

RUTGERS

Edward J. Bloustein School
of Planning and Public Policy

U.S. Virgin Islands Zoning and Subdivision Code Assessment

August 5-7, 2009, St. Thomas, St. John, &
St. Croix, U.S.V.I.

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Tasks

1. Reviewed existing laws and related documents
2. Created a questionnaire
3. Dec. 2008 Site visit: interviews with stakeholders and public presentations
4. Prepared a draft report for DPNR review
5. Prepared final report and this presentation

Review based on:

- Existing U.S. V.I. zoning and subdivision law (1972; 2007).
 - U.S.V.I DPNR case files and staff reports.
 - Minutes from meetings of the CZM Commission and BLUA.
 - Stakeholder interviews & emails
 - Questionnaires from residents
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Topics in the Assessment Report

- Organization & format of codes
- Purposes & scope
- Definitions
- General provisions
- Zoning districts & land uses
- Development standards
- Use standards

Continued...

Topics in the Assessment Report

- Planned area development; affordable housing
- Accessory uses & structures
- Administration, enforcement & procedures
- Subdivision procedures and standards

Interviews with Stakeholders

- Absence of a plan
- Concern about impacts of development
- Politics in decision making
- Building height
- Lockouts
- Lack of clarity
- Site visits, review procedures
- Support for idea of planning commission

Recommendations

Organization & Format

- Reorganize code completely
- Consolidate related codes into a single document

Purpose Statements & Scope

- Reorganize provisions
- Update language on purpose from 1920s
- Add language on objectives to reflect contemporary concerns

Definitions

- Clean up numerous problems
 - Density
 - Mezzanine
 - Height
 - Story
- Add definitions

General Provisions

- Many technical changes are needed
 - Add a severability clause
 - Relocate some sections
 - List map amendments
 - Establish lots of record

Zoning Districts & Land Uses

- Establish a new section on zoning districts
- Rewrite district purpose statements
- Reorganize uses into use groups
- Use tables instead of text

Development Standards

- Create a new development standards chapter
- Change building height measurement
- Create intermediate residential density district
- Establish steep slope standards

Use Standards

- Differentiate across-the-board requirements from standards specific to certain uses
- Create cross references & links
- Establish a separate sign code

PAD; Affordable Housing

- Define minimum standards for PAD plan
- Broaden use types allowed
- Set standards for affordable housing production & retention; annual reporting; density bonus

Accessory Uses & Structures

- Remove overly broad and overlapping provisions
- Create more precise set of standards and conditions
- Define accessory structure

Administration, Enforcement, Procedures

- Establish procedures for:
 - issuance of zoning permit
 - Stop work orders
 - Fact finding hearings
 - Formal written interpretations
 - Use variance alternatives

Administration, Enforcement, Procedures

- Comprehensive Plan
 - Definition
 - Charge to prepare
- Territory-wide planning commission
- Annual report

Administration, Enforcement, Procedures

- Establish criteria for zoning amendment
- Clarify consistency test provisions
- Clarify beach access easement requirement
- Update fees and penalties

Subdivision Procedures & Standards

- Complete revision, consolidation
- Incorporate a 2- and 3-step process
- Add steep slope provisions & standards
- Percolation tests
- Add graphic & written standards
- Performance, maintenance bonds

More questions?

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