



County of King William, Virginia

## Board of Supervisors

**ORDINANCE 01-25  
AN ORDINANCE TO UPDATE AND AMEND THE KING WILLIAM COUNTY CODE  
CHAPTER 86 – ZONING AND SUBDIVISION**

**ARTICLE XVIII – SUBDIVISIONS, DIVISION 2 – SUBDIVISION METHODS  
SEC. 86-456 CLUSTER SUBDIVISIONS**

**WHEREAS**, pursuant to Code of Virginia §15.2-2240 the governing body of every locality shall adopt an ordinance to assure the orderly subdivision of land and its development; and

**WHEREAS** the amendment to the Zoning Ordinance presented herein has been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, and general welfare of the citizens of the County; and of further accomplishing the objectives and requirements of the Code of Virginia §15.2-2283; and

**WHEREAS** the King William County Planning Commission conducted a duly advertised public hearing on November 12, 2024, and recommended approval of the amendment contained herein to the Board of Supervisors; and

**WHEREAS**, after reviewing the amendment recommended by the Planning Commission and holding a duly advertised public hearing on January 13, 2025, the Board finds that the general welfare of the King William community and the dictates of good zoning practice require adoption of the Planning Commission's recommendation in order to meet the requirements of the Code of Virginia;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** that the Board of Supervisors of King William County, Virginia, does hereby amend King William County Code Chapter 86 – Zoning and Subdivision, Article XVIII, Subdivisions, Division 2, Subdivision Methods to replace Sec. 86-456, Cluster Subdivisions with the attached; and

**BE IT FURTHER ORDAINED AND ENACTED** that this ordinance shall become effective immediately; and

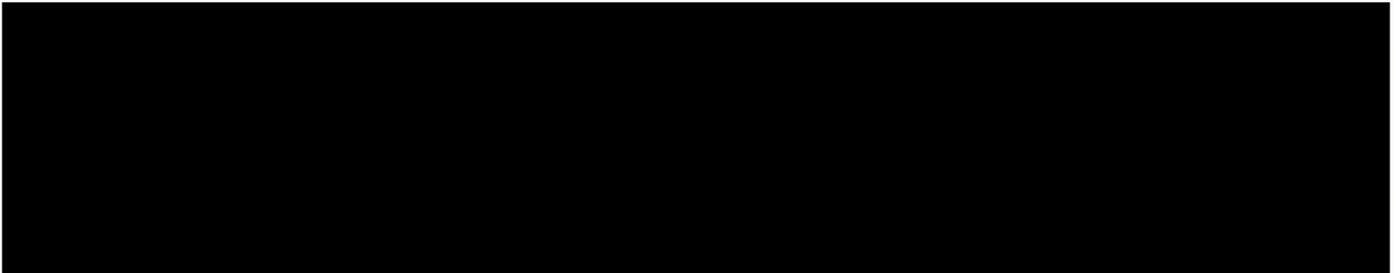
**BE IT FURTHER ORDAINED AND ENACTED** that any applications currently active in the Office of Community Development shall be handled pursuant to the Zoning & Subdivision Ordinance as it was enacted at the time of application.

**ADOPTED** this the 13th day of January, 2025.

The vote on the foregoing was as follows:

Supervisor, 1st District: William L. Hodges	Aye
Supervisor, 2nd District: Benjamin J. Edwards, III	Aye
Supervisor, 3rd District: Justin Catlett –Chair	Aye
Supervisor, 4th District: Lindsay May Robinson – Vice Chair	Aye
Supervisor, 5th District: Mary Sue Bancroft	Aye

ATTEST:



**Section 86-456. Cluster subdivisions.**

- (a) *Applicability.* Cluster subdivisions shall be permitted in A-C, Agricultural Conservation district, subject to the following standards, conditions, and criteria.
- (b) *Minimum area for application; density.* The minimum parcel size for consideration of a cluster subdivision shall be thirty-five (35) acres. Permissible density shall not exceed one (1) lot per 5 acres (based on the overall parcel size).
- (c) *Lot area requirements.*
  - (1) Residential Lots.

Criteria	Minimum Lot Size (square feet)
Served by Public Water AND Sewer	15,000
Served by Public Water <i>only</i> OR Public Sewer <i>only</i>	20,000
Served by Private Utilities (Well & Septic)	40,000

Lot Depth, frontage, setback, yard and height requirements for cluster lots shall follow the R-1 standards in Sec. 86-110.

- (2) Conservation lot. A minimum of seventy (70) percent of the total area of the parcel shall be within the conservation lot. *Example: With an overall parcel size of 35 acres, 24.5 acres must be within the conservation lot.*
- (d) *Access.* No residential lot shall have direct access to a road located outside the Cluster subdivision. Conservation lots may have direct access to a road located outside the subdivision only for agricultural and related purposes.
- (e) *Utility requirements.* Water and sewer facilities may either be served by a public system or systems approved by VDH. Centralized utilities shall be maintained by a homeowners association (unless otherwise operated by a public or private utility) which shall be established prior to final plat approval. Applicable homeowners association documents shall be reviewed for consistency with the requirements of this subdivision chapter by the planning department prior to final plat approval.
- (f) *Preservation of open space on conservation lot.* Prior to or contemporaneous with subdivision approval for any property within a Cluster subdivision, the property owner shall record documents conveying an open space easement applicable to the conservation lot, with content approved by the County, requiring preservation of features so designated on the subdivision plat in perpetuity and prohibiting further division of the conservation lot. The conveyance of the open space easement shall be to a qualifying nonprofit or governmental entity, approved by the County, upon a finding that such a conveyance will achieve purposes of open space or historic preservation consistent with the character of the property, that the conveyance will be beneficial to the future owners within the subdivision and to the public, and that the purposes and resources of the entity and the proposed conveyance are consistent with the perpetual preservation of the open space and significant features.
- (g) *Additional requirements for subdivision plat.* In addition to the general platting requirements set forth in Division 3, Section 86-475 of the subdivision ordinance, the following shall also be required:
  - (1) Location(s) of any historic resources on both the subject and adjacent parcels, including cemeteries, trenches, and archeological features as reflected in available County records.
  - (2) Proposed location of single-family dwelling, if any, and its associated utilities on the conservation lot. If the conservation lot contains a single-family dwelling, it shall be counted toward the allowable density of 1 lot per 5 acres.
- (h) *Additional requirements for subdivision.* In addition to the requirements of 86-460 for major subdivisions, the following additional development standards shall be required for Cluster subdivisions:
  - (1) Floodplains, wetlands, and steep slopes shall, to the maximum extent practicable, be protected from clearing, grading or filling. Lots shall be designed to minimize necessary grading or filling, and to take advantage of the existing topography and landforms to the extent practicable.

- (2) Lots, to the maximum extent practicable, shall be designed to preserve and maintain existing tree lines between fields or meadows, pastures, meadows, orchards, and mature woodlands, especially those containing a significant wildlife habitat, and to minimize development in open fields and pastures.
- (3) Existing views from public thoroughfares shall be preserved to the maximum extent practicable and include a 20-foot landscaping buffer, consisting of sight obscuring native species of trees in areas if needed to accomplish this requirement.
- (4) Lots, to the maximum extent practicable, shall be designed to avoid important historic, archaeological, or cultural sites.
- (5) Ridge tops and hill tops shall be contained within conservation areas to preserve scenic views. Trees, to the maximum extent practicable, shall not be removed from ridge tops or hill tops.
- (6) Roads shall be designed to mitigate the impact on conservation areas.