
FLOYD COUNTY

Comparison of Current Subdivision Ordinance and Proposed Land Division Ordinance

This document compares the existing Floyd County Subdivision Ordinance to a new potential ordinance to be named Floyd County Land Division Ordinance. The Floyd County Planning Commission held a public hearing on October 17, 2023, and recommended a new Ordinance to the Board of Supervisors for consideration. In January, 2024, the Board of Supervisors began holding workshops to review and make changes to the proposal as they deem appropriate. On January 14, 2025, the Board authorized county staff to schedule and advertise a public hearing to be held on February 25, 2025, to receive public comments on the proposed Ordinance. Written public comments can be sent to kturman@floydcova.gov at any time. Special thanks go to the members of the Subdivision Ordinance Committee, the Planning Commission, and associated county staff who worked diligently on the development of the proposal.

**NOTE: “Public road(s)” = VDOT-Maintained Road(s) and “PDR” = PRIVATE Division Road(s)
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KEY FEATURES OF THE PROPOSED LAND DIVISION ORDINANCE

These proposed changes are described in more depth in this document, but in general are meant to make divisions with a few new parcels easier and limit divisions with large numbers of parcels:

- Pre-Perking will no longer be required (i.e. no health department approval required) for plat approval.
- A survey of the residual parcel will no longer be required in most cases.
- Easements will be allowed for private, individual water systems.
- Rather than having to be deeper than wide, new lots will have to meet a minimum depth.
- Any Division on an existing public road is limited to 10 new lots, including the residual lot.
- Any Division served by private centralized water system/s is limited to 10 new lots, including the residual lot.
 - Reduced lot sizes available if a private centralized water system and/or a private centralized wastewater system planned. The well will have to be drilled and meet minimum depth requirements of this Ordinance and state standards for capacity, storage, and distribution before plat approval.
- Any Division served by private, individual water systems is limited to 10 new lots, including the residual lot.
- A private division road cannot serve more 10 new lots, including the residual lot, per intersection with a Public Road.
- A new public road created after the adoption of this ordinance cannot serve more 10 new lots, including the residual lot.
- Townhouse Divisions will be allowed on a private centralized water system.
- Subdivision Agent will be able to review and approve plats with up to 6 parcels.

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DIVISION TYPE NAMES CHANGES

| CURRENT | PROPOSED |
|----------------------------------|--|
| ▪ Subdivision (all types) | ▪ Division (all types) |
| ▪ Agricultural Subdivision | ▪ Large Lot Division |
| ▪ Lot Subdivision | ▪ Standard Division |
| ▪ Standard Subdivision | ▪ Standard Division |
| ▪ Townhouse Subdivision | ▪ Townhouse Division |
| ▪ Family Subdivision | ▪ Family Division |
| ▪ Cemetery Subdivision | ▪ Special Lot Division |
| ▪ Public Utility Lot Subdivision | ▪ Special Lot Division |
| ▪ Industrial Subdivision | ▪ Special Lot Division |
| ▪ Lot Line Revision | ▪ Lot Line Revision |
| ▪ Condominium Subdivision | ▪ Condominium Division |
| ▪ N/A | ▪ Parcel of Record and Boundary Survey |

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KEY DIFFERENCES FOR ALL DIVISIONS, UNLESS OTHERWISE SPECIFIED IN A DIVISION

| CURRENT | PROPOSED |
|--|---|
| Surveying | |
| <ul style="list-style-type: none"> ▪ Survey of residual land is required | <ul style="list-style-type: none"> ▪ Survey of residual land is not required, except for Townhouse Divisions |
| Pre-perking | |
| <ul style="list-style-type: none"> ▪ Lots under 25 acres must be perked for a drainfield and 100% drainfield, except for family subdivisions | <ul style="list-style-type: none"> ▪ Lots do not have to be perked prior to plat approval, unless a private central wastewater system is proposed in order to obtain smaller lot sizes |
| Shared Water and Septic Between Lots | |
| <ul style="list-style-type: none"> ▪ Shared well is allowed with easement ▪ Septic system must remain on lot with the structure it serves | <ul style="list-style-type: none"> ▪ Shared well and septic system allowed with an easement shown on plat |
| Centralized Water | |
| <ul style="list-style-type: none"> ▪ Central public water to serve 15+ connections, approved by Dept. of Drinking Water (State VDH) ▪ Central private water to serve 15+ connections, requires HOA ▪ PSA water within 500 ft. of any lot in a subdivision, the PSA may require connection | <ul style="list-style-type: none"> ▪ Private Centralized water, <ul style="list-style-type: none"> ○ VDH approval required ○ Owned, operated, maintained by POA ○ Proposed well must be drilled and tested for sufficient capacity; approved by VDH before plat approval if reduced lot sizes proposed ○ Tested annually by VDH ○ Must be on a Special Lot, owned by POA |
| Property Owners Association (POA) | |
| <ul style="list-style-type: none"> ▪ Required when a private water system with 15+ connections, or a private wastewater system is proposed | <ul style="list-style-type: none"> ▪ Required for ownership, construction, maintenance, and management of private division roads, private centralized water systems, private centralized wastewater systems, stormwater facilities, and common areas only. |

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| Lot Depth and Lot Width | |
| <ul style="list-style-type: none"> ▪ Lot depth must be greater than lot width as measured at the minimum setback line | <ul style="list-style-type: none"> ▪ Minimum lot depth = minimum lot width required at setback line (varies, but deepest requirement is 175') |
| Location of Minimum Setback Line | |
| <ul style="list-style-type: none"> ▪ For public roads that are prescriptive easements, the setback line is located 60 ft. from the centerline of the road ▪ For all other public roads, the setback line is located 35 ft. from the front property line | <ul style="list-style-type: none"> ▪ For public roads that are prescriptive easements, the setback line is located 60 ft. from the centerline of the road ▪ For all other public roads and PDRs, the setback line is located 25 ft. from the front property line |
| Road Frontage | |
| <ul style="list-style-type: none"> ▪ All lots in a subdivision required to have public road frontage, except for Family, and Agricultural | <ul style="list-style-type: none"> ▪ All lots required to have public road frontage OR frontage on an approved PDR, except for Family and Large Lot Divisions |
| <ul style="list-style-type: none"> ▪ If Agricultural lot has public road frontage: <ul style="list-style-type: none"> ○ 50 ft. minimum road frontage ○ 175 ft. minimum width at the setback line ▪ If Family lot has public road frontage: <ul style="list-style-type: none"> ○ 50 ft. minimum road frontage ○ 100 ft. minimum width at the setback line | <ul style="list-style-type: none"> ▪ If Large Lot has public road frontage: <ul style="list-style-type: none"> ○ 100 ft. minimum road frontage ○ 175 ft. minimum width at the setback line ▪ No change to Family lots with public road frontage: |
| Maximum Number of Lots Per Division | |
| <ul style="list-style-type: none"> ▪ N/A | <ul style="list-style-type: none"> ▪ Any Division, no matter the combination of Division Types, served by private, individual water systems is limited to 10 new lots, including the residual lot. ▪ Any Division, no matter the combination of Division Types, served by private centralized water system/s is limited to 10 new lots, including the residual lot. ▪ Any Division, no matter the combination of Division Types, served by an existing public road is limited to 10 new lots, including the residual lot. |

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Divisions on Private Division Roads (PDR) (NEW SECTION 6)

- | | |
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| <ul style="list-style-type: none"> ▪ Divisions of land are not allowed on private roads, except for Family and Agricultural Subdivisions if required width of easement is met | <ul style="list-style-type: none"> ▪ Divisions of land will be allowed on an approved PDR: <ul style="list-style-type: none"> ○ Must be owned, constructed, operated, and maintained by a POA ○ POA maintenance agreement required ○ Divider pay for all fees (including review fees from an Engineer retained by the County) ○ Must meet basic construction standards ○ Max # of lots per PDR is 10 ○ PDR must connect to a public road |
|--|--|

Divisions on a New Public Road (New Section 6)

- | | |
|---|--|
| <ul style="list-style-type: none"> ▪ There is not a maximum number of lots ▪ Must be built to VDOT standards ▪ Developer responsible for construction ▪ Road dedicated to County upon plat recordation ▪ If road rejected by VDOT, County is not responsible for construction or maintenance | <ul style="list-style-type: none"> ▪ Max # of lots per new public road is 10 ▪ Must be built to VDOT standards ▪ Divider/POA responsible for construction ▪ Road dedicated to County upon plat recordation ▪ If road rejected by VDOT, the POA is solely responsible for construction and maintenance of the road |
|---|--|

Review and Approval

- | | |
|--|---|
| <ul style="list-style-type: none"> ▪ Subdivision Agent: <ul style="list-style-type: none"> ○ 1-3 lots (including residual) ○ Lot Line Revisions ▪ Planning Commission <ul style="list-style-type: none"> ○ 4+ lots (including residual) ○ Any plat proposing a new public road | <ul style="list-style-type: none"> ▪ Subdivision Agent: <ul style="list-style-type: none"> ○ Minor Divisions <ul style="list-style-type: none"> ▪ 1-6 lots (including residual parcel) ○ Special Lots, unless part of a Major division ○ Lot Line Revisions ○ Will sign all plats - Minor & Major ▪ Planning Commission: <ul style="list-style-type: none"> ○ Major Divisions <ul style="list-style-type: none"> ▪ 7+ lots (including residual parcel) ○ Special Lots & Lot Line Revisions only if part of a Major Division |
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KEY DIFFERENCES FOR SUBMITTALS

| CURRENT | PROPOSED |
|---|--|
| Plat Font Type | |
| <ul style="list-style-type: none"> No set standard for plats | <ul style="list-style-type: none"> The font type and size must be clear and legible. Letters, numbers, and symbols must be properly spaced to avoid touching each other or “bleeding” together. Cursive, script, and scroll fonts will not be accepted. |
| Planning Commission Submittals | |
| <ul style="list-style-type: none"> Plats, requests for exceptions, appeals, conservation easements, or other documents to be reviewed by the Planning Commission must be submitted no later than 7 days prior to meeting | <ul style="list-style-type: none"> Plats, requests for exceptions, appeals, conservation easements, or other documents to be reviewed by the Planning Commission must be submitted no later than 14 days prior to meeting |

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KEY DIFFERENCES FOR AGRICULTURAL/LARGE LOT DIVISIONS (NEW SECTION 4-1)

| CURRENT | PROPOSED |
|---|---|
| Name Change | |
| <ul style="list-style-type: none"> • Agricultural <ul style="list-style-type: none"> ○ Gives impression that land can only be used for agricultural purposes. We don't control use | <ul style="list-style-type: none"> • Large Lot <ul style="list-style-type: none"> ○ This better describes the type of division being done. 25+ acres is not always used for farming |
| Minimum Lot Size | |
| <ul style="list-style-type: none"> ▪ 25 acres with 1 retained parcel of at least 2 acres | <ul style="list-style-type: none"> ▪ 25 acres with 1 Limited Access Parcel of at least 2 acres |
| Retained Parcel | |
| <ul style="list-style-type: none"> ▪ Lot must be 2 acres or more ▪ Lots must be perked for a drainfield and 100& reserve drainfield | <p>Limited Access Parcel</p> <ul style="list-style-type: none"> ▪ Lot must be 2 acres or more (in addition to the 25 acres). Name changed due to no requirement to retain the parcel ▪ Lots do not have to be perked prior to plat approval, but existing drainfield must be shown on plat ▪ 1 Limited Access Parcel allowed per division |
| Road Frontage | |
| <ul style="list-style-type: none"> ▪ Agricultural Lot <ul style="list-style-type: none"> ○ Not required to have public road frontage ○ Allowed to have a 50 ft. easement to a public road | <ul style="list-style-type: none"> ▪ Large Lot <ul style="list-style-type: none"> ○ Not required to have public road frontage ○ Allowed to have a 50 ft. easement to a public road ○ If access by an approved PDR, it will count towards max number of lots allowed for that road |
| <ul style="list-style-type: none"> ▪ Retained Parcel <ul style="list-style-type: none"> ○ Not required to have public road frontage ○ Allowed to have a 50 ft. easement to a public road | <ul style="list-style-type: none"> ▪ Limited Access Lot <ul style="list-style-type: none"> ○ Not required to have public road frontage ○ Allowed to have a 50 ft. easement to a public road ○ If access by an approved PDR, it will count towards max number of lots allowed for that road |

SEE KEY DIFFERENCES FOR ALL DIVISIONS, BEGINNING ON PAGE 1

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KEY DIFFERENCES FOR LOT/STANDARD DIVISIONS (NEW SECTION 4-2)

| CURRENT (Lot and Standard) | PROPOSED (Standard) |
|---|--|
| Minimum Lot Size, Minimum Road Frontage, Minimum Width at Setback, Minimum Lot Depth | |
| <ul style="list-style-type: none"> ▪ No public water/sewer <ul style="list-style-type: none"> ○ 2 acres ○ 50 ft. road frontage ○ 175 ft. width at setback ○ Depth greater than width | <ul style="list-style-type: none"> ▪ No public water/sewer <ul style="list-style-type: none"> ○ 2 acres ○ 100 ft. road frontage ○ 175 ft. width at setback ○ 175 ft. lot depth |
| <ul style="list-style-type: none"> ▪ No public water/sewer but new public road <ul style="list-style-type: none"> ○ 1 acre ○ 50 ft. road frontage ○ 100 ft. width of setback ○ Depth greater than width | <ul style="list-style-type: none"> ▪ No public water/sewer but new public road <ul style="list-style-type: none"> ○ 2 acres ○ 100 ft. road frontage ○ 175 ft. width of setback ○ 175 ft. lot depth |
| <ul style="list-style-type: none"> • Public water OR sewer <ul style="list-style-type: none"> ○ 0.50 acres ○ 50 ft. road frontage ○ 100 ft. width of setback ○ Depth greater than width | <ul style="list-style-type: none"> • Public water OR sewer <ul style="list-style-type: none"> ○ 0.50 acres ○ 50 ft. road frontage ○ 100 ft. width of setback ○ 100 ft. lot depth |
| <ul style="list-style-type: none"> • Public water AND sewer <ul style="list-style-type: none"> ○ 0.26 acres ○ 50 ft. road frontage ○ 75 ft. width of setback ○ Depth greater than width | <ul style="list-style-type: none"> • Public water AND sewer <ul style="list-style-type: none"> ○ 0.25 acres ○ 50 ft. road frontage ○ 75 ft. width of setback ○ 75 ft. lot depth |
| <ul style="list-style-type: none"> • Central water OR sewer <ul style="list-style-type: none"> ○ 2 acres ○ 50 ft. road frontage ○ 175 ft. width at setback ○ Depth greater than width | <ul style="list-style-type: none"> • Private Central water OR wastewater <ul style="list-style-type: none"> ○ 1 acre ○ 50 ft. road frontage ○ 100 ft. width at setback ○ 100 ft. lot depth |
| <ul style="list-style-type: none"> • Central water AND sewer <ul style="list-style-type: none"> ○ 2 acres ○ 50 ft. road frontage ○ 175 ft. width at setback ○ Depth greater than width | <ul style="list-style-type: none"> • Private Central water AND wastewater <ul style="list-style-type: none"> ○ 0.50 acres ○ 50 ft. road frontage ○ 75 ft. width at setback ○ 75 ft. width at setback |

SEE KEY DIFFERENCES FOR ALL DIVISIONS, BEGINNING ON PAGE 1

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KEY DIFFERENCES FOR TOWNHOUSE DIVISIONS (NEW SECTION 4-3)

| CURRENT | PROPOSED |
|---|---|
| Maximum Number of Units per Acre | |
| <ul style="list-style-type: none"> • 12 units per acre of master tract | <ul style="list-style-type: none"> • 7 units per acre of master tract |
| Frontage and Access | |
| <ul style="list-style-type: none"> • Vehicle and pedestrian access provided to a public road right-of-way through an easement or parking of at least 30 ft in width | <ul style="list-style-type: none"> • Vehicle and pedestrian access provided to a public road via a PDR |
| <ul style="list-style-type: none"> ▪ Master tract not required to have public road frontage ▪ If townhouse lots have public road frontage, a min. of 3 townhouse lots must share an entrance from public road | <ul style="list-style-type: none"> ▪ Master tract is required to have a min. of 50 ft. of public road frontage ▪ If townhouse lots have public road frontage, parking must be to the rear of the townhouses, on individual lots or in a common parking area |
| Water and Sewer | |
| <ul style="list-style-type: none"> • Shall be served by the PSA water and wastewater | <ul style="list-style-type: none"> • Shall be served by: <ul style="list-style-type: none"> ○ PSA water and wastewater, OR ○ Private Central water and wastewater |
| Parking | |
| <ul style="list-style-type: none"> ▪ Master tract not required to have public road frontage ▪ If townhouse lots have public road frontage, a min. of 3 townhouse lots must share an entrance from public road | <ul style="list-style-type: none"> ▪ Master tract is required to have a min. of 50 ft. of public road frontage ▪ If townhouse lots have public road frontage, parking must be to the rear of the townhouses, on individual lots or in a common parking area |
| Surveying | |
| <ul style="list-style-type: none"> • All lots within a Townhouse Subdivision must be surveyed | <ul style="list-style-type: none"> • All lots within a Townhouse Division must be surveyed |

SEE KEY DIFFERENCES FOR ALL DIVISIONS, BEGINNING ON PAGE 1

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NEW DIVISION TYPE – SPECIAL LOT (NEW SECTION 4-4)

| CURRENT | PROPOSED |
|--|---|
| Specific Uses | |
| <ul style="list-style-type: none"> • Replaces Cemetery, Public Utility, and Industrial Subdivisions | <ul style="list-style-type: none"> • Public or private utilities • Publicly owned or operated facilities • Publicly owned or operated parks, including business parks and parcels that are publicly owned • Storm-water management facilities • Historical markers, buildings, or plots • Cemeteries • Required Townhouse Division common areas • No Special Lot shall be used for dwelling or camping purposes |
| Minimum Lot Size | |
| <ul style="list-style-type: none"> • N/A | <ul style="list-style-type: none"> • No minimum lot size |
| Road Frontage | |
| <ul style="list-style-type: none"> ▪ N/A | <ul style="list-style-type: none"> ▪ Shall be accessed by 50 ft. of frontage on a public road or by a 50 ft right-of-way to a public road |
| SEE KEY DIFFERENCES FOR ALL DIVISIONS, BEGINNING ON PAGE 1 | |

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KEY DIFFERENCES FOR FAMILY DIVISIONS (NEW SECTION 4-5)

| CURRENT | PROPOSED |
|--|---|
| Immediate Family Member | |
| <ul style="list-style-type: none"> Child, spouse, sibling, grandchild, grandparent, or parent of an owner | <ul style="list-style-type: none"> Child, stepchild, parent, spouse, sibling, grandchild, grandparent, aunt, uncle, niece, or nephew of an owner/trust beneficiary |
| Who Property Can Be Conveyed To During Holding Period | |
| <ul style="list-style-type: none"> May be conveyed to immediate family member | <ul style="list-style-type: none"> May be conveyed to an immediate family member of the original grantor(s) |
| <ul style="list-style-type: none"> Financing purposes (such as the lender) | <ul style="list-style-type: none"> Financing purposes (such as the lender) |
| SEE KEY DIFFERENCES FOR ALL DIVISIONS, BEGINNING ON PAGE 1 | |

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KEY DIFFERENCES FOR LOT LINE REVISIONS (NEW SECTION 4-6)

| CURRENT | PROPOSED |
|--|--|
| <ul style="list-style-type: none"> • A lot line on an existing parcel may be revised as long as <ul style="list-style-type: none"> ○ An additional lot will not be created; ○ A substandard lot will not be created; or ○ Such action does not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas, and ○ Provided further that no easements or utility rights-of-way shall be relocated or altered without the express consent of all persons holding any interest therein, and ○ The revision will not be in conflict with any provisions of the Floyd County Subdivision Ordinance; | <ul style="list-style-type: none"> • All parcels depicted on the plat of lot line revision shall meet each and every requirement of the underlying division type (Large Lot Division, Standard Division, Townhouse Division, Special Lot Division, or Family Division) with the exception of those parcels falling under the highlighted information below; • New or additional parcels shall not be created via Lot Line Revision; • If the existing parcels conform to the current division regulations, a lot line revision may not cause any parcel to lose such conforming status or violate any requirement of the applicable subdivision type; • If an existing parcel is non-conforming: <ul style="list-style-type: none"> ○ A lot line revision may not increase the degree to which an existing parcel is non-conforming with the requirements of this Ordinance; ○ The lot lines of a non-conforming parcel may be revised if the revision will reduce the degree of non-conformity, and the resulting parcel includes at least part of the original parcel area. |

SEE KEY DIFFERENCES FOR ALL DIVISIONS, BEGINNING ON PAGE 1