U.S. Virgin Islands Zoning and Subdivision Code Assessment
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Stuart Meck, FAICP/PP, Associate Research Professor, Rutgers, New Brunswick, NJ
&
Marya Morris, AICP, Consultant, Duncan Associates, Chicago, IL
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
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?

- Contact Stuart Meck, E.B. Bloustein School Rutgers, The State University of New Jersey, 33 Livingston Avenue, Suite 200, New Brunswick, New Jersey, 08901, tel. 732-932-3313, ext. 640; email: stumeck@rci.rutgers.edu