

**BOARD OF SUPERVISORS  
ADJOURNED MEETING  
OCTOBER 3, 2000**

At an adjourned meeting of the Board of Supervisors of Floyd County, Virginia, held on Tuesday, October 3, 2000, at 7:00 p.m. in the Circuit Courtroom, Courthouse, thereof;

PRESENT: David W. Ingram, Chairman; Kirby Harris, Vice Chairman; Diane B. Belcher, J. Fred Gerald, Kerry W. Whitlock, Board Members; George W. Nester, County Administrator; Terri W. Morris, Assistant County Administrator; James E. Cornwell, County Attorney.

The Chairman called the meeting to order at 7:00 p.m. with the reading of the handicapping statement.

The Chairman called for the Public Hearing on the Intention of the Board of Supervisors to Propose for Passage a Resolution Authorizing the Issuance of up to \$3,750,000 Floyd County, Virginia, General Obligation Bonds for School Purposes.

Mr. Cornwell gave a brief overview of the intent of the public hearing. Last year the Board of Supervisors and the School Board agreed to borrow \$3.75 million for school improvements and the projects are underway and almost complete. The bridge loan, for use until the VPSA Funding was complete, was at a 6% rate. The purpose of the public hearing is to approve a resolution to secure permanent financing at a rate of 3%.

The Chairman called for comments on the proposed resolution.

After no comments from the audience, the Chairman declared the Public Hearing closed.

Mr. Cornwell presented the proposed resolution for the Board's consideration. The resolution will authorize issuance of the General Obligation bonds for permanent financing and for the bonds to be sold to VPSA. The resolution sets forth the terms and conditions.

On a motion of Supervisor Harris, seconded by Supervisor Gerald, and unanimously carried, it was resolved to adopt the resolution as presented (Document File Number \_\_\_\_\_).

Supervisor Gerald - aye

Supervisor Harris - aye

Supervisor Belcher - aye  
Supervisor Whitlock - aye  
Supervisor Ingram - aye

The Board recessed for a short time until the 7:30 p.m. Public Hearing.

At 7:30 p.m., the Chairman called for the Joint Public Hearing with the Floyd- Floyd County Planning Commission on proposed amendments to the Floyd County Subdivision Ordinance.

Planning Commission members present were: Ernest Bryant, Chairman; Sam Hassel, Robert Shelor, Fred Gerald, Connie Harmon, Larry Petrie, Members; Robert Britt, Subdivision Agent, David Rundgren, New River Valley Planning District Commission.

Mr. Rundgren gave a brief overview of the Subdivision Ordinance updates.

Issues that the Board of Supervisors and Planning Commission have studied over the last two years:

- road stripping
- subdivision process
- definition of family
- E-911 house numbering
- average lot width
- abandoned/discontinued roads
- water supply
- sewage
- setback too small
- flag lots
- greater lot area
- dry hydrants
- easements
- definition of major roads
- days to review family/agricultural divisions/appeal to the Board of Supervisors
- road construction surety
- should subdivider have plats recorded
- bringing ordinance into compliance with State Code
- exceptions to Ordinance

Proposed Actions:

- increase minimum lot size to two acres
- increase lot width from average to minimum - 250' for two acres - depth greater than width
- increase density for neighborhood development - 1 acre minimum lot size; reduced frontage from 50' to 30' on cul-de-sac

- add family definition of sibling, grandchild, grandparent
- E-911 Coordinator now included in approval process
- use minimum lot width rather than average to discourage pie-shaped lots
- distinction between public street and discontinued street
- require Health Department approval for any water supply with at least 15 connections
- private system with at least 15 connections has a homeowner association
- where public water is within 500', service should be extended
- sewer - follow State Code
- Health Department approval must be requested by County, not developer
- Health Department requires that applicants use certified soil evaluator, soil scientist, or soil consultant - according to State Code
- drain field must be shown on plat and staked on ground
- approximate site of house must be shown on final plat
- notes required on final plat if no served by public water/sewer
- set-back - 35' or more from street right-of-way and 60' or more from center of pavement as public street right-of-way
- Health Department may require a larger lot size if needed for water/sewer
- Require adequate hydrants where public water/sewer are available
- Specific provisions for street and utility easements
- All subdivision except family/agricultural should have access on public street
- No private streets in any standard subdivision
- Definition of larger lot left up to Agent and Planning Commission
- 30 days to review and act on family/agricultural subdivisions instead of 60 days
- appeals to Board of Supervisors within 60 days - if appeal is disapproved, have 60 days to go to Circuit Court
- partial release of bond (surety) may be released after 30% of utilities/facilities are complete - 3 times to request within 12 months
- subdivider has 6 months to file plat after approval
- requests for exceptions must be in writing
- Board of Supervisors and Planning Commission has 60 days after Planning Commission recommendation to answer in writing
- Exceptions are for injustice or hardship (physical not financial); no detriment to neighbors; situation is not general
- Appointment of two alternates for appointed Agent can be appointed by the Board of Supervisors
- Agricultural subdivision - 1 acre instead of 2 can be retained by the owner
- Large lot subdivision - all must have five acres
- All subdivisions must be platted
- Final plats with any new streets require final approval by the Board of Supervisors
- Agent can approve agricultural/family divisions
- Cemetery lots must be 100' away from water supplies
- Any subdivisions within ½ mile of the Parkway have to be sent to Federal agency for approval
- Interests may be vacated with proper notice to the Board of Supervisors.

The Chairman next called for comments from the audience.

Pam Cadamus - I live off of Laurel Ridge Road. I really support these amendments and urge the Board of Supervisors and Planning Commission to adopt this with the 2 acre minimum, if not 4 acres. I grew up in New York State and a 4 acre zoning was done in the 1940's. The people who ran the Town had the vision to see what was going to happen. Floods of people move in and this keeps the green areas there. When you have a lot of development, young people cannot afford the land. Montgomery County is a good example of no plan of action and no quality of life. You also need to consider the development of infrastructure such as water/sewer, schools, water, Fire Department, and the stress it puts on each. You need to consider how this will be handled in the future. I urge you to adopt the Ordinance.

J. C. Holden - I live in the Copper Hill area. For the last 3-4 years, I have really been interested in this subject and have been asking people about it. There are lots of people that don't even know we have a Subdivision Ordinance now. There is all kinds of property in my area that no plats are done when they are sold. According to Robert Britt, a plat has to be approved before land can be put up for sale. That does not happen. In reference to the two acre minimum, a lot of us have been raised up on less than this. The price goes up. The way the lots are laid out, you don't see any square ones. How is the layout going to be done? This is not New York and we don't need it changed. We may need to restrict the ideas of the people coming in from those places.

Jennings Bolt - I am a surveyor in the County. On Page 7, Section 2-18, lots of 50'. On Page 29, it says 2 acres or 250' wide - this says different things. It needs to be clarified. If you restrict flag lots, it is not going to help Floyd County people at all. This is the only way to do some of those. Leave the minimum at one acre. After the soil survey is done, you may need more land, but require it then.

Megan McQuen - I support this Ordinance. We need to think about the future and not a us against them attitude. I am concerned about the water and sewer issues as a medical professional. If we are overcrowded, it will be a problem. Look at this as a Floyd County people problem and work on it together.

Paul Haynes - I oppose this Ordinance. On Page 3, Section 1, non-exclusive intent. You are making your lot size 2 acres and the width. When we first get out of high school and get a job, you can't afford this and to put a house on it. You are forcing them out of the County or into a mobile home. Concerning water/sewer issues - in Floyd County the land perks very well. I drill wells for a living. For the most part, there is no problem with water with properly drilled wells. If you own an acre lot, wastewater and erosion is not a problem if properly laid out. I flew over the County a little while ago. You don't see nicely laid out subdivisions, you see lots of clear cuts - this needs to be addressed by the Board of Supervisors.

Charlie Richards - I don't think everybody in this room is looking to build a big

subdivision of 50 acres or more. Most people have been here for a number of years and they want to give their property to their family. I am not satisfied with a bunch of rules and I am opposed to this ordinance.

Kendall Clay - I own a little land in Floyd County and I am also an attorney here on behalf of a client. You are faced with a situation that needs to determine in a reasonable way how for a person to use their property. A two acre requirement is too restrictive. If we are concerned about the access to roads, there are other ways this can be addressed without being so restrictive and intrusive. Adequate evaluation of the property by the soil scientist will determine sanitation for the future. Another alternative is to require two approved sites on a parcel for a septic and water system to have a back-up in case one does not work out. This probably would require more than one acre, but it could be required at that time. This does give assurance for a water/sewer location on the site. I am concerned that if 2 acres if required, lots will be more expensive. We need to be certain that we don't get so restrictive that it precludes affordable housing.

David Larsen - the review of the ordinance was very helpful, but so much detail was left out, it was hard to understand. I could not understand the document. I have not been able to get information on this ordinance. For example, this impacts all landowners in Floyd County and we do need reasonable, rational rules. In family divisions, everyone usually wants to pass their land to their family. Only one division is allowed per family member. If you have several children, more than one parcel is reasonable. No further subdivision of the property within five years of the original subdivision is allowed. This does not seem reasonable. What is reasonable is you follow the rules and it is subdivided. Concerning flag lots - are they totally out or can you have one? With 250' or 100'? I don't understand that. We need a definition of that. This is mountain land, it doesn't make sense to build a State road to serve a couple of lots. There is lots of useful land that you have to drive miles to get out. Affordable land? The Subdivision Ordinance does not address this, we have to consider this for our families. There are families with 200-300 acres which is needed to support grandma and grandpa when they have to go into a nursing home. I think we have a lot of families, that when they find out what this Ordinance says, will be very upset. I think we need a Subdivision Ordinance but I think this one needs more consideration.

Steven Wade - I oppose the Ordinance. I believe Tina Thompson has done a good job in dictating what lots need to be cut up or not cut up. She has done a good job. You mentioned several times about the County having to take over roads. I don't understand that. Don't they have to be done by the developer up to State standards? This does not fall on the County. People cannot afford big lots or tracts anymore.

Betty Griffith - I have lived in Floyd County all my life. I work at Liberty Fabrics, which employs a lot of Floyd County people. I have a lot of people who live in Patrick County tell me that they can't afford Floyd County land. When I ask them how much they want, they sometimes say ½ acre, and they can't afford \$15,000-20,000 for it. Only the rich can live in Floyd County. We are losing a lot of young people because of prices and the businesses are gone. Is this going to become a retirement center? What is the future of Floyd County? If we

put only two acre lots, people can't afford it. I grew up a poor person. I would not have a place in Floyd County if my family had not given it to me. What is coming for our grandchildren?? We need to look at this. When you have to start with 2-4 acres, it is too much.

Earl Frith - it took 30 minutes for the presenter to go over the Ordinance. I beg of the Board of Supervisors not to adopt this ordinance. I do like the reduction of 60 to 30 days for the approval process. That is good. It is very expensive on the developer's part to have to wait 60 days. I didn't understand the AOSE - is that a soil scientist? Will the Health Department still do them also?

Mr. Rundgren - the Health Department will still have to review the plat after the soil scientist has done their work.

Mr. Frith - and you have 60 days to record the plat?

Mr. Rundgren - the developer has 6 months to record the plat.

Mr. Frith - the two aces - that may be a little much in Floyd County, budget-wise. A lot of people can't afford that. It looks like you are asking for an as-built plat, which can get expensive. Please look seriously at this before you adopt something.

After no further comments from the audience, the Chairman declared the Public Hearing closed.

On a motion of Supervisor Harris, seconded by Supervisor Belcher, and unanimously carried, it was resolved to adjourn.

Supervisor Gerald - aye

Supervisor Harris - aye

Supervisor Belcher - aye

Supervisor Whitlock - aye

Supervisor Ingram - aye