

NEW FEATHERBED AGRICULTURAL AND FORESTAL DISTRICT ORDINANCE
November 4, 2018
As approved July 11, 2018

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 Featherbed Agricultural and Forestal District (hereinafter referred to as the "District") is hereby renewed for a period of four (4) years, beginning November 4, 2018, 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 374.05 acres more or less and include the following seven (7) parcels:

PIN	Tax Map Number	Owner	Acreage
431264518000	/88/////////41A	DRESDEN HILLS LLC	115.48
431479465000	/88//27//////1/	DRESDEN HILLS LLC	40*
466353459000	/88//17//////WL/	GUBSER, VERONIQUE	20.44
466393875000	/88//////////6/	BURDEN, CHILDS F & ELAINE S	175.61
467282312000	/88//////////9/	RYAN, EDWARD L II	2.64
501301846000	/88//12//////2/	KOSMANN, WILLIAM J & CHERYL L	12.6
501304482000	/88//12//////3/	KELLY, ROBERT C & VALERIE R/S	7.28

*SBBD 2017-0002 was approved on September 7, 2017. Lot 1 (PIN 431-47-9465) was created containing 40 acres, and the Residue parcel, PIN 431-26-5310, containing 87.77 acres. A right-of-way dedication was also made to provide 1.1643 acres to Loudoun County for public street purposes (Instrument No. 201709070055825). See Appendix A for Base Density Subdivision plat dated June 21, 2017, revised through August 15, 2017, for parcel boundaries.

Pursuant to the July 11, 2018, renewal of the District, the following parcels withdrew from the New Featherbed Agricultural and Forestal District Ordinance:

PIN	Tax Map Number	Owner	Acreage
431365310000	/88/////////44/	JOEELEE LLC	87.77*

On July 11, 2018, the following parcel containing at least five (5) but less than twenty (20) acres was NOT RENEWED in the New Featherbed Agricultural and Forestal District Ordinance due to failure to properly reapply:

PIN	Tax Map Number	Owner	Acreage
466265930000	/88/////////8A	O'SHEA, NANCY A	14.48

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 period 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 November 3, 2022, 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.