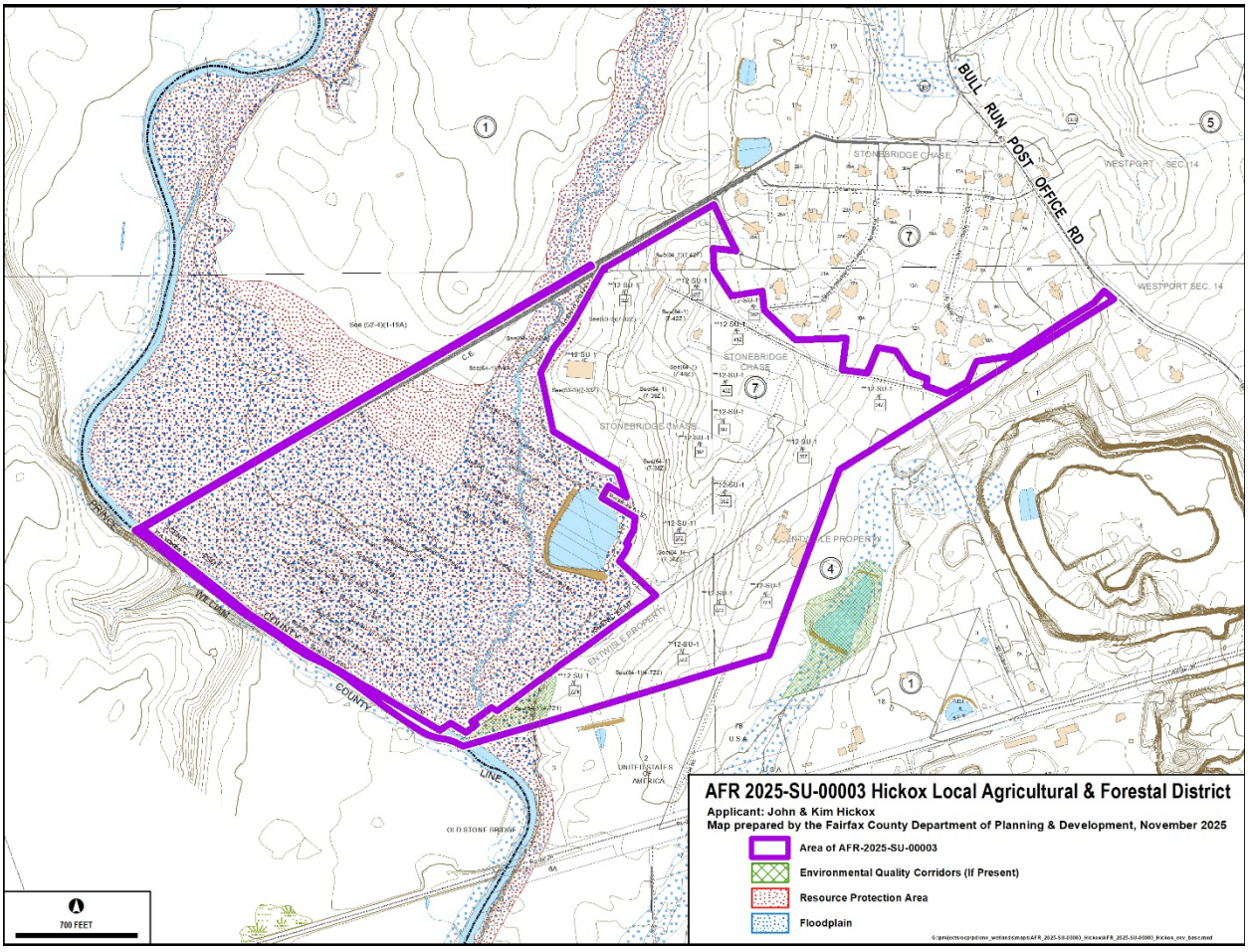


Figure 6. Environmental Resources Map, Source: Fairfax County GIS

The Fairfax County Comprehensive Plan, Policy Plan, Environment Element contains guidance for the preservation and protection of these sensitive natural resources. Specific objectives call for preventing and reducing pollution of surface and groundwater resources; protecting the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use in Fairfax County; identifying, protecting, and enhancing an integrated network of ecologically valuable land and surface waters for present and future residents of Fairfax County; and conserving and restoring tree cover on developed and developing sites. (Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Environmental, Amended through 12-9-2025.)

The continuation of agricultural and forestal district is in conformance with the Plan goals of preserving the rural and scenic character of the surrounding area and protecting water quality. Furthermore, keeping the subject property in an agricultural and forestal district helps to achieve the environmental objectives outlined above by allowing the property to remain in a protected agricultural use.

Heritage Resources Analysis (Appendix 3)

The entire property is located within the Brawner's Farm/First Battle of Bull Run/First Battle of Manassas/Gainesville/Groveton/Manassas Plains Historic District, Virginia Cultural Resources Information System (VCRIS) #076-5335, which has been determined eligible for listing in the National Register of Historic Places by the Virginia Department of Historic Resources (VDHR). The Historic District has been partially or fully surveyed at the Phase I level, thirteen times in the last thirty years, primarily in response to transportation and energy projects. It was first determined to be eligible for listing in the National Register of Historic Places by VDHR in 2018. The Historic District was most recently surveyed in April 2024 in response to the Line 2011 230kV Rebuild Project and was reaffirmed as National Register eligible by VDHR in December of 2024.

Heritage Resources supports the renewal of the Hickox Local A&F District. A&F Districts help protect Fairfax County’s historic agricultural and forestal landscapes, which are valuable historic and cultural resources of the County’s past and present. These cultural landscapes protected by the A&F Districts include built resources, archaeological resources, and the natural environment and topography. To further protect natural and cultural resources and rural landscapes, Heritage Resources recommends exploration of conservation and open space easements in conjunction with A&F District designation.

Heritage Resources recommends consultation with the Fairfax County Archaeology and Collections branch in the Fairfax County Park Authority (FCPA-ACB) regarding any sub-surface resources, including cemeteries.

Soil and Water Conservation Analysis (Appendix 4)

A Conservation Specialist from the Northern Virginia Soil and Water Conservation District (NVSWCD) visited the site and prepared a detailed Soil and Water Quality Conservation Plan (SWQCP) for the property (dated June 24, 2025). The SWQCP notes several existing best practices that are in use including: sacrifice lots to allow horses a place to go when pastures need a rest; clover in the ground cover around the grapes for nitrogen fixation; a 100-foot riparian buffer that filters sediment and runoff from pastures and manure storage; and rotationally grazing the horses through pastures.

The SWQCP also notes several resources concerns. The first concern relates to manure storage. While there is an adequate riparian buffer between the manure pile and the stream, the report noted that the manure storage was inadequate because it was not covered and not located on an impermeable surface, which could lead to nitrogen and phosphate running off the pile and making their way into the stream on days with heavy rainfall and/or leaching in through shallow groundwater. Improving manure storage is recommended. The second concern is that the area around the horse troughs is subject to heavy displacement of soil, which could lead to increased erosion. Stabilizing the area around the troughs is recommended. The third concern is that pastures 2 and 3 appear to be overgrazed and heavily populated with buttercups, a plant that is known to cause illness in horses. It is recommended to overseed the pastures with an equine pasture seed mix, continue to rotationally graze the horses, and mow to suppress weeds. The applicant has been working with NVSWCD to implement these recommendations, particularly those related to manure storage.

The total list of required and recommended items from the SWQCP are included below. The items identified as “required” must be implemented within the first year of the renewal of the A&F District, or are ongoing, and must continue as noted in the SWQCP. The “other recommended items” must be implemented at the appropriate time as noted in the SWQCP. The plan includes a series of recommendations to improve the health and operation of the property. Most notable among these include nutrient management, erosion control, and integrated pest management. The plan also includes recommendations regarding record keeping.

<u>Critical Recommendations:</u>

- Erosion Control
- Resource Protection Area
- Integrated Pest Management
- Nutrient Management

<u>Other Recommended Items:</u>

- Pasture Management
- Record Keeping

A Code Provision is included requiring that the applicant follow the recommendations of the plan, which may be amended, if deemed necessary, by the Soil and Water Conservation District during the life of the district.

Virginia Department of Forestry Analysis

The Area Forester that inspected the property has provided a letter recommending that the previous Forest Management Plan for the property (dated September 2012) continue to be implemented. The Area Forester recommended continuing previous recommendations for deer management and managing invasives such as autumn olive and porcelain berry. The Forester noted that the applicant had successfully cleared invasive species from the property since the time of the prior plan and asked that that the property owner continue management of the invasive species. It was also recommended that horses be fenced out of forested areas to avoid tree damage.

Agricultural and Forestal District Criteria Analysis

Article 5 of Chapter 115 of the Fairfax County Code contains two sets of criteria which are designed to serve as a guide in the evaluation of proposed Local Agricultural and Forestal Districts. All of the applicable criteria in Group A, and least two criteria from Group B should be satisfied by the proposed district. It is important to note that these criteria are a guide to be applied when establishing, renewing or amending a District; they are not prerequisites. The following is an evaluation of the proposed district's conformance with these criteria:

<u>Criteria Group A:</u>

1. *All district acreage should be currently devoted to agricultural use or forestal use or should be undeveloped and suitable for such uses, except that a reasonable amount of residential or other use, related to the agricultural or forestal use and generally not more than five acres per district, may be included.*

   With the exception of 0.25 acres of residential use, the 80.94 acre property is entirely agricultural use. The applicant has been considering the construction of an additional residence on the property to house winery staff; this would be permitted by the existing Code Provisions as it would be to support the ongoing agricultural use. Therefore, staff finds that this criterion has been satisfied.

2. *All lands in the district should be zoned to the R-P, R-C, R-A, or the R-E District.* The property is zoned R-C; therefore, this criterion has been satisfied.

3. *In general, the district should be consistent with the Comprehensive Plan. The following land uses identified in the Plan are appropriate for a district: .1-.2 dwelling unit per acre; .2-.5 dwelling unit per acre; .5-1 dwelling units per acre; Private Recreation; Private Open Space; Public Park; Agriculture; Environmental Quality Corridor. Lands not planned as such may be considered for a district if they meet at least 3 of Criteria Group B.*

The property is planned for residential use at a density of 0.1 to 0.2 dwelling unit per acre (du/ac) and public parks. Therefore, this criterion has been satisfied.

4. *A majority of the surrounding land within one-quarter mile of the district should be planned according to the Comprehensive Plan for uses identified in A(3) above. Exceptions may be made for lands located at the edge of a planned growth area or which meet at least three of the criteria of Criteria Group B, if no conflicts with surrounding uses, existing and planned, are evident or likely.*

   The Comprehensive Plan designates the surrounding land within one-quarter mile of the district for either low-density residential use at 0.1 to 0.2, or 0.2 to 0.5 units per acre, or for public park purposes. Therefore, this criterion has been satisfied.

5. *All farms to be included in a district should be at least twenty (20) acres in size. A farm may include several parcels of land; however, all parcels must have the same owner or else owners must be members of the same immediate family or a family trust or family corporation. A farm must contain at least fifteen acres of land in agricultural use. A farm may include non-contiguous parcels within one mile of the core acreage (the largest parcel or group of contiguous parcels or the parcel where the farm buildings are located) as long as the non-contiguous parcels are predominately agricultural in use and as long as the total acreage of each individual farm (including contiguous and non-contiguous land) is at least twenty acres.*

   The subject property consists of 18 contiguous parcels, under the same ownership, which total 80.94 acres. Approximately 80.69 acres of land are devoted to agricultural use or are undeveloped. Therefore, the minimum total acreage and the minimum acreage for agricultural production are satisfied.

6. *All other properties not included in a farm as defined in (5), that is, forested and partially forested properties, and properties with less than 15 acres in agricultural use, should be at least twenty acres in size. These properties may contain several parcels, but all parcels must be contiguous, and all must have the same owners or else owners must be members of the same family or a family trust or family corporation.*

   The property is considered a farm (per criterion 5), so this criterion does not apply.

7. *Approximately 2/3 of the land (66%) in agricultural use in the district should contain Class I, II, III, or IV soils as defined by the USDA Soil Conservation Service. Districts having more than 1/3 of the land in agricultural use containing Class V-VIII soils may be considered if such lands have been improved and are managed to reduce soil erosion, maintain soil nutrients, and reduce non-point pollution.*

   The majority of soils on the site are Class I, II, III, or IV soils; this criterion is satisfied.

8. *Agricultural land in the district should be used in a planned program of soil management, soil conservation, and pollution control practices which are intended to reduce or prevent soil erosion, maintain soil nutrients, control brush, woody growth and noxious weeds on crop land, hay land, and pasture land, and reduce non-point source pollution. Exceptions to this criterion may be made only for those agricultural lands which, upon initial application for the establishment of a district are not used in such a program, but for which a conservation plan is being prepared or has been requested from the Northern Virginia Soil and Water Conservation District.*

   A Soil and Water Conservation Plan was prepared by the Northern Virginia Soil and Water Conservation District for the subject property on June 24, 2025. The applicant will be required to implement the Soil and Water Conservation Plan for at least the life of the A&F District. A Code Provision addresses this issue.

9. *Forest land and undeveloped land in the district should be kept in an undisturbed state, or if periodically harvested or experiencing erosion problems, shall be used in a planned program of soil management, soil conservation, and pollution control practices which are intended to reduce or prevent soil erosion, maintain soil nutrients, and reduce non-point source pollution. Exceptions to this criterion may be made only for those lands which upon initial application for the establishment of a district are not used in such a program but for which a conservation plan is being prepared or has been requested from the Northern Virginia Soil and Water Conservation District or the Virginia Division of Forestry.*

   There are several small areas of forest on the property. The VADOF has provided a letter dated 8/29/2025 that provides updates to the original 2012 plan. Therefore, this criterion has been satisfied. A Code Provision addresses this issue.

10. *There should be evidence of a history of investment in farm or forest improvements or other commitments to continuing agricultural or forestal use(s) in the district. In particular, districts with no history of investments in farm or forest improvements must evidence a firm commitment to agricultural or forestal uses for at least the life of the district.*

    The winery operation on the property is considered an agricultural use (per state and local regulations), and includes the growing and harvesting of grapes, as well as production of wine and an associated tasting room. The applicant has made numerous investments in the property over the past few years, including fencing forested areas to keep horses out and planting additional grapes. Therefore, this criterion has been satisfied.

<u>Criteria Group B:</u>

1. *Farm and/or forest products have been regularly produced and sold from the property during the last five years.*

The applicant has grown grapes that have been processed into wine sold on the property in the last five years. Therefore, this criterion has been satisfied.

2. *The land provides scenic vistas, improves the aesthetic quality of views from County roads or contributes to maintaining the existing rural character of an area.*

   The property represents a large contiguous portion of open space along Route 29 and Bull Run Post Office Road. The preservation of this site would preserve scenic and historical vistas and help to maintain the rural character of the surrounding area. Therefore, this criterion has been satisfied.

3. *The property contains an historically and/or archaeologically significant site which would be preserved in conjunction with the establishment of a district. A site that is listed on the Federal Registry of Historic Places, the State Registry of Historic Places and/or the County Inventory of Historic Places will be considered historically and/or archaeologically significant. A property which contains a site that is historically and/or archaeologically significant by the County Archaeologist, or is located in an area with a high potential for archaeological sites, provided that the property owner has agreed to permit the County Archaeologist access to the site, may also be considered historically and/or archaeologically significant.*

   The property is within the Brawner's Farm/First Battle of Bull Run/First Battle of Manassas/Gainesville/Manassas Plans National Register-eligible Historic District and property contains identified historic architectural and archaeological sites, which the applicant has helped to preserve.

   In conjunction with the Stonebridge Chase development, the applicant commissioned a Phase I Cultural Resource Survey for the 32.5-acre portion of the original 200-acre parcel that was to be developed into home sites (located directly east of the existing district), in order to identify any potential resources on that property. The survey indicates that the site is within the National Register of Historic Places eligible boundaries of the First and Second Battles of Manassas, and troop movements and skirmishes are likely to have occurred on the property, but there is no documented evidence of settlement or use of the property for purposes other than agriculture through the historic period. No evidence of historic resources were discovered during the Phase I survey and it was determined that no further investigation is warranted.

   Due to the high probability of significant Civil War, Native American, and other historic archaeological sites within this general area, a Code Provision is carried forward with this application that permits the Cultural Resource Management and Protection (CRMP) section of the Fairfax County Park Authority to survey the property and recover artifacts with the cooperation of the property owner. Due to the applicants' agreement to such a provision, and their continued preservation of the resources on the site, staff considers this criterion satisfied.

4. *Farming or forestry operations practice unique or particularly effective water pollution control measures (BMPs).*

   There are no unique farming or forestry operations on this site. Therefore, this criterion is not satisfied.

5. *The land is zoned R-A, R-P, or R-C.*

   The subject property is zoned R-C. Therefore, this criterion has been satisfied.

6. *The land is entirely in a permanent open space easement.*

   The subject property is not located within a permanent open space easement; therefore, this criterion is not satisfied.

As previously noted, these criteria serve as a guide in determining whether or not an agricultural district should be established; they are not a prerequisite for establishing a district. As previously stated, all of the criteria in Group A and at least two criteria in Group B should be satisfied. Staff finds that this application satisfies all applicable criteria in Group A and four of the criteria in Group B.

AFDAC RECOMMENDATION (Appendix 6)

The Agricultural and Forestal District Advisory Committee (AFDAC) reviewed this application on March 18, 2026, and recommended approval of the renewal subject to the provisions as set forth in the proposed ordinance attached to the staff report as Appendix 1.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff finds that the proposal to renew the Hickox Local Agricultural and Forestal District meets the intent of the applicable criteria contained in Sect. 115-5-1 of Chapter 115 of the County Code; exceeds the minimum acreage requirement; and is in conformance with the Comprehensive Plan.

Staff Recommendations

Staff recommends that Appendix F of the Fairfax County Code be amended to renew the Hickox Local Agricultural and Forestal District, subject to the proposed Code Provisions contained in Appendix 1.

It should be noted that it is not the intent of staff to recommend that the Board in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Code Provisions
2. Statement of Justification
3. Heritage Resources Memo
4. Soil and Water Quality Conservation Plan
5. VA DOF Letter
6. Agricultural and Forestal District Advisory Committee Recommendation
7. Fairfax County Code, Chapter 115 – *"Local Agricultural and Forestal Districts"*
8. Virginia Code, Title 58.1, Chapter 32
9. Glossary of Terms

APPENDIX I: CODE PROVISIONS

If it is the intent of the Board of Supervisors to renew the Hickox Local Agricultural and Forestal District, as proposed in AFR 2025-SU-00003, pursuant to Chapter 44 of Title 15.2 of the Code of Virginia and Chapter 115 of the Fairfax County Code, on Tax Map Parcels 53-3 ((7)) 32Z, 33Z; 64-1 ((4)) 7Z1, 7Z2, 7Z3, 7Z4; 64-1 ((7)) 31Z, 34Z, 35Z, 36Z, 37Z, 38Z, 39Z, 40Z, 41Z, 42Z, then staff recommends that the Board adopt the following amendment:

AN ORDINANCE AMENDING
APPENDIX F OF THE FAIRFAX COUNTY CODE, RELATING TO
DISTRICT ORDINANCES FOR LOCAL AGRICULTURAL AND FORESTAL
DISTRICTS

AN ORDINANCE to amend the Fairfax County Code by revising Section F-69, relating to district ordinances for local agricultural and forestal districts.

Draft of March 25, 2026

Be it ordained by the Board of Supervisors of Fairfax County:

1. That section F-69 in Appendix F of the Fairfax County Code is amended, as follows:

F-69. Hickox Local Agricultural and Forestal District (AFR 2025-SU-00003).

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

Owners	Fairfax County Tax Map Parcel Number	Acreage
Jon and Kim Hickox	53-3 ((7)) 0032	5.00 acres
	53-3 ((7)) 0033	5.00 acres
	64-1 ((4)) 007Z1	5.00 acres
	64-1 ((4)) 007Z2	5.00 acres
	64-1 ((4)) 007Z3	5.00 acres
	64-1 ((4)) 007Z4	5.94 acres
	64-1 ((7)) 0031	5.00 acres
	64-1 ((7)) 0034	5.00 acres
	64-1 ((7)) 0035	5.00 acres
	64-1 ((7)) 0036	5.00 acres
	64-1 ((7)) 0037	5.00 acres
	64-1 ((7)) 0038	5.00 acres
	64-1 ((7)) 0039	5.00 acres
	64-1 ((7)) 0040	5.00 acres
	64-1 ((7)) 0041	5.00 acres
	64-1 ((7)) 0042	5.00 acres
	Total:	80.94 acres

(b) The Hickox Local Agricultural and Forestal District is renewed effective May 5, 2026, 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 code establishing such district for eight years from the date of adoption of such code. This provision will 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 for the property, or to prevent the construction of one 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 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 code, 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 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 Title 58.1, Section 32 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 code 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 applicants will implement and abide by the recommendations of the Forest Management Plan, which was prepared by the Virginia Department of Forestry (VADOF) on September 12, 2012 and amended on August 19, 2015, and August 29, 2025, for the life of the Hickox Local Agricultural and Forestal District. The Forest Management Plan may be updated from time to time as determined necessary by VADOF.

6. The applicants will implement and abide by the recommendations of the Soil and Water Conservation Plan, which was prepared by the Northern Virginia Soil and Water Conservation District on June 24, 2025, for the life of the Hickox 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.

7. Those areas delineated as Resource Protection Areas (RPAs) or Environmental Quality Corridors (EQCs) will be left undisturbed, with the exception of selective thinning operations and removal of noxious weeds and invasive species 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 VADOF. The boundaries of the RPA/EQC will be the permanent limits of clearing and grading for the life of the Hickox Local Agricultural and Forestal District.

8. The Archaeology and Collections Branch (ACB) of the Fairfax County Park Authority will be permitted to survey the property and to recover artifacts from the property. Surveys and other similar activities of the ACB will be conducted only with prior permission of the property owner and upon terms mutually acceptable to both parties and established before each occurrence.

9. The establishment and continuation of this district depends upon the continuing legality and enforceability of each of the terms and conditions stated in this code. 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 will 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 will 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.

STATEMENT OF JUSTIFICATION

FOR AGRICULTURAL AND FORESTAL (A&F) DISTRICT CRITERIA (Hickox family farm- Centreville, VA Sully District)

Article 5 – Chapter 115

The Winery at Bull Run is applying for the renewal of its Agricultural and Forestal (A&F) District designation for approximately 81 acres. The contiguous property includes both The Winery at Bull Run and the Stonebridge Equestrian Center, owned under Stonebridge Investments, LLC.

In 2016, an additional 90 adjoining acres were permanently preserved through a conservation easement with the Northern Virginia Conservation Trust. In total, the Hickox family has now preserved 171 acres, encompassing the winery, equestrian center, and the conserved lands. Renewal of this A&F District continues the Hickox legacy of land preservation and conservation of historically significant property as a primary mission.

This A&F District renewal ensures protection of more than half a mile of the Occoquan watershed and extensive shared boundaries with Fairfax County Park land and Manassas National Battlefield Park, ensuring the continued conservation of this historic landscape.

Compliance with Section 115-5-1 Criteria

Criteria Group A

1. Within the 81 acres, 8 acres are dedicated to vineyard use for agricultural production. Approximately 4 acres are used for barns and farm structures, remaining under the 5-acre limitation for non-agricultural uses. The balance of acreage is maintained as pasture and forest land.
2. The entire property is zoned R-C (Residential-Conservation).

3. The property's current and intended uses are consistent with the Comprehensive Plan and remain well below the maximum allowable dwelling density.
4. The majority of the land within ¼ mile of the district is also in compliance with the Comprehensive Plan.
5. The property exceeds the 20-acre minimum requirement for contiguous land, with over 50 acres actively maintained in hay, pasture, and managed forest, meeting the 15-acre minimum for agricultural use.
6. The pine forest may be classified as a tree farm since pines can be harvested approximately every 20 years, further supporting the agricultural use designation.
7. Less than one-third of the property is in active agricultural use. Because the land under cultivation consists primarily of vineyards and hayfields, which do not require plowing or disking, soil erosion is minimal and no additional conservation measures are necessary.
8. As noted above, the agricultural areas are managed without soil disturbance, maintaining long-term stability and sustainability.
9. Forested portions of the property remain undisturbed and protected.
10. The establishment of vineyards, including 8 acres of vines, deer fencing, line posts, split-rail fencing, and the clearing of brush for cultivation, demonstrates a substantial investment in farm infrastructure and a long-term commitment to agricultural use for the life of the district.

Criteria Group B

1. The property produces grapes annually for wine production. The 8 acres of vines produce approximately 25-30 tons of grapes each year (approximately 1,500 cases or 18,000 bottles per year), clearly demonstrating a long-term agricultural investment and intent for continued annual harvests.

2. The preserved open land, rolling hills, mountain views, and reconstructed split-rail fencing enhance the scenic and rural character of the area and provide significant public aesthetic value.

3. The property contains historical and archaeological resources, including Civil War and Native American artifacts recovered through private archaeological work. These artifacts are now preserved and displayed in the main Tasting Room at The Winery at Bull Run. The land was also a key site during the First Battle of Bull Run (Manassas).

4. The land is zoned R-C.

5. Although the 81 acres are not under a permanent open space easement, the adjoining 90 acres have been placed in a conservation easement by the Hickox family in 2016. Together, the 171 contiguous acres of preserved farmland and woodland reflect the Hickox family's strong and proven commitment to conservation, consistent with the long-term land stewardship philosophy of The Winery at Bull Run and Stonebridge Investments, LLC.

6. Lastly and very important to note, that much of this land is open to the public to visit and enjoy for themselves, through the very popular Winery at Bull Run located on the property open 7 days a week.

Signed,

10.28.2025

Jon Hickox

10-28-2025

Kim Hickox

County of Fairfax, Virginia

MEMORANDUM

DATE: February 13, 2026

TO: Sophia Fisher, Staff Coordinator, DPD

FROM: Jonathan Kaplan, Heritage Resources Planner II, DPD

CC: Denice Dressel, Chief, Heritage Resources and Plan Development Branch, DPD

SUBJECT: Heritage Resources Comments for AFR 2025-SU-00003 - Hickox Local A&F District Renewal

Background:

The proposed renewal of the Hickox Local Agricultural and Forestal (A&F) District is located at 15950 Route 29 and 6780 Bull Run Post Office Road, Centreville, tax map numbers 0533 07 0032Z, 0533 07 0033Z, 0641 04 0007Z1, 0641 04 0007Z2, 0641 04 0007Z3, 0641 04 0007Z4, 0641 07 0031Z, 0533 07 0032Z, 0533 07 0033Z, 0641 07 0034Z, 0641 07 0035Z, 0641 07 0036Z, 0641 07 0037Z, 0641 07 0038Z, 0641 07 0039Z, 0641 07 0040Z, 0641 07 0041Z, and 0641 07 0042Z. The A&F District is in Area III, Bull Run Planning District, Stone Bridge Planning Sector.

Existing Heritage Resources:

The subject property is composed of the 18 parcels listed above. None of the parcels comprising the subject property are listed in the National Register of Historic Places, Virginia Landmarks Register, or County Inventory of Historic Sites. Portions of parcel numbers 0641 04 0007Z1 and 0641 04 000 7Z2 are located within the Bull Run Stone Bridge Historic Overlay District.

The entire property is located within the Brawner's Farm/First Battle of Bull Run/First Battle of Manassas/Gainesville/Groveton/Manassas Plains Historic District, Virginia Cultural Resources Information System (VCRIS) #076-5335, which has been determined eligible for listing in the National Register of Historic Places by the Virginia Department of Historic Resources (VDHR). The Historic District has been partially or fully surveyed at the Phase I level thirteen times in the last thirty years, primarily in response to transportation and energy projects. It was first determined to be eligible for listing in the National Register of Historic Places by VDHR in 2018. The Historic District was most recently surveyed in April 2024 in response to the Line 2011 230kV Rebuild Project and was reaffirmed as National Register eligible by VDHR in December of 2024.

PLANNING & DEVELOPMENT

Department of Planning and Development
Planning Division
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035-5507
Phone 703-324-1380
Fax 703-653-9447
www.fairfaxcounty.gov/planning-development

Parcels 0533 07 0032Z, 0533 07 0033Z, 0641 07 0041Z and 0641 07 0042Z, located at 6780 Bull Run Post Office Road, were surveyed as part of Virginia Department of Transportation (VDOT) Project R000-96A-102, PE-101 in 2003, VCRIS #029-5331. VDHR evaluated the property and determined it not eligible for listing in the National Register of Historic Places (VDHR# 2003-1405).

Parcel 00641 04 0007Z4.

The extant buildings and structures on parcel 00641 04 0007Z4 are located outside of the Bull Run Stone Bridge Historic Overlay District and include the Winery at Bull Run Tasting Room (Figure 4), constructed in 2012; the Winery at Bull Run Production Building (Figure 4), constructed in 2016; and an accessory picnic building (Figure 5) and a replica of a historic cabin, constructed between 2013 and 2015; the ruins of the Hillwood House (Figure 2), constructed in the 1840s; the ruins of an ancillary building (Figure 3), constructed in the mid-1800s.

The ruins of the Hillwood House are located approximately 50 feet southwest of the main entrance to the Winery at Bull Run's Tasting Room. According to Jon Hickox, the owner of the property, the Hillwood House was constructed in the 1840s and burned down in the 1990s.

The ruins of the ancillary building are located adjacent to the main entrance of the tasting room, to the west, also in the vicinity of the Hillwood House ruins. The staff report for the previous A&F renewal, AA-2012-SU-001, dated February 11, 2016, referred to ruins as a smoke house. Mr. Hickox referred to ruins as a root cellar. Historic aerial photographs show a larger structure covering the mostly subterranean stone ruins until at least 2007. The ruins are first visible in the 2013 aerial photos.

Due to site and weather conditions, it was not possible to access and photograph the historic cabin replica during the January 30, 2026 site visit.

Parcels 0533 07 0032Z, 0533 07 0033Z, 0641 07 0041Z and 0641 07 0042Z.

Satellite imagery from 2025 shows that the extant buildings and structures on these parcels 0533 07 0032Z, 0533 07 0033Z, 0641 07 0041Z and 0641 07 0042Z include two single-family structures, three barns, and a horse-riding ring. These structures are all located outside of the Bull Run Stone Bridge Historic Overlay District. Some or all of the structures are currently occupied by an equestrian facility called the Stonebridge Equestrian Center at Bull Run. Due to site and weather conditions, it was not possible to access and photograph these structures during the January 30, 2026 site visit.

According to county records, the single-family structures were constructed in 1952. Historic aerial photography shows that the northernmost and southernmost barns and the horse-riding ring were constructed in the 1980s, and the central barn was constructed in the 1940s. The construction dates are reflected in the aerial photograph in Exhibit 6.

Heritage Resources Recommendations:

The staff report for the previous A&F renewal (AA-2012-SU-001)**,** dated February 11, 2016, and the Addendum, dated November 7, 2017, did not include comments from DPD-HRB. Heritage Resources supports the renewal of the Hickox Local A&F District. A&F Districts help protect Fairfax County's historic agricultural and forestal landscapes, which are valuable historic and cultural resources of the County's past and present. These cultural landscapes

protected by the A&F Districts include built resources, archaeological resources, and the natural environment and topography. To further protect natural and cultural resources and rural landscapes, Heritage Resources recommends exploration of conservation and open space easements in conjunction with A&F District designation.

Heritage Resources recommends consultation with the Fairfax County Archaeology and Collections branch in the Fairfax County Park Authority (FCPA-ACB) regarding any sub-surface resources, including cemeteries.

Should any aspect of this application change prior to adoption by the Board of Supervisors, Heritage Resources staff request to be consulted.

COMPREHENSIVE PLAN CITATIONS:

Fairfax County Comprehensive Plan, 2017 Edition, Policy Plan, Heritage Resources, Amended through 4-29-2024

"COUNTYWIDE OBJECTIVES AND POLICIES

Objective 3: Protect significant heritage resources from degradation, or damage and destruction by public or private action.

> Policy g. Promote the use of open space/conservation easements to preserve heritage resources. Encourage property owners to place easements on their properties, working with the county, a local non-profit land trust and/or a state or national entity authorized to hold easements for the purpose of heritage resource preservation."

Fairfax County Comprehensive Plan, 2017 Edition, Area III, Bull Run Planning District, Amended through 12-9-25, Overview

"MAJOR OBJECTIVES

Planning objectives in the Bull Run Planning District include the following:

…

- Identify, preserve and promote awareness of heritage resources through research, survey and community involvement"

…

"DISTRICT-WIDE RECOMMENDATIONS

Heritage Resources

The Bull Run Planning District contains both known and potential heritage resources. A list of those heritage resources included in Fairfax County's Inventory of Historic Sites is shown on Figure 3, and a map of those resources is shown on Figure 4. The Inventory is open-ended and continues to grow. For information about these and other historic sites, consult the Fairfax County Department of Planning and Zoning. Identified heritage resources include:

- Bull Run Stone Bridge – Located on the grounds of Manassas National Battlefield Park, this stone arch bridge over Bull Run was a strategic crossing point during two major Civil War battles. The area surrounding the bridge is a designated county Historic Overlay District

…

This District has produced some of the most important prehistoric archaeological resources identified in the county. The Cub Run and Bull Run floodplains and adjacent uplands are particularly sensitive areas. Several important historic resources are present in the District, a number of which represent events of the Civil War. There is a high potential for the identification of additional resources indicative of other periods in the county's history, and of the historical growth of Centreville and Chantilly."

…

Fairfax County Comprehensive Plan, 2017 Edition Area III Bull Run Planning District, Amended through 12-9-25 BR5-Stone Bridge Community Planning Sector

"CHARACTER

The Stone Bridge Community Planning Sector is located in the far western portion of the county and is generally bounded by Loudoun County, Prince William County, Pleasant Valley Road, and Compton Road.

Much of the planning sector is undeveloped and includes forest and farmland, large portions of which are preserved as public parkland. A majority of the planning sector is outside of the county's Approved Sewer Service Area and existing single-family residential units in this portion of the planning sector are widely scattered at very low densities. The southeastern portion of the planning sector is within the county's Approved Sewer Service Area and is developed with predominantly single-family detached residential units.

…

All of Fairfax County's portion of the Bull Run Watershed and portions of the Cub Run Watershed, which are both part of the watershed of the Occoquan Reservoir, are within this planning sector. The Environmental Quality Corridors for the Bull Run and Cub Run Stream Valleys are major environmental features of this planning sector.

…

Both Battles of Manassas took place partially in this planning sector and numerous known and potentially significant prehistoric and historic heritage resources may be found. Bull Run Stone Bridge is a significant heritage resource in this planning sector and is protected by a county Historic Overlay District. It is listed in the Fairfax County Inventory of Historic Sites. A list and map of heritage resources are included in the Bull Run Planning District Overview section, Figures 3 and 4. Additional historic sites in this planning sector are also included in the inventory.

…

RECOMMENDATIONS

<u>Land Use</u>

…

3. Agricultural and forestal uses are alternatives to residential uses in Low Density Residential Areas. Such uses, depending upon the techniques used, can have positive impacts on water quality. Careful attention should be paid to ensure that agricultural and forestal techniques are supportive of water quality goals for the Occoquan Reservoir watershed. [Not shown]

…

Heritage Resources

Bull Run Stone Bridge Historic Overlay District lies within this sector. The provisions of the Bull Run Stone Bridge Historic Overlay District (Appendix 1, A1-500 of the Zoning Ordinance) have been adopted to control development and uses that would have visual and operational impact on the bridge and its environs. Uses should encourage protection of the bridge. All improvements should be designed to be compatible with the scale and appearance of the bridge. All development proposals must be reviewed by the Architectural Review Board as specified in Part 7-200 of the Zoning Ordinance. If there appears to be a conflict between Plan text and the provisions of the Bull Run Stone Bridge Overlay District, the overlay district regulations take precedence for the development of land within the historic overlay district.

Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found. In those areas where significant heritage resources have been recorded, an effort should be made to preserve them. If preservation is not feasible, then, in accordance with countywide objectives and policies as cited in the Heritage Resources section of the Policy Plan, the threatened resource should be thoroughly recorded and in the case of archaeological resources, the artifacts recovered."

Exhibits:



Figure 1: Extant Structures Located on Parcel 00641 04 0007Z4, GEM, 2025



Figure 2: Ruins of Hillwood House (c. 1840s), photo by J. Kaplan, 2026



Figure 3: Ruins of the ancillary building (c. mid-1800s), photo by J. Kaplan, 2026
Note: This structure is referred to in the AA-2012-SU-001 staff report as the Smokehouse



Figure 4: Left: Winery Tasting Room (c. 2012),
Right: Winery Production Building (c. 2016), photo by S. Fisher, 2026



Figure 5: The picnic structure, left (c. 2013-2015);
tent structure, right; and historic cabin replica, center distance (c. 2013-2015),
looking north from the top of the Tasting Room.
Photo by S, Fisher, 2026.



Figure 6: Extant structures located on parcels 0533 07 0032Z, 0533 07 0033Z, 0641 07 0041Z and 0641 07 0042Z,
image from AA-2012-SU-001 Staff Report.
Construction dates added by J. Kaplan, 2026.

Docusign Envelope ID: 17769E64-30D6-41A3-90BE-F3DF8447736D

Northern VA SWCD
703-324-1460, TTY 711
Fax: 703-324-1421
ConservationDistrict@fairfaxcounty.gov

Working for Clean Streams and Protected Natural Resources in Fairfax County

Soil and Water Quality Conservation Plan

Property Owner/Operator:

Name: Jon Hickox
Application reason: (Required) Local Agricultural and Forestal District renewal
Address of farm: 15950 Lee Highway, Centreville, VA 20120
Phone: 703-815-2233
Email: jhickox@wineryatbullrun.com

Plan Prepared by:

Heather Hunter-Nickels
Agricultural Water Quality and Conservation Specialist and DCR certified Nutrient Management Planner and Conservation Planner
Heather.Hunter-Nickels@FairfaxCounty.gov

Recommendations were reviewed by the NVSWCD Technical Review Committee and approved by the NVSWCD Board of Directors.

Date created: 6/24/2025
Date of expiration: 6/24/2030

When should this plan be updated? This plan should be updated before land use changes such as converting pasture to specialty crops, increasing the number of animals or introducing different animal types. It should also be updated after expiration or a change in ownership.

Docusign Envelope ID: 17769E64-30D6-41A3-90BE-F3DF8447736D

Objectives

Soil and Water Quality Conservation Plans advise on best management practices that reduce non-point source pollution into the Chesapeake Bay by addressing soil erosion, enhancing nutrient management and promoting integrated pest management. High quality waterways and healthy ecosystem functions are the major objectives.

During our site visit we observed the participant's objectives are to manage natural resources and to maintain a functional vineyard and equine facility.

Summary of recommendations

Existing best practices in use:

- Sacrifice lots exist to allow horses a place to go when pastures need rest.
- Ground cover around grapes includes a clover for nitrogen fixation.
- A riparian buffer of at least 100ft works to filter sediment and nutrient runoff from pastures and manure storage.
- Horses are rotationally grazed through pastures.

Resource concerns:

- Though there is a healthy riparian buffer between the manure pile and stream, the current state of manure storage remains inadequate. Due to the concentration and volume of manure, it is likely that nitrogen and phosphorus are running off the pile and making their way into the stream on days with heavy rain and/or leaching in through shallow ground water.
- Heavy use around water troughs is leading to displacement of soil.
- While erosion doesn't appear to be exceeding the tolerance threshold, pasture 2 & 3 could be producing significantly more forage for horses. These pastures appear to be overgrazed and heavily populated with butter cups which are known to cause illness in horses. Improved forage cover would improve retention of top soil necessary for plant growth and provide more forage for horses.
-

Recommended best management practices (BMP's) with more details provided in the sections below:

- (Critical) Manure must be stored on an impermeable surface and covered to prevent leachate from making its way into the stream. The Virginia Agriculture Cost Share Program may be able to fund 75% of the approved costs for a manure composting shed. In the interim, keep manure piles by the stables covered with tarps before rain events. Manure can also be piled into dumpsters and hauled away. Dumpsters should also be covered before rainy weather.
- (Critical) Follow the nutrient management plan. Test soils in pastures 1&4 and update Nutrient Management Plan before any manure and nutrient application.
- (Optional) Overseed pastures in the spring with an equine pasture seed mix, continue practicing rotational grazing and mow to suppress weeds. Ensure mowing heights don't drop below 3-4inches which can significantly weaken the grasses.

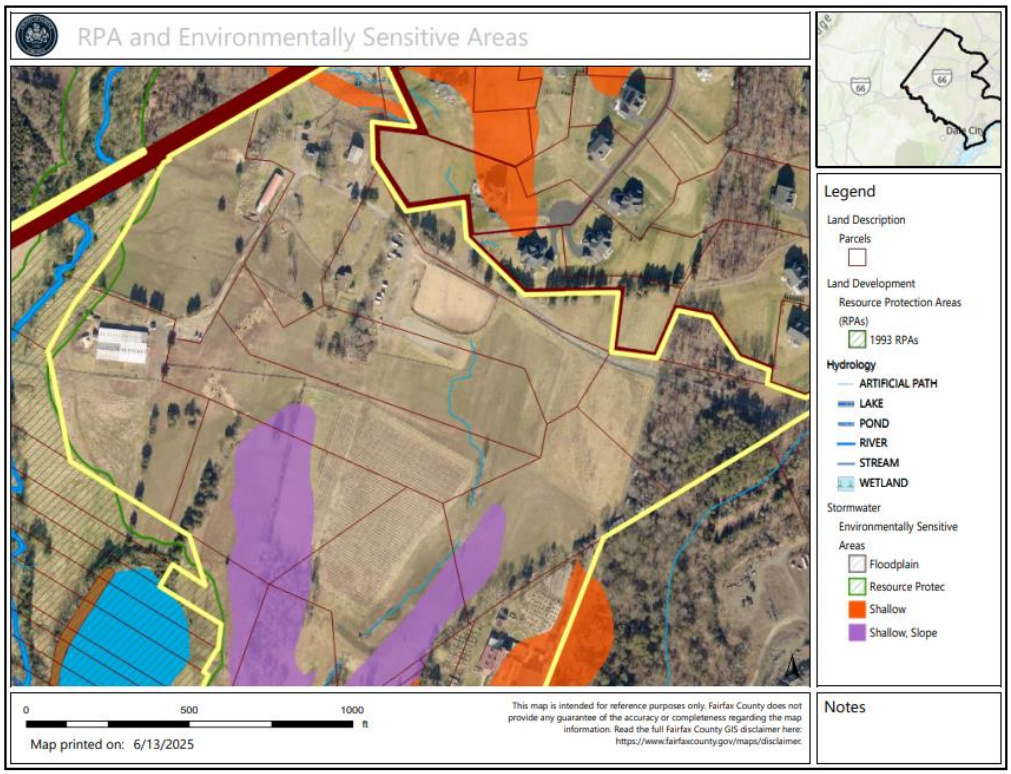
Docusign Envelope ID: 17769E64-30D6-41A3-90BE-F3DF8447736D

- (Optional) Utilize non-woven geotextile fabric and gravel to create an 8ft apron around the water troughs to prevent the soil from further eroding. Example designs included as an attachment.

Assessment of operation:

Hickox A&F is the site of two businesses, a winery with vineyards called The Winery at Bull Run and an equine boarding operation called Stone Bridge Equestrian Center at Bull Run. The Hickox Agricultural and Forestal District consists of 80 acres in the Bull Run watershed. The land is defined by the following 16 parcels:0641 04 0007Z1, 0641 04 0007Z2, 0641 04 0007Z3, 0641 04 0007Z4, 0641 07 0037Z, 0641 07 0031Z, 0641 07 0036Z, 0641 07 0035Z, 0641 07 0034Z, 0641 07 0041Z, 0641 07 0040Z, 0641 07 0039Z, 0641 07 0038Z, 0533 07 0033Z, 0641 07 0042Z and 0533 07 0032Z. It has about 1,840 linear feet of Resource Protection Area.

The main type of agricultural activity consists of vineyards on about 7 acres. The equine boarding facility has about 26 acres in pasture in addition to access to numerous trails on and off the property. The boarding facilities consist of two stables, one with 26 stalls and the other with 13 stalls. There are currently 30 horses on site and capacity exists for 38 horses. About 5 acres are forested and the remainder of the property is managed open space.



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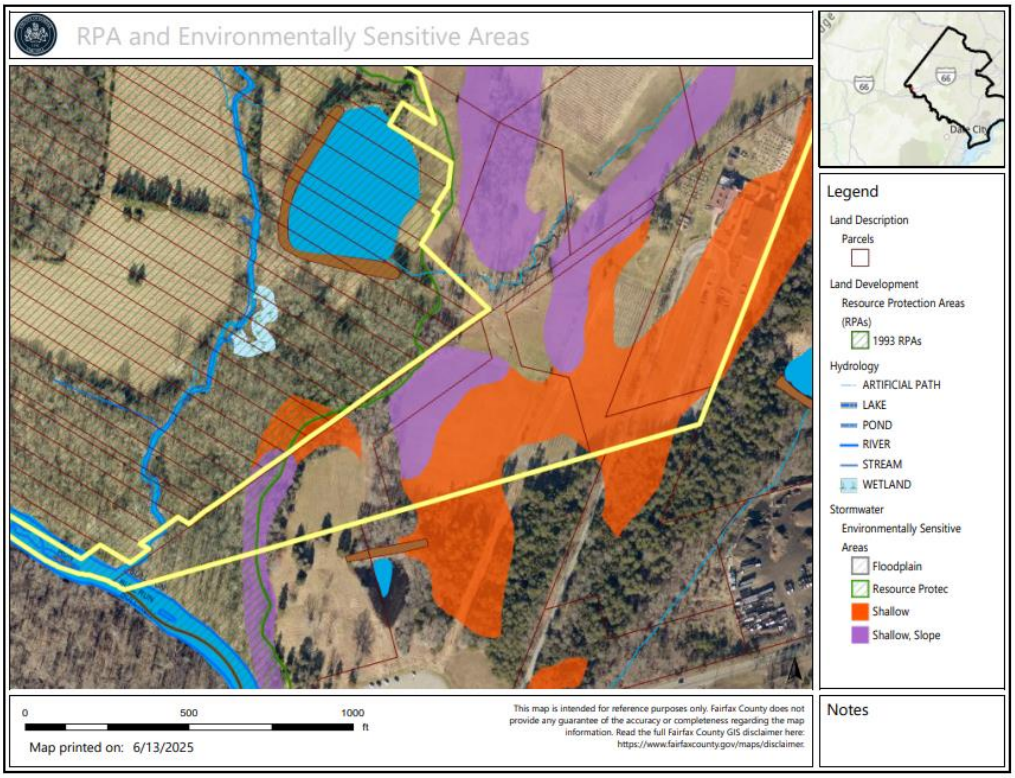

Figure 1. Environmentally sensitive sites due to shallow soils (orange) or shallow and steeply sloped soils (purple), flood plain and the Resource Protection Area are depicted on this aerial map. The yellow line highlights the property boundary.

The pastures vary in condition. The pastures most prone to erosion lack dense vegetative cover and tend to be dominated by butter cups which die back, leaving more exposed soil in the winter.

Pasture 1: Forage was dense, 100% vegetative coverage, predominantly desirable forage species.

Pasture 2: Forage was sparce, 75% vegetative cover, predominantly undesirable species (buttercup), overgrazed

Pasture 3: Forage was sparce, 75% vegetative coverage, predominantly undesirable species (buttercup), overgrazed

Pasture 4: Not thoroughly examined. Didn't realize it was a pasture until after the site visit.

Soil tests were taken for pastures 2 & 3. Pasture 1 was very wet after a rainstorm and had 3ft high grasses that were difficult to traverse and challenging to test soils in. Before applying manure to these fields, soils should be tested for nutrient loads and the Nutrient Management Plan should be updated. A follow-up site visit can be scheduled.

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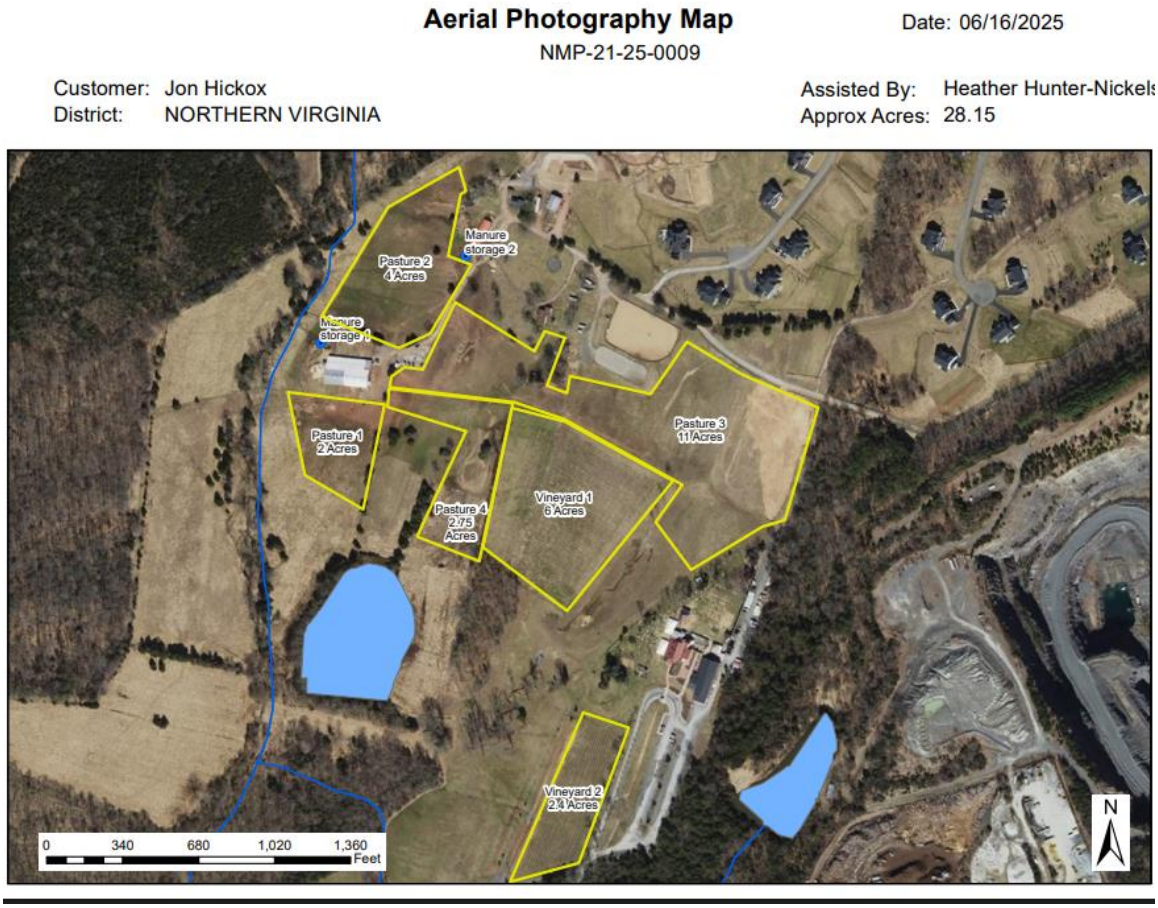

Figure 2. Operational map showing 4 pastures and 2 vineyards.

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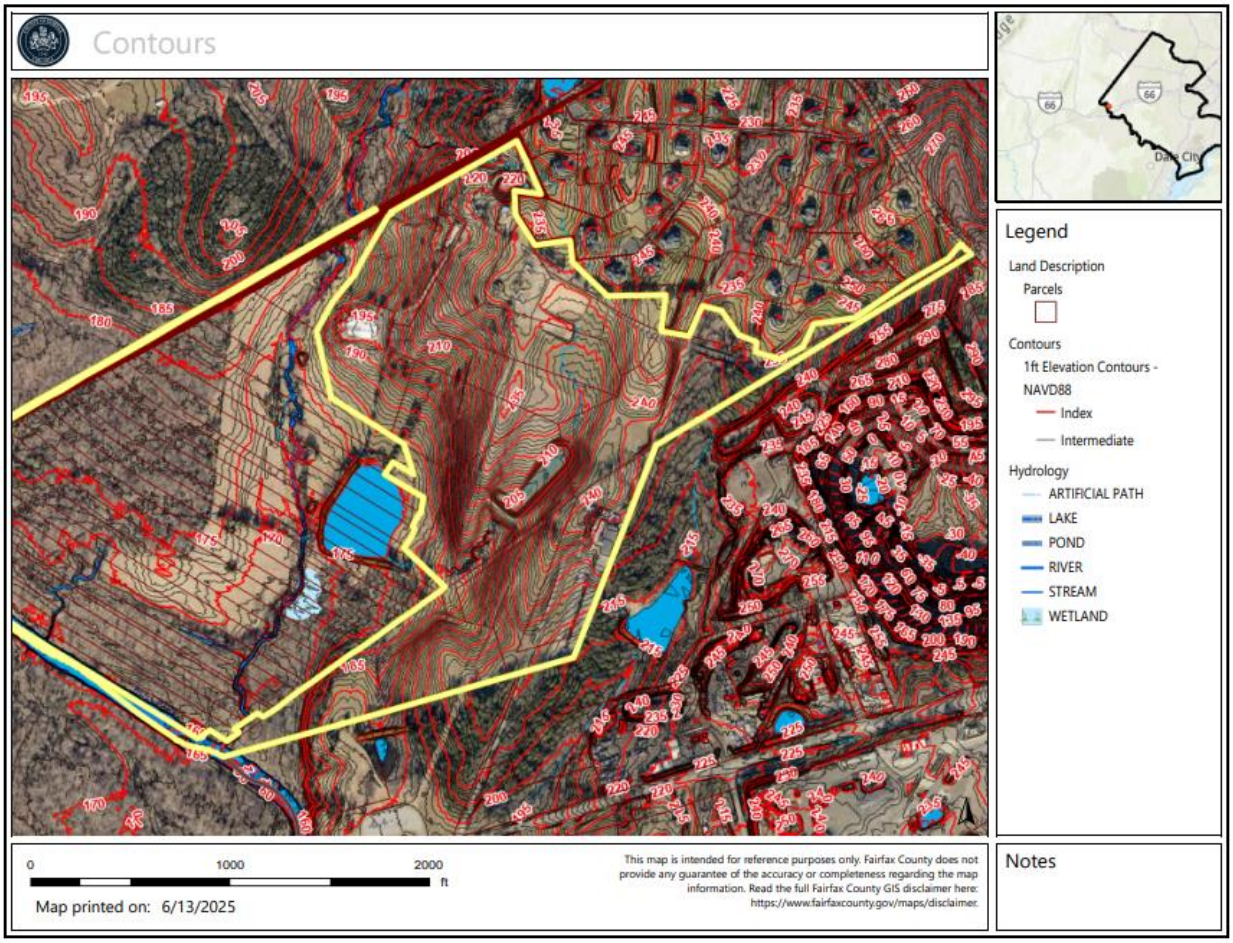

Figure 3. Topographic map with 1ft contour lines help visualize the slopes and direction of surface water flow.

Other observations of the property related to nutrient management, pest management, erosion and compliance with past plans include:

- Past Soil and Water Quality Conservation Plans have recommended ensuring that manure is stored on an impermeable surface with a cover to mitigate runoff of nutrients into the river. Concerns have also been raised about whether the manure storage encroaches on the RPA. This advice has not been fully implemented. Manure is not stored on an impermeable base or covered. It is hauled to other fields for composting and occasionally hauled off site.
- No pesticides, fertilizers or lime was used on the pasture. Manure is partially composted and spread on fields. The frequency and volume of manure received by the pastures was unknown.
- 300oz of glyphosate was used for weed control in the vineyard in 2024.
- 36lb of Mancozeb was used in the vineyard in 2024.
- The grape crop was lost in 2024 due to rain damages but on average 5-6 tons are harvested per year.

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Recommended Best Management Practices:

BMPs we want to recommend are the following:

	To be filled out by conservation planner			To be filled out by participant	
	PRACTICE NAME	**IMPORTANCE**	**TIME FRAME**	**DATE IMPLEMENTED**	**NOTES**
1	**Erosion Control**	Required component of plan	2025-2026, Ongoing		
2	**Resource Protection Area**	Required component of plan	Ongoing		
3	**Pasture Management**	Recommended	Spring 2026 and ongoing		
4	**Integrated Pest Management**	Required component of plan	Ongoing		
5	**Nutrient Management**	Required component of plan	2025-2030		
6	**Record Keeping**	Recommended	Ongoing		

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1) Erosion Control (Required component of plan)



Figure 4. Areas around water troughs are heavily used, preventing vegetation from growing and leading to loss of soil.

For erosion and sediment control recommendations, the goal will be, where feasible, to prevent erosion from exceeding the soil loss tolerance level. The soil loss tolerance level represents the maximum tolerable rate of annual soil erosion, in tons per acre, that will permit sustainable vegetative growth. The tolerance factor (T factor) is expressed on a scale of 1 to 5 where 1 is the most vulnerable to erosion and 5 is the most tolerant of erosion.

Docusign Envelope ID: 17769E64-30D6-41A3-90BE-F3DF8447736D

The soil loss tolerance factors for the predominant soil on the property are the following:

85 (Penn Silt Loam) predominantly covers pasture 1, 2, 4 and vineyard 1 and has a soil loss tolerance of 3 out of 5.

94 (Sumerduck Loam) predominantly covers pasture 3 and has a soil loss tolerance of 2 out of 5.

11 (Catlett gravely silt loam) predominantly covers vineyard 2 and has a soil loss tolerance of 2 out of 5.

Because these soils are more susceptible to erosion, it is important to keep them densely vegetated and minimize agricultural activities that expose soil to erosive factors, such as overgrazing.

Poor vegetative cover, tillage, slope, and area of disturbance are human controlled factors that combine to increase the risk of exceeding the tolerance threshold.

Soil in heavily used areas, such as around water troughs, should be stabilized with non-woven geotextile fabric and 6 or so inches of gravel to prevent the loss of additional soil. A design sheet is attached to show how the non-geotextile fabric and gravel can be placed to protect soil around water troughs and hydrants. Following best management practices for pasture maintenance will also reduce erosion. Either way, exposed soils should be addressed.

Erosion prevention measures shall continue to be exercised when they appear. Bare and disturbed soil shall be revegetated immediately. Potential soil disturbing activities should be avoided on critical slopes greater than 15%. If planning any soil disturbing activities on an area greater than 2,500sq ft, contact Land Development Services to determine whether a permit is needed. If considering any soil disturbing activities or vegetation removal within the RPA, contact Land Development Services.

2) Resource Protection Area (Required component of plan)

The Resource Protection Area is a buffer around perennial bodies of water governed by the Chesapeake Bay Preservation Ordinance. The protection and enhancement of the RPA serves to restore a healthy ecosystem for aquatic life and for the welfare of present and future generations. RPA's include land within 100ft of a body of water with perennial flow and any land in a major floodplain, among a few other features outlined in Chapter 118 of the Municipal Code. Disturbance and development are restricted in these areas, with few exceptions. Keep these zones protected by managing invasives, keeping farm activities outside of and supporting native plants in the RPA.

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3) Pasture Management (Recommended)



Figure 5. Buttercups bloom in Pasture 2.

Rotationally graze animals through sectioned off areas of pasture to extend the availability of forage and systematically fertilize the pasture with their manure. Occasionally drag the field to spread out the manure. Ensure water sources are available to horses. One way to extend water systems into other parts of a pasture to enable rotational grazing is a quick connect water line system. These water lines have multiple connection points to access water and fill a trough. They are typically run underground along the electric fence line dividing a field to protect them from damage.

Rotate horses when most of the grass has reached 3-4 inches. Allow pasture to regenerate to 8-12 inches before turning animals back into it.

Maintaining a dense stand of grass, with 60% ground cover at minimum, and ideally 100% ground coverage. Avoid overgrazing or compaction, especially when ground is wet by utilizing a sacrifice lot and practicing rotational grazing. Overseed a horse pasture mix in the spring or fall as needed. Include clover into your seed mixture to naturally fix nitrogen in the soil. Aim for a 25% stand of clover. Once reached, nitrogen applications are no longer recommended.

Shade shelters can be utilized on opposite ends of fields from water troughs to encourage horses to spend time in other parts of the pasture.

A layer of non-woven geotextile fabric covered with 6 inches of 57 sized gravel in an 8ft apron around the trough will help keep the horses' hooves from getting muddy and hold soil in place.

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z

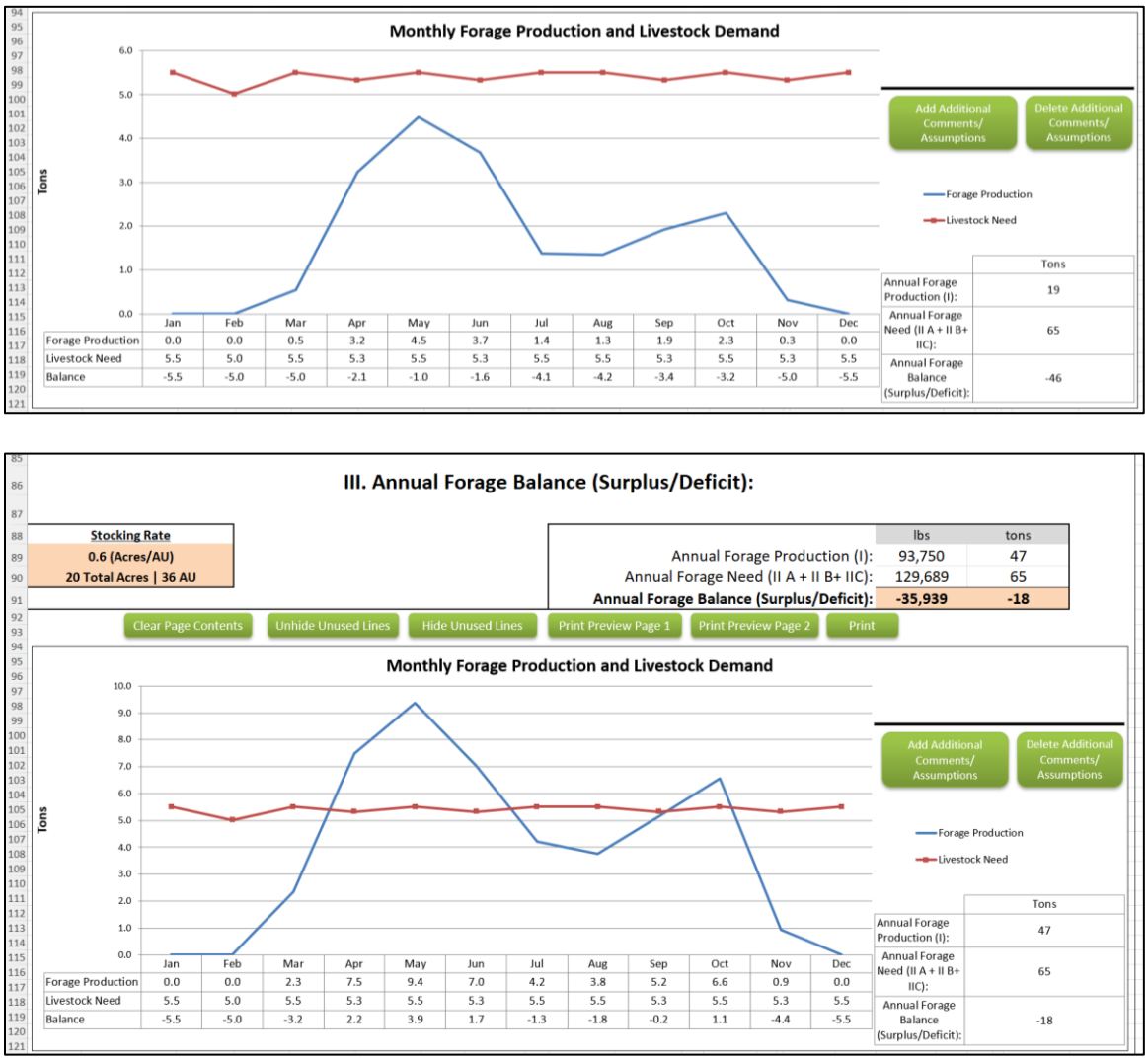

Figure 6. Rough estimates for the forage needs of 30 horses show two pasture scenarios. On top, current conditions show overgrazed and unimproved pasture stands in 2/4 pastures. The top scenario shows a rough annual forage deficit of -46 tons. This is the amount of extra forage needing to be purchased to supplement the horses diets. The chart on the bottom projects improved pasture stands with clover and a mix of warm and cool season pasture grasses. 2/4 of the pastures are used for hay and the remaining two are under a rotational grazing regime where horses are moved every 1 or 2 weeks, allowing previously grazed pastures to rest. Under the second scenario, the annual forage balance is roughly -18, producing about 28 more tons of forage per year than the first scenario.

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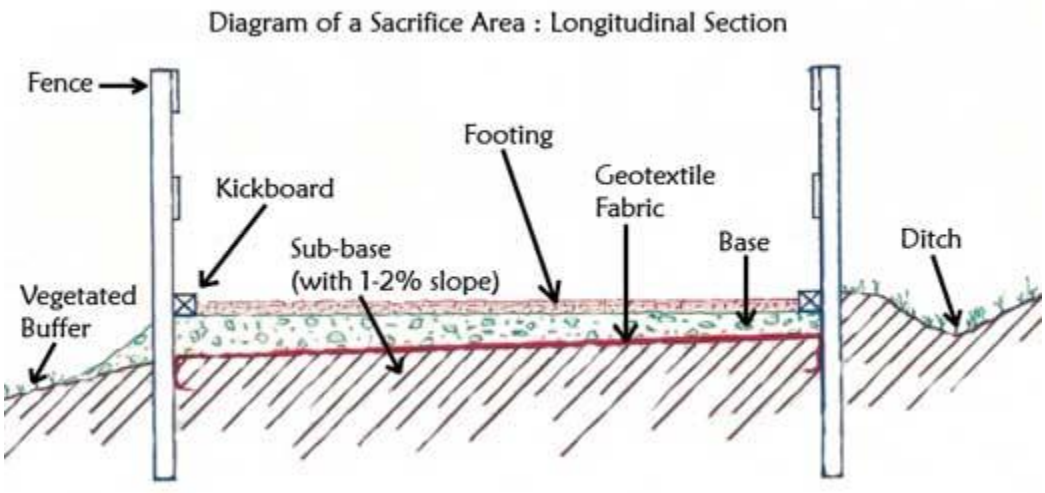
Figure 7. Sacrifice lots are a best management practice, allowing a place for horses to be while pastures recuperate from grazing or are saturated and prone to compaction.

Sacrifice lots (also called heavy use areas and dry lots) are areas where animals can stretch when they cannot be on pasture. These lots generally are outside of Resource Protection Areas, on flat ground and have a footing to protect the soil below from erosion.

Animals should be kept on sacrifice lots, with soil protecting surfaces that can take heavy use, during wet conditions or while pastures are recovering.



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4) Integrated Pest Management (Required component of plan)

Pest Management will be carried out to control agricultural pest infestation (e.g., weeds, insects, diseases) according to current recommendations from the Cooperative Extension Service. The Pest Management Guide is updated annually. Weeds of concern should be correctly identified to have them properly treated.

The following integrated pest management guidelines are recommended:

- Scout regularly for new weed growth and remove.
- Mow frequently, especially before weeds reach flower and seed producing stages.
- Prevent over-grazing of pastures – weeds tend to show-up in idle soil!

If the weed population gets beyond a tolerable threshold, the use of an appropriate herbicide may be considered at the recommendation of a certified professional. If the weeds are almost at the end of their life cycles, the use of chemical treatment is not recommended. Nonetheless, mowing the stand of weeds down currently is acceptable.

The use of restricted-use pesticides is prohibited without the proper pesticide applicators license or supervision by a certified applicator. Pesticide labels are the law. Always follow proper safety procedures and manufacturer directions when using pesticides.

See the following publications for management of butter cup and spotted lanternfly (a pest that damages grape vines).

VCE 2025 Pest Management Guides and Tree Fruit Spray Bulletin

- 2025 Pest Management Guide – Horticultural and Forest Crops: https://www.pubs.ext.vt.edu/456/456-017/456-017.html
- 2025 Pest Management Guide – Fields Crops: https://www.pubs.ext.vt.edu/456/456-016/456-016.html
- 2025 Spray Bulletin for Commercial Tree Fruit Growers: https://www.pubs.ext.vt.edu/456/456-419/456-419.html
- 2024/2025 Mid-Atlantic Commercial Vegetable Production Recommendations: https://www.pubs.ext.vt.edu/456/456-420/456-420.html
- 2025 Pest Management Guide – Home Grounds and Animals: https://www.pubs.ext.vt.edu/456/456-018/456-018.html

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5) Nutrient Management (Required component of plan)



Figure 8. Manure is piled up at the edge of the RPA and later hauled to other fields to further decompose before spreading. Sometime manure is hauled off site.

A Nutrient Management Plan is provided as an attachment. It highlights the maximum amount of soil amendments the pasture can accept to thrive before reaching thresholds that may cause pollution of above and below ground waters. These thresholds shall not be exceeded.

Any changes to the operation, including number of animals and converting land use type, or changing crop types and nutrient application should be shared with your Nutrient Management Planner to update the plan.



Figure 9. A pile of manure sits to decompose in pasture 2.

Manure management and Composting:

Proper composting will disrupt the lifecycle of pesky flies, kill most harmful pathogens and parasites, reduce the volume of waste by about ½, and produce a beneficial soil amendment for your pastures or gardens.

It is best practice to compost manure on an impermeable base such as concrete and under a roof or tarp to prevent excess precipitation from

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causing nutrient runoff. Compost piles should be outside of RPA's, flood plains and on flat ground.

A completely decomposed pile is unrecognizable from its original inputs. Turning the pile on a weekly basis will aerate the pile and accelerate decomposition as well as disrupt the life cycle of flies. With regular turning and proper moisture content, most piles can be decomposed within 3-4 months. The compost should not be so moist that water squeezes out of it, but it should be moist enough that it holds together. Turn the pile if temperatures start reaching 160F to avoid killing beneficial microbes.

If qualified, Virginia Agriculture Cost Share Program can cover 75% of the approved cost of manure storage and composting structure. Roof runoff from the stables may also be able to be addressed. More information about the program is attached.



Figure 10. An example manure management structure for equine operations.

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6) Record Keeping (Recommended)

It is important to keep a record of your land management activities. This template can help.

Date m/d/yr	**Description** of management practice (spread #/tons of manure, seeded pasture with #lbs of clover/forage, etc)	**Location** (site name and size in acres or sq/ft)	**Addition info** (species of plants/seed, herbicide label details, etc.)

Docusign Envelope ID: 17769E64-30D6-41A3-90BE-F3DF8447736D

SIGNATURES OF PARTICIPANTS – **Hickox A&F**

Landowners/Operators Rep:

Signed by:
Jon Hickox
B624202C8DDC4E8...

Jon Hickox

6/27/2025
Date

Conservation Planner:

Heather Hunter-Nickels

6-24-25
Date

District Authority:

Chairman Scott Cameron

6/24/25
Date

Docusign Envelope ID: 17769E64-30D6-41A3-90BE-F3DF8447736D

NUTRIENT MANAGEMENT PLAN IDENTIFICATION

NMP-21-25-0009

Primary Participant

Name: Jon Hickox
Farm Name: Hickox A&F
Farm Address: 15950 Lee Highway, , Centreville, VA 20120
Phone Number: 703-815-2233
Email: jhickox@wineryatbullrun.com

Watershed Summary

Watershed: PL44
County: Fairfax County

Nutrient Management Planner

Name: Heather Hunter-Nickels
Address: 12055 Government Center Pkwy. suite 905, Fairfax, VA 22035
Email: Heather.Hunter-Nickels@FairfaxCounty.gov
Phone: 7033243015
Certification Code: 113
Plan Amended On:

Acreage Use Summary

Total Mapped Acreage: 28.15
Total Plan Acreage: 28.15
Cropland: 0.00
Hayland: 0.00
Pasture: 19.75
Specialty: 8.40

Livestock Summary

Group Name	Animal Type	Integrator	Qty	Weight
Horse	Horses		30	1200.00

Manure Production Balance

Storage Name	Year	Unit of Measure	Produced	Exported	Used	Net
Manure storage 1	2025	T	197.20	0.00	60.80	136.40
Manure storage 1	2026	T	197.20	0.00	60.80	136.40
Manure storage 1	2027	T	197.20	0.00	60.80	136.40
Manure storage 1	2028	T	197.20	0.00	60.80	136.40
Manure storage 1	2029	T	197.20	0.00	60.80	136.40
Manure storage 1	2030	T	197.20	0.00	0.00	197.20

Plan Written: 06/24/2025
Valid Until: 06/24/2030

Signature: Heather Hunter Nickels 6-24-25

Planner **Date**

Docusign Envelope ID: 17769E64-30D6-41A3-90BE-F3DF8447736D

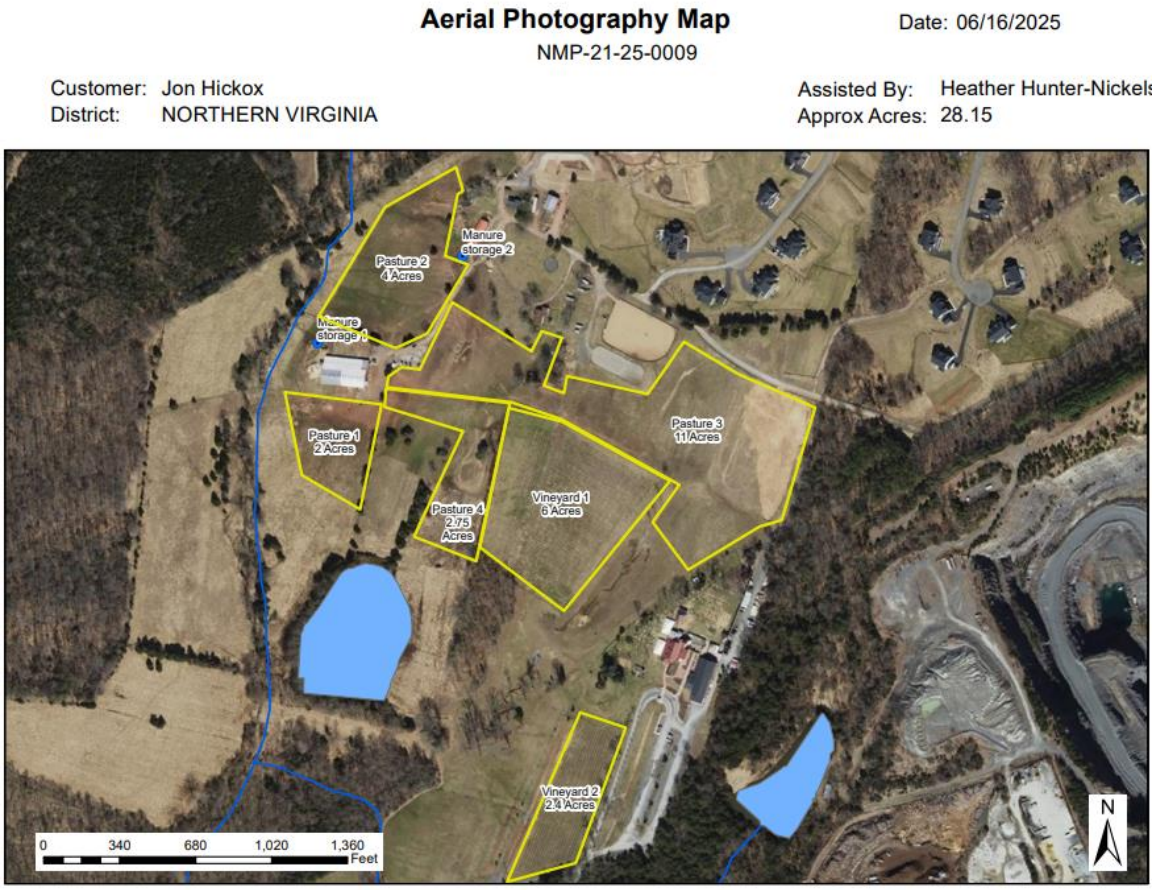

Figure 1. Operational map showing location and acreage of pastures and vineyards.

The recommendations in this plan should be viewed as the maximum that can be applied to meet crop uptake before threatening to cause nutrient leeching into ground and/or surface waters.

Lime is not recommended for pastures or vineyards as the pH shows to be in an ideal range. A manure spreading summary is included below. Do not add manure where not recommended as the nutrient loads in those pastures are maxed out. For reference, 1 ton of manure is roughly just over a cubic yard or heaping tractor bucket load. Phosphorus levels are high in pasture 2 so do not spread manure in pasture 2. Soil tests need to be performed on pastures 1 and 4 to determine whether manure can be applied.

While small amounts of phosphorus and/or potassium can be applied to the pastures and vineyards, they may not have a visual effect on production. Nitrogen applications will most likely have a visual effect on the pastures. It is recommended to seed a 25% stand of clover into the pastures to naturally fix nitrogen in the soil. If there is a 25% stand of clover, do not apply nitrogen. A diverse stand of forage should balance the clover to optimize horse health.

Docusign Envelope ID: 17769E64-30D6-41A3-90BE-F3DF8447736D

Soil Test Summary

Field	Acre	Date	P_2O_5	K_2O	Lab	Soil PH	Lime Date	Rec. Lime Tons/Ac
Pasture 2	4	05/30/2025	(H-) 44 Mehlich I P lbs/acre	(H+) 304 Mehlich I K lbs/acre	Virginia Tech	6.30		0
Pasture 3	11	05/30/2025	(M) 21 Mehlich I P lbs/acre	(M+) 161 Mehlich I K lbs/acre	Virginia Tech	6.20		0
Vineyard 1	6	05/30/2025	(M) 29 Mehlich I P lbs/acre	(H) 251 Mehlich I K lbs/acre	Virginia Tech	6.60		0
Vineyard 2	2.4	05/30/2025	(M+) 34 Mehlich I P lbs/acre	(H-) 186 Mehlich I K lbs/acre	Virginia Tech	7.10		0

Docusign Envelope ID: 17769E64-30D6-41A3-90BE-F3DF8447736D

Manure Production Summary

Manure Name: Manure storage 1

Animal Summary
Horses : 30

Manure Storage Capacity:
Consistency: Dry

Manure Analysis:
Test Date: 06/13/2025
TKN: 10.05
NH_4: 0.68
P_2O_5: 5.37
K_2O: 7.47

Plant Available Nutrients (per ton of manure):
Immediate Incorporation:
0 lbs. N
5.3700 *lbs. P_2O_5*
7.4700 *lbs. K_2O*
Surface Applied:
0 lbs. N
5.3700 *lbs. P_2O_5*
7.4700 *lbs. K_2O*
Residual N:
Yr. 1: 1.12 lbs.
Yr. 2: 0.47 lbs.
Yr. 3: 0.19 lbs.

Manure Production (tons)

Mar-May	49.30
Jun-Aug	49.30
Sep-Nov	49.30
Dec-Feb	49.30

Total Produced (including NPE): 197.20
Manure Sold/yr.: 0

Solid Manure Production Calculation Details

Production[T/yr.] = (# confined)[animals] * (avg. wt) [animal-lbs/animal] * (prod factor)[lbs-manure/day/K-animal-lbs] * (0.001)[K-animal-lbs/animal-lb] * (365)[days/yr] * (1/2000)[tons/lbs-manure]

Group Name	Animal Type	% Confined	% Allocation to Storage	Quantity	Avg. Weight	Production Factor	Produced
Horse	Horses	75	100	30	1200.00	40.00	197.10

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Field Productivities for Major Crops

*Contains missing data.

**Contains soils that are not suited for this crop. Defaulted to next lowest productivity group.

Field Identifier	Acres	Predominant Soil Series	Corn	Small Grain	Alfalfa	Grass Hay	Environmental Warnings
Pasture 2	4	Penn	IVb	IV	III**	III	
Pasture 1	2	Dulles	V	V	III**	III	
Pasture 4	2.75	Penn	V	IV	III**	III	
Pasture 3	11	Sycoline	V	V	III**	III	
Vineyard 1	6	Penn	V	IV	III**	III	
Vineyard 2	2.4	Catlett	V	V	III**	III	High Risk Category-Shallow Soil, High Slope-Slopes: 18.9

Yield Range

Field Productivity Group	Corn Grain Bu/Acre	Barley/Intensive Wheat Bu/Acre	Std. Wheat Bu/Acre	Alfalfa Tons/Acre	Grass/Hay Tons/Acre
I	>170	>80	>64	>6	>4.0
II	150-170	70-80	56-64	4-6	3.5-4.0
III	130-150	60-70	48-56	<4	3.0-3.5
IV	100-130	50-60	40-48	NA	<3.0
V	<100	<50	<40	NA	NA

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Application Summary Report

2025 Orchard grass/fescue pastures<=25% legume, maint.

Field	Acres	Season	Type	Rate/ac	Broadcast Commercial	Banded Commercial	Topdress Commercial	Sidedress Commercial	Lime (tons)
Pasture 3	11	Summer	Manure storage 1	4 T					

2025 Grape

Field	Acres	Season	Type	Rate/ac	Broadcast Commercial	Banded Commercial	Topdress Commercial	Sidedress Commercial	Lime (tons)
Vineyard 1	6	Fall	Manure storage 1	2 T					
Vineyard 2	2.4	Fall	Manure storage 1	2 T					

2026 Orchard grass/fescue pastures<=25% legume, maint.

Field	Acres	Season	Type	Rate/ac	Broadcast Commercial	Banded Commercial	Topdress Commercial	Sidedress Commercial	Lime (tons)
Pasture 2	4	Spring			50-0-0				
Pasture 3	11	Spring			50-9-0				
		Summer	Manure storage 1	4 T					

2026 Grape

Field	Acres	Season	Type	Rate/ac	Broadcast Commercial	Banded Commercial	Topdress Commercial	Sidedress Commercial	Lime (tons)
Vineyard 1	6	Spring			45-35-0				
		Fall	Manure storage 1	2 T					
Vineyard 2	2.4	Spring			45-35-0				
		Fall	Manure storage 1	2 T					

2027 Orchard grass/fescue pastures<=25% legume, maint.

Field	Acres	Season	Type	Rate/ac	Broadcast Commercial	Banded Commercial	Topdress Commercial	Sidedress Commercial	Lime (tons)
Pasture 2	4	Spring			50-0-0				
Pasture 3	11	Spring			45-8-0				
		Summer	Manure storage 1	4 T					

2027 Grape

Field	Acres	Season	Type	Rate/ac	Broadcast Commercial	Banded Commercial	Topdress Commercial	Sidedress Commercial	Lime (tons)
Vineyard 1	6	Spring			45-35-0				
		Fall	Manure storage 1	2 T					
Vineyard 2	2.4	Spring			45-35-0				
		Fall	Manure storage 1	2 T					

2028 Orchard grass/fescue pastures<=25% legume, maint.

Field	Acres	Season	Type	Rate/ac	Broadcast Commercial	Banded Commercial	Topdress Commercial	Sidedress Commercial	Lime (tons)
Pasture 2	4	Spring			50-0-0				
Pasture 3	11	Spring			43-9-0				
		Summer	Manure storage 1	4 T					

2028 Grape

Field	Acres	Season	Type	Rate/ac	Broadcast Commercial	Banded Commercial	Topdress Commercial	Sidedress Commercial	Lime (tons)
Vineyard 1	6	Spring			45-35-0				
		Fall	Manure storage 1	2 T					
Vineyard 2	2.4	Spring			45-35-0				
		Fall	Manure storage 1	2 T					

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2029 Orchard grass/fescue pastures<=25% legume, maint.

Field	Acres	Season	Type	Rate/ac	Broadcast Commercial	Banded Commercial	Topdress Commercial	Sidedress Commercial	Lime (tons)
Pasture 2	4	Spring			50-0-0				
Pasture 3	11	Spring			42-8-0				
		Summer	Manure storage 1	4 T					

2029 Grape

Field	Acres	Season	Type	Rate/ac	Broadcast Commercial	Banded Commercial	Topdress Commercial	Sidedress Commercial	Lime (tons)
Vineyard 1	6	Spring			45-35-0				
		Fall	Manure storage 1	2 T					
Vineyard 2	2.4	Spring			45-35-0				
		Fall	Manure storage 1	2 T					

2030 Orchard grass/fescue pastures<=25% legume, maint.

Field	Acres	Season	Type	Rate/ac	Broadcast Commercial	Banded Commercial	Topdress Commercial	Sidedress Commercial	Lime (tons)
Pasture 2	4	Spring			50-0-0				
Pasture 3	11	Spring			42-9-0				

2030 Grape

Field	Acres	Season	Type	Rate/ac	Broadcast Commercial	Banded Commercial	Topdress Commercial	Sidedress Commercial	Lime (tons)
Vineyard 1	6	Spring			45-35-0				
Vineyard 2	2.4	Spring			45-35-0				

Docusign Envelope ID: 17769E64-30D6-41A3-90BE-F3DF8447736D

Manure Spreading Summary

Year	Season	Manure	Rate/ac	Field	Acres	Crop	Total in Field	Running Total for Season
2025	Summer	Manure storage 1	4 T	Pasture 3	11	Orchard grass/fescue pastures<=25% legume, maint.	44 T	44 T
	Fall	Manure storage 1	2 T	Vineyard 1	6	Grape	12 T	12 T
			2 T	Vineyard 2	2.4	Grape	4.8 T	16.8 T
2026	Summer	Manure storage 1	4 T	Pasture 3	11	Orchard grass/fescue pastures<=25% legume, maint.	44 T	44 T
	Fall	Manure storage 1	2 T	Vineyard 1	6	Grape	12 T	12 T
			2 T	Vineyard 2	2.4	Grape	4.8 T	16.8 T
2027	Summer	Manure storage 1	4 T	Pasture 3	11	Orchard grass/fescue pastures<=25% legume, maint.	44 T	44 T
	Fall	Manure storage 1	2 T	Vineyard 1	6	Grape	12 T	12 T
			2 T	Vineyard 2	2.4	Grape	4.8 T	16.8 T
2028	Summer	Manure storage 1	4 T	Pasture 3	11	Orchard grass/fescue pastures<=25% legume, maint.	44 T	44 T
	Fall	Manure storage 1	2 T	Vineyard 1	6	Grape	12 T	12 T
			2 T	Vineyard 2	2.4	Grape	4.8 T	16.8 T
2029	Summer	Manure storage 1	4 T	Pasture 3	11	Orchard grass/fescue pastures<=25% legume, maint.	44 T	44 T
	Fall	Manure storage 1	2 T	Vineyard 1	6	Grape	12 T	12 T
			2 T	Vineyard 2	2.4	Grape	4.8 T	16.8 T

Virginia Cooperative Extension
Soil Test Report

Questions? Contact:
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12011 Government Center Pkwy.
Suite 1050
Fairfax, VA 22035-1111
703-324-5369

Virginia Tech Soil Testing Laboratory
145 Smyth Hall (0465)
185 Ag Quad Ln
Blacksburg, VA 24061
www.soiltest.vt.edu

SEE NOTES:
1
at www.soiltest.vt.edu under Report Notes

OWNER **HICKOX**

COPY FOR **HEATHER HUNTER-NICKELS**

SAMPLE HISTORY

Sample ID	Field ID	LAST CROP		LAST LIME APPLICATION		SOIL INFORMATION				
		Name	Yield	Months Prev.	Tons/Acre	SMU-1 %	SMU-2 %	SMU-3 %	Yield Estimate	Productivity Group
VIN2						11C 75	94B 25			

LAB TEST RESULTS (see Note 1)

Analysis	P (lb/A)	K (lb/A)	Ca (lb/A)	Mg (lb/A)	Zn (ppm)	Mn (ppm)	Cu (ppm)	Fe (ppm)	B (ppm)	S.Salts (ppm)
Result	34	186	2664	454	1.4	24.4	0.4	8.4	0.5	
Rating	M+	H-	VH	VH	SUFF	SUFF	SUFF	SUFF	SUFF	

Analysis	Soil pH	Buffer Index	Est.-CEC (meq/100g)	Acidity (%)	Base Sat. (%)	Ca Sat. (%)	Mg Sat. (%)	K Sat. (%)	Organic Matter (%)
Result	7.1	6.60	8.8	0.0	100.0	75.9	21.4	2.7	

FERTILIZER AND LIMESTONE RECOMMENDATIONS

Crop: Grapes (94)

Lime, TONS/AC	
Amount	Type
0	

Fertilizer, lb/A		
N	P205	K20
See Comment	50	0

828. There is no single index that serves well as a guide in assessing the vine's need for N fertilizer, and soil test results are rarely used for determining vine N needs. Instead, a combination of observed vine vigor, canopy condition, and plant tissue analysis results are used. Wine grapes rarely require more than 30 to 50 pounds of actual N per acre per year. Use lower rates for grafted vines and higher rates for non-grafted and/or heavily-cropped American-type grapevines.

991. "Explanation of Soil Tests, Note 1" and other referenced notes are viewable at www.soiltest.vt.edu under Report Notes.

created with evaluation software from www.xmlpdf.com

Virginia Cooperative Extension
Soil Test Report

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SEE NOTES:
1 3
at www.soiltest.vt.edu under Report Notes

OWNER **HICKOX**

COPY FOR **HEATHER HUNTER-NICKELS**

SAMPLE HISTORY

Sample ID	Field ID	LAST CROP		LAST LIME APPLICATION		SOIL INFORMATION				
		Name	Yield	Months Prev.	Tons/Acre	SMU-1 %	SMU-2 %	SMU-3 %	Yield Estimate	Productivity Group
2						85C 80	75B 20			III

LAB TEST RESULTS (see Note 1)

Analysis	P (lb/A)	K (lb/A)	Ca (lb/A)	Mg (lb/A)	Zn (ppm)	Mn (ppm)	Cu (ppm)	Fe (ppm)	B (ppm)	S.Salts (ppm)
Result	44	304	1608	316	2.5	12.4	0.7	20.4	0.5	
Rating	H-	H+	H-	VH	SUFF	SUFF	SUFF	SUFF	SUFF	

Analysis	Soil pH	Buffer Index	Est.-CEC (meq/100g)	Acidity (%)	Base Sat. (%)	Ca Sat. (%)	Mg Sat. (%)	K Sat. (%)	Organic Matter (%)
Result	6.3	6.19	6.9	17.9	82.1	57.7	18.7	5.6	

FERTILIZER AND LIMESTONE RECOMMENDATIONS

Crop: Orchardgrass/Fescue-Clover Pasture (40)

Lime, TONS/AC	
Amount	Type
0	

Fertilizer, lb/A		
N	P205	K20
See Comment	0	0

825. If stand contains less than 25 percent clover, apply 40-60 lbs N/A.

131. If additional production is needed later on, apply 40 to 60 lbs/A of N during the grazing season. If you are planning to overseed a legume into the stand, omit the N recommendation.

122. P2O5 and K2O recommendations are for annual application. However, rates can be doubled and applied every other year if desired.

991. "Explanation of Soil Tests, Note 1" and other referenced notes are viewable at www.soiltest.vt.edu under Report Notes.

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Virginia Cooperative Extension
Soil Test Report

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Suite 1050
Fairfax, VA 22035-1111
703-324-5369

Virginia Tech Soil Testing Laboratory
145 Smyth Hall (0465)
185 Ag Quad Ln
Blacksburg, VA 24061
www.soiltest.vt.edu

SEE NOTES:
1
at www.soiltest.vt.edu under Report Notes

OWNER **HICKOX**

COPY FOR **HEATHER HUNTER-NICKELS**

SAMPLE HISTORY

Sample ID	Field ID	LAST CROP		LAST LIME APPLICATION		SOIL INFORMATION				
		Name	Yield	Months Prev.	Tons/Acre	SMU-1 %	SMU-2 %	SMU-3 %	Yield Estimate	Productivity Group
VIN1						85B 100				

LAB TEST RESULTS (see Note 1)

Analysis	P (lb/A)	K (lb/A)	Ca (lb/A)	Mg (lb/A)	Zn (ppm)	Mn (ppm)	Cu (ppm)	Fe (ppm)	B (ppm)	S.Salts (ppm)
Result	29	251	1848	486	1.6	14.4	0.4	12.3	0.4	
Rating	M	H	H	VH	SUFF	SUFF	SUFF	SUFF	SUFF	

Analysis	Soil pH	Buffer Index	Est.-CEC (meq/100g)	Acidity (%)	Base Sat. (%)	Ca Sat. (%)	Mg Sat. (%)	K Sat. (%)	Organic Matter (%)
Result	6.6	6.30	7.5	7.9	92.1	61.3	26.6	4.3	

FERTILIZER AND LIMESTONE RECOMMENDATIONS

Crop: Grapes (94)

Lime, TONS/AC	
Amount	Type
0	

Fertilizer, lb/A		
N	P205	K20
See Comment	50	0

828. There is no single index that serves well as a guide in assessing the vine's need for N fertilizer, and soil test results are rarely used for determining vine N needs. Instead, a combination of observed vine vigor, canopy condition, and plant tissue analysis results are used. Wine grapes rarely require more than 30 to 50 pounds of actual N per acre per year. Use lower rates for grafted vines and higher rates for non-grafted and/or heavily-cropped American-type grapevines.

991. "Explanation of Soil Tests, Note 1" and other referenced notes are viewable at www.soiltest.vt.edu under Report Notes.

created with evaluation software from www.xmlpdf.com

Virginia Cooperative Extension
Soil Test Report

Questions? Contact:
Fairfax County Office
12011 Government Center Pkwy.
Suite 1050
Fairfax, VA 22035-1111
703-324-5369

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SEE NOTES:
1 3
at www.soiltest.vt.edu under Report Notes

OWNER **HICKOX**

COPY FOR **HEATHER HUNTER-NICKELS**

SAMPLE HISTORY

Sample ID	Field ID	LAST CROP		LAST LIME APPLICATION		SOIL INFORMATION				
		Name	Yield	Months Prev.	Tons/Acre	SMU-1 %	SMU-2 %	SMU-3 %	Yield Estimate	Productivity Group
3						85B 100				III

LAB TEST RESULTS (see Note 1)

Analysis	P (lb/A)	K (lb/A)	Ca (lb/A)	Mg (lb/A)	Zn (ppm)	Mn (ppm)	Cu (ppm)	Fe (ppm)	B (ppm)	S.Salts (ppm)
Result	21	161	1768	359	2.0	14.3	0.6	16.1	0.4	
Rating	M	M+	H	VH	SUFF	SUFF	SUFF	SUFF	SUFF	

Analysis	Soil pH	Buffer Index	Est.-CEC (meq/100g)	Acidity (%)	Base Sat. (%)	Ca Sat. (%)	Mg Sat. (%)	K Sat. (%)	Organic Matter (%)
Result	6.2	6.21	7.2	15.6	84.4	61.1	20.5	2.9	

FERTILIZER AND LIMESTONE RECOMMENDATIONS

Crop: Orchardgrass/Fescue-Clover Pasture (40)

Lime, TONS/AC	
Amount	Type
0	

Fertilizer, lb/A		
N	P205	K20
See Comment	30	30

825. If stand contains less than 25 percent clover, apply 40-60 lbs N/A.

131. If additional production is needed later on, apply 40 to 60 lbs/A of N during the grazing season. If you are planning to overseed a legume into the stand, omit the N recommendation.

122. P2O5 and K2O recommendations are for annual application. However, rates can be doubled and applied every other year if desired.

991. "Explanation of Soil Tests, Note 1" and other referenced notes are viewable at www.soiltest.vt.edu under Report Notes.

created with evaluation software from www.xmlpdf.com

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A N I M A L W A S T E A N A L Y S I S R E P O R T

Agricultural Service Laboratory
LAB No. 50260 Clemson University

Hickox
Centerville VA

ACCOUNT 1001724
DATE 06/13/2025
heather.hunter-nickels@fairfaxcounty.gov
CONSULTANT Heather Hunter Nickels

SAMPLE NO. Horse
MANURE: OTHER INTEGRATOR: OTHER STORAGE: UNCOVERED

RESULTS REPORTED ON AN AS-SAMPLED BASIS

ANALYST				lbs/ton
BN	Ammonium Nitrogen	0.03	%	0.68
BN	Total Nitrogen	0.50	%	10.05
JK/SF	Phosphorus as P2O5	0.27	%	5.37
JK/SF	Potassium as K2O	0.37	%	7.47
JK/SF	Calcium	0.27	%	5.36
JK/SF	Magnesium	0.23	%	4.61
	Sulfur	0.06	%	1.17
	Zinc	36.86	ppm	0.07
	Copper	14.66	ppm	0.03
	Manganese	421.80	ppm	0.84
	Sodium	82.94	ppm	0.17
	Aluminum	7486.06	ppm	14.97
sf	Moisture	58.11	%	

All of the potash in the animal waste should be plant available in the first year of application. Although not all of the phosphorous is available in the first year, its availability should be comparable to that in commercial fertilizers.

The rate of animal waste to apply for crop production is dependent on the nutrient content of the waste, method of application and incorporation, soil test, crop to be grown, and previous manure applications. In most cases, the plant available nitrogen content of the waste is used to determine the rate of

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application. APPROVED BY

_____

Analysis performed in accordance with Clemson Laboratory Manure Analysis
procedures, February, 2004.

Manure analysis in Virginia is funded by the Dept. of Conservation and, Recreation, Div. of Soil and Water Conservation.

The Agricultural Service Laboratory is a public service of Clemson University,
an equal opportunity educational institution:
http://www.clemson.edu/agsrvlb

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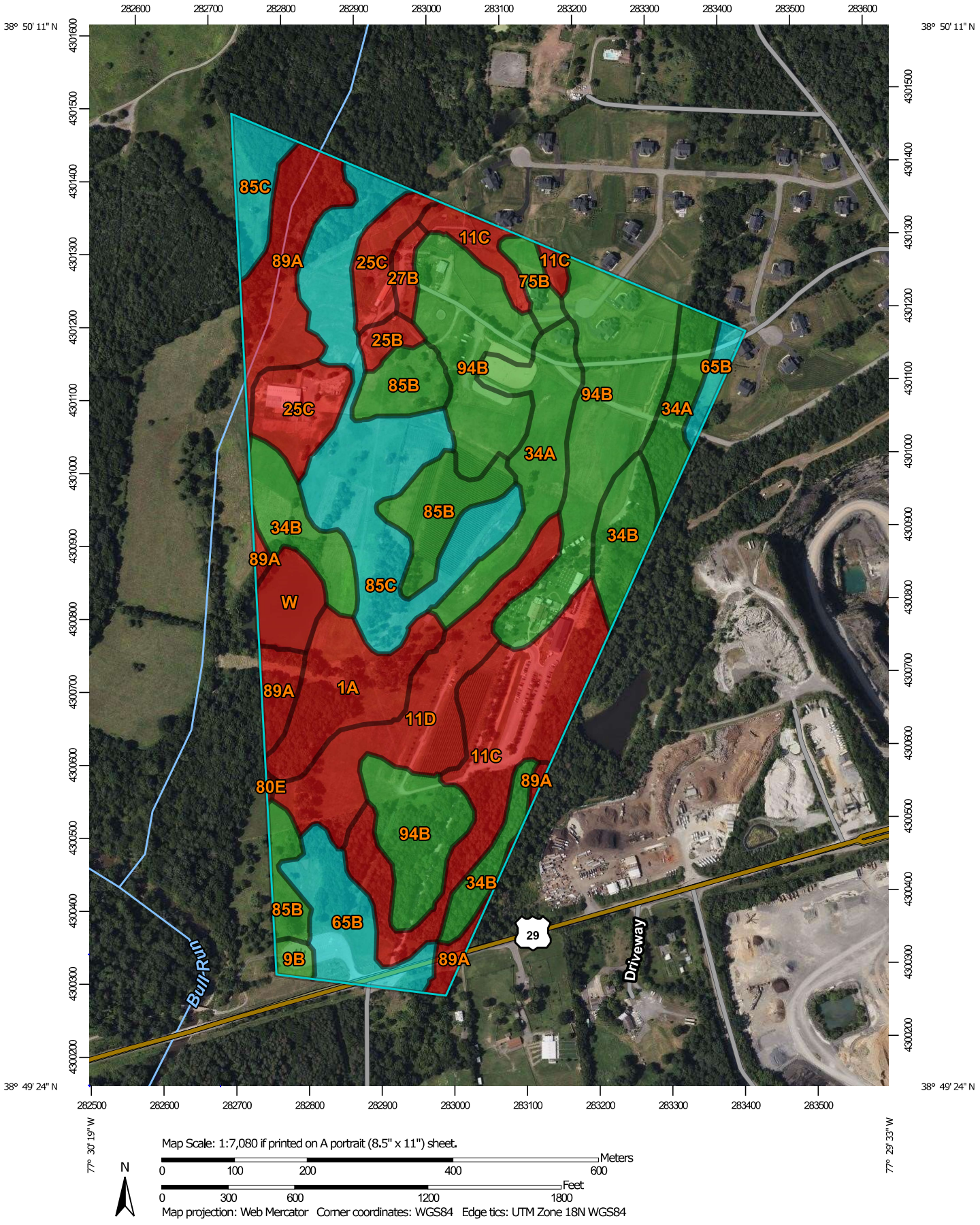
Farmland Classification—Fairfax County, Virginia
(Hickox A&F)



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MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

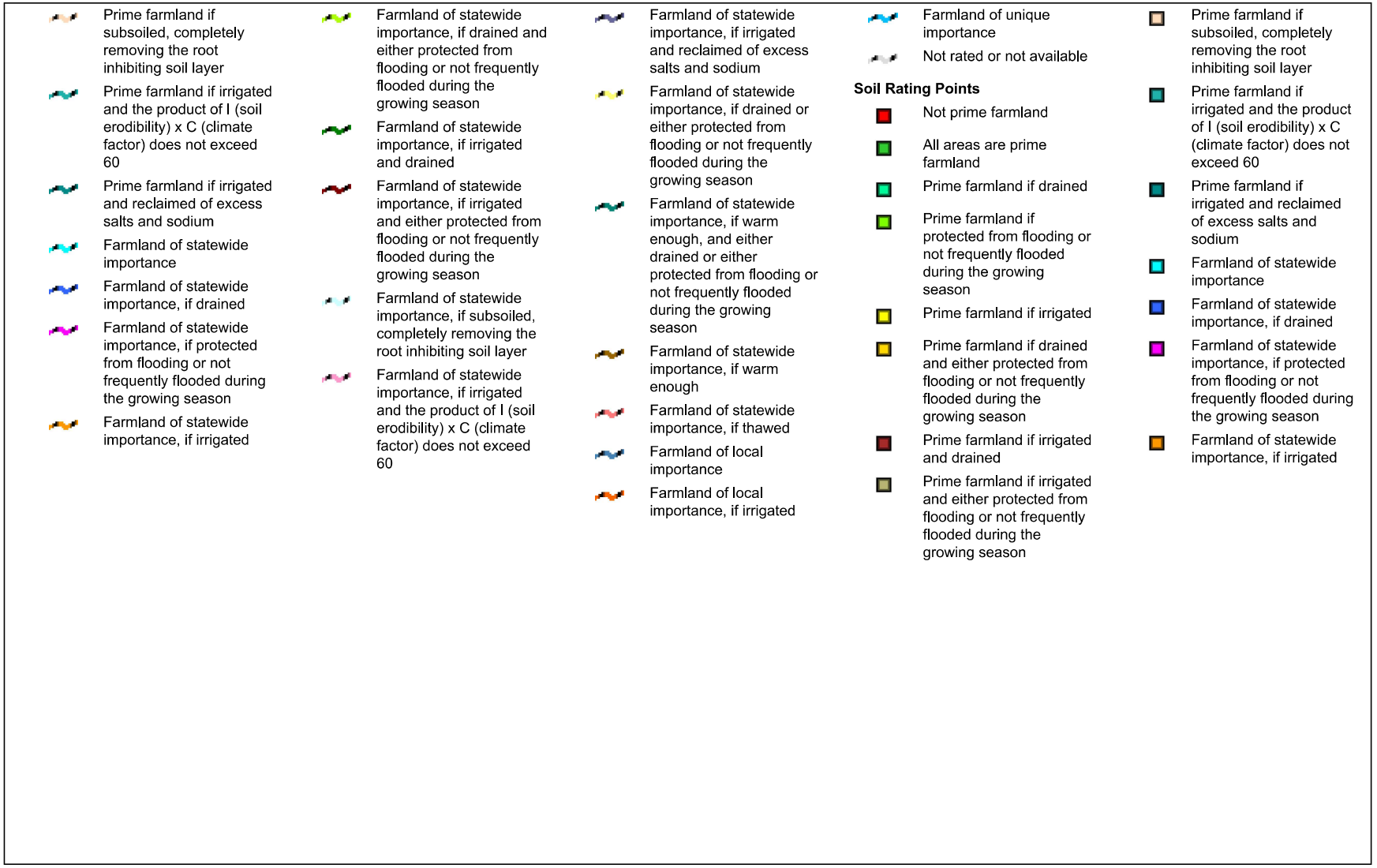
Soils

Soil Rating Polygons

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if subsoiled, completely removing the root inhibiting soil layer
- Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Prime farmland if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance
- Farmland of statewide importance, if drained
- Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated
- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Soil Rating Lines

- Not prime farmland
- All areas are prime farmland
- Prime farmland if drained
- Prime farmland if protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated
- Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
- Prime farmland if irrigated and drained
- Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season



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- Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if irrigated and drained
- Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer
- Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
- Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium
- Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough, and either drained or either protected from flooding or not frequently flooded during the growing season
- Farmland of statewide importance, if warm enough
- Farmland of statewide importance, if thawed
- Farmland of local importance
- Farmland of local importance, if irrigated
- Farmland of unique importance
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

The soil surveys that comprise your AOI were mapped at 1:12,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Fairfax County, Virginia
Survey Area Data: Version 22, Aug 28, 2024

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 30, 2022—Oct 6, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

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Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
1A	Albano silt loam, 0 to 2 percent slopes	Not prime farmland	6.6	5.1%
9B	Birdsboro loam, 2 to 7 percent slopes	All areas are prime farmland	0.6	0.5%
11C	Catlett gravelly silt loam, 7 to 15 percent slopes	Not prime farmland	14.6	11.3%
11D	Catlett gravelly silt loam, 15 to 25 percent slopes	Not prime farmland	9.2	7.1%
25B	Chantilly-Penn complex, 2 to 7 percent slopes	Not prime farmland	1.0	0.8%
25C	Chantilly-Penn complex, 7 to 15 percent slopes	Not prime farmland	6.1	4.7%
27B	Chantilly-Sycoline-Kelly complex, 2 to 7 percent slopes	Not prime farmland	0.9	0.7%
34A	Dulles silt loam, 0 to 2 percent slopes	All areas are prime farmland	9.8	7.6%
34B	Dulles silt loam, 2 to 7 percent slopes	All areas are prime farmland	9.0	7.0%
65B	Kelly silt loam, 2 to 7 percent slopes	Farmland of statewide importance	6.3	4.9%
75B	Manassas silt loam, 2 to 7 percent slopes	All areas are prime farmland	1.3	1.0%
80E	Nestoria channery silt loam, 25 to 45 percent slopes	Not prime farmland	0.1	0.1%
85B	Penn silt loam, 2 to 7 percent slopes	All areas are prime farmland	8.0	6.2%
85C	Penn silt loam, 7 to 15 percent slopes	Farmland of statewide importance	18.3	14.2%
89A	Rowland silt loam, 0 to 2 percent slopes, frequently flooded	Not prime farmland	9.2	7.2%
94B	Sycoline-Kelly complex, 2 to 7 percent slopes	All areas are prime farmland	25.4	19.7%
W	Water	Not prime farmland	2.6	2.0%
Totals for Area of Interest			**129.0**	**100.0%**

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Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

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Name of Practice: ROOF RUNOFF MANAGEMENT SYSTEM
VACS Program Specifications for No. WQ-12

This document specifies terms and conditions for the Virginia Agricultural Best Management Practices Cost-Share Program's Roof Runoff Management System best management practice which are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

This practice establishes a planned system designed to manage roof runoff from agricultural structures in areas where concentrated runoff creates a water quality concern through contact with animal waste such as barnyards and feeding areas. This practice is designed to collect, control and convey precipitation runoff from a roof to an appropriate discharge area in a way that will protect water quality.

The purpose of this practice is to protect water quality by capturing roof runoff and routing it away from contaminated and/or sensitive areas to control bacteria and nutrient input.

B. Policies and Specifications

1. Eligibility: Cost-share and tax credit are limited to solving an identified water quality concern resulting from precipitation runoff from the roof of an existing agricultural structure that becomes contaminated by contact with animal waste and is polluting surface or ground water. This practice is for retro-fit of an existing agricultural structure only. The existing structure shall be suitable and adequate for installation of properly designed gutters over the course of the lifespan of the practice. Roof runoff management systems on new or planned structures and/or non-agricultural structures are not eligible.

2. Cost-share and tax credit are authorized:
   i. For gutters, down spouts, fascia boards, snow and ice retaining systems, collector pipes, cisterns, subsurface drains, underground outlets, diversions, channels, waterways, designed filter strips, land shaping, and similar measures needed as part of a system to manage roof runoff.
   ii. Only if the planned system will contribute significantly to protecting the water quality by keeping roof runoff away from contaminated and/or sensitive areas.

3. This practice is subject to NRCS standards: 362 Diversion, 558 Roof Runoff Structure, 561 Heavy Use Protection, 342 Critical Area Planting, 393 Filter Strip, 412 Grassed Waterway, 468 Lined Waterway or Outlet, 606 Subsurface Drain, and 620 Underground Outlet.

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4. All practice components implemented must be maintained for a minimum of 10 years following the calendar year of installation. The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion. By accepting either a cost-share payment or a state tax credit for this practice, the participant agrees to maintain all practice components for the specified lifespan. This practice is subject to spot check by the District throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost-share and/or tax credits.

C. Rate(s)

1. The VACS payment will not exceed 75% of the approved estimated cost or eligible actual cost, whichever is less.

2. As set forth by Virginia Code, the Commonwealth currently provides a tax credit for implementation of certain agricultural best management practices as discussed in the Tax Credit Guidelines of the VACS Manual.

3. If a participant receives cost-share, only the participant's eligible out-of-pocket share of the project cost is used to determine the tax credit.

D. Technical Responsibility

Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

Revised April 2023

Docusign Envelope ID: 17769E64-30D6-41A3-90BE-F3DF8447736D

Name of Practice: ANIMAL WASTE CONTROL FACILITIES
VACS Program Specifications for No. WP-4

This document specifies terms and conditions for the Virginia Agricultural Best Management Practices Cost-Share Program's animal waste control facilities best management practice which are applicable to all contracts entered into with respect to that practice.

A. Description and Purpose

This practice creates a planned system designed to manage liquid and/or solid waste from existing feeding facilities, hardened pads, or other areas where livestock and poultry are concentrated and from which manure can be collected. This practice is designed to provide facilities for the storage and handling of livestock and poultry waste and the control of surface runoff to permit the recycling of animal waste onto the land in a way that will abate pollution that would otherwise result from existing livestock or poultry operations.

Its purpose is to improve water quality by storing and spreading waste at the proper time, rate, location, and/or to control erosion and nutrient input caused by feeding operations located adjacent to riparian areas or other environmentally sensitive features.

B. Policies and Specifications

1. Eligibility: Cost-share and tax credit are limited to solving the pollution problems where the livestock or poultry operation can show they have either:
   i. Access to land for application, and where a full farm plan approach to solving the water quality problem is being carried out.
   ii. A current Nutrient Management Plan that has been certified by a Virginia certified Nutrient Management Planner and, if needed, a transfer plan prepared by a certified Nutrient Management Planner for any livestock or poultry waste.

2. Practice Development
   i. The District shall consider all existing animal waste storage facilities on the same property when sizing a new manure storage facility. The District should determine on a case-by-case basis whether any existing manure storage facilities (cost-shared or non-cost-shared) are adequate for continued manure storage. Existing storage deemed adequate shall be deducted from the total storage need calculation to determine the amount of additional storage eligible for cost-share.
   ii. Before cost-share or tax credit can be approved, all applications for animal waste control facilities, including poultry operations, must have a "WP-4 Risk Assessment for Water Quality Impairment from Animal Concentrated Areas" completed and must receive a minimum score of 120 in order to be eligible. Furthermore, all associated livestock must be excluded from all streams in the tract before cost-share or tax credit is provided.

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iii. The applicant is required to sign a Dry Manure Storage Structure Agreement DCR199-86 (04/19) or similar District agreement which addresses the minimum criteria prior to receiving any funds.

iv. Determination of the storage capacity of animal waste facilities shall be reviewed and approved by the DCR Agricultural BMP Engineer.

3. Cost-share and tax credit is authorized:

i. For animal waste generated from any qualifying group of animals on the farm where the facility is to be located.

ii. For animal waste storage facilities, such as dry stacking storage, aerobic or anaerobic lagoons, liquid manure tanks, solid/liquid separation, holding ponds, collection basins, settling basins, and similar facilities, as well as diversions, channels, waterways, designed filter strips, outlet structures piping, land shaping, and similar measures needed as part of a system on the farm to manage animal wastes as outlined below:

a. Permanently installed equipment needed as an integral part of the system.

b. Solid/liquid separation is eligible when the manure storage is not adequate and this is the least cost, technically feasible alternative to a new liquid pit.

c. Vegetative cover (including mulching needed to protect the facility).

d. Leveling and filling to permit the installation of an effective system.

iii. Only if the facilities will contribute significantly to improving the soil or water quality by providing protected storage for on-site generated waste.

iv. For the waste storage facility as a part of the relocated livestock or poultry operation, if the original facility is contributing significantly to a water quality problem.

v. For individual components of animal waste systems, only if:

a. A DCR Agricultural BMP Engineer determines that the component stands alone as a measure that will significantly improve water quality and

b. Only where a no-discharge permit for a waste storage facility is not required.

vi. For wastewater storage facilities as a stand-alone component with a minimum storage of 120 days.

vii. For a waste storage system to store manure produced for a consecutive period up to six months based on existing need. All components of a waste storage system (regardless of funding source) must be designed to match the amount of manure storage capacity required.

Exceptions to the six month storage criteria are:

a. Liquid storage which may provide storage for manure produced during a consecutive seven month period based on existing need.

b. Poultry layer/breeder operations may provide storage for manure produced for a consecutive period up to 12 months based on existing need.

viii. The construction of a fabricated liquid waste storage structure and associated components if it is the only acceptable alternative (based on site limitations

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[i.e., high water table, karst topography, etc.]) for liquid waste management.

4. Cost-share and tax credit are not authorized:
   i. For operations that do not currently have a way to collect manure (i.e., existing feeding facilities, hardened pads, etc.).
   ii. For measures primarily for the prevention or abatement of air pollution, unless the measures also have soil and water conserving benefits.
   iii. For the following:
      a. Portable pumps.
      b. Pumping equipment for unloading facilities.
      c. Buildings or modifications of buildings to house pumping equipment.
      d. Spreading animal wastes on the land, including distribution system using irrigation pipelines.
   iv. For animal waste facilities that do not meet local or state regulations.
   v. For installation primarily for the operator's convenience.
   vi. For dairy, beef, poultry and swine confined feeding operations that are planned or under construction. A water quality problem must already exist for cost-share to be approved for a BMP. The number of livestock that would be used to design the animal waste control facility must be present before consideration for cost-share can be given.
   vii. For waste storage facilities that will not store manure produced on the operation where the facility is to be located. End user facilities are not authorized.

5. All applicants must have:
   i. The storage capacity calculations of animal waste facilities reviewed and approved by a DCR Agricultural BMP Engineer (except for practices previously sized and engineered by NRCS) and coordinated with the Nutrient Management Plan so that adequate storage capacity is installed.

6. All appropriate local and state permits must be obtained before cost-share and/or tax credits are authorized.

7. In order to be eligible for cost-share or tax credit, producers must be fully implementing a current Nutrient Management Plan (NMP) on all agricultural production acreage under the producer's control receiving manure from the associated storage structure. The NMP must comply with all requirements set forth in the Nutrient Management Training and Certification Regulations (4VAC50-85 et seq.) and the Virginia Nutrient Management Standards and Criteria (revised July 2014); must be prepared and certified by a Virginia certified Nutrient Management Planner; and must be on file with the local District before any cost-share payment is made to the participant. Plans shall also contain any specific production management criteria designated in the BMP practice (4VACV50-85-130G).

8. This practice is subject to NRCS standards 313 Waste Storage Facility, 342 Critical Area Planting, 359 Waste Treatment Lagoon, 362 Diversion, 367 Roofs and Covers,

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558 Roof Runoff Structure, 561 Heavy Use Protection, 620 Underground Outlet, 632 Solid/Liquid Waste Separation Facility, 633 Waste Recycling and 634 Waste Transfer.

9. All practice components implemented must be maintained for a minimum of 15 years following the calendar year of installation. The lifespan begins on Jan. 1 of the calendar year following the year of certification of completion. By accepting either a cost-share payment or a state tax credit for this practice, the participant agrees to maintain all practice components for the specified lifespan. This practice is subject to spot check by the District throughout the lifespan of the practice and failure to maintain the practice may result in reimbursement of cost-share and/or tax credits.

C. Rate(s)

1. The VACS payment will not exceed 75% of the approved estimated cost or eligible actual cost, whichever is less.

2. As set forth by Virginia Code, the Commonwealth currently provides a tax credit for implementation of certain agricultural best management practices as discussed in the Tax Credit Guidelines of the VACS Manual.

3. If a participant receives cost-share, only the participant's eligible out-of-pocket share of the project cost is used to determine the tax credit.

D. Technical Responsibility

1. Technical and administrative responsibility is assigned to qualified technical DCR and District staff in consultation, where appropriate and based on the controlling standard, with DCR, Virginia Certified Nutrient Management Planner(s), NRCS, DOF, and VCE. Individuals certifying technical need and technical practice installation shall have appropriate certifications as identified above and/or Engineering Job Approval Authority (EJAA) for the designed and installed component(s). All practices are subject to spot check procedures and any other quality control measures.

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Optional Animal Waste Control Facility Data Collection Worksheet

1. What type of operation do you have?

2. How long have you been in operation?

3. Have you expanded or enlarged your operation? If so, when?

4. How often in the past 5 years have you been forced to store waste out-of-doors? How long was the waste stored outside? Was this due to unfavorable conditions beyond your control? Explain. Also locate the storage sites utilized.
   a.

   b.

   c. Explanation:

5. How many livestock per year or birds per flock do you normally raise? Their size, type, etc.

6. How many flocks/herds per year do you normally raise?

7. How often do you clean out or scrape in a year's period? When and how is the waste used and/or stored? Also give the number of partial and total clean outs for poultry.

8. What use do you make of the waste produced?

9. Is any waste disposed of off your farm? Explain.

10. How much pasture, hayland and cropland are available to spread waste on in your operation?

    Pasture acres ____ Hay acres ____ Cropland ____

Completed by: _____
Signature Date Title

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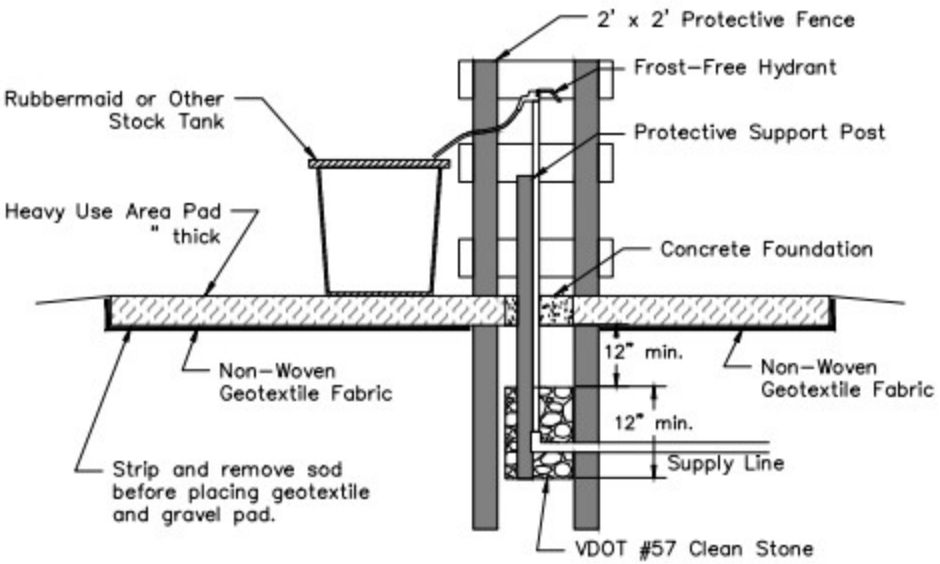
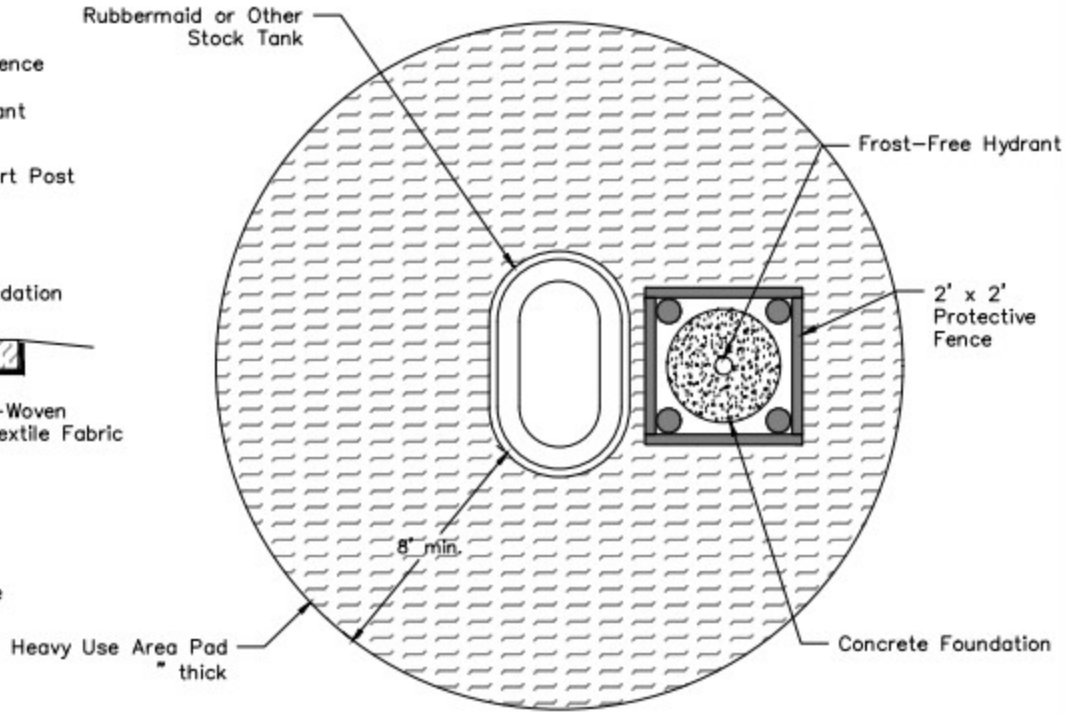
Frost–Free Hydrant Installation – Side View



Pipe diameter for the supply pipe above will be:

Heavy Use Area Pad shall be constructed of the following materials:

Frost–Free Hydrant Installation – Top View



Construction Notes:

1. The ground around the hydrant and Heavy Use Area (HUA) location shall be cleared of all material not suited for the subgrade, including sod. All loose surface soil shall be removed to undisturbed material.
2. Install hydrant as per manufacturer's recommendations, but no less than 24" deep.
3. Hydrant to be secured to post or other stable object.
4. Place 12" of VDOT #57 clean stone in the bottom of the hole (or per hydrant manufacturer's recommendations, whichever is greater) to allow for drainage when hydrant is turned off.
5. Recommend filling the top 6" of hole with concrete.
6. All backfill for pipelines shall be compacted to the degree required to prevent caving after construction.
7. The hydrant site shall be free draining.
8. A protective surface shall be placed around the hydrant. At the minimum, install geotextile fabric around the hydrant and then place VDOT #57, VDOT #21A or crusher run around the hydrant six inches deep. Other types of materials may be installed with approval of the designer. The protective surface shall extend at least 8 feet from each side of the hydrant and stock tank.
9. Geotextile shall meet the Class I requirements for non–woven geotextile in Virginia Construction Specification Geotextiles (VA–795).
10. Frost–free hydrant will not be used in conjunction with a float valve when freezing weather is possible. Stock tank will be filled manually to allow hydrant to drain back and not freeze.
11. Seed all disturbed areas at the rates given in the Virginia Construction Specification Seeding (VA–706).

*If seeding is done outside recommended seeding dates, a nurse crop is to be used.

Frost–Free Hydrant – In Feild Detail

This drawing adapted from NRCS Standard Drawing VA–SO–100 v2.4.0

File Name: Frost–Free Hydrant Detail

Drawing Name:

Sheet of

Rob Farrell
State Forester

COMMONWEALTH of VIRGINIA

Department of Forestry

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8/29/2025

It was a pleasure to visit your property and discuss forest management. This letter will serve as an update to the original plan from 2012, attached. I recommend continuing the previous recommendations to manage deer populations and invasives such as autumn olive and porcelain berry. Cutting large porcelain berry vines that are climbing into the canopy at the base can help reduce the severity of the infestation, these largely can be found along the edges of the stand.

The property has had no notable changes only moving forward in stand age. The pin oaks on the ridge tops have continued to show some decline due to location but largely are surviving, continuing to establish other trees in their place as they decline is a good practice.

I have attached some other best practice information on the landscape trees we discussed in my email. If you have any questions or need additional guidance, please feel free to reach out.

Sincerely,

Jacob Zielinski

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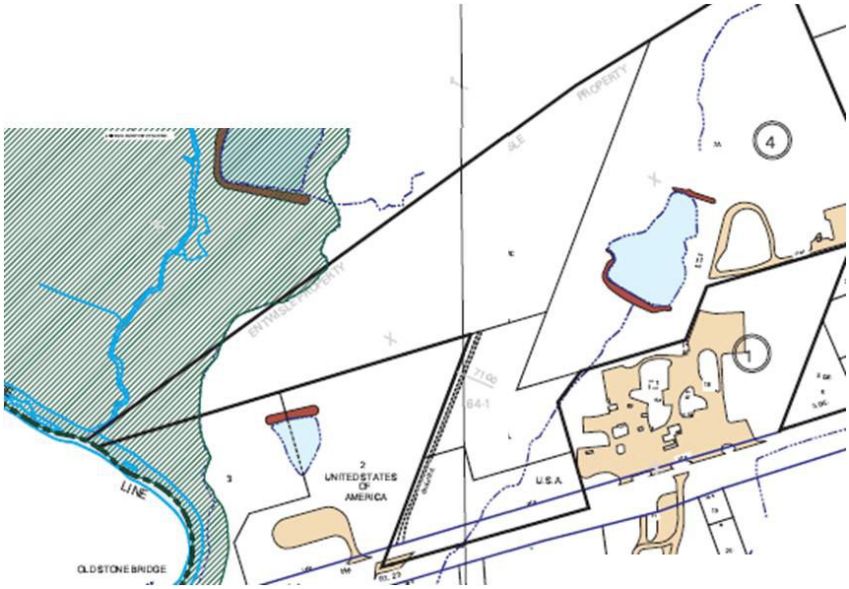
REPORT ON FORESTLANDS
OF
Jon Hickox
5962 14th Street North
Arlington VA 22205

Location: The property is north of the National Park Service Manassas Battlefield, Stone Bridge Unit where U.S. 29 crosses the Fairfax –Prince William county line. This property is A&F number AF 2012-SU-001 and DOF number FAX08004

Examined by: James McGlone, Urban Forest Conservationist

Landowner's Objectives: To maintain a healthy forest that supports wildlife and protects water quality in nearby Bull Run.

Introduction: This is a 21 acre tract that is partly wooded, but contains a vineyard and a winery. The forested area is both bottomland hardwood forest and pioneer eastern red cedar. The property is the Culpeper Triassic basin, is triangular in shape and slopes from the eastern edge to Bull Run at the western point. The western portion is designated as a resource protection area under the Fairfax County Chesapeake Bay Ordinance (see map inset below). This restricts the use of this land and the management of vegetation. See http://www.fairfaxcounty.gov/dpwes/navbar/faqs/rpa.htm for more information.



Hickox Property showing Resorce Protection area

Land form and Soils: The property is located in the Culpeper Triassic Basin. Triassic basins formed along the mid-Atlantic when the North American continental plate pulled away from the African plate during the breakup of Pangaea. This caused a stretching and cracking of the continental crust, which allowed an upwelling of magma into the crust. Prior to the magma intrusion, the area was covered in sedimentary rock; the magma 'baked' the nearby existing sandstone into metamorphic hornfels. Once the magma cooled, this created a modern geology of the original sandstone, igneous diabase rock dikes and the transitional metamorphic hornfels. This property is located on one of the transitions from a diabase sill, which is being quarried on the south side of US 29 and the original sandstone (see attached soil parent material map).

The upland portion of the site is underlain by Catlett gravelly silt loam and Sykoline-Kelly complex soils. These soils all weathered from the metamorphic hornfels and differ in that the Catlett soils are shallower, stonier, and somewhat better drained than the Sykoline-Kelly soils. The Sykoline-Kelly soils are in the northeast point under the winery and a small lobe on the southern boundary that straddles the power line.

The Bull Run floodplain in the western part of the property is underlain by Rowland soils, which are weathered from sedimentary rock, are deep moderately well to poorly drained, and periodically inundated. There is a section of the north-central part of the property between the floodplain and the ridge that is relatively flat and underlain by Albano soil. Albano soil is poorly drained and can be identified by tall sparse grass in the genus *Elymus* in the forest.

All of these soils are fair to moderately productive and will support pioneer (Virginia pine and eastern red cedar) and mixed hardwood forests.

Water Quality: no erosion was observed on the property. The forest is doing a very good job of protecting water quality by protecting riparian areas along Bull Run.

Invasive species: Overall this forest is generally free of non-native invasive species, but some areas are heavily invaded. The power line is covered in Japanese stiltgrass (*Microstegium vimineum*), which is moving into the forest on either side. This plant seems to be more of an opportunist than an invader and takes advantage of forest sites that are browsed clean of native plants.

Two plants that may be of concern to the winery operation are porcelain berry (*Ampelopsis brevipedunculata*) and autumn olive (*Elaeagnus umbellata*). Both plants are capable of germinating in turf grass, both produce berries that are attractive to birds and both may compete with grape vines, so will need to be weeded out of the vineyard as they occur. In addition, porcelain berry is capable of killing mature trees. I would suggest that these and other non-native invasive species be removed from the property when they occur. I have attached fact sheets on the non-native invasive plants I observed on the property

Deer: the absence of tree regeneration is an indicator of excessive deer browse. Deer management is currently being done on the property to reduce the size of the herd and affect its behavior. More aggressive management will be necessary to improve the condition of the forest. One potential non-lethal strategy to improve wildlife habitat and forest regeneration is discussed in the stand recommendations. If you wish to increase management of the deer herd, contact my office.

Wildland Fire: the presence of eastern red cedar (*Juniperus virginiana*) can significantly increase the wildland fire danger on this property. Green cedar burns well, but is slow to ignite. Standing dead cedar ignites easily and burns very well. Once dead cedar is in contact with the ground, moisture wicked from the soil and soil fungi and bacteria quickly decompose the fine branches and needles, which are the main fire hazard. Clearing or thinning failing cedar stands is a fire mitigation strategy. I should note that the cleared areas and turf grass around the winery building should be competent fire breaking and the danger from the cedar should they ignite would be from blowing embers and sparks.

Developed Area

This area consists of the road, winery, vineyard and parking lot.

There is an alley of pin oaks (*Quercus palustris*) along the road. This is a poor species choice for this site. Pin oaks are a riparian species and not well suited to dry ridge tops. The trees appear to be in poor condition with small crowns and small leaves because of the site. If these trees are replaced I would recommend white oak (*Q. alba*), chestnut oak (*Q. prinus* or *Q. Montana*), post oak (*Q. stellata*) or black oak (*Q. velutina*). As an aside, the wood of pin oak and other members of the red oak group are not suitable for barrel making; the wood is porous and the barrels will leak.

A few of the black cherries (*Prunus serotina*) along the alley are infested with fall web worm. This is a native, generally innocuous pest similar to the eastern tent caterpillars that infest cherries in the spring. In general they do not kill the tree, although repeated and heavy infestations may reduce the vigor of the tree. Nothing needs to be done in response to these pests, although the webs can be pruned out and destroyed for aesthetic reasons.

There are planted trees in the picnic/turf area west of the winery. At present the western exposure of the winery is fully exposed to afternoon sun. I noted with some irony that the two planted trees that are dying are cherries and black cherry is the only tree currently regenerating on the property. Any of the oaks listed above would be suitable for this site, but are fairly slow growing. A fast growing hardwood that should do well here is London planetree (*Platanus* × *acerifolia*). London planttree is more resistant to some of the diseases that affect sycamores (*P. occidentalis*) in urban areas.

The buffer along the parking lot is in generally good condition. If you wish to plant along the parking lot to improve aesthetics, I would suggest consulting a landscaper.

Recommendation: The trees along the alley and around the winery should be placed under the care of a certified arborist. These trees add to the value of the property, but if they are allowed to become unhealthy, they can become a liability.

Stand A

Forest Type: mixed hardwood, dominated by black walnut (*Juglens nigra*) and black cherry. Heavily infested with autumn olive and porcelain berry.

Quality/Size: The walnuts are mature and may have been planted here. The cherries are young and appear to be volunteers. None appear to be merchantable.

Forest Health: No signs of pests or disease were observed and the existing trees are generally healthy. Walnut twig beetle, the insect vector for thousand cankers disease, has been found in Fairfax County. These walnuts should be monitored for signs of die back and sprouting on lower branches. There is no cure for Thousand Canker Disease, nor does it affect any other tree species, the concern is that if the trees become infected they may become hazards.

The bigger forest health issue is the presence of autumn olive and porcelain berry. These non-native invasive species should be treated to improve the health and viability of the stand.

Recommendation: remove autumn olive and porcelain berry; and monitor the walnuts.

Stand B

Forest Type: Eastern red cedar (*Juniperus virginiana*) with scattered pin oaks and cherries.

Quality/Size: The composition and quality of the forest is poor. Too much competition is impairing the health of the trees.

Forest Health: The cedars are overcrowded and failing. The hardwoods are struggling. There is some regeneration of black cherry in the few opening in the cedars.

Discussion: The cedars are creating a buffer between this property and the next and therefore may be performing as the landowner wishes. One concern with the cedars is that they are very good bird habitat and may attract birds that will then feed on the grapes in the vineyard. The cedars are very crowded and shading each other to the extent that the trees are all slowly dying.

Regardless of the considerations for birds or privacy, they should be thinned out using a crop tree release method. In crop tree release you select the trees with the most live foliage and remove all trees touching them. This gives the selected or crop trees more room to grow. Crop tree release can also be used to improve the vigor of the hardwoods already present in the stand.

If privacy is not an issue, the cedars can be removed to speed up and control succession. They are about 10 years from removing themselves from the landscape as they stand. As the cedars die naturally from windthrow or competition they remain standing and are an extremely good wildland fire fuel.

One thing of note about the stand is the absence of invasive plant species and the presence of many native herbaceous plants.

Recommendation: Thin or remove the cedars depending on the need for a visual buffer.

Stand C

Forest Type: Mixed bottom land hardwood forest. Predominantly pin oak, red maple (*Acer rubrum*) and tulip poplar (*Liriodendron tulipifera*). This forest stand has many of the characteristics of a riparian forest because of the poorly drained Albano soil in this stand.

Quality/Size: Saw timber size of good to poor quality.

Forest Health: the trees here are in good condition, but there is little or no regeneration of the forest. There is some stiltgrass, but few non-native invasives species.

Discussion: The forest here is in generally good shape and meeting the landowner's goals. The lack of regeneration is an indication of overabundant deer.

Recommendation: reduce deer browse in this stand.

Stand D

Forest Type: Eastern red cedar (*Juniperous virginiana*) with widely scattered pin oaks and cherries. Similar to stand B, but more invasive plants, especially stiltgrass spreading off the power line and fewer pin oaks and other hard woods mixed into the stand.

Quality/Size: The composition and quality of the forest is poor. Too much competition is impairing the health of the trees.

Forest Health: The cedars are overcrowded and failing. The few hardwoods are struggling. There is some regeneration of black cherry in the few opening in the cedars.

Discussion: Again, one concern with the cedars is that they are very good bird habitat and may attract birds that will then feed on the grapes in the vineyard. The cedars are very crowded and shading each other to the extent that the trees are all slowly dying.

As in stand C, the cedars should be thinned out using a crop tree release method. Crop tree release can also be used to improve the vigor of the hardwoods already present in the stand. An additional management strategy that can be used here to promote hardwood succession is a modified group select. This involves clearing patches of cedar and instead of removing them from site as would usually be done, stacking them around the edges of the clearing to form a biodegradable fence to keep the deer out until the trees can get established.

As with stand B, the cedars are about 10 years from removing themselves from the landscape as they stand. Removing them now will not materially affect the forest value of the site and will remove a significant fire threat.

Recommendation: Thin or remove the cedars. Where continued forest cover is desirable consider using downed cedars as a biodegradable deer fence.

Stand E

Forest Type: Mixed bottom land hardwood forest. Predominantly pin oak, red maple and tulip poplar. This stand is essentially the same as stand C, except that it is in the Resource Protection Area along Bull Run.

Quality/Size: Saw timber size of good to poor quality.

Forest Health: the trees here are in good condition, but there is little or no regeneration of the forest. There is some stiltgrass, but few non-native invasives species.

Discussion: The forest here is in generally good shape and meeting the landowner's goals. The lack of regeneration is an indication of overabundant deer.

Recommendation: reduce deer browse in this stand.

Stand F

Forest Type: Mixed non-native invasive woody plants.

Quality/Size: Extremely poor quality.

Forest Health: The trees and shrubs here are all considered non-native invasive species.

Discussion: This is a small stand on the west side of the power line next to the vineyard and picnic area. The forest here has no value. These woody plants can be removed mechanically or through the cut stump method, where the plant is cut down and the stump is immediately painted with an herbicide.

Recommendation: Completely clear this area to remove several problem species before they spread.

United States
Department of Agriculture

Forest Service

Northeastern Area
State and Private Forestry

NA–FR–01–10
July 2010



Tree Owner's Manual

www.treeownersmanual.info

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July 2010
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Table of Contents

Important Precautions 1
Model Information and Parts Diagram 2
  Broad-leaved Model 2
  Palm Model 2
  Conifer Model 3
Packaging 3
  Roots 3
  Trunk and Branches 3
Pre-Installation (Preparing to Plant) 4
  Materials 4
  Instructions 4
Installation (Planting) 6
  Materials 6
  Instructions 6
Maintenance Schedule 12
Maintenance Instructions 13
  Watering 13
  Installing a Trunk Guard 14
  Preventing and Correcting Encircling Roots 15
  Mulching 16
  Fertilizing 16
  Checking Tree Health 17
  Checking Tree Safety 17
  Pruning 18
Protecting Trees from Construction Damage 24
Record of Tree Types and Locations 26
Service and Repair 28
  How to Hire an Arborist 28
  Record of Service 29
Troubleshooting 30
Other Sources of Help 31
In the Event of an Emergency 32
Removal and Disposal 33
  Whole Tree 33
  Trimmings 33
  Leaves 33
Buying a New Tree 34
  Decide on the type of tree. 34
  Select a high-quality tree at the nursery. 35
Additional Sources of Information 35
Transporting Your Tree ..... Back cover
Storing Your Tree Until Planting ..... Back cover

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Important Precautions

WARNING: To reduce the risk of personal injury or permanent damage to your tree, read and follow these important precautions:

- ❑ Do not dig until you are sure there are no buried utilities. Call the free utility marking service at 1-888-258-0808 (p. 5).
- ❑ Never prune trees or branches that are within 10 feet of utility lines; contact your local utility company.
- ❑ Keep lawn mowers and weed whips away from the base of your tree.
- ❑ Do not tie string, ribbon, wire, or pet leashes around the trunk or branches.
- ❑ Do not allow construction activities (digging, repaving, grading, building) within the Protected Root Zone (p. 24).
- ❑ Do not top your tree (p. 23).
- ❑ When hiring an arborist, select someone who has general liability insurance of at least $1 million per occurrence and $2 million aggregate (p. 28).
- ❑ Check with your city or town to see if there are laws regarding planting and pruning.
- ❑ If you cannot prune your tree with both feet on the ground, hire an arborist (p. 28).
- ❑ Do not let children climb trees that have branches within 25 feet of a power line.
- ❑ Do not nail or screw anything into your tree.

These symbols are used throughout this manual:

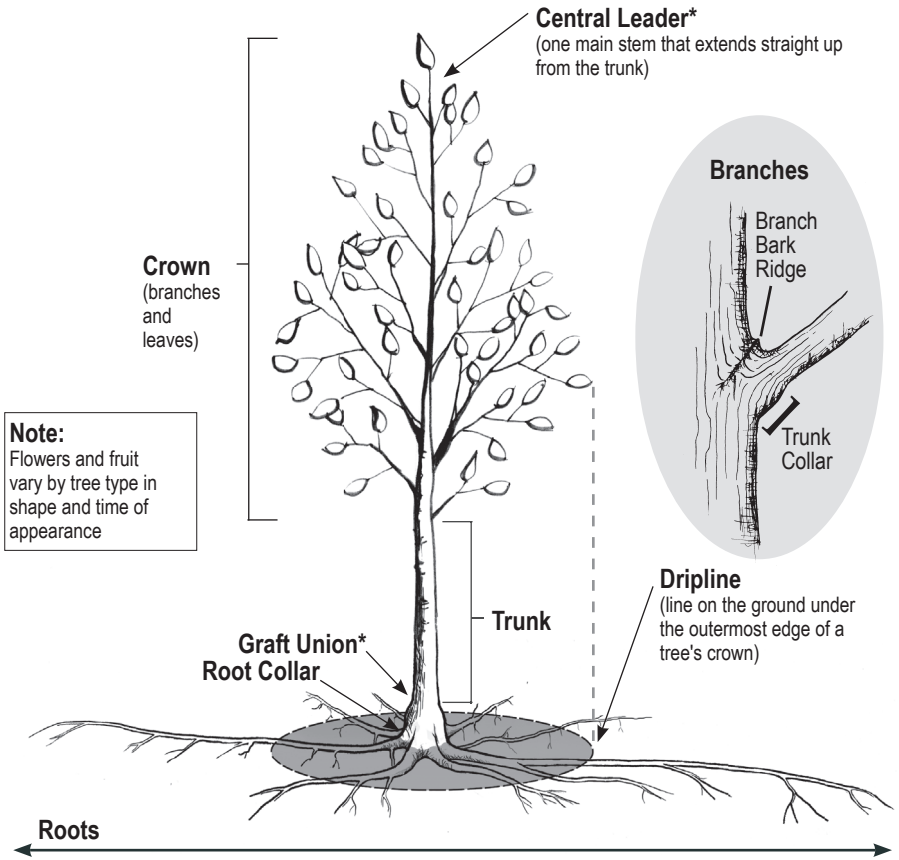
⚠ = Potential for personal injury or legal issues

= Potential for permanent damage to tree

> > > > > > > Save this manual for future reference. < < < < < < <

Model Information and Parts Diagram

Broad-leaved Model
(has flat leaves, but is not a palm)

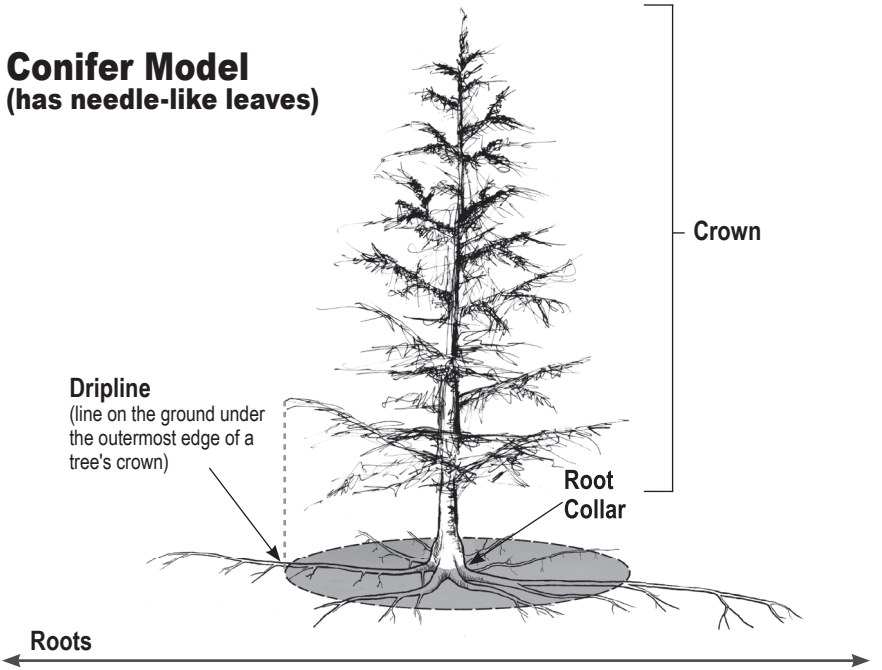


Palm Model
(has fronds for leaves)

Palms only grow leaves from one spot—the top of the trunk.

*Not present on all trees

Conifer Model
(has needle-like leaves)



PACKAGING

Roots

Your tree has been packaged in one of the following ways:

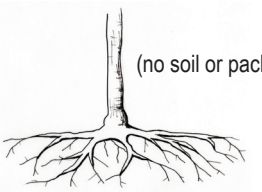
Balled and burlapped/ boxed



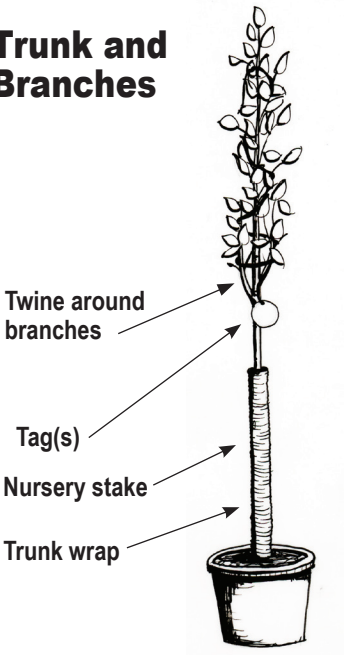
Containerized



Bare root



Trunk and Branches



Pre-Installation (Preparing to Plant)

Materials

- ❑ Tape measure
- ❑ Phone

Instructions

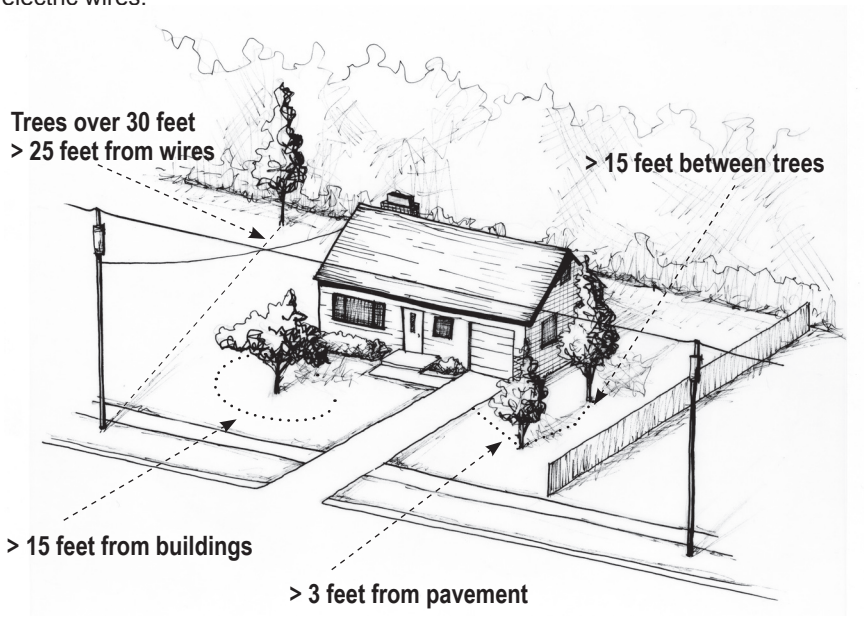
Step 1: Check above ground.

Your tree will grow.
Do not plant your tree where it will interfere with buildings, overhead utility lines, pavement, or intersection sightlines as it gets bigger.

Make sure your planting spot is at least. . .

- ❑ 3 feet from pavement or fencing on all sides
- ❑ 15 feet from buildings or other trees
- ❑ 25 feet from overhead electric wires, if your tree will grow taller than 30 feet.

If your tree will grow taller than 30 feet, do not plant it within 25 feet of overhead electric wires.



Step 2: Check below ground.

⚠ **It's the law to call (in most states).**

⚠ **Shocks can be deadly.**

At least 72 hours in advance of planting, call the underground utility locating service in your area to be sure that there are no buried utilities where you want to plant. Most services will mark utilities (e.g., electric, cable, gas) for free.

Call before you dig!
1-888-258-0808



Step 3: Check laws.

Some government agencies have laws governing tree planting, care, and removal. Check with your town or municipality to be sure that you are complying with these regulations and landscape ordinances.

Will Your Tree Become a "Public Tree," Under the Control of Your City or Town?

Public trees are those located on municipal property or within the road right-of-way (ROW)– regardless of who planted the tree.

The ROW is an extension of your city's or town's control beyond the street edge, oftentimes reaching 10 feet or more beyond the pavement.

Trees located within the ROW are under the jurisdiction of the municipality.

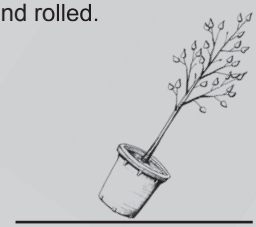
In these cases, state or local laws may dictate the type and location of trees that can be planted in the ROW. Check with your city or town regarding ordinances or policies pertaining to public trees.

Installation (Planting)*

How to Move Your Tree

Carry your tree by its root package (ball or container)—not the trunk! Steady it by holding the lowest part of the trunk.

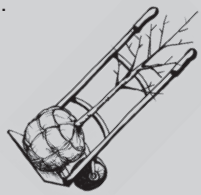
Large containerized trees may be tipped onto the bottom edge and rolled.



For balled-and-burlapped trees, you may find it easiest to place tarps or ropes under the ball as a sling.



A dolly or other cart may also be used.



Protect the trunk. Even a small wound on a young tree can cause permanent damage.

Materials

- ❑ Tape measure or yard stick
- ❑ Metal skewer, coat hanger, stout wire, or pointed screwdriver
- ❑ Shovel
- ❑ Sharp knife or scissors
- ❑ Hand pruner—*bypass* type (p. 19)
- ❑ 5 gallons of water
- ❑ 4-5 cubic feet of organic mulch (one wheelbarrow load or two large bags)
- ❑ Large-gauge wire cutter if balled and burlapped or boxed
- ❑ Hand saw if containerized and the main root system is more than 1 inch below the soil surface (Step 4). An inexpensive folding pruning saw works well, but any saw would work.

Instructions

If you have NOT yet read the section on Pre-Installation (Preparing to Plant), do so now.

Do not dig until Step 6.

*Hargrave, R.; Johnson, G.; Zins, M. 2002. Planting trees and shrubs for long-term health. St. Paul, MN: University of Minnesota Extension Service. 12 p.

Step 1. Move the tree.

Young trees are not 2 by 4's.
Do not lift or carry your tree by its trunk (unless bare root). See the sidebar on How to Move Your Tree.

Step 2. Remove trunk and branch packaging.

Remove trunk wrap, twine around the branches, labels, and nursery stake. Leave any root packaging in place for now.

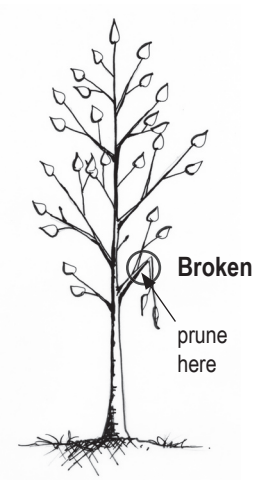
Step 3. Prune critical branches and no others!

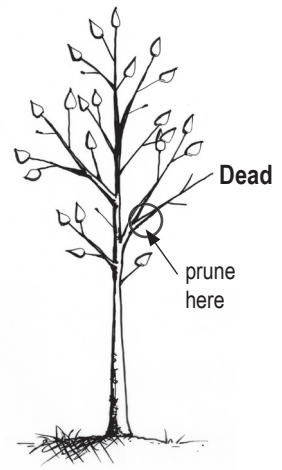
Prune only branches that are broken, dead, or competing as a leader. Most trees should have one central leader (p. 2-3). If there are two or more leaders, choose which one you want to remain and remove the other(s).

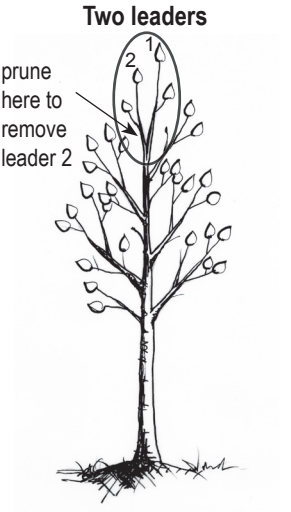
Minimize pruning at the time of planting!
Trees need as many leaves as possible to recover from transplant shock (leaves produce the tree's food).

Do not prune oaks in the spring or early summer if you live in an area with oak wilt (see map, p. 21)!

See "Pruning" p. 18.







Step 4. Find the main root system, and remove excess soil.

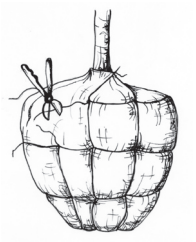
Remove soil from the top of the root ball until the top of the main root system is exposed. There should be several roots at least as big around as a pencil extending in opposite directions from the trunk. You may have to remove 2-4 inches of soil before finding the main roots.

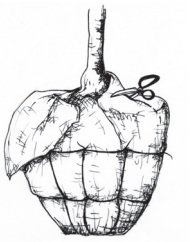


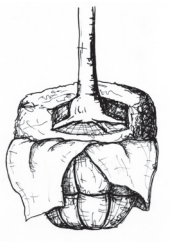
TIP: Probe the soil ball with a wire, kabob skewer, or screwdriver to find the main root system and estimate how much soil to remove. If the roots are located more than 4 inches deep, return the tree to the place of purchase.

Bare root trees: There is no soil or root packaging to remove.

Balled-and-burlapped trees: Remove the top of the root ball packaging. Cut any twine from around the trunk taking care not to nick the bark. Then bend the wire basket back off the top of the ball. Remove soil from the top of the root ball until the main root system is found. You may have to cut some of the wire. Leave the rest of the wire basket in place until the tree is put in the ground.



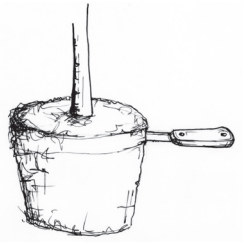


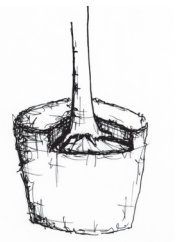


Containerized trees: Remove the entire container. Pull or cut the soil off the top of the root ball until the main root system is found.

TIP: A saw works well to remove the top layer of soil. Be careful not to cut into the trunk.



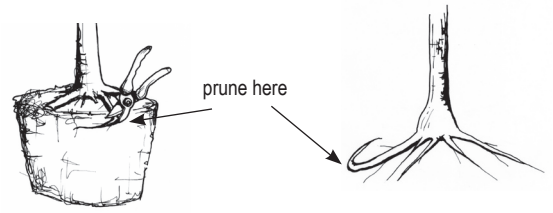




Step 5. Remove problem roots.

A. Remove all small roots above the main root system with a hand pruner.

B. Examine the main root system for roots that extend out but then turn to the side or back towards the trunk. Prune these roots at the point where they turn.

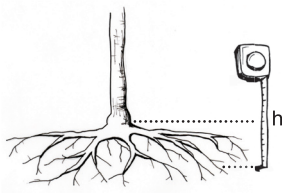


Step 6. Determine how deep and wide to dig.

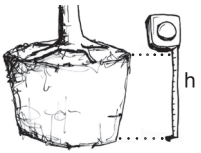
A. Measure the height of the remaining root ball. This is exactly how deep you should dig the hole.

B. Measure the approximate width of the root ball or root system. Multiply this by 2, or if your soil is hard (clay or compacted), by at least 3. This is how wide you should dig the hole.

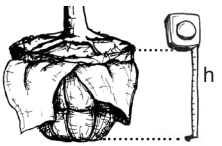
Bare root
(roots spread out flat on the ground)



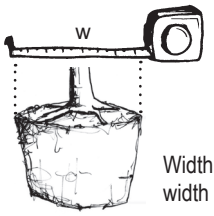
Containerized
(excess soil removed)



Balled and burlapped
(excess soil removed)



h = depth of planting hole

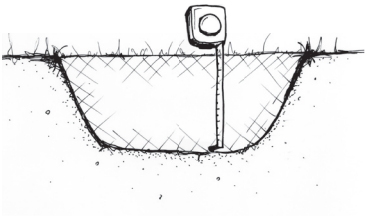


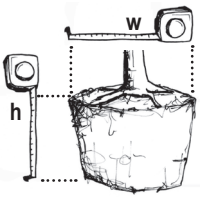
Width of hole should be 2-3 times the width of the root ball

Step 7. Dig a hole.

Do not put a $100 tree in a $10 hole. The dimensions of the hole are very important in determining the survival of your tree. Dig the hole ONLY as deep as the root system (NO deeper!).

HOLE DEPTH = height of root ball (h)
HOLE WIDTH = width of root ball (w) x 2 or 3



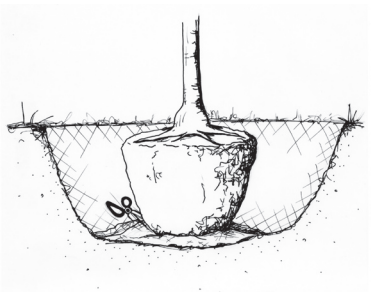


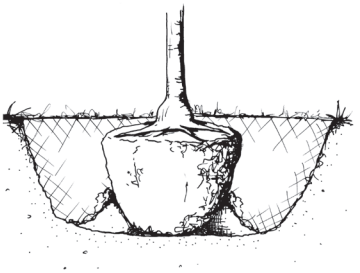
Step 8. Put the tree in the hole.

If the tree has a heavy root ball, slide it into the hole, and straighten the trunk.

Step 9. For balled-and-burlapped trees, remove root ball packaging.

Balled-and-burlapped trees: Without loosening the root ball, cut, peel back, and remove as much of the wire basket and burlap as possible (at least the top third).





A root ball should remain a root ball. If it starts to fall apart as you take off the wire and burlap, backfill the hole with enough soil to stabilize it. Then carefully remove the wire and burlap, and backfill as you go to keep the root ball intact.

Step 10. Backfill with the same soil.

Make sure the trunk is straight. Put the original soil back in the hole, breaking up large clods, and working it in with your hands or a shovel.

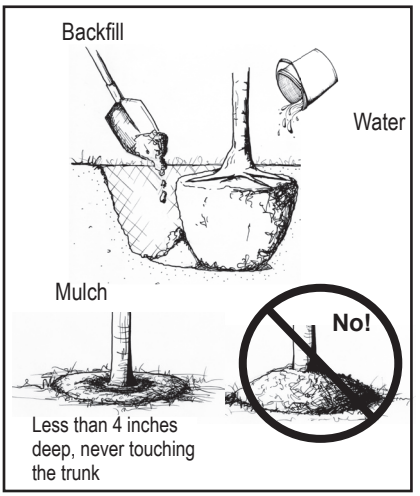
Step 11. Water.

Water the root ball and entire backfilled area.

Step 12. Mulch.

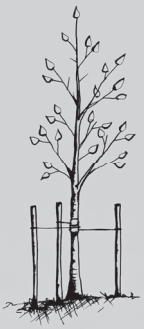
Put a 2-4 inch layer of mulch over the backfilled area. Pull mulch away from the trunk so that none touches the bark.

Mulch becomes soil.
There should never be more than 4 inches of mulch over the roots. Too much can prevent the roots from getting necessary oxygen.



To Stake or Not to Stake

Some trees need to be staked to remain standing straight in their new planting site. Stake only if the root ball is unstable or the trunk is bending. Use wide nylon, canvas straps, or nylon stockings wrapped around one side of the trunk. The tree should not be tied tightly.



If the root ball is unstable, use 1-3 stakes attached LOW on the trunk.



If the trunk is bending, use 1 stake attached HIGHER (at least 6 inches below the first set of branches).

Remove stakes after 1-2 years.

Maintenance Schedule

Follow this maintenance schedule for the life of your tree. Detailed instructions are on the pages indicated in parentheses. Use regionally adapted or native plants to reduce water and other maintenance needs for the life of the tree.

Type of Care	Timeline			
	At planting	Years 1 to 3	Years 4 to 10	After 10 years
Water (p. 13)	5 gallons	Correct amount is *critical* from spring through autumn and during dry winters →	As needed →	
Mulch (p. 16)	2-4 inches deep, not against trunk	Check and adjust level in spring →	→	→
Protect Trunk (p. 14)	As needed →	Check in spring and autumn →	→	N/A
Stake (p. 11)	*Only* if needed →	Check in spring and autumn. Remove after 1-2 years.	N/A	N/A
Clean Root Collar (p. 15)	Uncover at planting	Clean root collar every year →	→	→
Check for Encircling Roots (p. 9, 15)	Check before planting (p. 9)	N/A	Check every 4-5 years (p. 15) →	→
Check Health (p. 17, 35)	Select a healthy tree (p. 35)	Inspect leaves, branches, crown and trunk every year (p. 17) →	→	→
Check Safety (p. 17)	N/A	Inspect in summer, winter, and after storms (p. 17) →	→	→
Prune* (p. 7, 18-23)	Prune only critical branches or to eliminate extra leaders (p. 7)	Prune lightly in Year 2 or 3 (p. 18-23)	Every 3 years	Fruit trees every 1-3 years, other broad-leaved trees every 5 years, conifers only as needed

*For some tree types, pruning or removal during certain times of the year can increase the likelihood of disease transmission. See p. 20 for details.

N/A—not applicable

Watering*

An important factor in tree survival is providing water at the correct frequency. The first 3 years are most critical, but pay attention to watering needs throughout the tree's life. In arid environments most trees will have to be watered throughout the growing season and during dry winters for life unless they are native to that area.

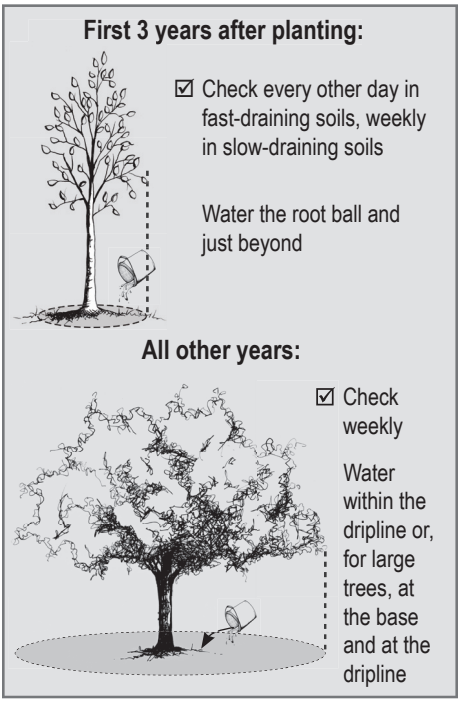
How often and how much?

Frequency depends on water uptake by plants, surface evaporation, and soil drainage. Soils that drain quickly will require more frequent watering than those that drain slowly. To determine your soil's drainage rate, see p. 34. The best way to know how often and how much to water is to check the soil moisture at 6 inches below the surface. Water when dry.

First 3 years after planting: If the soil is dry, provide about 2 gallons of water per diameter inch of the trunk.

All other years: Because soil type and weather conditions influence the demand for water, irrigation schedules and amounts vary.

Tree roots need oxygen. Soil saturated with water for more than 24 hours can prevent roots from getting oxygen. Therefore, watering too much is as dangerous as watering too little (and is harder to correct).



Where? Water the root ball and just beyond. For large trees, focus watering on the area within 6 feet of the trunk and at the dripline.

When? Start checking soil moisture and watering when necessary in early spring, and continue until the soil freezes. For mild climates, water as needed during dry winters. For winter watering, choose warm days above freezing to ensure water soaks into the ground.

*Gilman, E. 1997. Trees for urban and suburban landscapes. Albany, NY: Delmar Publishers. 662 p.

Installing a Trunk Guard

Trunk Protection

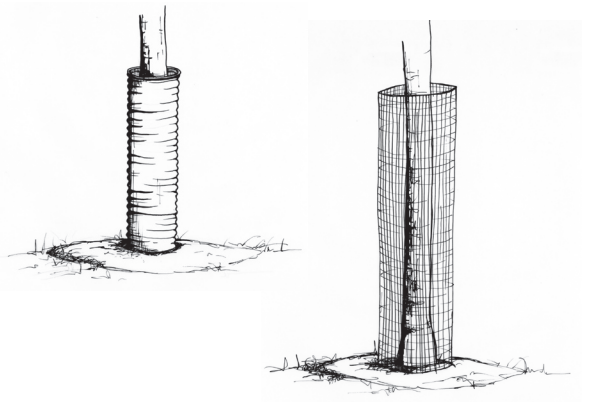
Young broad-leaved trees have thin bark that can easily be damaged by animals and equipment (most commonly string trimmers and lawn mowers). Mulch does a great job of keeping grass (and therefore grass-cutting equipment) away from trunks, but rodents such as rabbits and mice like to chew on young bark (usually low on the trunk). Deer also scrape tree trunks with their antlers.

To prevent long-term damage associated with trunk wounding, install plastic tubing or hardware cloth (stiff wire fencing with 1/4-1/2 inch mesh squares) around the trunk. The tube should be big enough around to allow 1-4 inches of space between it and the trunk. It should be 1-3 feet tall (extending above the anticipated snow depth) for small rodents and as tall as possible for deer.

How? Wrap the tube around the trunk, taking care not to scratch the bark. Use a few pieces of wire to keep the tube closed. Push the tube into the ground or mulch less than an inch. Attach it to one or two stakes if necessary.

When? At a minimum, the trunk should be protected during the winter months (apply early in the autumn to prevent deer scraping). Protection can be applied anytime and left on all year round, as long as it does not touch the bark.

Your tree will grow.
As the tree grows, the tube will need to be enlarged and eventually removed.



Preventing and Correcting Encircling Roots*

Problem

Roots that encircle the trunk will likely cause health or safety problems later. Make sure that soil or mulch is never piled against the root collar.



Root likely to become a problem (when trunk and root meet)



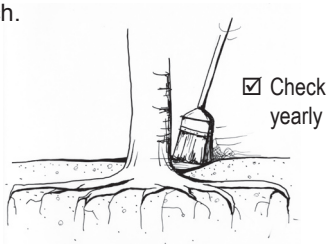
Problem root already touching the trunk



Covering the root collar with soil or mulch encourages encircling roots

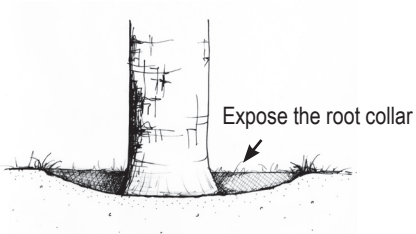
How to Prevent

Plant at correct depth (see Planting Steps 4-7, p. 8-10). Annually clean the root collar by removing soil and mulch.



How to Monitor and Correct

Every 3-4 years, check for roots that encircle the trunk. Use a hand trowel to loosen and remove the soil around the base of the tree until the first set of roots is found.



TIP: Removing soil with a wet-dry vacuum speeds the work without harming the roots.

If a tree has an encircling root, leave the top of the root exposed, and consult an arborist regarding treatment. When caught early, this can be an inexpensive and effective way to save your tree.

*Johnson, G.; Fallon, D. 2007. Stem girdling roots: the underground epidemic killing our trees. St. Paul, MN: University of Minnesota.

Mulching

Maintain a ring of organic mulch around the tree (the wider the better). Organic materials like wood chips and leaves are best. Wood chips will take longer to break down and, therefore, will not require replacement as often. In arid regions, do not use rock or gravel as mulch unless the trees are adapted to dry, rocky environments.



TIP: Newspaper kills grass.
If there is grass in the area that needs to be mulched, put a 5-page layer of newspaper over the grass, and then add mulch on top (this will help keep the grass from growing up through the mulch).

Mulch becomes soil.
There should never be more than 4 inches of mulch over the roots. Too much mulch or soil can prevent oxygen from reaching the roots.

Fertilizing

Apply nitrogen fertilizer ONLY if diagnosis by an arborist indicates that it is necessary.

Apply other fertilizers ONLY if a soil test shows that nutrients are lacking.

Do not overdose.
Fertilizer that is not absorbed by the tree has the potential to alter the soil or leach out and pollute groundwater, rivers, ponds, and lakes. Overdosing with fertilizer can harm your tree.

Applying "weed and feed" to your lawn might injure or kill your tree.
Most combination weed killers and lawn fertilizers will injure trees. Do not use anything that states it will kill broad-leaved weeds (it can harm broad-leaved trees as well). Preemergent herbicides are safe to use near most trees, but always check the label.

In some cases, a long-term plan to change the soil pH may be necessary.

Checking Tree Health

Tree health can be difficult to determine, but checking your tree yearly may help you notice problems as they appear.

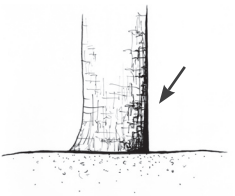
Is the current year's growth much less than past years' growth? Fast growth does not mean good health, but a dramatic reduction in growth rate may be an indication of poor health.

TIP: Look at the branch tips or tree top. Current year's branches will typically be smaller in diameter and a different color.

Also inspect the size, color, and distribution of the leaves. Look at individual leaves as well as the whole crown for differences between branches or sections of the crown.

Inspect the base of the trunk for damage (e.g., from rodents or string trimmers).

Also inspect the base of the tree to see if there is a flat side to the trunk.



If anything is found, follow the guidance in the Troubleshooting section, p. 30-31.

Checking Tree Safety

Healthy trees can fall down.
A tree may be green and lush, but that does not guarantee that it is structurally safe.

Inspect trees anytime, but especially after storms. Examine the crown, branches, trunk, and area around the roots for these common dangers:

- Broken, dead, or hanging branches
- Cracks, fungi, and cavities
- Weak trunk or branch unions
- Encircling root compressing the trunk (a flat-sided trunk at the ground level is a good indicator). See illustration above.
- Recent lean (especially if the soil or grass has lifted on one side).

Branch Unions



If anything is found, or if in doubt, contact an arborist, p. 28.

Pruning*

Pruning can be dangerous work. Follow these safety precautions to be sure you are around to enjoy your tree.

⚠ **Electricity flows through branches.**
Never prune trees or branches that are within 10 feet of utility lines; instead contact your local utility company.

⚠ **Ladders and trees do not mix.**
If pruning cannot be done with both feet on the ground, hire an arborist (p. 28).

⚠ **Chainsaws cut limbs.**
If power equipment is required, hire an arborist (p. 28).

The main reasons for pruning trees are safety, health, and esthetics. Pruning can encourage trees to develop a strong structure and reduce the likelihood of damage during severe weather.

Pruning for safety involves removing branches that could fall and cause injury or property damage, trimming branches that interfere with lines of sight on streets or driveways, and removing branches that grow into utility lines.

Pruning for health involves removing diseased or insect-infested wood, thinning the crown to increase airflow and reduce some pest problems, and removing crossing and rubbing branches.

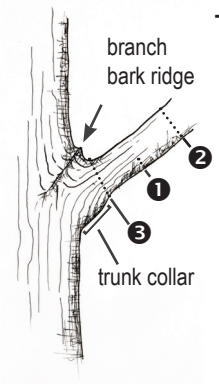
Pruning for esthetics involves enhancing the natural form and character of trees or stimulating flower production.

*Except where noted, this section has been adapted in part, from: Bedker, P.; O'Brien, J.; Mielke, M. 1995. How to prune trees. [Newtown Square], PA: USDA Forest Service Northeastern Area. 30 p.

Where to Cut

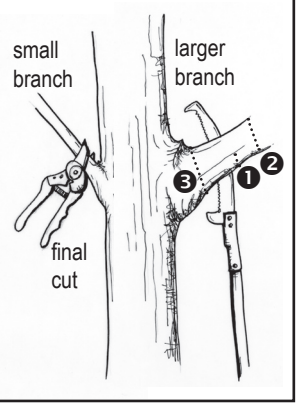
Support the branch with one hand while you make the cut to prevent the bark from ripping. If the branch is too large to support, use the three-step method (see details below).

For the final cut, look for the branch bark ridge and trunk collar. Begin the cut just outside of the branch bark ridge, and angle down away from the trunk. Stay close to the trunk collar without cutting into it (see images below).



Three-step method

1. Cut one-third of the way through the branch on the under side.
2. Go 2-4 inches beyond the undercut to remove the branch.
3. Make the final cut just outside the branch bark ridge and trunk collar.



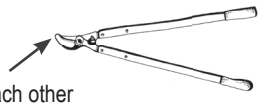
Pruning Tools

BEST

Hand pruner—bypass type

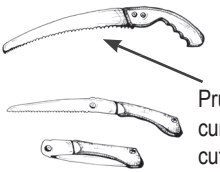


Lopper—bypass type

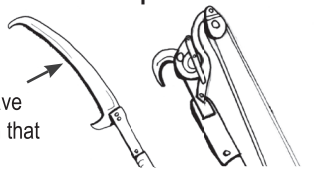


Bypass blades cross each other like those in a scissors.

Hand saw



Pole saw or pruner



Pruning saws usually have curved blades with teeth that cut when you pull.

OK



Bow saws can be used, but it is often difficult to fit the saw between branches to make the correct pruning cut.

How Often

Beginning 2 years after planting, prune broad-leaved trees lightly every year or every other year. After 10 years, frequency of pruning depends on the type of tree and amount of shade the canopy receives.

Do not remove more than 25 percent of the tree's live branches (and therefore leaves) at any one time.

Tree Type	First 10 years	10+ Years After Planting
Fruit trees	Once every 1-2 years	Once every 1-3 years
Broad-leaved trees	Once every 1-2 years	Once every 4-7 years*
Conifer trees	Only as needed**	Only as needed**
Palms	Once every 3-6 months in tropical climates, annually otherwise***	

* Pruning lightly and more frequently is better than pruning heavily and less often.

** Conifer trees usually need pruning only if they are diseased or their branches need to be raised up from the ground. In either case, prune off the entire branch (p. 19).

*** Prune only dead or dying fronds. If fruit is a problem, remove flower stalks or fruit clusters as needed.

Removal of the following can be done every year:

- Broken, dead, or rubbing branches
- Competing leaders
- Branches sprouting from the base of the trunk.

Time of Year

Winter is the best time of year to prune because branches are easy to see, diseases cannot be spread, and there is minimal stress to the tree. But for most trees, pruning can be done at any time. Exceptions are trees that are prone to fire blight or oak wilt.

Trees susceptible to fire blight include mountain ash, apple, crabapple, hawthorn, pear, flowering quince, and pyracantha. Trees susceptible to oak wilt include most oaks. To minimize disease infection of these types of trees, follow the pruning guidelines on the next page.

FIRE BLIGHT

Range: All counties in the United States

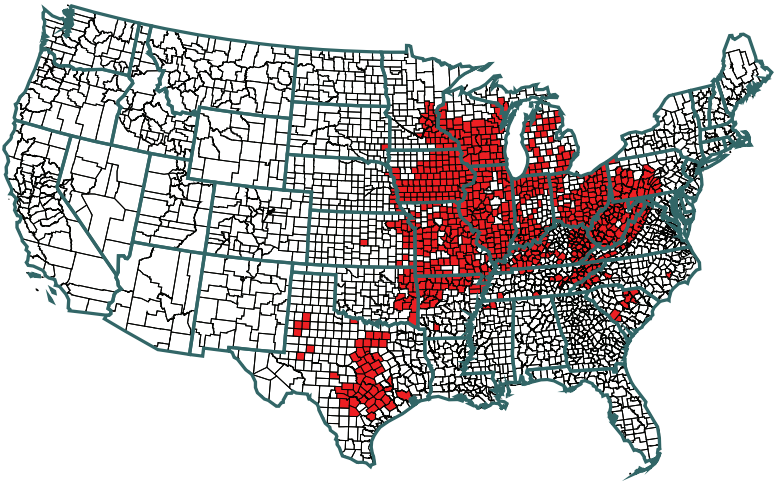
Types of trees: mountain-ash, apple, crabapple, hawthorn, pear, flowering quince, pyracantha

Pruning guidelines: Avoid pruning from the time that spring flowers emerge until leaves drop. If pruning must be done on these tree types during disease-transmission times, sanitize pruning tools before each branch is pruned. Use rubbing alcohol, or household bleach diluted 1 to 9 with water. Tools should be immersed in the solution, preferably for 1-2 minutes. Bleach is corrosive to metal, so tools should be thoroughly cleaned with soap and water after each use.

OAK WILT

Range: See map below

Types of trees: oaks



Pruning guidelines: Avoid pruning from early spring through early summer (April, May, and June in the Lakes States). Check with your plant diagnostic clinic (see page 31 for phone numbers) to get exact dates for your area. If pruning must be done on oaks during disease-transmission times, immediately apply wound paint after the cut is made.

Wound dressings are not necessary in any other case. In fact, they may be harmful.

Pruning Young Trees*

Pruning a young tree saves money. Removing small branches is fairly easy compared with waiting until limbs are large, when pruning can be costly and a bigger risk to the tree. Correctly pruning a tree when it's young will help it develop a strong, well-balanced crown. Prune to have the following:

A. Branches that are well-attached to the trunk
Branches with a branch bark ridge (bark pushed out at the point where the branch attaches to the trunk) are less likely to break off in wind or heavy ice or snow. Branches that are less than half the diameter of the trunk are also less likely to break off in storms.

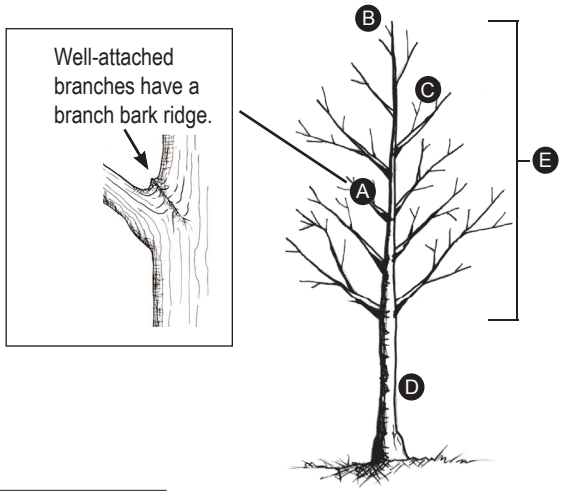
B. One central leader
Most trees will be strongest if they have one central leader (instead of multiple). Unless your tree is an arborvitae or fruit tree, choose one leader to keep, and prune off the competitors.

C. Good spacing between branches
Vertical space between branches should eventually be 12 inches for fruit or small-statured trees and 18 inches for medium- and large-stature broad-leaved trees. Try to space branches equally around the tree.

D. Enough clearance between the ground and first branch
As a tree grows taller, branches remain at the same height. Branches located low on the trunk may get in the way of sidewalk paths or lawn mowing as the tree gets bigger. Over time, gradually remove low branches.

E. Good crown height
The crown of a broad-leaved tree should be at least 60 percent of the total tree height.

Do not remove more than 25 percent of the tree's live branches (and therefore leaves) during one growing season.



*Gilman, E. 2002. An illustrated guide to pruning, 2d ed. Albany, NY: Delmar Publishers. 330 p.

Topping*: (Also called stubbing, heading, tipping, hat-racking, dehorning, or roundover)

Topping is not pruning.
Topping is the indiscriminate removal of branch ends. Topping injures and ultimately results in early failure or death of a tree.

TIP: If the end of the branch must be removed, cut it back to a side branch that is at least one-third (preferably one-half) the diameter of the branch being cut.



Topped tree

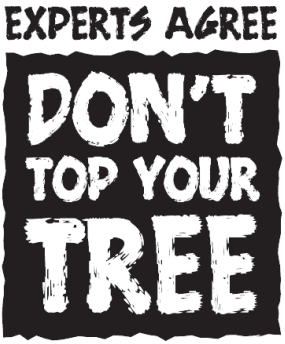
Myth: Topping will make the tree easier to maintain.
Truth: Topped trees can regain their original height quickly, often in 2 years. A topped tree will require more attention than a properly pruned tree because of the fast growing, loosely attached shoots that form.



Topped tree with regrowth

Myth: Topping invigorates a tree.
Truth: Topping immediately injures a tree and starts it on a downward spiral. Topping wounds expose the tree to decay and invasion from insects and disease. While a tree may survive topping, its life span will be significantly reduced.

Myth: Topped trees will add value to your property.
Truth: Topped trees lack natural beauty and may actually reduce your property values. Also, a topped tree can become hazardous and cause property damage, making it a liability.



*Adapted, with permission, from the "Experts Agree: Don't Top Your Tree" campaign which was developed by the Missouri Community Forestry Council and Forest ReLeaf of Missouri, with financial assistance currently provided by the Missouri Department of Conservation.

Protecting Trees from Construction Damage*

Are you planning to build or remodel a home? Are you going to expand or pave your driveway? Are your city's streets, curbs, sidewalks, and buried utilities about to be widened, modernized, or replaced? Before construction begins, consider the impact on trees.

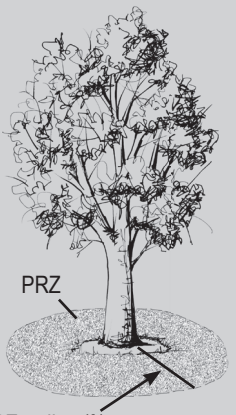
Careful tree protection will help you avoid the expense and heartache of later repairing or removing trees that were located too close to construction activities (see "How Close is Too Close?" below). Depending on the type of construction and proximity to trees, you may be able to protect the trees yourself, or it may be best to consult with an arborist to design, implement, and enforce a tree protection plan.

Start planning early. To minimize costs and increase the likelihood of successful tree preservation, start tree protection planning as soon as possible.

How Close Is Too Close? Defining The Protected Root Zone (PRZ)

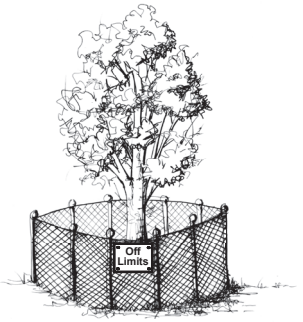
The tree's Protected Root Zone (PRZ) can be identified as follows:

1. Measure the diameter (width) of the trunk at chest height, to the nearest inch. To do this, either wrap a tape measure around the trunk and divide that number by 3 or hold a yard stick up to the trunk and approximate the distance.
2. Multiply that number by 1.5 for mature or stressed trees or by 1.0 for young, healthy trees. Express the result in feet.
3. Measure that distance from the trunk of the tree. The area within this radius is the Protected Root Zone (PRZ).



*Adapted, with permission, from: Johnson, G. 1999. Protecting trees from construction damage: a homeowner's guide. St. Paul, MN: University of Minnesota Extension. 21 p.

The activities listed below all negatively impact tree roots. To protect your trees, define the Protected Root Zone (PRZ), and keep these activities away from this area, at a minimum.



Storing Materials and Moving Equipment

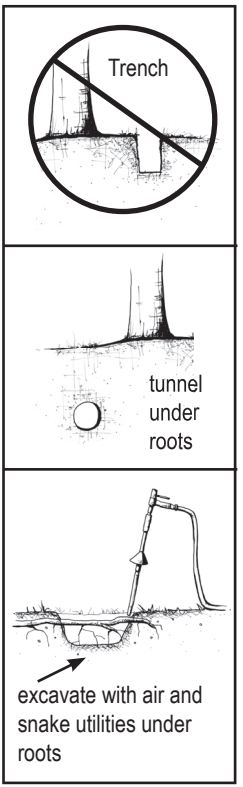
Soil compaction is one of the main killers of urban trees. Stockpiling building materials, using heavy machinery, and excessive foot traffic all compact the soil. To minimize damage, install orange polypropylene or chain link fencing and post "Off Limits" signs around the PRZ of the trees you plan to save. Check the fence often to be sure that it is still intact and serving as a barrier.

Changing the Grade

Adding or removing as little as 2 inches of soil in the PRZ can kill a tree. To minimize damage, consult an arborist about methods to protect the roots if fill needs to be added or soil needs to be removed within the PRZ.

Excavating

If utility or irrigation lines cannot be relocated outside the tree's PRZ, reduce root damage by requiring tunneling under the tree's root system (instead of trenching through it). Specialized equipment that blows soil away from the roots using compressed air allows utilities to be placed with very little root damage. Otherwise soil tunneling equipment can be used, reducing root damage by up to 25 percent compared with trenching.



For all digging operations, insist that exposed roots be cut cleanly to promote quick wound closure and regeneration. Vibratory plows, chain trenchers, stump grinders, and hand tools do a better job at this than bulldozers and backhoes.

Avoid excavating during hot, dry weather; keep the plants well watered before and after digging; and cover exposed roots with soil, mulch, or damp burlap as soon as possible.

Paving

To minimize damage, keep walkways at least 3 feet from the anticipated mature trunk.

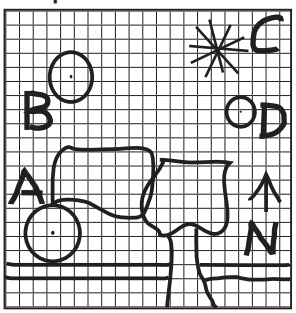
Record of Tree Types and Locations

Use this space to keep a record of trees planted on your property. Map tree locations on p. 27.

ID	Tree Type/ Species	Where Purchased	Date Purchased	Date Planted	Warranty Period	Mature Height	Max Width
A	HERITAGE RIVER BIRCH	GREENS NURSERY	4/29/07	5/01/07	1 YEAR	40-50'	50'

Sketch the location of your house and all trees on your property. Label each tree with a letter (A, B, C, etc.) to match the record on the opposite page (use a pencil to draw). Each square can represent 2, 5, or 10 feet, depending on the size of your yard.

Sample:



Key:

Broad-leaved

Conifer

How to Hire an Arborist*

You can find arborists listed in the phone directory, usually under "Tree Service." When selecting an arborist, look for the following qualifications:

- ❑ **Education** (degree in arboriculture, urban forestry, forestry, horticulture)
- ❑ **Membership in Professional Organization(s)**
  Organizations include the International Society of Arboriculture (ISA), Tree Care Industry Association (TCIA), American Society of Consulting Arborists (ASCA), and your state's arborist association. Such membership demonstrates a willingness to stay current on techniques and information.
- ❑ **ISA Certification or State Certification/License**
  Certified or State-licensed arborists are experienced professionals who have passed an examination and meet requirements for on-going education.
- ❑ **Proof of Insurance**
  A reputable arborist carries personal and property damage insurance ($1 million per occurrence, $2 million aggregate) and worker's compensation insurance ($1 million). If an arborist is uninsured, homeowners could be held responsible for damages and injuries that occur as a result of the tree work. Request certificates, and phone the insurance agency to verify. Ask if the entire job will be performed by employees of the tree care company bidding the job. If not, ask for insurance certificates from all independent contractors as well.
- ❑ **Necessary Permits and Licenses**
  Some governmental agencies require contractors to apply for permits, a license, or both, before they are able to work. Be sure contractors comply with any local, state, provincial, or national laws.

Other Advice

- **Ask for references and speak to former clients.**
- **Get more than one estimate.**
- **Do not automatically accept the lowest bid.**
- **Never pay in advance.**
- **Be wary of door-to-door sales.** These are especially common after storms. Know that good arborists perform only accepted practices and wear safety equipment. For example, topping a tree and using climbing spikes for pruning are unacceptable. Safety equipment includes hard hats and ear protection.
- **Get it in writing.** When will the work be started and completed? Who will be responsible for clean-up? What is the hourly rate for additional work?

*Adapted, with permission, from: International Society of Arboriculture. 2004. Why hire an arborist? Champaign, IL. 4p.

Record of Service

Record work completed on your trees. Use the tree letter from the record on page 27.

Tree ID	Date:	Type of Maintenance Completed:	Work Performed By:	Date of Next Service:

TROUBLESHOOTING

If you see:	Potential cause:	You should:
TRUNK		
A flat-sided trunk at the base of the tree	Encircling root restriciting the flow of water and nutrients between the roots and rest of the tree	Excavate to check for encircling root (see p. 15)
Bark damage near the bottom of the tree	Rodent or string trimmer	Apply mulch/trunk guard to protect from future damage (see p. 14, 16)
An elm tree with liquid oozing from the trunk	Slime flux or wetwood	Not worry about health
BRANCHES		
An elm tree with bright yellow leaves on one or two branches	Dutch elm disease	Immediately call the University* or an arborist
Webs in the branches or webs covering the tips of branches	Fall webworm or Eastern tent caterpillar	Not worry about health
Many branch tips snipped off and laying on the ground	Squirrel damage	Not worry about health
Black clumps on branches of a cherry tree	Black knot	Call for advice*
Very little growth	Many	Call for advice*
Hole in trunk or branches	Many	Call for advice*
LEAVES		
Leaves sticky and covered with a black velvety coating (like soot)	Piercing, sucking insect and sooty mold	Not worry. Hose down the leaves to get rid of sap.
Leaves wilted	Many	Call for advice*
Spots on leaves	Many	Call for advice*
Small leaves	Many	Call for advice*
Sparse leaves	Many	Call for advice*
Yellow or brown leaves	Many	Call for advice*
Holes in leaves	Insect feeding	Not worry about health
Bumps on leaves	Many	Not worry about health

*Call an arborist or your University plant diagnostic service (next page).

Other Sources of Help

Arborists can provide good information about the health of your tree, and many communities have city foresters that may be of assistance. In addition, most land grant universities have an Extension service for answering tree health questions (see phone numbers listed below).

Alabama (Auburn University)
(334) 844-5507

Alaska (University of)
(907) 474-2423

Arkansas (University of)
(501) 676-3124

Colorado (State University)
(970) 491-6950

Connecticut (University of)
(877) 486-6271

Delaware (University of)
(302) 831-1390

Florida (University of)
(352) 392-1795

Georgia (University of)
(229) 386-7495

Illinois (University of)
(217) 333-0519

Indiana (University of)
(765) 494-7071

Iowa (State University)
(515) 294-0581

Kansas (State University)
(785) 532-1385

Kentucky (University of)
(859) 257-8949

Louisiana (State University)
(225) 578-4562

Maine (University of)
(800) 287-0279

Maryland (University of)
(800) 342-2507

Massachusetts
(University of)
(413) 545-3208

Michigan (State University)
(517) 355-4536

Minnesota (University of)
(612) 624-3020 or
(612) 625-1275

Mississippi (State University)
(662) 325-2146

Missouri (University of)
(573) 882-3019

Montana (State University)
(406) 994-5150

Nebraska (University of)
(402) 472-8725

New Hampshire
(University of)
(603) 862-3200

New Jersey
(Rutgers University)
(732) 932-9140

New Mexico (State)
(575) 646-1965

New York (Cornell University)
(607) 255-7850

North Carolina
(State University)
(919) 515-3619

North Dakota
(State University)
(701) 231-7854

Ohio (State University)
(614) 292-5006

Oklahoma (State University)
(405) 744-9417

Oregon (State University)
(541) 737-3472

Pennsylvania
(Penn State University)
(814) 865-2204

Puerto Rico (University of)
(787) 837-3905

Rhode Island (University of)
(401) 874-2900

South Carolina
(Clemson University)
(864) 656-2677

South Dakota
(State University)
(605) 688-5543

Tennessee (University of)
(615) 835-4572

Texas (A&M University)
(979) 845-8032

U.S. Virgin Islands
(University of)
(340) 693-1083

Utah (State University)
(435) 797-2435

Vermont (University of)
(802) 656-0493

Virginia (Tech)
(540) 231-6758

Washington
(State University)
*Contact County Extension Office

West Virginia (University of)
(304) 293-6023

Wisconsin (University of)
(608) 262-2863

Wyoming (University of)
(307) 766-2397

In the Event of an Emergency

Large branch or tree on the ground
If it is near a downed utility line, do not go near the tree! Call the utility company. If it is in the street, contact the city. If it is in your yard, call an arborist to have it removed.

Tree or branches on utility line
Stay away from the tree! Call your utility company.

Branches broken, still hanging in the crown
Call an arborist (p. 28) to have the "hangers" removed, and make clean cuts at a lateral branch or bud (p. 2, 19).

Ice coating and weighting the branches
Stay in a protected area, out from underneath the branches. Some limbs may break. Once the ice is gone, check for safety (p. 17), and call an arborist if necessary. Many branches return to their original state after severe bending.

Tree hit by vehicle
If possible, get the license plate number, name, and insurance information of the driver. Document the tree's injuries with photographs. Contact an arborist to evaluate the damage (p. 28).

Wounded trunk
Use a scissors or hand pruner (p. 19) to cut off any loose bark. Monitor health (p. 17). Do not apply "wound paint."

Chemical spill around tree
Call an arborist (p. 28), asking for someone with experience in soil contamination.

Root severed
Photograph and call an arborist to assess safety and make treatments as necessary.

Flooding
Monitor the trunk to see if it begins to lean in one direction. Check the ground area around the roots to see if the soil or grass has lifted. If so, contact an arborist right away for a safety assessment. Monitor the tree's health over time (p. 17). It may take a year or more for symptoms to appear.

Lightning or storm damage
Call an arborist to assess safety and make necessary treatments.

Trunk nicked by lawn care equipment (weed trimmer or lawn mower)
Stop doing that! Create a mulch ring around the tree to eliminate grass (p. 16), or use a trunk protector (p. 14).

Removal and Disposal

Whole Tree

Electricity flows through branches.
If the tree or branches are within 10 feet of utility lines, contact your local utility company for information on assistance in removal.

To remove a large tree, hire an arborist. If you are interested in having the tree milled into lumber, visit www.harvestingurbantimber.com to find someone with a portable mill in your area. You may also try contacting local woodworkers and technical schools to see if they would like the wood.

Disposing of debris:
Option 1: The arborist can remove the wood for you.
Option 2: If you or someone you know could use the tree for firewood, ask the arborist to cut and leave the wood for you in moveable chunks. If you do not know anyone who needs firewood, consider advertising it on community bulletin boards (e.g., at local grocery stores).

Insects and diseases are hitch hikers.
Many insects and diseases can be spread by moving firewood. To be safe, do not transport firewood to another town.

Trimmings

Check with your city or town for compost sites that accept tree branches and leaves.

Leaves

If you live in the city, keep leaves out of the street to avoid clogging storm sewers and polluting water (nutrients from leaves get leached into the storm drains, which typically lead directly to lakes and rivers). Leaves can be used as mulch around your trees and in your garden beds or taken to your city's compost site. Check with your city to find out if they will collect leaves left on the curb in the autumn.

Decide on the type of tree

TIP: Visit http://orb.at.ufl.edu/TREES/ to find trees that will fit your site.

Check for aboveground and belowground conflicts (p. 4-5). Then examine these important factors:

Location
If within 25 feet of overhead utility wires, choose a tree that will not get taller than 30 feet.

Cold Hardiness
Find your cold hardiness zone by contacting the University Extension Service, garden center, or at: www.usna.usda.gov/Hardzone. Select a tree with a number the same or less than your zone.

Soil Drainage
Check how quickly water soaks into the ground by digging a hole 18 inches deep and filling it with water. Let it drain completely. Refill it with water, and time how long it takes for the water to drain.

Less than 2 hours = Very Fast
18 hours or more = Very Slow

Soil pH
Use a pH meter (for sale at garden centers) or get a soil test (contact University Extension Services).

Sun Exposure
Is the area mostly sunny, mostly shady, or partly sunny?

Fill out the following worksheet to help choose a tree for your site.

Cold Hardiness Zone (write in)

_____

Soil Drainage (circle one):



Very fast Medium Very slow

Soil pH (circle one):

5.5 6.0 6.5 7.0 7.5 8.0 8.5

Acidic Alkaline

Sun Exposure (circle one):

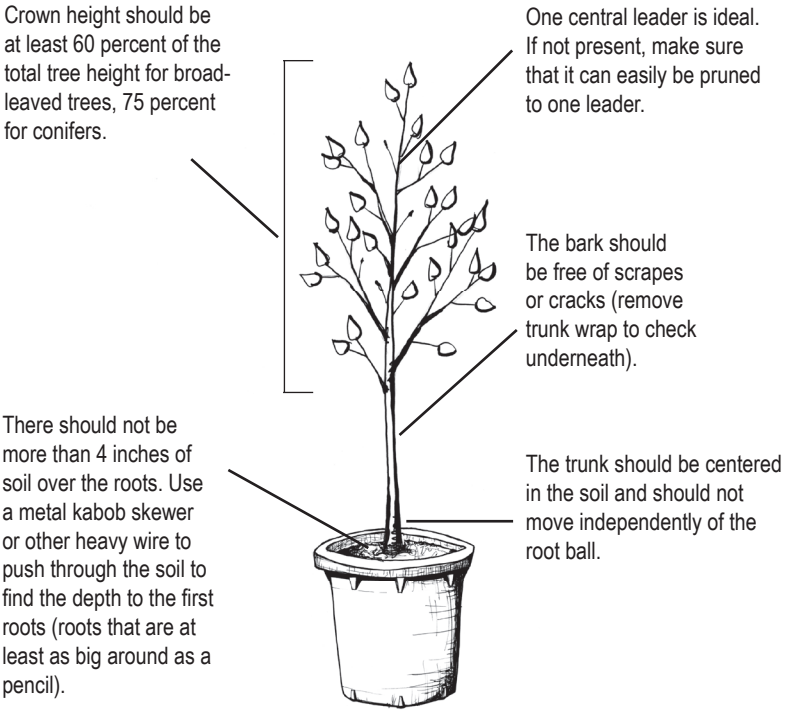


Mostly sunny Morning or afternoon sun Mostly shady

Desired tree features (check all):

- ❑ Spring flowers
- ❑ Summer flowers
- ❑ Autumn leaf color
- ❑ Attract birds
- ❑ No messy fruit
- ❑ Provide shade
- ❑ Short
- ❑ Medium
- ❑ Tall

Select a high-quality tree at the nursery



Additional Sources of Information

Tree Owner's Manual Web site	www.treeownersmanual.info
Your State Forestry Agency	www.stateforesters.org/SFlist.html
International Society of Arboriculture	www.treesaregood.org
University Extension Service	www.eXtension.org
TreeLink	www.treelink.org
American Forests	www.americanforests.org
Arbor Day Foundation	www.arborday.org
Tree Care Industry Association	www.treecareindustry.org
Forest Service	www.na.fs.fed.us/urban

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Transporting Your Tree

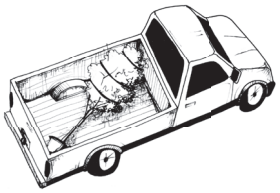
Moving your tree is easiest if the branches are tied.

Do not lift by the trunk if the roots are packaged with soil in a container or burlap. Instead, lift the root ball (see the sidebar on How to Move Your Tree, p. 6).

If your tree has leaves and will be sticking out the back of a vehicle, the crown should be wrapped with a sheet, tarp, or burlap.

Wrap branches with a sheet or tarp!

Tree fits in bed



Tree hangs out back of vehicle



Storing Your Tree Until Planting

Keep the soil around the roots moist to the touch. Store in a shady spot.

For bare root trees, pack wet newspapers, sawdust, or mulch around the roots, and wrap them in a big plastic bag. Plant the tree as soon as possible (within 2 days). The biggest risk to bare root trees is the roots drying out.

For balled-and-burlapped or containerized trees, if you cannot plant the tree within 24 hours, water the roots well and either cover the entire root ball with mulch or wrap the root ball in plastic or a tarp. Keep the soil moist to the touch.

Before you leave the Nursery or Garden Center, write down:

- **Where tree was purchased**
- **Date of purchase**
- **Warranty period (years)**
- **Type of tree (species)**
- **Mature height and width**

Inorganic mulches

Inorganic mulches, often of stone or plastics, tend to stay in place, do not rob the soil of nitrogen, and do not harbor weed seeds. However, they have numerous disadvantages when used in the garden. Stone mulches can migrate down into the soil in time, making future digging difficult. Light-colored stones can reflect heat onto plants, scorching sensitive plants. Stones also tend to work free of beds and can be thrown by lawn mowers, potentially causing injury. Perhaps the greatest disadvantage, however, is that these mulches do not contribute organic matter to your soil.

- ***Crushed stone, gravel, volcanic rock***. These mulches are available in a wide variety of textures, colors, and materials and are used in rock gardens, driveways, and walkways. Think carefully and make sure you really want this type of mulch before putting it in place, because these mulches are more or less permanent. It is best to underlay these mulches with landscape fabric to reduce movement of stones into the soil. Once gravel becomes mixed with the soil, it is nearly impossible to get it out. Many gravel and stone mulches are made from limestone and cannot be used around rhododendrons, mountain laurels, and other acid-loving plants. When leaves, twigs, and other debris fall into coarse rock mulches, they are difficult to remove and can make the mulch considerably less attractive.
- ***Plastics***. Plastic works well for keeping weeds down and retaining soil moisture. Although it prevents water from leaving the soil, it also prevents it from entering the soil-making it unsuitable for landscape plantings that depend on rainfall for their water. Plastic is best reserved for vegetable gardens where irrigation systems can be placed under the plastic and bare spaces left between rows to allow water entry into the soil.
- ***Geotextiles.*** These are fabric mulches of polypropylene or polyester. They work much as plastic does, but allow water and fertilizer to enter the soil. For the best weed suppression, choose closely woven geotextiles. Generally the fabric is placed on weed-free ground and covered with another mulch, such as wood chips, to improve its appearance, keep it in place, and reduce damage to the fabric by the sun's rays. With these mulches, it is important to remove weeds as soon as they are noticed. Otherwise, roots can grow right through the fabric and become very difficult to pull.

For more information on selection, planting, cultural practices, and environmental quality, contact your local Virginia Cooperative Extension Office. If you want to learn more about horticulture through training and volunteer work, ask your Extension agent about becoming an Extension Master Gardener. For monthly gardening information, subscribe to *The Virginia Gardener Newsletter* by sending your name and address and a check for $5.00 made out to "Treasurer, Va. Tech" to The Virginia Gardener, Department of Horticulture, Virginia Tech, Blacksburg, VA 24061-0349. Horticultural information is also now available on the Internet by connecting with Virginia Cooperative Extension's server at http://www.ext.vt.edu

The original development of this series was funded by ESUSDA Smith Lever 3(d) National Water Quality Initiative Funds and the Virginia Department of Conservation and Recreation, Division of Soil and Water Conservation.



www.ext.vt.edu Publication 426-724

Produced by Communications and Marketing, College of Agriculture and Life Sciences, Virginia Polytechnic Institute and State University, 2009

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Virginia Gardener

Mulching for a Healthy Landscape



Virginia Cooperative Extension

VirginiaTech
Invent the Future

VIRGINIA STATE UNIVERSITY

Mulching for a Healthy Landscape

For as long as trees have grown in forests, leaves and needles have fallen to the ground and formed a natural protective layer over the soil. This same protection can be given to the plants in our landscapes by mulching. Mulching can make a big difference in the success of your landscape. **Mulches conserve soil moisture, allowing you to water less often; keep down weeds; reduce erosion; keep plant roots cool; provide winter protection; and make your yard more attractive.**

Mulches also simplify lawn mowing around trees and shrubs. A ring of mulch allows you to bring your lawn mower right up to the edge of the mulch, eliminating the need for string weeders. At the same time you are protecting tree trunks and surface roots from damage by mowing and clipping equipment.

Selecting the best mulch for your needs

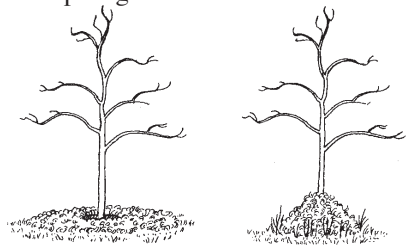
Many materials can be used for mulching. How do you decide which mulch is best for you? All mulches have different characteristics, some of which may be advantages in some situations and disadvantages in others. See the list of mulches in this brochure for information on individual mulches. Before choosing a mulch, however, consider how you will use it.

- ***Summer mulches***. Summer mulches are in place during the growing season and are used primarily for flowers and vegetables. Their roles are to retain moisture, reduce weed growth, and moderate soil temperatures. Summer mulches are often left in place through the winter to reduce erosion. For perennial plants, they can also be supplemented by winter mulches.
- ***Winter mulches.*** Mulches used primarily to protect shrubs and flowers from severe winter temperatures and frost heaving are called winter mulches. They are laid down in late fall and serve as insulation during the winter.
- ***Permanent mulches.*** Permanent mulches are used where mulch is desired year round and does not need to be disturbed-for example, in paths and around trees and shrubs. If organic material is used, .permanent" mulches will still need to be replenished annually.

How to mulch

Summer mulches for annual flowers and vegetable gardens are normally applied in midspring, once the soil has warmed enough for active root growth. For best weed suppression in a perennial border, apply mulch in early spring, before the forsythia blooms. For best results, remove any existing weeds before applying mulch. Mulches applied for winter protection should be laid down ‘in early winter, once the soil has cooled but before it has frozen.

For trees and shrubs, spread mulch evenly to a depth of 2 to 3 inches. For trees and shrubs in beds, mulch the entire bed. For those in a lawn, mulch a wide ring (extending from 3 to 6 feet out from the trunk) around each plant. Never pile mulch against tree trunks. Pull mulch back away from the trunk about an inch or so. As organic mulches decompose, they may need to be replenished somewhat every year; but don’t let mulch build up to depths greater than about 4 inches.



Mulch properly applied *Mulch too deep*

For flower beds, mulch can be applied up to 3 inches deep (after settling), but should be kept pulled back slightly from plant stems. Mulches should thoroughly cover an area to a uniform depth to be most effective. Low or bare spots are prone to weed problems.

Organic mulches

Mulches made from plant material are organic mulches. Over time, organic mulches will decompose and become part of the soil. This is a great advantage, because this decomposition adds organic matter to your soil, helping the soil to better retain water and nutrients-giving you healthier plants. This means, however, that organic mulches will have to be replenished from time to time.

- ***Bark.*** Bark mulches are usually made from the by-products of pine, cypress, or hardwood logs. Most common are shredded bark and bark chunks. Bark mulches resist compaction, will not blow away, are very attractive, and are readily available. Some shredded barks, such as cypress, decompose slowly.

  Bark chunks (also called nuggets or decorative bark) decompose most slowly but do tend to wash away.

- ***Wood chips.*** Wood chips are made from many different kinds of trees. Wood chips make an excellent mulch that resists compaction, stays put, and weathers to an attractive silvery-gray color. In addition, they are often available from municipalities or utility companies for little or no cost. However, such “bargain” mulches are likely to contain seeds from trees and other plants that can sprout and create weed problems. Also beware of such mulches that have not been properly aged or composted. Mulch that has not been aged can be toxic to plants due to the formation of organic acids during the decomposition process, and, if placed too close to tender stems, will harm or kill plants. Purchasing mulch from a reputable dealer who has monitored the decomposition process to achieve a high quality, aged product will do a lot to ensure that your valuable plants will not be harmed.
- ***Sawdust.*** Sawdust is often readily available and may be helpful in acidifying the soil around rhododendrons and other acid- loving plants. Sawdust is a poor choice in most situations, however, as weed seeds easily sprout in the mulch. It also tends to cake, making it harder for water to soak into the ground. Sawdust is low in nitrogen, so it robs nitrogen from the soil as it decomposes. Therefore, more nitrogen fertilizer may be needed. A 3- to 6-inch layer of sawdust does work well, however, for mulching pathways.
- ***Straw.*** Straw makes a good winter mulch or mulch for the vegetable garden. It is inexpensive, suppresses weeds, conserves moisture, and insulates well. On the other hand, it is not very attractive, may contain crop seeds, and is extremely flammable. It is important to purchase “straw” rather than “hay,” as hay contains many weed seeds. Mulch 6 to 8 inches deep.
- ***Pine straw.*** Pine needles are attractive, decompose slowly, resist compaction, and are easy to work with. They are often available commercially or are free if you have pine trees on your property.
- ***Shredded leaves.*** Leaves that have been shredded with a composting mower are sometimes used as a summer mulch, although they decompose very quickly. Whole leaves can be used instead, but they tend to mat together and block water movement into the soil.
- ***Newspaper.*** Three layers of newspaper can effectively keep down weeds, especially in the vegetable garden. To keep the paper from blowing away, weight it down using another mulch or other means. Shredded newspaper also works well.

APPENDIX 6

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

DATE: March 18, 2026

TO: Members, Planning Commission
Members, Board of Supervisors

FROM: Agricultural and Forestal District Advisory Committee

SUBJECT: Recommendations on the Hickox Local Agricultural and Forestal District Application AFR 2025-SU-00003

The Agricultural and Forestal District Advisory Committee met on March 18, 2026, to review the application to renew the Hickox Local Agricultural and Forestal District (Application AFR 2025-SU-00003). The Committee found the following:

- The Hickox Local Agricultural and Forestal District meets the minimum district size contained in Section 115-3-2;

- The Hickox Local Agricultural and Forestal District conforms with the Policy and Purpose of Chapter 115 of the Fairfax County Code;

- The Hickox Agricultural and Forestal District fulfills all applicable Group A criteria and four of the criteria in Group B, namely, scenic vistas, the sale of farm products, zoned to the R-C district, and historically significant sites.

The Agricultural and Forestal District Advisory Committee unanimously recommends that Appendix F of the Fairfax County Code be amended to renew the Hickox Local Agricultural and Forestal District for an additional eight-year term. The Advisory Committee further recommends that the renewal of this District be subject to the Code Provisions which are contained in Appendix 1 of the staff report.

AN ORDINANCE AMENDING CHAPTER 115 OF THE FAIRFAX COUNTY CODE, RELATING TO LOCAL AND AGRICULTURAL FORESTAL DISTRICTS.

AN ORDINANCE to amend the Fairfax County Code by amending and readopting Sections 115-1-3, 115-2-1, and 115-4-7 relating to authority, definitions, and criteria regarding local and agricultural forestal districts.

Adopted December 3, 2024

Be it ordained by the Board of Supervisors of Fairfax County:

1. **That Sections 115-1-3, 115-2-1, and 115-4-7 of the Fairfax County Code are amended and readopted as follows:**

ARTICLE 1. In General.

Section 115-1-1. Short title.

This chapter may be referred to as to "Local Agricultural and Forestal Districts Ordinance" of the County of Fairfax and is to become effective June 30, 1983.

Section 115-1-2. Policy and purpose.

It is the policy of Fairfax County to conserve and protect and to encourage the development and improvement of its important agricultural and forest lands for the production of food and other agricultural and forest products. It is also Fairfax County policy to conserve and protect agricultural and forest lands as valued natural and ecological resources which provide essential open spaces for clean air sheds, watershed protection, wildlife habitat, aesthetic quality, and other environmental purposes. It is the purpose of this Chapter to provide a means by which Fairfax County may protect and enhance agricultural and forest lands of local significance as a viable segment of the Fairfax County economy and as an important economic and environmental resource.

Section 115-1-3. Authority.

The authority for the establishment of a program of local agricultural and forestal districts in Fairfax County is derived from Title 15.2, Chapter 44 of the *Code of Virginia*, entitled the "Local Agricultural and Forestal Districts Act."

ARTICLE 2. Definitions.

Section 115-2-1. [Definitions.]

(a) *Advisory committee shall mean the Agricultural Forestal Districts Advisory Committee.*

(b) *Agricultural and forestal district* shall mean a district created under this Chapter which contains land in agricultural use, or forestal use, or both uses.

(c) *Agricultural products* shall mean crops, livestock, and livestock products which shall include, but not be limited to, the following:

(1) Field crops, including corn, wheat, oats, rye, barley, hay, tobacco, peanuts, potatoes and dry beans.

(2) Fruits, including apples, peaches, grapes, cherries and berries.

(3) Vegetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.

(4) Horticultural specialties, including nursery stock, ornamental shrubs, ornamental trees and flowers.

(5) Livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, fur-bearing animals, milk, eggs and furs.

(d) *Agricultural production* shall mean the production for commercial purposes of crops, livestock and livestock products, but not land or portions thereof used for processing or retail merchandising of such crops, livestock or livestock products.

(e) *Agriculturally significant land* shall mean land that has historically produced agricultural products, or land that an advisory committee considers good agricultural land based upon factors such as soil quality, topography, climate, agricultural product markets, farm improvements, agricultural economics and technology, and other relevant factors.

(f) *Agricultural use* shall mean all agricultural and horticultural uses as defined in Chapter 4, Article 19, Section 4-19-2, of the Fairfax County Code.

(g) *District* shall mean an agricultural and forestal district.

(h) *Forestal products* shall include, but are not limited to, lumber, pulpwood, posts, firewood, Christmas trees and other wood products for sale or for farm use.

(i) *Forestally significant land* shall mean land that has historically produced forestal products, or land that an advisory committee considers good forest land based upon factors such as soil quality, topography, climate, forest product markets, forest improvements, forestry economics and technology, environmental quality and other relevant factors.

(j) *Forestal use* shall mean forestal use as defined in Chapter 4, Article 19, Section 4-19-2, of the Fairfax County Code.

(k) *Landowner* or *owner of land* shall mean any person holding a fee simple interest in property but shall not include the holder of an easement.

(l) *Person* shall mean any individual person, administrator or executor of an estate, partnership, association, corporation or other legal entity.

ARTICLE 3. District Applications.

Section 115-3-1. Application initiation.

(a) Any owner or owners of land may submit an application to the Board of Supervisors for the establishment of local agricultural and forestal district within Fairfax County.

(b) All owners shown on the deed of any parcel proposed for inclusion in the district must sign the application form and thereby evidence their desire for that parcel to be included in the district.

Section 115-3-2. Minimum district size, district boundaries.

An agricultural and forestal district shall be comprised of no less than 20 acres, all of which shall be located in Fairfax County.

ARTICLE 4. Process for Review of Application.

Section 115-4-1. Submittal of district applications, referral to Planning Commission.

(a) The application shall be submitted to the Board of Supervisors in such form as prescribed in Sections 115-8-2 of this Chapter.

(b) Upon the acceptance of such application, it shall be referred to the Planning Commission.

Section 115-4-2. Initial notice required upon receipt of application.

(a) The Planning Commission or its designee shall, within 30 days after acceptance of an application, provide initial notice of the filing of a district application by publishing a notice in a newspaper having general circulation within Fairfax County and by posting such notice in three conspicuous places within Fairfax County, at least one of which is located within or at the boundary of the proposed district.

(b) Such notice shall state:

(1) That an application for an agricultural and forestal district of local significance has been submitted to the Fairfax County Board of Supervisors;

(2) That a copy of the application is on file and open to public inspection in the office to the Clerk to the Board;

(3) That any proposals for modifications of the district shall be filed within 30 days of the date of the notice;

(4) That any owner included in the application may withdraw his land, in whole or in part, at any time, until the Board of Supervisors makes a final decision as to the establishment of the district;

(5) That the Agricultural and Forestal Districts Advisory Committee shall review the application and shall submit a report, with recommendations, to the Planning Commission. If known at the time the initial notice is published and posted, such

notice shall also include the date, time and location where the Advisory Committee shall review the application; and

(6) That the dates, times and location of the public hearing before the Planning Commission and Board of Supervisors are as stated therein, or, if not so stated in the notice, such information shall subsequently be published and posted in three conspicuous places within Fairfax County, at least one of which is located within or at the boundary of the proposed district, within 30 days after the date of initial notice.

(c) A copy of the application shall be on file and open to public inspection in the office to the Clerk to the Board on or prior to the date that the initial notice is published.

Section 115-4-3. Modifications to proposed districts.

(a) Once an application has been accepted pursuant to Section 115-3-1, any proposed modifications to the proposed district, including additions, shall be filed within 30 days after the date the initial notice is published pursuant to Section 115-4-2; provided, however, that any owner included in the application may withdraw his land, in whole or part, at any time until the Board of Supervisors makes a final decision as to the establishment of the district pursuant to Section 115-4-6.

(b) Modifications to add land area may be proposed by submitting an application and payment of the fee as prescribed under Sections 115-8-2 and 115-8-3 of this Chapter. Withdrawals from the application will be effectuated upon submission of a written notice signed by at least one ~~(1)~~ owner of each parcel to be withdrawn.

(c) After a district has been established, a separate application for the addition of contiguous qualifying lands to be including in the established district may be submitted.

Section 115-4-4. Referral to the Advisory Committee.

(a) After 30 days have passed following the date the initial notice is published pursuant to Section 115-4-2, the application shall be referred to the Advisory Committee established by the Board under Article 7 of this Chapter.

(b) The Advisory Committee shall review the application and shall submit a report, including recommendations, to the Planning Commission.

(c) In preparing the recommendation, the Advisory Committee shall consider the criteria set forth under Article 5 of this Chapter and any proposal for modification which may have been submitted pursuant to Section 115-4-3.

Section 115-4-5. Public hearing and review by the Planning Commission.

(a) After receiving the report of the Advisory Committee, and a report from the County staff, the Planning Commission shall hold a public hearing as prescribed in Section 115-4-7.

(b) After the public hearing, the Planning Commission shall review the application and shall submit a recommendation to the Board of Supervisors.

(c) In preparing the recommendation, the Planning Commission shall consider the criteria set forth under Article 5 of this Chapter.

Section 115-4-6. Public hearing and decision by the Board of Supervisors.

(a) The Board of Supervisors, after receiving the reports and recommendations of the County staff, the Planning Commission and the Advisory Committee shall hold a public hearing as prescribed in Section 115-4-7, and after such public hearing may approve the application or a modification of the application to establish a district by the adoption of a district ordinance as described below, or deny the application, as it deems appropriate.

(b) In making its decision, the Board shall consider the criteria set forth under Article 5 this Chapter.

(c) In adopting a modification of an application, the Board may subtract lands from the application that has been subject to the review process prescribed in this Article. Any additional lands proposed for inclusion in a district shall be included in a separate application subject to the full review process prescribed in this Article.

(d) No district ordinance shall be adopted establishing a local district which does not meet the minimum requirements as set forth in Section 115-3-2 of this Chapter.

(e) The Board shall act to adopt or deny the application no later than one year from the date the initial application was accepted.

Sec. 115-4-7. Public hearing procedures.

Public hearings required to be held by the Planning Commission and Board of Supervisors shall be conducted in the following manner:

(a) No public hearing as required by the provisions of this Chapter shall be held unless documented evidence can be presented that the following notice requirements have been satisfied.

(b) The subject of the public hearing need not be advertised in full but may be advertised by reference. Every such advertisement shall contain a reference to the place or places within the County where copies of the subject of the hearing may be examined.

(c) The hearing shall be held where the Board usually meets or at a place otherwise readily accessible to the proposed district.

(d) Public notice of any hearing held shall be published as required by Virginia Code Sect. 15.2-4405.

(e) The hearing body shall submit written notice to the property owner(s) of each parcel involved such to be postmarked at least 20 days before the day of the hearing. Such written notice shall be by certified mail, return receipt requested, delivered to the last-known address of such owner(s) as shown on the current real estate tax assessment books.

(f) The Zoning Administrator shall, at least 15 days before the date of the first hearing, post on the land involved in any application a notice of the public hearing. Said notice(s) shall be removed no later than seven days after the conclusion of the last hearing to which they pertain.

(1) Said notice shall be posted at reasonable intervals along every street abutting the subject property, or, if there is no abutting street, then along the exterior boundary lines of the subject property and within a distance of 300 feet along every street providing access thereto.

(2) Said notice shall contain the date, location, and time of the public hearing, a description of the application, and such other information as may be necessary to provide adequate identification of the application, and additionally, where further information on the application may be obtained.

(g) The applicant(s) shall send written notice to all owners of the property abutting and immediately across the street from the subject property. If such property owners total less than ~~ten (~~10~~)~~, then written notice shall be given to other property owners in the immediate vicinity so that notices are sent to not less than 10 owners.

(1) Such written notice shall state the date, time and place of the public hearing, a description of the application, the location and size of the district, and the name of the applicant(s).

(2) Such written notice shall be sent by certified mail, return receipt requested, and postmarked not less than 15 days prior to the hearing, to the last-known address of the owner(s) as shown on the current real estate assessment books.

Section 115-4-8. Provisions of local district ordinances.

Any district ordinance adopted by the Board in order to establish or renew an agricultural and forestal district shall include the following provisions:

(a) 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 or to prevent the construction of one 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;

(b) 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 adopting of the original district ordinance;

(c) That land used in agricultural and forestal production within the agricultural and forestal district of local significance shall automatically qualify for an agricultural or forestal value assessment on such land pursuant to Chapter 4, Article 19 of the Fairfax County Code and to *Code of Virginia*, Section 58-769.4 et seq., if the requirements for such assessment contained therein are satisfied;

(d) 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 of land shall be included in any agricultural and forestal district of local significance without such owner's written approval; and

(e) Any other provisions to the mutual agreement of the landowner and the Board of Supervisors that further the purpose of this Chapter.

Section 115-4-9. Renewal of local districts.

(a) Local districts may be renewed by the adoption by the Board of Supervisors of a district ordinance as described in Section 115-4-8.

(b) No land may be included in a renewed district without the written approval of all the owners of such land. Notice of such approval shall be given by the completion, signing and submission of an application as provided in Article 8 of this Chapter. Such application should be submitted at least six months before the expiration date of the existing district which is to be considered for renewal, but in no case shall it be submitted later than 60 days before such expiration date.

(c) When a renewal application has been submitted and accepted, the procedures outlined in Article 4 of this Chapter shall be used to review such application.

(d) If no renewal application is submitted and accepted by the deadline required in Section 115-4-9(b), the district shall not be renewed; however, owners formerly in a district may reapply pursuant to Section 115-3-1 at any time.

(e) If a renewal application signed by all owners of parcels proposed for inclusion in a renewed district is submitted and accepted by the deadline required in Section 115-4-9(b), but the Board of Supervisors fails to act on the application by the expiration date of the district, such district, including only those parcels proposed for renewal, shall continue; and all provisions of the district ordinance and this Chapter shall apply until such time as the Board of Supervisors makes its decision whether or not to renew the district as proposed.

(f) If a district is not renewed, the lands that were formerly in the district shall no longer be restricted in use as required by the district ordinance, shall no longer qualify for an agricultural or forestal value assessment, nor shall other provisions of the district ordinance any longer apply to such lands.

ARTICLE 5. Criteria for Establishment, Modification, Renewal or Termination of a District.

Section 115-5-1. Criteria.

The following criteria will be used as a guide in recommendations and decisions on whether to establish, modify, renew, continue or terminate local agricultural and forestal districts:

Criteria Group A: All the following criteria should be met by all proposed districts:

(1) All district acreage should be currently devoted to agricultural use or forestal use or should be undeveloped and suitable for such uses, except that a reasonable amount of residential or other use, related to the agricultural or forestal use and generally not more than five acres per district, may be included.

(2) All lands in the district should be zoned to the R-C, R-A or R-E District.

(3) The district should be consistent with the Comprehensive Plan. The following land uses identified in the Plan are appropriate for a district: .1-.2 dwelling unit per acre, .2 dwelling unit per acre, .2-.5 dwelling unit per acre, .5-1 dwelling unit per acre, Private Recreation, Private Open Space, Public Park, Agriculture, Environmental Quality Corridor. Lands not planned as such may be considered for a district if they meet at least three of Criteria Group B.

(4) A majority of the surrounding land within one-quarter mile of the district should be planned according to the Comprehensive Plan for uses identified in (a)(3), above. Exceptions may be made for lands located at the edge of a planned growth area or which meet at least three of the criteria of Criteria Group B, if no conflicts with surrounding uses, existing and planned, are evident or likely.

(5) All farms to be included in a district should be at least 20 acres in size. A farm may include several parcels of land; however, all parcels must have the same owner or else owners must be members of the same immediate family or a family trust or family corporation. A farm must include at least 15 acres of land in agricultural use. A farm may include noncontiguous parcels within one mile of the core acreage (the largest parcel or group of contiguous parcels or the parcel where the farm buildings are located) as long the noncontiguous parcels are predominately agricultural in use and as long as the total acreage of each individual farm (including contiguous and noncontiguous lands) is at least 20 acres.

(6) All other properties not included in a farm as defined in (a)(5), that is, forested and partially forested properties, and properties with less than 15 acres in agricultural use, should be at least 20 acres in size. These properties may contain several parcels; but all parcels must be contiguous, and all must have the same owner, or else owners must be members of the same family or a family trust or family corporation.

(7) Approximately two-thirds of the land in agricultural use in the district should contain Class I, II, III or IV soils as defined by the USDA Soil Conservation Service. Districts having more than one-third of the land in agricultural use containing Classes V—VIII soils may be considered if such lands have been improved and managed to reduce soil erosion, maintain soil nutrients, and reduce nonpoint source pollution.

(8) Agricultural land in the district should be used in a planned program of soil management, soil conservation and pollution control practices which is intended to reduce or prevent soil erosion, maintain soil nutrients, control practices which is intended to reduce or prevent soil erosion, maintain soil nutrients, control brush, woody growth and noxious weeds on crop land, hay land and pasture land, and reduce nonpoint source pollution. Exceptions to this criterion may be made only for those agricultural lands which upon initial application for the establishment of a district are not used in such a program but for which a conservation plan is being prepared or has been requested from the Northern Virginia Soil and Water Conservation District.

(9) Forest land and undeveloped land in the district should be kept in an undisturbed state, or if periodically harvested or experiencing erosion problems, shall be used in a planned program of soil management, soil conservation and pollution control practices which is intended to reduce or prevent soil erosion, maintain soil nutrients and reduce nonpoint source pollution. Exceptions to this criterion may be made only for those lands which upon initial application for the establishment of a district are not used in such a program but for which a conservation plan is being prepared or has been requested from the Northern Virginia Soil and Water Conservation District or the Virginia Division of Forestry.

(10) There should be evidence of a history of investment in farm or forest improvements or other commitments to continuing agricultural or forestal use in the district. In particular, districts with no history of investments in farm or forest improvements must evidence a firm commitment to agricultural or forest use for at least the life of the district.

(b) *Criteria Group B:* In addition to meeting all of the Criteria for Group A, all properties in the district should meet as well at least two of the following criteria:

(1) Farm and/or forest products have been regularly produced and sold from the property during the last five years.

(2) The land provides scenic vistas, improves the aesthetic quality of views from County roads or contributes to maintaining the existing rural character of an area.

(3) The property contains an historically and/or archaeologically significant site which would be preserved in conjunction with the establishment of a district. A site that is listed on the Federal Registry of Historic Places, the State Registry of Historic Places and/or the County Inventory of Historic Places will be considered historically and/or archaeologically significant. A property which contains a site that is considered to be archaeologically significant by the County Archaeologist, or is located in an area with a high potential for archaeological sites, provided that the property owner has agreed to permit the County Archaeologist access to the site, may also be considered historically and/or archaeologically significant.

(4) Farming or forestry operations practice unique or particularly effective water pollution control measures (BMP's).

(5) The land is zoned R-A or R-C.

(6) The land is entirely in a permanent open space easement.

ARTICLE 6. Discontinuance of Association in a District.

Section 115-6-1. Discontinuance of association during initial review of district application.

Any owner included in a district application may withdraw his land, in whole or in part, at any time during the initial application review process until the Board makes a final decision as to the constitution of the district pursuant to Article 4, Section 115-4-6 of this Chapter. Notice of

such termination shall be made in written form and shall be submitted to the Zoning Administrator.

Section 115-6-2. Discontinuance of association after the creation of a district.

(a) At any time after the creation of a district, any owner of land lying in such district may file with the Zoning Administrator a written notice of termination. Upon filing of such notice, the termination shall be effective.

(b) Upon termination of an owner's association with any district created pursuant to this Chapter, the real estate previously included in such district shall be subject to roll-back taxes, as are provided in Section 58-769.10 of the *Code of Virginia*, and also a penalty in the amount equal to two times the taxes determined in the year following the withdrawal from the district on all real estate previously included in the district.

(c) Upon termination of an owner's association with a district, no provisions of the ordinance which established the district shall any longer apply to the lands previously in the district which were withdrawn.

(d) The termination of any owner's association in a lawfully constituted district shall not itself serve to terminate the existence of the district. Such district shall continue in effect and be subject to review as to whether it should be terminated, modified or contained pursuant to Article 4 of this Chapter.

ARTICLE 7. Agricultural and Forestal Districts Advisory Committee.

Section 115-7-1. Establishment of an Advisory Committee.

The Agricultural and Forestal Districts Advisory Committee established by the Board pursuant to Title 15.2, Chapter 44, shall also serve as the Agricultural and Forestal Districts Advisory Committee for local districts.

Section 115-7-2. Committee organization and terms.

(a) The advisory Committee shall meet and organize itself by electing a chairman, a vice-chairman and electing or appointing a secretary, who need not be a member of the Committee.

(b) Advisory Committee members shall serve at the pleasure of the Board.

Section 115-7-3. Committee payment.

The Advisory Committee shall serve without pay, but the Board may reimburse each member for actual and necessary expenses incurred in the performance of his or her duties.

Section 115-7-4. Committee duties.

The Advisory Committee shall advise the Board and the Planning Commission regarding the proposed establishment, modification, renewal, continuation and termination of agricultural and forestal districts. In particular, the Advisory Committee shall render expert advice relating to

the desirability of such actions including advice as to the nature of farming and forestry and farm and forest resources within the proposed district and surrounding area and the relation of such activities in the district to the entire County.

ARTICLE 8. Administration, Forms and Fees.

Section 115-8-1. Administration.

All applications and fees shall be submitted to the Zoning Administrator.

Section 115-8-2. Application forms and submission requirements.

(a) Initial, amendment and renewal applications shall not be accepted until the following items have been submitted in proper form:

(1) An application form which provides such information as the total district acreage, the tax map parcel numbers for all parcels included in the application, the acreage of each parcel, the names and addresses of all owners, affidavits, signatures of all owners, date of application acceptance.

(2) The most recently published County 500-scale zoning map(s) showing all parcels in the application and indicating the location of the farmhouse(s), outbuildings, cropland, pastureland, forest land, and access points to public roads.

(3) A metes and bounds description of any partial parcel(s).

(4) A plat of any partial parcel(s) included in the application.

(5) A written explanation of how the district meets the criteria for districts listed in Section 115-5-1.

(b) When a district is being reviewed as to whether it should be continued after one or more property owners have terminated their participation in a district, no application is required to be submitted by landowners remaining in the district; except in cases where part of a parcel is to be removed, and in such cases, a metes and bounds description and a plat of each remaining partial parcel must be submitted by the owner of the parcel(s).

Section 115-8-3. Fees.

A fee of Fifty Dollars ($50.00) will be required for initial, amendment and renewal application.

ARTICLE 9. Districts Established Under This Chapter.

Section 115-9-1. District ordinances.

Ordinances establishing specific local agricultural and forestal districts are listed as Appendix F. Any references to the Department of Planning and Zoning, or DPZ are deemed to mean the Department of Planning and Development or DPD, on or after July 1, 2019.

APPLICABLE SECTIONS OF THE CODE OF VIRGINIA,
TITLE 58.1, CHAPTER 32 – REAL PROPERTY TAX
(current as of January 28, 2016 –
refer to online version of the Code for up-to-date information)

§ 58.1-3230. Special classifications of real estate established and defined.

For the purposes of this article the following special classifications of real estate are established and defined:

"Real estate devoted to agricultural use" shall mean real estate devoted to the bona fide production for sale of plants and animals useful to man under uniform standards prescribed by the Commissioner of Agriculture and Consumer Services in accordance with the Administrative Process Act (§ 2.2-4000 et seq.), or devoted to and meeting the requirements and qualifications for payments or other compensation pursuant to a soil conservation program under an agreement with an agency of the federal government. Prior, discontinued use of property shall not be considered in determining its current use. Real estate upon which recreational activities are conducted for a profit or otherwise shall be considered real estate devoted to agricultural use as long as the recreational activities conducted on such real estate do not change the character of the real estate so that it does not meet the uniform standards prescribed by the Commissioner. Real property that has been designated as devoted to agricultural use shall not lose such designation solely because a portion of the property is being used for a different purpose pursuant to a special use permit or otherwise allowed by zoning, provided that the property, excluding such portion, otherwise meets all the requirements for such designation. The portion of the property being used for a different purpose pursuant to a special use permit or otherwise allowed by zoning shall be deemed a separate piece of property from the remaining property for purposes of assessment. The presence of utility lines on real property shall not be considered in determining whether the property, including the portion where the utility lines are located, is devoted to agricultural use. In determining whether real property is devoted to agricultural use, zoning designations and special use permits for the property shall not be the sole considerations.

"Real estate devoted to horticultural use" shall mean real estate devoted to the bona fide production for sale of fruits of all kinds, including grapes, nuts, and berries; vegetables; and nursery and floral products under uniform standards prescribed by the Commissioner of Agriculture and Consumer Services in accordance with the Administrative Process Act (§ 2.2-4000 et seq.), or real estate devoted to and meeting the requirements and qualifications for payments or other compensation pursuant to a soil conservation program under an agreement with an agency of the federal government. Prior, discontinued use of property shall not be considered in determining its current use. Real estate upon which recreational activities are conducted for profit or otherwise shall be considered real estate devoted to horticultural use as long as the recreational activities conducted on such real estate do not change the character of the real estate so that it does not meet the uniform standards prescribed by the Commissioner. Real property that has been designated as devoted to horticultural use shall not lose such designation solely because a portion of the property is being used for a different purpose pursuant to a special use permit or otherwise allowed by zoning, provided that the property, excluding such portion, otherwise meets all the requirements for such designation. The portion of the property being used for a different purpose pursuant to a special use permit or otherwise allowed by zoning shall be deemed a separate piece of property from the remaining property for purposes of assessment. The presence of utility lines on real property shall not be considered in determining whether the property, including the portion where the utility lines are located, is devoted to horticultural use. In determining whether real property is devoted to horticultural use, zoning designations and special use permits for the property shall not be the sole considerations.

"Real estate devoted to forest use" shall mean land, including the standing timber and trees thereon, devoted to tree growth in such quantity and so spaced and maintained as to constitute a forest area under standards prescribed by the State Forester pursuant to the authority set out in § 58.1-3240 and in accordance with the Administrative Process Act (§ 2.2-4000 et seq.). Prior, discontinued use of property shall not be considered in determining its current use. Real estate upon which recreational activities are conducted for profit, or otherwise, shall still be considered real estate devoted to forest use as long as the recreational activities conducted on such real estate do not change the character of the real estate so that it no longer constitutes a forest area under standards prescribed by the State Forester pursuant to the authority set out in § 58.1-3240. Real property that has been designated as devoted to forest use shall not lose such designation solely because a portion of the property is being used for a different purpose pursuant to a special use permit or is otherwise allowed by zoning, provided that the property, excluding such portion, otherwise meets all the requirements for such designation. The portion of the property being used for a different purpose pursuant to a special use permit or otherwise allowed by zoning shall be deemed a separate piece of property from the remaining property for purposes of assessment. The presence of utility lines on real property shall not be considered in determining whether the property, including the portion where the utility lines are located, is devoted to forest use. In determining whether real property is devoted to forest use, zoning designations and special use permits for the property shall not be the sole considerations.

"Real estate devoted to open-space use" shall mean real estate used as, or preserved for, (i) park or recreational purposes, including public or private golf courses, (ii) conservation of land or other natural resources, (iii) floodways, (iv) wetlands as defined in § 58.1-3666, (v) riparian buffers as defined in § 58.1-3666, (vi) historic or scenic purposes, or (vii) assisting in the shaping of the character, direction, and timing of community development or for the public interest and consistent with the local land-use plan under uniform standards prescribed by the Director of the Department of Conservation and Recreation pursuant to the authority set out in § 58.1-3240 and in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) and the local ordinance. Prior, discontinued use of property shall not be considered in determining its current use. Real property that has been designated as devoted to open-space use shall not lose such designation solely because a portion of the property is being used for a different purpose pursuant to a special use permit or is otherwise allowed by zoning, provided that the property, excluding such portion, otherwise meets all the requirements for such designation. The portion of the property being used for a different purpose pursuant to a special use permit or otherwise allowed by zoning shall be deemed a separate piece of property from the remaining property for purposes of assessment. The presence of utility lines on real property shall not be considered in determining whether the property, including the portion where the utility lines are located, is devoted to open-space use. In determining whether real property is devoted to open-space use, zoning designations and special use permits for the property shall not be the sole considerations.

(Code 1950, § 58-769.5; 1971, Ex. Sess., c. 172; 1973, c. 209; 1984, cc. 675, 739, 750; 1987, c. 550; 1988, c. 695; 1989, cc. 648, 656; 1996, c. 573; 1998, c. 516; 2006, c. 817; 2009, c. 800; 2012, c. 653.)

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§ 58.1-3231. Authority of counties, cities and towns to adopt ordinances; general reassessment following adoption of ordinance.

Any county, city or town which has adopted a land-use plan may adopt an ordinance to provide for the use value assessment and taxation, in accord with the provisions of this article, of real estate classified in § 58.1-3230. The local governing body pursuant to § 58.1-3237.1 may provide in the ordinance that property located in specified zoning districts shall not be eligible for special assessment as provided in this article. The provisions of this article shall not be applicable in any county, city or town for any year unless such an ordinance is adopted by the governing body thereof not later than June 30 of the year previous to the year when such taxes are first assessed and levied under this article, or December 31 of such year for localities which have adopted a fiscal year assessment date of July 1, under Chapter 30 (§ 58.1-3000 et seq.) of this subtitle. The provisions of this article also shall not apply to the assessment of any real estate assessable pursuant to law by a central state agency.

Land used in agricultural and forestal production within an agricultural district, a forestal district or an agricultural and forestal district that has been established under Chapter 43 (§ 15.2-4300 et seq.) of Title 15.2, shall be eligible for the use value assessment and taxation whether or not a local land-use plan or local ordinance pursuant to this section has been adopted.

Such ordinance shall provide for the assessment and taxation in accordance with the provisions of this article of any or all of the four classes of real estate set forth in § 58.1-3230. If the uniform standards prescribed by the Commissioner of Agriculture and Consumer Services pursuant to § 58.1-3230 require real estate to have been used for a particular purpose for a minimum length of time before qualifying as real estate devoted to agricultural use or horticultural use, then such ordinance may waive such prior use requirement for real estate devoted to the production of agricultural and horticultural crops that require more than two years from initial planting until commercially feasible harvesting.

In addition to but not to replace any other requirements of a land-use plan such ordinance may provide that the special assessment and taxation be established on a sliding scale which establishes a lower assessment for property held for longer periods of time within the classes of real estate set forth in § 58.1-3230. Any such sliding scale shall be set forth in the ordinance.

Notwithstanding any other provision of law, the governing body of any county, city or town shall be authorized to direct a general reassessment of real estate in the year following adoption of an ordinance pursuant to this article.

(Code 1950, § 58-769.6; 1971, Ex. Sess., c. 172; 1973, c. 209; 1974, c. 34; 1975, c. 233; 1977, c. 681; 1978, c. 250; 1984, cc. 92, 675; 1987, c. 628; 1988, c. 695; 1999, c. 1026; 2000, c. 410; 2001, c. 705.)

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§ 58.1-3232. Authority of city to provide for assessment and taxation of real estate in newly annexed area.

The council of any city may adopt an ordinance to provide for the assessment and taxation of only the real estate in an area newly annexed to such city in accord with the provisions of this article. All of the provisions of this article shall be applicable to such ordinance, except that if the county from which such area was annexed has in operation an ordinance hereunder, the ordinance of such city may be adopted at any time prior to April 1 of the year for which such ordinance will be effective, and applications from landowners may be received at any time within thirty days of the adoption of the ordinance in such year. If such ordinance is adopted after the date specified in § 58.1-3231, the ranges of suggested values made by the State Land Evaluation Advisory Council for the county from which such area was annexed are to be considered the value recommendations for such city. An ordinance adopted under the authority of this section shall be effective only for the tax year immediately following annexation.

(Code 1950, § 58-769.6:1; 1976, c. 58; 1984, c. 675.)

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§ 58.1-3233. Determinations to be made by local officers before assessment of real estate under ordinance.

Prior to the assessment of any parcel of real estate under any ordinance adopted pursuant to this article, the local assessing officer shall:

1. Determine that the real estate meets the criteria set forth in § 58.1-3230 and the standards prescribed thereunder to qualify for one of the classifications set forth therein, and he may request an opinion from the Director of the Department of Conservation and Recreation, the State Forester or the Commissioner of Agriculture and Consumer Services;

2. Determine further that real estate devoted solely to (i) agricultural or horticultural use consists of a minimum of five acres; except that for real estate used for agricultural purposes, for purposes of engaging in aquaculture as defined in § 3.2-2600 or for purposes of raising specialty crops as defined by local ordinance, the governing body may by ordinance prescribe that these uses consist of a minimum acreage of less than five acres; (ii) forest use consists of a minimum of 20 acres and (iii) open-space use consists of a minimum of five acres or such greater minimum acreage as may be prescribed by local ordinance; except that for real estate adjacent to a scenic river, a scenic highway, a Virginia Byway or public property in the Virginia Outdoors Plan or for any real estate in any city, county or town having a density of population greater than 5,000 per square mile, for any real estate in any county operating under the urban county executive form of government, or the unincorporated Town of Yorktown chartered in 1691, the governing body may by ordinance prescribe that land devoted to open-space uses consist of a minimum of one quarter of an acre.

The minimum acreage requirements for special classifications of real estate shall be determined by adding together the total area of contiguous real estate excluding recorded subdivision lots recorded after July 1, 1983, titled in the same ownership. *However, for purposes of adding together such total area of contiguous real estate, any noncontiguous parcel of real property included in an agricultural, forestal, or an agricultural and forestal district of local significance pursuant to subsection B of § 15.2-4405 shall be deemed to be contiguous to any other real property that is located in such district.* For purposes of this section, properties separated only by a public right-of-way are considered contiguous; and

3. Determine further that real estate devoted to open-space use is (i) within an agricultural, a forestal, or an agricultural and forestal district entered into pursuant to Chapter 43 (§ 15.2-4300 et seq.) of Title 15.2, or (ii) subject to a recorded perpetual easement that is held by a public body, and promotes the open-space use classification, as defined in § 58.1-3230, or (iii) subject to a recorded commitment entered into by the landowners with the local governing body, or its authorized designee, not to change the use to a nonqualifying use for a time period stated in the commitment of not less than four years nor more than ten years. Such commitment shall be subject to uniform standards prescribed by the Director of the Department of Conservation and Recreation pursuant to the authority set out in § 58.1-3240. Such commitment shall run with the land for the applicable period, and may be terminated in the manner provided in § 15.1-1513 for withdrawal of land from an agricultural, a forestal or an agricultural and forestal district.

(Code 1950, § 58-769.7; 1971, Ex. Sess., c. 172; 1973, c. 209; 1980, c. 75; 1984, cc. 675, 739, 750; 1987, c. 550; 1988, cc. 462, 695; 1989, c. 656; 1990, c. 695; 1991, cc. 69, 490; 2002, c. 475; 2003, c. 356; 2010, c. 653; 2015, c. 485.)

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§ 58.1-3234. Application by property owners for assessment, etc., under ordinance; continuation of assessment, etc.

Property owners must submit an application for taxation on the basis of a use assessment to the local assessing officer:

1. At least sixty days preceding the tax year for which such taxation is sought; or

2. In any year in which a general reassessment is being made, the property owner may submit such application until thirty days have elapsed after his notice of increase in assessment is mailed in accordance with § 58.1-3330, or sixty days preceding the tax year, whichever is later; or

3. In any locality which has adopted a fiscal tax year under Chapter 30 (§ 58.1-3000 et seq.) of this Subtitle III, but continues to assess as of January 1, such application must be submitted for any year at least sixty days preceding the effective date of the assessment for such year.

The governing body, by ordinance, may permit applications to be filed within no more than sixty days after the filing deadline specified herein, upon the payment of a late filing fee to be established by the governing body. An individual who is owner of an undivided interest in a parcel may apply on behalf of himself and the other owners of such parcel upon submitting an affidavit that such other owners are minors or cannot be located. An application shall be submitted whenever the use or acreage of such land previously approved changes; however, no application fee may be required when a change in acreage occurs solely as a result of a conveyance necessitated by governmental action or condemnation of a portion of any land previously approved for taxation on the basis of use assessment. The governing body of any county, city or town may, however, require any such property owner to revalidate annually with such locality, on or before the date on which the
last installment of property tax prior to the effective date of the assessment is due, on forms prepared by the locality, any applications previously approved. Each locality which has adopted an ordinance hereunder may provide for the imposition of a revalidation fee every sixth year. Such revalidation fee shall not, however, exceed the application fee currently charged by the locality. The governing body may also provide for late filing of revalidation forms on or before the effective date of the assessment, on payment of a late filing fee. Forms shall be prepared by the State Tax Commissioner and supplied to the locality for use of the applicants and applications shall be submitted on such forms. An application fee may be required to accompany all such applications.

In the event of a material misstatement of facts in the application or a material change in such facts prior to the date of assessment, such application for taxation based on use assessment granted thereunder shall be void and the tax for such year
extended on the basis of value determined under § 58.1-3236 D. Except as provided by local ordinance, no application for assessment based on use shall be accepted or approved if, at the time the application is filed, the tax on the land affected is delinquent. Upon the payment of all delinquent taxes, including penalties and interest, the application shall be treated in accordance with the provisions of this section.

Continuation of valuation, assessment and taxation under an ordinance adopted pursuant to this article shall depend on continuance of the real estate in a qualifying use, continued payment of taxes as referred to in § 58.1-3235, and compliance with the other requirements of this article and the ordinance and not upon continuance in the same owner of title to the land.

In the event that the locality provides for a sliding scale under an ordinance, the property owner and the locality shall execute a written agreement which sets forth the period of time that the property shall remain within the classes of real estate set forth in § 58.1-3230. The term of the written agreement shall be for a period not exceeding twenty years, and the instrument shall be recorded in the office of the clerk of the circuit court for the locality in which the subject property is located.

(Code 1950, § 58-769.8; 1971, Ex. Sess., c. 172; 1973, cc. 93, 209; 1974, c. 33; 1976, c. 478; 1977, c. 213; 1978, cc. 250, 644, 645; 1979, cc. 180, 632; 1980, cc. 493, 508; 1982, c. 624; 1984, cc. 92, 675; 1988, c. 695; 1993, c. 102; 1999, c. 1026; 2001, c. 438.)

§ 58.1-3235. Removal of parcels from program if taxes delinquent.

If on April 1 of any year the taxes for any prior year on any parcel of real property which has a special assessment as provided for in this article are delinquent, the appropriate county, city or town treasurer shall forthwith send notice of that fact and the general provisions of this section to the property owner by first-class mail. If, after the notice has been sent, such delinquent taxes remain unpaid on June 1, the treasurer shall notify the appropriate commissioner of the revenue who shall remove such parcel from the land use program. Such removal shall become effective for the current tax year.

(Code 1950, § 58-769.8:1; 1980, c. 508; 1984, c. 675; 1994, c. 199.)

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§ 58.1-3236. Valuation of real estate under ordinance.

A. In valuing real estate for purposes of taxation by any county, city or town which has adopted an ordinance pursuant to this article, the commissioner of the revenue or duly appointed assessor shall consider only those indicia of value which

such real estate has for agricultural, horticultural, forest or open space use, and real estate taxes for such jurisdiction shall be extended upon the value so determined. In addition to use of his personal knowledge, judgment and experience as to the value of real estate in agricultural, horticultural, forest or open space use, he shall, in arriving at the value of such land, consider available evidence of agricultural, horticultural, forest or open space capability, and the recommendations of value of such real estate as made by the State Land Evaluation Advisory Council.

B. In determining the total area of real estate actively devoted to agricultural, horticultural, forest or open space use there shall be included the area of all real estate under barns, sheds, silos, cribs, greenhouses, public recreation facilities and like structures, lakes, dams, ponds, streams, irrigation ditches and like facilities; but real estate under, and such additional real estate as may be actually used in connection with, the farmhouse or home or any other structure not related to such special use, shall be excluded in determining such total area.

C. All structures which are located on real estate in agricultural, horticultural, forest or open space use and the farmhouse or home or any other structure not related to such special use and the real estate on which the farmhouse or home or such other structure is located, together with the additional real estate used in connection therewith, shall be valued, assessed and taxed by the same standards, methods and procedures as other taxable structures and other real estate in the locality.

D. In addition, such real estate in agricultural, horticultural, forest or open space use shall be evaluated on the basis of fair market value as applied to other real estate in the taxing jurisdiction, and land book records shall be maintained to show both the use value and the fair market value of such real estate.

(Code 1950, § 58-769.9; 1971, Ex. Sess., c. 172; 1984, c. 675.)

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§ 58.1-3237. Change in use or zoning of real estate assessed under ordinance; roll-back taxes.

A. When real estate qualifies for assessment and taxation on the basis of use under an ordinance adopted pursuant to this article, and the use by which it qualified changes to a nonqualifying use, or the zoning of the real estate is changed to a more intensive use at the request of the owner or his agent, it shall be subject to additional taxes, hereinafter referred to as roll-back taxes. Such additional taxes shall only be assessed against that portion of such real estate which no longer qualifies for assessment and taxation on the basis of use or zoning. Liability for roll-back taxes shall attach and be paid to the treasurer only if the amount of tax due exceeds ten dollars.

B. In localities which have not adopted a sliding scale ordinance, the roll-back tax shall be equal to the sum of the deferred tax for each of the five most recent complete tax years including simple interest on such roll-back taxes at a rate set by the governing body, no greater than the rate applicable to delinquent taxes in such locality pursuant to § 58.1-3916 for each of the tax years. The deferred tax for each year shall be equal to the difference between the tax levied and the tax that would have been levied based on the fair market value assessment of the real estate for that year. In addition the taxes for the current year shall be extended on the basis of fair market value which may be accomplished by means of a supplemental assessment based upon the difference between the use value and the fair market value.

C. In localities which have adopted a sliding scale ordinance, the roll-back tax shall be equal to the sum of the deferred tax from the effective date of the written agreement including simple interest on such roll-back taxes at a rate set by the governing body, which shall not be greater than the rate applicable to delinquent taxes in such locality pursuant to § 58.1-3916, for each of the tax years. The deferred tax for each year shall be equal to the difference between the tax levied and the tax that would have been levied based on the fair market value assessment of the real estate for that year and based on the highest tax rate applicable to the real estate for that year, had it not been subject to special assessment. In addition the taxes for the current year shall be extended on the basis of fair market value which may be accomplished by means of a supplemental assessment based upon the difference between the use value and the fair market value and based on the highest tax rate applicable to the real estate for that year.

D. Liability to the roll-back taxes shall attach when a change in use occurs, or a change in zoning of the real estate to a more intensive use at the request of the owner or his agent occurs. Liability to the roll-back taxes shall not attach when a change in ownership of the title takes place if the new owner does not rezone the real estate to a more intensive use and continues the real estate in the use for which it is classified under the conditions prescribed in this article and in the ordinance. The owner of any real estate which has been zoned to more intensive use at the request of the owner or his agent as provided in subsection E, or otherwise subject to or liable for roll-back taxes, shall, within sixty days following such change in use or zoning, report such change to the commissioner of the revenue or other assessing officer on such forms as may be prescribed. The commissioner shall forthwith determine and assess the roll-back tax, which shall be assessed against and paid by the owner of the property at the time the change in use which no longer qualifies occurs, or at the time of the zoning of the real estate to a more intensive use at the request of the owner or his agent occurs, and shall be paid to

the treasurer within thirty days of the assessment. If the amount due is not paid by the due date, the treasurer shall impose a penalty and interest on the amount of the roll-back tax, including interest for prior years. Such penalty and interest shall be imposed in accordance with §§ 58.1-3915 and 58.1-3916.

E. Real property zoned to a more intensive use, at the request of the owner or his agent, shall be subject to and liable for the roll-back tax at the time such zoning is changed. The roll-back tax shall be levied and collected from the owner of the real estate in accordance with subsection D. Real property zoned to a more intensive use before July 1, 1988, at the request of the owner or his agent, shall be subject to and liable for the roll-back tax at the time the qualifying use is changed to a nonqualifying use. Real property zoned to a more intensive use at the request of the owner or his agent after July 1, 1988, shall be subject to and liable for the roll-back tax at the time of such zoning. Said roll-back tax, plus interest calculated in accordance with subsection B, shall be levied and collected at the time such property was rezoned. For property rezoned after July 1, 1988, but before July 1, 1992, no penalties or interest, except as provided in subsection B, shall be assessed, provided the said roll-back tax is paid on or before October 1, 1992. No real property rezoned to a more intensive use at the request of the owner or his agent shall be eligible for taxation and assessment under this article, provided that these provisions shall not be applicable to any rezoning which is required for the establishment, continuation, or expansion of a qualifying use. If the property is subsequently rezoned to agricultural, horticultural, or open space, it shall be eligible for consideration for assessment and taxation under this article only after three years have passed since the rezoning was effective.

However, the owner of any real property that qualified for assessment and taxation on the basis of use, and whose real property was rezoned to a more intensive use at the owner's request prior to 1980, may be eligible for taxation and assessment under this article provided the owner applies for rezoning to agricultural, horticultural, open-space or forest use. The real property shall be eligible for assessment and taxation on the basis of the qualifying use for the tax year following the effective date of the rezoning. If any such real property is subsequently rezoned to a more intensive use at the owner's request, within five years from the date the property was initially rezoned to a qualifying use under this section, the owner shall be liable for roll-back taxes when the property is rezoned to a more intensive use. Additionally, the owner shall be subject to a penalty equal to fifty percent of the roll-back taxes due as determined under subsection B of this section.

The roll-back taxes and penalty that otherwise would be imposed under this subsection shall not become due at the time the zoning is changed if the locality has enacted an ordinance pursuant to subsection G.

F. If real estate annexed by a city and granted use value assessment and taxation becomes subject to roll-back taxes, and such real estate likewise has been granted use value assessment and taxation by the county prior to annexation, the city shall collect roll-back taxes and interest for the maximum period allowed under this section and shall return to the county a share of such taxes and interest proportionate to the amount of such period, if any, for which the real estate was situated in the county.

G. A locality may enact an ordinance providing that (i) when a change in zoning of real estate to a more intensive use at the request of the owner or his agent occurs, roll-back taxes shall not become due solely because the change in zoning is for specific more intensive uses set forth in the ordinance, (ii) such real estate may remain eligible for use value assessment and taxation, in accordance with the provisions of this article, as long as the use by which it qualified does not change to a nonqualifying use, and (iii) no roll-back tax shall become due with respect to the real estate until such time as the use by which it qualified changes to a nonqualifying use.

(Code 1950, § 58-769.10; 1971, Ex. Sess., c. 172; 1973, c. 209; 1974, c. 34; 1977, c. 323; 1979, c. 179; 1980, c. 363; 1984, cc. 92, 222, 675, 676, 681; 1985, c. 478; 1988, cc. 422, 695; 1990, c. 841; 1992, Sp. Sess., c. 3; 1998, c. 274; 1999, c. 1026; 2013, c. 269.)

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§ 58.1-3237.1. Authority of counties to enact additional provisions concerning zoning classifications.

A. Albemarle County, Arlington County, Augusta County, James City County, Loudoun County, and Rockingham County may include the following additional provisions in any ordinance enacted under the authority of this article:

1. The governing body may exclude land lying in planned development, industrial or commercial zoning districts from assessment under the provisions of this article. As applied to zoning districts, this provision applies only to zoning districts established prior to January 1, 1981.

2. The governing body may provide that when the zoning of the property taxed under the provisions of this article is changed to allow a more intensive nonagricultural use at the request of the owner or his agent, such property shall not be eligible for assessment and taxation under this article. This shall not apply, however, to property that is zoned agricultural and is subsequently rezoned to a more intensive use that is complementary to agricultural use, provided such property continues to be owned by the same owner who owned the property prior to rezoning and continues to operate the

agricultural activity on the property. Notwithstanding any other provision of law, such property shall be subject to and liable for roll-back taxes at the time the zoning is changed to allow any use more intensive than the use for which it qualifies for special assessment. The roll-back tax, plus interest, shall be calculated, levied and collected from the owner of the real estate in accordance with § 58.1-3237 at the time the property is rezoned.

B. Goochland County may include additional provisions specified in subdivisions A 1 and 2 in any ordinance enacted under the authority of this article, but only in service districts created after July 1, 2013, pursuant to Article 1 (§ 15.2-2400 et seq.) of Chapter 24 of Title 15.2.

(1987, c. 628; 1992, Sp. Sess., c. 3; 1993, c. 584; 2007, c. 813; 2011, c. 12; 2013, c. 677.)

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§ 58.1-3238. Failure to report change in use; misstatements in applications.

Any person failing to report properly any change in use of property for which an application for use value taxation had been filed shall be liable for all such taxes, in such amounts and at such times as if he had complied herewith and assessments had been properly made, and he shall be liable for such penalties and interest thereon as may be provided by ordinance. Any person making a material misstatement of fact in any such application shall be liable for all such taxes, in such amounts and at such times as if such property had been assessed on the basis of fair market value as applied to other real estate in the taxing jurisdiction, together with interest and penalties thereon. If such material misstatement was made with the intent to defraud the locality, he shall be further assessed with an additional penalty of 100 percent of such unpaid taxes.

For purposes of this section and § 58.1-3234, incorrect information on the following subjects will be considered material misstatements of fact:

1. The number and identities of the known owners of the property at the time of application;

2. The actual use of the property.

The intentional misrepresentation of the number of acres in the parcel or the number of acres to be taxed according to use shall also be considered a material misstatement of fact for the purposes of this section and § 58.1-3234.

(Code 1950, § 58-769.10:1; 1971, Ex. Sess., c. 172; 1982, c. 624; 1984, cc. 675, 681.)

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§ 58.1-3239. State Land Evaluation Advisory Committee continued as State Land Evaluation Advisory Council; membership; duties; ordinances to be filed with Council.

The State Land Evaluation Advisory Committee is continued and shall hereafter be known as the State Land Evaluation Advisory Council. The Advisory Council shall be composed of the Tax Commissioner, the dean of the College of Agriculture of Virginia Polytechnic Institute and State University, the State Forester, the Commissioner of Agriculture and Consumer Services and the Director of the Department of Conservation and Recreation.

The Advisory Council shall determine and publish a range of suggested values for each of the several soil conservation service land capability classifications for agricultural, horticultural, forest and open space uses in the various areas of the Commonwealth as needed to carry out the provisions of this article.

On or before October 1 of each year the Advisory Council shall submit recommended ranges of suggested values to be effective the following January 1 or July 1 in the case of localities with fiscal year assessment under the authority of Chapter 30 of this subtitle, within each locality which has adopted an ordinance pursuant to the provisions of this article based on the productive earning power of real estate devoted to agricultural, horticultural, forest and open space uses and make such recommended ranges available to the commissioner of the revenue or duly appointed assessor in each such locality.

The Advisory Council, in determining such ranges of values, shall base the determination on productive earning power to be determined by capitalization of warranted cash rents or by the capitalization of incomes of like real estate in the locality or a reasonable area of the locality.

Any locality adopting an ordinance pursuant to this article shall forthwith file a copy thereof with the Advisory Council.

(Code 1950, § 58-769.11; 1971, Ex. Sess., c. 172; 1976, c. 55; 1979, c. 152; 1984, cc. 675, 739, 750; 1985, c. 448; 1987, c. 550; 1989, c. 656.)

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§ 58.1-3240. Duties of Director of the Department of Conservation and Recreation, the State Forester and the Commissioner of Agriculture and Consumer Services; remedy of person aggrieved by action or nonaction of Director, State Forester or Commissioner.

The Director of the Department of Conservation and Recreation, the State Forester, and the Commissioner of Agriculture and Consumer Services shall provide, after holding public hearings, to the commissioner of the revenue or duly appointed assessor of each locality adopting an ordinance pursuant to this article, a statement of the standards referred to in § 58.1-3230 and subdivision 1 of § 58.1-3233, which shall be applied uniformly throughout the Commonwealth in determining whether real estate is devoted to agricultural use, horticultural use, forest use or open-space use for the purposes of this article and the procedure to be followed by such official to obtain the opinion referenced in subdivision 1 of § 58.1-3233. Upon the refusal of the Commissioner of Agriculture and Consumer Services, the State Forester or the Director of the Department of Conservation and Recreation to issue an opinion or in the event of an unfavorable opinion which does not comport with standards set forth in the statements filed pursuant to this section, the party aggrieved may seek relief in the circuit court of the county or city wherein the real estate in question is located, and in the event that the court finds in his favor, it may issue an order which shall serve in lieu of an opinion for the purposes of this article.

(Code 1950, § 58-769.12; 1971, Ex. Sess., c. 172; 1973, c. 209; 1984, cc. 675, 739, 750; 1987, c. 550; 1989, c. 656.)

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§ 58.1-3241. Separation of part of real estate assessed under ordinance; contiguous real estate located in more than one taxing locality.

A. Separation or split-off of lots, pieces or parcels of land from the real estate which is being valued, assessed and taxed under an ordinance adopted pursuant to this article, either by conveyance or other action of the owner of such real estate, shall subject the real estate so separated to liability for the roll-back taxes applicable thereto, but shall not impair the right of each subdivided parcel of such real estate to qualify for such valuation, assessment and taxation in any and all future years, provided it meets the minimum acreage requirements and such other conditions of this article as may be applicable. Such separation or split-off of lots shall not impair the right of the remaining real estate to continuance of such valuation, assessment and taxation without liability for roll-back taxes, provided it meets the minimum acreage requirements and other applicable conditions of this article.

B. 1. No subdivision, separation, or split-off of property which results in parcels that meet the minimum acreage requirements of this article, and that are used for one or more of the purposes set forth in § 58.1-3230, shall be subject to the provisions of subsection A.

2. The application of roll-back taxes pursuant to subsection A shall, at the option of the locality, also not apply to a subdivision, separation, or split-off of property made pursuant to a subdivision ordinance adopted under § 15.2-2244 that results in parcels that do not meet the minimum acreage requirements of this article, provided that title to the parcels subdivided, separated, or split-off is held in the name of an immediate family member for at least the first 60 months immediately following the subdivision, separation, or split-off.

For purposes of this subdivision, an "immediate family member" means any person defined as such in the locality's subdivision ordinance adopted pursuant to § 15.2-2244.

C. Where contiguous real estate in agricultural, horticultural, forest or open-space use in one ownership is located in more than one taxing locality, compliance with the minimum acreage shall be determined on the basis of the total area of such real estate and not the area which is located in the particular taxing locality.

(Code 1950, § 58-769.13; 1971, Ex. Sess., c. 172; 1978, c. 385; 1984, c. 675; 1988, c. 695; 2006, c. 221.)

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§ 58.1-3242. Taking of real estate assessed under ordinance by right of eminent domain.

The taking of real estate which is being valued, assessed and taxed under an ordinance adopted pursuant to this article by right of eminent domain shall not subject the real estate so taken to the roll-back taxes herein imposed.

(Code 1950, § 58-769.14; 1971, Ex. Sess., c. 172; 1984, c. 675.)

§ 58.1-3243. Application of other provisions of Title 58.1.

The provisions of this title applicable to local levies and real estate assessment and taxation shall be applicable to assessments and taxation hereunder mutatis mutandis including, without limitation, provisions relating to tax liens, boards of equalization and the correction of erroneous assessments and for such purposes the roll-back taxes shall be considered to be deferred real estate taxes.

(Code 1950, § 58-769.15; 1971, Ex. Sess., c. 172; 1980, c. 241; 1983, c. 304; 1984, c. 675.)

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§ 58.1-3244. Article not in conflict with requirements for preparation and use of true values.

Nothing in this article shall be construed to be in conflict with the requirements for preparation and use of true values where prescribed by the General Assembly for use in any fund distribution formula.

(Code 1950, § 58-769.15:1; 1971, Ex. Sess., c. 172; 1984, c. 675.)

GLOSSARY

This Glossary is presented to assist the public in understanding the staff evaluation and analysis. It should not be construed as representing legal definitions.

AGRICULTURAL AND FORESTAL DISTRICT - A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

AGRICULTURAL AND FORESTAL DISTRICT ADVISORY COMMITTEE (AFDAC) - A committee composed of four farmers, four freeholder residents of Fairfax County, the Supervisor of Assessments and one member of the Board of Supervisors. AFDAC is formed to advise the Planning Commission and the Board of Supervisors regarding the proposed establishment, modification, renewal and/or the termination of an Agricultural and Forestal District and to provide expert advice on the nature of farming and forestry in the proposed district and the relation of such activities to the County.

AGRICULTURAL PRODUCTS - Crops, livestock, and livestock products which shall include but not be limited to the following:

1)F ield crops, including corn, wheat, oats, rye, barley, hay, tobacco, peanuts and dry beans.
2)F ruits, including apples, peaches, grapes, cherries, and berries.
3)V egetables, including tomatoes, snap beans, cabbage, carrots, beets and onions.
4)H orticultural specialties, including nursery stock ornamental shrubs, ornamental trees and flowers.
5)L ivestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, fur-bearing animals, milk, eggs and furs.

AGRICULTURALLY SIGNIFICANT LAND - Land that has historically produced agricultural products, or land that AFDAC considers good agricultural land based on factors such as soil quality, topography, climate, agricultural product markets, farm improvements, agricultural economics and technology and other relevant factors.

AGRICULTURAL USE - Use for the production for sale of plants and animals; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery and floral products useful to man under uniform standards prescribed by the Commissioner of Agriculture and Consumer Services of the State of Virginia, or when devoted to and meeting the requirements and qualifications for payments or other compensation pursuant to a soil conservation program under an agreement with an agency of the federal government. Land or portions thereof used for processing of retail merchandise of crops, livestock products is not considered to be in agricultural use.

BEST MANAGEMENT PRACTICE (BMP) -Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by non-point sources in order to improve water quality.

CHESAPEAKE BAY PRESERVATION ORDINANCE - Regulations which the State has mandated to protect the Chesapeake Bay and its tributaries. See Fairfax County Code, Chapter 118, Chesapeake Bay Preservation Ordinance.

CLEARING - Any intentional or negligent act to cut down, remove all or a substantial part of or

damage a tree or other vegetation which will cause the tree or other vegetation to decline and/or die.

COMMERCIAL FOREST - Land which is producing or is capable of producing forest products.

DEFERRED TAX - The difference between market tax value and use value tax is known as deferred tax. The deferred tax is still owed but is not due until the use of any part or the whole of the land in an A&F District is changed. The deferred tax plus the interest due on the deferred tax is known as rollback tax. Sixty days after the use of the land is changed, notice of the change must be filed with the County Department of Taxation.

DEVELOPED LAND - The total of all parcels containing permanent structures valued at $2,500 or more, plus all parcels not generally available for development (e.g. tax exempt land, private rights-of-way, parcels owned in common by homeowner's associations, etc.).

EASEMENT - A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, scenic easement, utility easement, open space easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDOR (EQC) - An open space system designed to link and preserve natural resource areas, provide passive recreation and wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Volume 1 of the Comprehensive Plan.

ERODIBLE SOILS - Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN - Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with EQCs. The 100 year floodplain drains 70 acres or more of land and has a 1% chance of flood occurrence in any given year.

FORESTAL PRODUCTS - Products for sale or for farm use, including but not limited to lumber, pulpwood, posts, firewood, Christmas trees and other wood products.

FORESTALLY SIGNIFICANT LAND - Land that has historically produced forestal products, or land that AFDAC considers good forest land based upon factors such as soil quality, topography, environmental quality and other relevant factors.

FORESTAL USE - Use for tree growth in such quantity and so spaced and maintained as to constitute a forest area under standards prescribed by the Director of the Department of Conservation and Economic Development of the Commonwealth of Virginia pursuant to Section 58-769.12 of the Code of Virginia, including the standing timber and trees thereon.

OPEN SPACE EASEMENT - An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request by the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700.

QUALIFYING USE - A land use which is eligible for use value taxation under Section 4-19 of the Fairfax County Code.

RESOURCE MANAGEMENT AREA (RMA) -The component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Chapter 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA) - That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Chapter 118, Chesapeake Bay Preservation Ordinance.

ROLLBACK TAX - Whenever an owner changes the acreage of an eligible tract by splitting off a parcel, or by changing the use of the land to a non-qualifying use, each applicable deferred tax plus annual simple interest at the rate annually applied to delinquent taxes becomes due and payable as a lump sum, known as the rollback tax. The rollback tax is applied to the year in which the use is changed and the previous five years the land was qualified for and assessed at use value rates.

TIDAL WETLANDS - Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

UNDEVELOPED LAND - Unimproved or under utilized land. Land containing no structures valued at $2,500 or more.

WETLANDS - Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corp of Engineers.

WILDLIFE HABITAT - Areas which contain the proper food, water, and vegetative cover to support a diverse community of animals, birds and fish; some examples include floodplains, upland hardwoods, pinewoods, meadows and marshes.