

NEW LUCKETTS AGRICULTURAL AND FORESTAL DISTRICT ORDINANCE

April 13, 2023

As approved January 11, 2023

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 Lucketts Agricultural and Forestal District (hereinafter referred to as the "District") is hereby renewed for a period of four (4) years, beginning April 13, 2023, 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 703.24 acres more or less and include the following 34 parcels:

PARCEL PIN / MCPI NUMBER	PARCEL TAXMAP NUMBER	CURRENT OWNER NAME 1 OF 2	LEGAL ACREAGE
073177117000	/21/////////23A	WEBB, JOYCE	24.91 ¹
074180740000	/21/////////20A	QUITTER WALTER M JR & KAY I	11.45
074471437000	/21/////////23/	WEBB, JOYCE	2.88
075455417000	/21//12//////2C	REEVES, SEAN T & RACHEL R	5.78
102191992000	/21/////////29A	LOY, ROBERT & HAROLD LOY	12.25
103159047000	/20/////////47C	WOOD, AUDREY L TEE	39.41
103201242000	/21/////////35/	NELSON, TERESA P & NELSON, PAUL D	26.19
103304672000	/21/////////32/	NELSON, TERESA P & NELSON, PAUL D	14.29
104184159000	/31/////////6H1/	HAUCK ERIC J & DEBORAH L	20
104188965000	/31/////////6H2/	BROWN, ROBERT C TR & ROBERT C BROWN IRRE	10

¹ As depicted in Appendix A, 24.91 acres formerly in PIN 074-47-1437 and located within the New Lucketts Agricultural and Forestal District were transferred in BLAD 2009-0018 to PIN 073-17-7117.

104195046000	/31/////////6H	BROWN, ROBERT C TR & ROBERT C BROWN IRRE	25
104252785000	/20//10/////1/	BUDIANSKY STEPHEN P & MARTHA L	13
104263555000	/20///2/////5/	BRANDT DORTHE SOPHIE TRUSTEE	10
104270585000	/20///2/////6/	CHURAN RICHARD E & BARBARA L	10
104272816000	/20///2/////2/	HILLEBRAND STEVEN R & CHERYL D	10
104370190000	/20/////////45B	SHAW, DAWN I & SUSAN M LYNN TEES	66.69
104452967000	/20/////////47/	ZABLOUDIL, BRIAN J & FARRAH N DALY	15.1
105101882000	/31/////////6K	MCKEEVER LORI L & JEFFREY T JUDGE	51.51
105202250000	/31/////////6G	JUDGE JEFFREY T & LORI MCKEEVER	30
105351481000	/30///9///33/	YETMAN, BRADLEY H	10.64
105390209000	/31///1/////2/	HAMPTON ROADS HOLDINGS INC	50.52
105481603000	/31///1/////1/	MEURER ROBERT H & PATRICIA A	55.8
105494257000	/31/////////6B1/	KNOELL, ROGER E & CHRISTINE A	17.89
106251260000	/30///3///3A2	FRANCISCO, PETER	14
106450312000	/30///9///46/	MORELAND, GARY & KAREN RIVERA	10.05
106486662000	/31/////////6A	MEJIA GERMAN & MARIA R FLORES	26.51
137106593000	/20/////////51B	FISHER JOHNNIE W JR & DOROTHY E	23.94
137107148000	/20/////////47B	BEE SHIRLEY A TRUSTEE	10.37
137388078000	/20//17/////1/	CFS LUCKETTS LLC	22.02
137478749000	/20//17/////5/	CFS LUCKETTS LLC	21.55
139108901000	/30///9///43/	SHERFEY DAVID RAY & SHERYL ANNE	10.12
139386386000	/30//11/////1/	RURUP, JOHN	10
139498870000	/30///9///29/	THRESHER, HUGH	10.03
140403241000	/30///9///47/	BRADLEY, SEAONA S	11.63

Pursuant to the January 11, 2023, renewal of the District, certain acreage located within the parcel listed below was withdrawn from the District:

PARCEL PIN / MCPI NUMBER	PARCEL TAXMAP NUMBER	CURRENT OWNER NAME 1 OF 2	LEGAL ACREAGE
074379155000	/21/////////22B	BUTLER, WILLIAM LEE	10

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 twenty (20) acres, whichever is greater.

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 April 13, 2027, 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 term, 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.