

# NEW OAK HILL AGRICULTURAL AND FORESTAL DISTRICT ORDINANCE

April 15, 2022

As approved January 12, 2022

## 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 Oak Hill Agricultural and Forestal District (hereinafter referred to as the "District") is hereby renewed for a period of four (4) years, beginning April 15, 2022, 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 1,435.22 acres more or less and include the following 11 parcels:

PIN	Tax Map Number	Owner	Acreage
321154289000	/90////////14A	OAK HILL FARM SOUTH LLC	1.5
357162966000	/75///1////1/	HERNLEY, DAVID S & SALLY H	13.79
357179003000	/75//12////4/	FORBRICH, J RYAN & CHRISTIE L TEES	15.77
357186979000	/75///7////3/	HOGAN, WM A & SALLY HERNLEY CO-TEES	34.85
358454465000	/75///1////6/	FIORAMONTI, THOMAS R & BETTY M	15.65
359399276000	/89////////11/	OAK HILL FARM NORTH LLC	565.84
361483158000	/89///8////11A	OAK HILL FARM SOUTH LLC	665.74
393101697000	/75////////25A	MEEKER, DOUGLAS C & BETH D	35
393196740000	/75////////25/	COOPER, DAVID & SHARON	62.44
393203151000	/75////////25B	STACKS, MARK & STACKS, SUNEE	10
393203295000	/75///5////1/	STACKS, MARK & STACKS, SUNEE	14.64

Pursuant to the April 15, 2022, renewal of the District, the following parcel was withdrawn from the New Oak Hill Agricultural and Forestal District Ordinance:

PIN	Tax Map Number	Owner	Acreage
357172884000	/75///7////1/	HERNLEY, DAVID SCOT & SALLY C	4.81

On January 12, 2022, the following parcel containing at least five (5) but less than twenty (20) acres was NOT RENEWED in the New Oak Hill Agricultural and Forestal District Ordinance due to failure to properly reapply:

PIN	Tax Map Number	Owner	Acreage
358470197000	/75//12/////3/	HOGAN, JAMES J & KATHLEEN C	15.73

### 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 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. Any subdivisions or adjustments to parcels within the District shall 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. All subdivision of land or adjustments to parcels within the District other than in accordance with the provisions of this Ordinance is hereby deemed to be in conflict with the purposes and policies established by this Ordinance.

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 15, 2026, 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 (2) 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.