

NEW UPPERVILLE AGRICULTURAL AND FORESTAL DISTRICT ORDINANCE
December 7, 2021
As approved September 14, 2021

I. PURPOSE

It is hereby declared to be the policy of the County of Loudoun to conserve, protect, and to encourage the development and improvement of its agricultural and forestal lands for the production of food and other agricultural and forestal products. It is also the policy of the County of Loudoun to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open spaces for clean air sheds, as well as for aesthetic purposes. It is the purpose of this Ordinance to provide a means by which agricultural and forestal land may be protected and enhanced as a viable segment of the County's economy and as an economic and environmental resource of major importance, pursuant to Title 15.2, Chapter 43 of the Code of Virginia (1950), as amended.

II. CREATION OF DISTRICT

The New Upperville Agricultural and Forestal District (hereinafter referred to as the "District") is hereby renewed for a period of four (4) years, beginning December 7, 2021, in accordance with the provisions of Title 15.2, Chapter 43, Sections 15.2-4300 through 15.2-4314, Code of Virginia (1950) as amended.

The District shall consist of 6,188.85 acres more or less and include the following 62 parcels:

PIN	TAX MAP	OWNERS NAME	ACRES
617151456000	54/2/4	SNYDER, OWEN T & FLORENCE M HILLMAN	12.01
618355115000	71/15E	BLUMBERG, IVAN & PAMELA	53.24
618451976000	54/2/3	KLEIN, WILLIAM J & DENISE M	11.86
652157192000	53/2/O	CROWLEY, MARK V & DONNA L	5
653158587000	53/30B	LEUPPERT, FREDERICK W & MARILYN M	23.02
653160744000	53/30A	LEUPPERT, FREDERICK W & MARILYN M	20.02
655264754000	70/2/2	FARM CO	163.71
655373536000	70/2/3	FARM CO	62.11
656156815000	70/16B	ALTO, MICHAEL A & ALYSON G	48.2
656356213000	70/31	BRIGGS, FRED M & HEATHER K	122.27
656464263000	70/2/1	FARM CO	126.21
657106815000	71/51B	MONTGOMERY, WILLIAM C JR ET AL TEES	10
657195925000	70/4/14B	MCALLISTER, MARGOT BERRY	53.1
657281702000	70/4/14A	ESKEW, CARTER A & MARY S	172.24
657456747000	70/8/16B1	LEONARD, FRANCES L	27
659396262000	84/5A	GINGOLD, DENNIS M ANNE P	118.26
659476922000	84/4	OAKLEY FARM LLC	5.09
659479710000	84/4A	OAKLEY FARM LLC	1.98
664155277000	53/13	LAWSON, KENNETH L & ALICE J	9.52

664157219000	53/13A	SAUNDERS, TODD R & LAURIE M	10
665290318000	/53///3////10/	SAYRE, BRIAN EARL & LINDSAY SHERE	10.02
665361347000	/53/////////4/	WALKER, PAUL & SANDI	107.99
665392980000	53/3/14	LAWRENCE, MARY	11.68
665492430000	53/3/15	LAWRENCE, MARY	15.78
666174910000	53/21A	ROBINSON, ANN CHARLOTTE	5.93
666275448000	53/16	SMART FAMILY LTD PARTNERSHIP II	2.5
666277556000	53/20	SMART FAMILY LTD PARTNERSHIP II	0.75
666278329000	53/22A	SMART FAMILY LTD PARTNERSHIP II	0.5
666368936000	53/19F	SMART, S BRUCE JR & EDITH M	11.39
666389152000	53/19	SMART FAMILY LTD PARTNERSHIP II	459.12
666406351000	53/2/J	WEEKS, PETER Q	6.78
667187635000	53/24	HORKAN, GEORGE A JR ESTATE	30
667277463000	53/23	HORKAN, GEORGE A JR ESTATE	110
667370971000	53/19B	CLEREMONT FARM LP	5.13
667386679000	53/21	CLEREMONT FARM LP	147.2
667467108000	53/19E	LINDGREN, CARL J & VANESSA A	13.16
668256718000	70/4B	BONSEE, JOHN JAMES & MARGARET E B TEES	30.65
668295859000	70/34	BELLEFIELDS FARM LP	404.37
668480218000	70/1	CLEREMONT FARM LP	107.4
668495647000	70/33	BELLEFIELDS FARM LP	17.62
669279977000	70/7	THOMPSON, ANN C	267.59
669354081000	70/4A	THOMPSON, MARK L	94.42
669472724000	70/6	THOMPSON, ANN C	30.42
669485330000	70/5	THOMPSON, MARK L	80.37
670400827000	70/8A	THOMPSON FOUNDATION	60.97
671306526000	70/6/1	MERLIN INVESTMENTS LLC	314.45
672482261000	84/2	ZEILER, JAY D & ESTELLE H R/S	34.3
677489542000	52/5	FLYING BEAR LLC	17.7
678273932000	52/5/4B	HOOVER, ALBERT W & JOSEFINA	50.54
678397078000	52/6/2	HORKAN, GEORGE A III	38.93
678403093000	52/6/1	CLEREMONT FARM LP	36.85
678479924000	52/9	CLEREMONT FARM LP & HORKAN LINDGREN	642.21
679395575000	69/1/3	HENRY, GEORGE & CAROL	166.18
679476030000	52/15	BEACH, THOMAS M JR	100.04
680168423000	69/21	KEEFER, EDWARD & CAROL KEEFER TEES	22.49
*680378224000	69/16	LLANGOLLEN LLC	1085.22
689306495000	69/23	CLEAVELAND, JAMES R & LAURA E	15.3
**693288918000	68/2/A2	FOGELSON, RICHARD J & MARIANNE L	8.7
694196070000	68/3	DEBUTTS, WILLIAM HUNTER JR	153.54
694391532000	68/7A	DEBUTTS, WILLIAM HUNTER JR	122.5

694394824000	68/7	DEBUTTS, WILLIAM HUNTER JR	103
695275923000	68/2	ARWINE, JASON S	190.5

Notes:

BLAD 2013-0027 shifted 6.6 acres from PIN 669-27-9977 to PIN 669-35-4081.

BLAD 2015-0054 shifted acreage between PINs 655-26-4754, 655-37-3536, and 656-46-4263, total acreage unchanged.

*PIN 680378224000 has 1085.22 acres in Loudoun County; 10.98 acres is in Clarke County

**PIN 693288918000 has 8.7 acres in Loudoun County; 1.8 acres is in Clarke County.

III. EFFECT OF DISTRICT

A. All provisions of the Loudoun County Zoning and Subdivision Ordinances shall be applicable within the District, but only to the extent that such ordinances are not in conflict with the purposes of Title 15.2, Chapter 43 of the Code of Virginia (1950) as amended. All land use planning decisions, special exceptions, special use permits and variances affecting any parcel of land within or adjacent to the District shall take into account the existence of the District and purposes and policies of this Ordinance. It is further required that any subdivisions or adjustments to parcels in the District meet the current zoning requirements or a minimum of forty (40) acres, whichever is greater. Subdivision through clustering is prohibited for the term of the District.

B. Land used in agricultural and forestal production within the District shall automatically qualify for an agricultural or forestal value assessment on such land pursuant to Section 15.2-4312 of the Code of Virginia (1950), as amended, if the requirements for such assessment contained therein are satisfied, whether or not the Loudoun County Land Use Assessment Ordinance is in effect.

C. All other applicable provisions of Title 15.2, Chapter 43 of the Code of Virginia (1950), as amended, are incorporated in this Ordinance and made a part hereof.

IV. REVIEW OF ORDINANCE

The Board of Supervisors shall initiate review of the District at least ninety (90) days prior to December 7, 2025, in order to determine whether to terminate, modify or continue the District. The Board shall request the recommendations of the Planning Commission and the Agricultural District Advisory Committee in conducting such review.

V. DISCONTINUANCE OF ASSOCIATION IN DISTRICT

Any owner of land lying in the District may request, in writing, termination and withdrawal of his property in accordance with Section 15.2-4314 of the Code of Virginia (1950), as amended. If denied favorable action by the Board of Supervisors the landowner shall have an immediate right of appeal de novo to the circuit court. The termination of any owner's association in the District for any reason shall not in itself serve to terminate the existence of the District.

Any heir at law or devisee of any owner of land lying within the District shall as a matter of right, be entitled to withdraw from the District within two years of the date of death of the owner and upon written notice of withdrawal to the Board of Supervisors and the Commissioner of the Revenue.

When the District is reviewed by the Board of Supervisors at the end of the four (4) year period, land within the District may be withdrawn by filing a written notice before the Board of Supervisors acts to continue, modify or terminate the District.