

Chapter CHAPTER 3: ——— Land Use & Community ——— Character (text only)

Introduction

The Land Use Plan should be considered the most important element of this Comprehensive Plan. It establishes the relationship between the Town's existing patterns of growth and development and the location, distribution and scale of future development. It builds on the history of growth of Ocean City. It influences the location and needed capacity of public facilities and transportation system improvements. It affects both the quality and character of the overall community. The scale of future development will have an impact on the fiscal and natural resources of the Town.

The Land Use Plan provides the means to integrate ~~the~~ various planning goals and objectives into a comprehensive whole and incorporate public participation as the plan is updated. Ocean City's ~~plan~~ Land Use Plan is the basis for future changes in zoning and development regulations.

With this update, the established land use pattern which has developed over the years is reaffirmed and the recommendations extended until the next comprehensive plan review. Minor revisions have been proposed to address current issues.

Goal:

To foster a legible clear pattern of land use which accommodates variety in development type and scale appropriate to distinct neighborhoods or districts within the town, to meet the residential, commercial and cultural needs of the community, and to protect natural resources and open spaces, improve transportation systems, maintain and enhance community facilities, enhance pedestrian connectivity within the Downtown, and ~~protect the Town's character are all elements associated with and incorporated into the Land Use Plan. Ocean City's Land Use Plan is the fundamental element that will determine the Town's future qualities and character.~~ to protect the Town's seaside character.

Objectives: In order to achieve the land use goal, the following objectives are adopted:

- 3.1 Mixed Use Development - To the extent practical, document and describe a series of land use districts or neighborhoods that serve to guide development and

re-development — design in a manner that is consistent with the mix of uses and character/scale of — development that is currently established in each district.

3.2 Residential - Maintain the integrity of existing residential neighborhoods to promote long term property ownership and quality of life for year round resident populations.

3.3 Residential - Identify single family areas with a high percentage of resident owners who may support the proposed R-1A district with limitations on short term seasonal rental use.

3.4 Residential - Protect residential neighborhoods from unwanted incompatible traffic and encroachment by commercial activities, except in a planned mixed use context.

3.5 Economic Development - Encourage infill and redevelopment of existing vacant or underutilized sites.

3.6 Economic Development - Maintain opportunities to grow the tourist economy and support a viable diversified economic base, which encourages further investment, diversification, and expansion creating more employment opportunities to meet the needs of Town residents and tourists while enhancing the tax base.

3.7 Commercial - Encourage a full array of commercial services that meet the needs of the Town and its residents and visitors.

3.8 Commercial - Encourage new development and re-development to minimize the impacts of strip commercial development by encouraging clustering of commercial uses and activity at optimal locations.

Study the potential for — additional free standing commercial zoning and uses in selected locations on the Oceanside to reduce vehicle trips — and encourage pedestrian safety.

3.9 Environment - Minimize the environmental impacts of development and re-development to minimize adverse impacts of pollution on ~~insure pollution does not adversely affect~~ the Coastal Bays and ocean, dunes, and beaches. Promote the positive benefits of nature based tourism.

3.10 Municipal Services - Expand guidelines for development design that reflect the traditional character of those districts where appropriate, notably the Southern portions of the Town. Continue to support the OCDC with emphasis architectural design review and redevelopment opportunities.

3.11 Municipal Services - Establish more flexible guidelines for development design for distinct districts in northern portions of the Town, (17th street north), that encourage quality in architectural design, and a mix of uses. Guidelines should reflect the existing character of these districts, or contribute to better definition of character where it may be absent and therefore appropriate.

3.12 Municipal Services - Review existing zoning district standards to study the possible benefits and consequences of transitioning away from pyramidal zoning.

3.13 Economic Development - Increase the downtown retail base and cultural opportunities. Enrich the quality of the pedestrian experience, including improved signage, storefront design, wider walkways, and landscaping while maintaining the traditional character of downtown structures.

3.14 Economic Development - Support the continuing improvement to the Boardwalk and the development of inlet and bayside public use areas to increase opportunities for water vistas.

Growth History

Ocean City began in the resort business in 1875 with the opening of the Atlantic Hotel, on the boardwalk south of Somerset Street. Prior to its settlement, the island served as pastureland for mainland farms. The first town limits were at North and South Division Streets.

By 1880 three major hotels, several cottages, the United States lifesaving station, a post office, two general stores, several churches, and a railroad station had been established in Ocean City.

A railroad bridge built in 1876 coming into the resort at South Division Street provided a direct line to the mainland, and served as the primary means of transportation to and from the resort community.

In 1890, the Sinepuxent Beach Company purchased all the land available from South 7th Street (now part of Assateague Island) north to 33rd Street and platted the land into lots, blocks and streets. The Town's corporate limits were extended ~~from~~ from South 7th Street to North 15th Street in 1898. The 1890's saw the construction of additional hotels, casinos, cottages, a power plant and the advent of the resort's fishing industry with fishing camps located between South 2nd Street and South 7th Street. Pound fishing grew ~~to support~~ along with tourism as the major community source of income.

An automobile/railroad bridge in 1910 replaced the original and the town's growth continued. The Fenwick Land Company and the Isle of Wight Land Company purchased the land to the Delaware State line and platted blocks and streets in the area that is now referred to as north Ocean City.

By 1918 a number of Town Streets were paved and an automobile bridge was constructed from Worcester Street across Sinepuxent Bay to the mainland.

Throughout the years, major fires and storms ravaged portions of town. Most notable are the fires of 1925 and 1929 and the storm of 1933. The two fires destroyed twelve city blocks including portions of the original town. The storm of 1933 destroyed the fishing camps and cut the inlet, reducing the part of Fenwick Island now occupied by Ocean City to an area of about four square miles. ~~By now, The storm also knocked out the railroad bridge resulting in~~ more and more tourists ~~were~~ traveling by car ~~and by 1933,~~ Coastal Highway, was first extended from the resort's northern limits to the Delaware State line: as an unpaved 2 lane road in this period.

Growth in 1940s was slowed by the war. The next decade brought the first span of the Chesapeake Bay Bridge (1953) and more growth. Throughout the town's development, fill had been used to create land. The 1960s saw a great expansion in land creation and consequently the ~~destruction of wetlands. Also the first high-rise, the Highpoint, was constructed in 1969. During this period public utilities were extended to the town's new boundary, the Maryland/Delaware state line. The early 1970s brought the completion of the second span of the Bay Bridge.~~ loss of wetlands. Up until this point, the plan for expansion of the Town was accomplished in large sections with the creation of a survey and subdivision plat which followed the traditional development pattern of connected streets and small lots.

Modern day Ocean City has grown in stages that are the direct result of the 1968 Comprehensive Plan. This plan was the outcome of the 1962 Storm, after which federal recovery funding was tied to the adoption of a master plan. Harland Bartholomew was hired as the best planning firm in the nation and a plan was put in motion for high rise density of 1 unit per 600 square feet of land (80 units/acre) in part to build an adequate tax base for annexation of Ocean City municipal limits to the Delaware state line. Storm recovery funds were used to put into place the public facilities and infrastructure which continue to support the Town today.

The first high-rise, Highpoint, was constructed in 1969 along with adoption of the Maryland Property Act which allowed condominium ownership and expanded the real estate market to small individual investors for purchase of a vacation property. The early 1970s brought the completion of the second span of the Bay Bridge, adoption of the first comprehensive zoning map for Ocean City, and the start of a sidewalk program for all public streets.

Two major ~~development boom~~ periods of rapid growth occurred during the last three decades. The first occurred ~~in from the late 1960's into~~ the early 1970s ~~which lasted for three years~~ and created north Ocean City's "High-Rise Row". The second and more recent between 1981—1985 was largely driven by renewed interest in purchase of second homes in the resort community. This development continued the land use pattern referred to in the 1968 Comprehensive Plan as "natural", i.e., driven by market forces rather than a preconceived plan.

A mixed use development pattern was encouraged by pyramidal zoning which allows multiple land uses in the same district, and market forces which established 'highest and best use' of the land. By 1986, Ocean City had completed comprehensive density reductions which reduced multi-family density by 50%, recognized new residential neighborhoods at lower density, revised permitted density for Hotel/Motel use and adopted the first landscape ordinance.

1986 brought the third great storm, Hurricane Gloria, which had a significant impact on land use in Ocean City by triggering the USACE beach renourishment and primary sand dune system project that provides property protection and flood risk reduction today. This project included density transfer from land east of the project limit line and the creation of 312 development rights that may be used to increase density up to 25%. The resulting public ownership of the majority of Ocean City's beach is an important legacy for future generations.

The Comprehensive Plan in 1989 recognized the previous density reductions and continued to direct comprehensive zoning changes in 1993 which addressed large parcel redevelopment through new planned overlay districts, bayside mixed use regulations, existing non-conformity with new parking standards, and building 'height by right' based on size of the parcel. Increased emphasis was placed on applying design guidelines and redevelopment strategies in the downtown area which led to establishing the Ocean City Development Corporation (OCDC) in 2000.

A growth period from 2000 until 2008-09 capped off an extended period of residential condominium construction included the construction several high end condominium buildings which added several hundred units over 10 years.

By 2009 when the current Comprehensive Plan was adopted, the measurements of growth and change were indicating an extended period of stability, and the beginning of a national economic recession. New State laws and guidance required the preparation of two new Plan elements in 2011: Municipal Growth and Water Resources as a means of estimating future needs and demands on resources. In both areas, Ocean City demonstrated adequate capacity to meet current and future needs.

Today, 95% or more of the land located within Ocean City has been developed. Recent growth~~Today, 95% or more of the land located within Ocean City has been developed.~~
~~Much recent development~~ has been in the form of redevelopment; new modern structures are replacing older less desirable ones. Redevelopment projects show a net increase in number and average size per housing unit. Recent redevelopment projects show an average increase in units of 25 percent. Coordination of land use policies with Worcester County is more important than ever in order to meet increased needs for regional services: schools, large retail, medical facilities, athletic fields, golf, etc.

Following the national recession in 2008-2012, the next wave of development in Ocean City has been the addition over 1,000 new hotel rooms under construction or in the development process in 2015. Several hotel sites located on the Bayside have created new landmark buildings and raised new land use challenges for guests to safely cross Coastal Highway to reach the beach.

The history of ~~the~~ development ~~in~~ Ocean City, together with a present day emphasis being placed on quality of life and community values, has led to a greater interest in preserving components of the Town's character, particularly the Downtown area, and to ~~giving~~ greater consideration to the quality of development and redevelopment that will occur over the next several years and will define and reflect the character of Ocean City in the future. ~~These considerations today prompt the following land use goal and objectives: planning period.~~

~~GOAL:~~ ~~To foster a legible pattern of land use which accommodates variety in development type and scale appropriate to distinct neighborhoods or districts within the town and which meets the residential, commercial and cultural needs of the community.~~

~~Objectives:~~ ~~In order to achieve the land use goal, the following objectives are adopted:~~

- ~~■ To the extent practicable, establish and define a series of land use districts that serve to guide development and re-development design in a manner that is consistent with the mix of uses and character/scale of development that is currently manifest in each district.~~
- ~~■ Maintain the integrity of existing residential neighborhoods.~~
- ~~■ Protect residential neighborhoods from through traffic and encroachment by commercial activities.~~
- ~~■ Encourage infill and redevelopment of existing vacant or underutilized sites.~~
- ~~■ Maintain opportunities to grow the tourist economy and support a viable economic base, which encourages further investment, diversification, and expansion creating more employment opportunities to meet the needs of Town residents and tourists while enhancing the tax base.~~
- ~~■ Provide for a full array of commercial services that meet the needs of the Town and its residents and visitors.~~
- ~~■ Encourage new development and re-development to minimize the impacts of strip commercial development by encouraging clustering of commercial uses and activity at optimal locations.~~

- ~~Minimize the impacts of all development and re-development to insure pollution does not adversely affect the Coastal Bays and Ocean Dunes and beaches.~~
- ~~Establish guidelines for development design that reflect the traditional character of those districts where appropriate, notably the Southern portions of the Town.~~
- ~~Establish more flexible guidelines for development design for distinct districts in northern portions of the Town, (33rd street north), that encourage quality in architectural design, and a mix of uses, but nevertheless reflect the existing character of these districts or contribute to better definition of character where it may be absent and therefore appropriate.~~
- ~~Utilize an appropriate mix of regulations and incentives to retain a healthy mix of Commercial retail and service uses to support the shopping and personal service needs of Town residents.~~
- ~~Increase the downtown retail base and enrich the quality of the pedestrian experience, including improved signage, storefront design, wider walkways, and landscaping while maintaining the traditional character of downtown structures.~~
- ~~Support the continuing improvement to the Boardwalk and the development of an inlet and bayside boardwalk to increase opportunities for water vistas.~~

Existing Land Use

~~The present land use pattern contains a thorough mixing of residential types and substantial commercial strip and center development along Coastal Highway (see Existing Land Use is illustrated on Map 3-1 at the end of this chapter). The present land use pattern contains a thorough mixing of residential types and substantial commercial strip and center development along Coastal Highway. Industrial development, other than a few locally specific examples, is notably absent. This unusual traditional mixed use development pattern resulted from several factors:~~

- ✖ ~~_____ Ocean City has a large proportion of absentee property owners. The orientation of these owners is more both as an investor rather than and as a member of the traditional community.~~
- ✖ ~~_____ In the past, vacationers' transience led them seasonal visitors tended to overlook development aspects which in their home community might be unacceptable. A growing As the year-round residential population is showing became more established, there is increased concern about the quality of life and compatible development in recent years.~~

- ✖• ~~_____~~ The island's long narrow shape and simple traffic circulation system limited the creation of more traditional distinct identifiable single use neighborhoods. The exception are areas along the bayside, zoned R-1 single family residential and several single use commercial centers.
- ✖• ~~_____~~ A strong ~~vacationer~~ demand exitexists for ocean side and bayside seasonal accommodations, and development has occurred to meet that demand. Higher density residential use is directed to the ocean side of Coastal Highway and commercial uses are generally restricted to the bay side.
- ✖• ~~Few large developments were platted and developed~~ planned as an integrated whole, except for a few residential neighborhoods., resulting in many development decisions being made independently on smaller individual parcels.

~~Under ordinary circumstances, resistance to such an intermixing of uses and density would be great, but Ocean City is different. Property values have grown dramatically despite this unorthodox situation. While unusual for year-round communities, such a pattern is not uncommon among resorts that have experienced intense growth pressure.~~

Now established, Ocean City's land use ~~this~~ pattern and variety of neighborhoods will continue into the future. ~~_- (see Land Use Map). Visitors to Ocean City seek out favorite places to stay, landmark commercial establishments, and new attractions each year. The recently constructed Sunset Island community on the bayside at 67th Street is one example that reimagines the traditional seaside resort experience with a mix of housing options, civic park space, and now a 'mid-town boardwalk' at the adjacent commercial Town Center.~~

In recent years the ocean side's residential diversity has tended to decrease. ~~In filling as single family homes are rebuilt and converted into higher density rental units. Infill~~ and redevelopment has largely involved multifamily structures in condominium forms of ownership. Therefore, the character of the ocean block has become increasingly multifamily with a rise in the number and size of individual units within condominium projects developed in recent years.

There is a great variation in the density of residential development overall. The oceanfront areas range from 20 units per acre to over 80 units per acre in completely developed blocks. In these areas most blocks average from 40 to 70 units per acre.

On the ~~bay side~~ bayside, a few higher density projects dot the waterfront. However, the majority of land is developed at less than ten units to the acre. This is due to extensive use of land committed to commercial uses and the location of a number of single family

neighborhoods. Areas developed with Townhouse and manufactured homes approach a density of twenty units per acre.

New hotel construction and mixed use redevelopment on the bayside are creating high density concentrations of visitors and new opportunities to plan for improved east/west pedestrian and transit connections to and from the Oceanside.

Most important to the analysis of existing land use is the fact that ~~only 5.5~~ less than three (3) percent of land in Ocean City is ~~vacant~~ undeveloped. Thus the potential for new development, other than redevelopment, is limited.

Several trends are causing an increase of interim surface parking lots particularly in the downtown areas. Market demand can encourage property owners to seek rReduction of nonconformity in meeting current parking requirements for redevelopment projects by demolition of existing structures, and interim use of vacant lots to meet seasonal peak demand for-paid parking. Both actions tend to cause a temporary reduction in assessed value, and change the traditional architectural character of downtown.

Figure 3-1 illustrates Town of Ocean City land area by land use type.

Insert Figure 3-1

Residential Land Uses

Ocean City's residential land uses ~~range from a travel trailer park to high-rise luxury condominiums. In between the extremes are~~ include mobile homes, rooming houses, motels, hotels, single family residential units, duplexes, ~~and mid-rise apartments-, and high rise condominiums.~~

Residential development is distributed throughout the town. The lack of a major industrial area or other ~~noxious~~ non-compatible uses affords residential use more locational flexibility. On the high value ocean block, multifamily apartments dominate with hotels, motels, townhouses and less intense residential uses sharing this prime location.

Dramatic changes in building scale are common in the ocean block. "High rise row" (94th St to 118th St) is exclusively a tall building (eight or more stories) area. To the north and south, tall buildings are dispersed in clusters and as ~~individuals~~ individual landmarks along the beach.

West of Coastal Highway, a variety of residential and commercial development intermingles intermingle. Several distinct neighborhoods exist. Much of the land for the bayside neighborhoods was created by filling the bay. This land was then, in most cases, subdivided and sold as lots. Each neighborhood has direct bay front lots, canal frontage, non-

waterfront, or a combination of the ~~two~~three. Some vacant lots remain, but many of these subdivisions are built-out.

Several Mobile Home and Trailer Parks remain a viable option for seasonal home ownership and often meet affordable housing needs in the community. Trends for reinvestment of new manufactured housing and construction of ‘small footprint’ single family homes within the five existing areas are expected to continue. As older homes are replaced or rebuilt, incremental compliance with current building codes and floodplain ordinance requirements are met.

Another trend currently impacting established residential neighborhoods is an increase in short term vacation rental use. The traditional weekly condominium rental for a stay at the beach has dramatically expanded to include daily and weekend rental agreements largely as a result of a change in consumer demand, and the convenience of internet web applications for reservations.

Seasonal workforce housing shortages have also expanded the impacts of individual room rentals into all housing types. Rental housing is currently regulated by Ocean City through an annual rental license and noise permit process. Transient, short term, shared housing, and workforce rental use often exhibit characteristics that are non-compatible with established residential neighborhoods (noise, late night activity, adequate parking, care of premise). Enforcement of maximum permitted occupancy, property maintenance, and zoning codes for required parking help to mitigate these conflicts.

Residential zoning districts are generally separated by housing type and density. Ocean City has adopted additional districts when necessary to establish unique areas to further control permitted land uses and bulk regulations (R-2A and R-3A). A similar alternative has been proposed for several established single family neighborhoods to control or prohibit short term rental of residential property in the R-1 district by creating an R-1A district.

Figure 3-2 illustrates the percentage and number of residential housing types

Insert Figure 3-2

Commercial Land Uses

~~Six~~ Several main types of commercial development exist in Ocean City:

- ~~✦~~ Boardwalk businesses.
- ~~✦~~ Free standing ~~Freestanding~~ retail, office and service operations; ~~for example,~~ convenience markets, gas stations, ~~and~~ general retail operations-, restaurants and bars
- ~~✦~~ Neighborhood shopping centers.

- ✖● ~~_____~~Community shopping centers (large centers generally over 100,000 square feet with one or more major anchor stores, usually a supermarket~~)-~~)
- ✖● ~~_____~~Marine – related commercial-
- ✖● ~~_____~~Amusement and recreational uses-
- Other ~~fn~~New uses include: ~~micro breweries~~microbreweries, distilleries

Commercial development occurs predominantly along Coastal Highway. The Current land use policy encourages the greatest concentrations to occur on the bayside in order to reserve proximity to the ocean for residential use where land is less costly.

Presently, neighborhood shopping centers of a variety of configurations are distributed about town. Five community shopping centers are concentrated north of the Route 90 Bridge. Two major amusement areas exist, one at the south end of the boardwalk and pier area, and the other at 30th Street on the bayside. Other concentrations of amusements include putt putt golf, theaters and indoor arcades.

All areas of the Town fall within the standard trade area of a convenience market or a major grocery store. This indicates that, for the most common needs of vacationers, existing commercial developments adequately serve the market. Land use policies should continue to support retail uses such as grocery, clothing, pharmacy and others which supportprovide the basic daily needs of both permanent and seasonal residents.

Lacking a formal central business district, Ocean City's commercial uses are distributed along Coastal Highway and sized to meet neighborhood needs. This strip development carriesCoastal Highway improvements with it all the problems commonly associated with such development; for example, numerous mid-block curb cuts exist which encourage a variety of medians to limit turning movements into and out of high, synchronized traffic generators. However, thissignals and pedestrian crossing controls have improved traffic flow and safety in the corridor. The dispersal of commercial uses does have some advantages in that many residential areas are within walking distance of restaurants and shopping.

In addition to Coastal Highway, a major commercial focal point is the Boardwalk – and Downtown area. Commercial and residential developments are interspersed along the Boardwalk between 3rd Street and 12th Street. South of 3rd Street, the Boardwalk is almost completely commercial at the ground level. A variety of restaurants, clothing, souvenirs, amusements and sundries are available. OCDC Main Street goals for Downtown include a possible extension of the Boardwalk commercial uses west to the bayside and additional design standards to the north.

In recent years there has been substantial pressure for condominium residential development that in many cases has prompted redevelopment which has displaced a number of commercial uses including restaurants, office uses and shops. ~~An evaluation of opportunities~~Opportunities to maintain or encourage development of ground level commercial uses and/or to promote mixed use development ~~is presently being~~have been explored to maintain such uses as an important component of the Town's tax base.

Sustaining the distribution of commercial restaurant, retail, and service uses throughout Ocean City and promotion of mixed use developments can reduce dependence on automobile use by residents and visitors, thereby reducing demand on transportation system infrastructure and services over time. Established commercial areas should be considered during a comprehensive zoning review to identify an acceptable transition away from pyramidal zoning to a primary commercial use district.

~~As the City works to retain a mix of commercial uses, competition for Big box retail establishments, such uses is growing as substantial commercial development, including big box commercial uses like~~as Walmart, Home Depot and Factory Outlets ~~are being developed~~have located in West Ocean City. ~~If unabated, this trend could erode the Town's commercial base because of available land and fore~~lower land values and a greater year round market area. While these establishments do compete with retail businesses in Ocean City, they also provide shopping opportunities to our residents ~~into automobiles to meet their needs for a number of basic goods and services~~and visitors that are not available in town.

Both development of mixed use projects and ~~re-development~~redevelopment of commercial properties represent a major opportunity to enhance and improve Ocean City's image, while supporting residents' needs for goods and services. Improved landscaping, ~~and~~ signage and lighting as well as design standards for new commercial development and re-development would enhance the specific property as well as the visual character and qualities of the Town as a whole.

The Ocean Boardwalk is likely the Town's most unique man-made asset. Continued consideration of improvements along or adjacent to the boardwalk should evolve to assure a consistent design theme along the boardwalk to enhance its character and qualities to enhance the image of the Town.

A ~~Bayfront Boardwalk~~bay front boardwalk along specific reaches of the Town's ~~bayfront~~bayside should be developed together with subsequent street system and walkway improvements that improve and strengthen ~~to the~~ vehicular and pedestrian connections between the Ocean and ~~Bayfront~~Bay front boardwalks. Easements should be obtained from any property being redeveloped for this purpose. Such connecting improvements along selected streets in the downtown area can promote greater pedestrian traffic to support a broader mix of commercial uses within the downtown area.

Figure 3-3 illustrates the percentage and number of commercial use types

Insert Figure 3-3

Parks and Open Space

~~Ocean City~~ Maryland's 10 mile long public Atlantic Ocean beach remains the number one attraction and recreational open space for Ocean City. Most public open spaces are carefully managed and programmed for multiple uses and special events. The beach is no exception with room for sunbathing, jogging, shell hunting, fishing, surfing, volleyball, soccer, movies, laser shows, concerts, sand sculpture contests, jeep parades, and skateboard competitions.

Ocean City also operates many parks which provide a wide range of active and passive recreation opportunities. These parks are described in detail in the Community Facilities and Public Services Chapter (Chapter 5). ~~Although~~ Northside Park is ~~only one~~ the premier community park facility out of some 15 locations used for recreation purposes, and its 58 acres of land represent ~~over 80% of all land in park use~~ the second largest area after the 300+ acre ocean beach.

~~Vast expanses~~

Expansive views across the beach, ocean, and bays provide Ocean City with the feeling of openness and space. However, land—based open space is rather limited due to the nearly complete development of the town and the modest building setbacks. Design standards should be developed that assure ~~commercial~~ that the development and re-development of sites maintains or creates ~~a greater number of pockets of~~ more landscaped open space to ~~serve as oasis's for residents and visitors and~~ contribute to the “greening” of Ocean City over time.

Although not within the town limits, two major open space resources ~~are available,~~ Assateague Island and the Isle of Wight. ~~Both~~ are large also available to the public ~~acres in near pristine condition.~~

Figure 3-4 illustrates the number of parks and open space areas.

Insert Figure 3-4

Industry and Utilities, and Municipal Services

~~One major industrial use and several utility installations are located in Ocean City. The industrial use, a concrete plant, is located on the bay just north of the Kelley Bridge.~~

The last major industrial use in Ocean City, a concrete plant, was closed in 2011 and the property was rezoned in 2015 for mixed use development. Limited manufacturing of unique products for the tourist industry still continues including salt water taffy, caramel, caramel corn, and crab cakes, etc that are marketed and shipped from Ocean City. New craft breweries and the Seacrets Distillery have been established by conditional use permit to address any potential industrial use impacts to surrounding properties. Electric

transformer stations, telephone switching buildings, and Ocean City public works facilities comprise ~~the~~ a range of utility/municipal service uses- and area requirements.

Information in Chapters 4 and 5 provides additional detail regarding transportation and community facilities.

Due to Ocean City's resort and residential nature, ~~additional heavy~~ many industrial ~~or manufacturing~~ uses are inappropriate. Smoke, noise, and major truck traffic would have an adverse effect on year-round and vacationer populations. ~~Without~~ With limited land area for new development, opportunities for buffering ~~are limited and,~~ such industry would be detrimental to surrounding properties. The town's limited street capacity would be adversely impacted by heavy truck traffic.

Investment in municipal facilities and public land ownership has been a slow and steady process to meet the needs of the community. As new properties are converted to public use facilities, the land use map and zoning maps for the Town will be updated. Many of these areas are also designated as critical facilities in the Hazard Mitigation Plan which applies a higher design and development standard for future construction.

Streets

Streets occupy nearly ~~600~~ 460 acres, which is about 25~~20~~ percent of the Town's land area. This relatively large amount is a result of the short blocks of the original subdivisions and the eight lanes of Coastal Highway.

Although summer traffic volumes constantly challenge the Town to move both people and goods, land constraints preclude meaningful expansion of the ~~Street~~ street system, and therefore continually require improvements to transit facilities and redevelopment forms that promote pedestrian movement.

Vacant and Redevelopmentable Land

In general, widely dispersed small parcels make up most of the ~~town's~~ Town's vacant land. In addition to vacant land, a ~~growing~~ number of parcels in town are subject to redevelopment. They generally contain wood frame construction and are not held in condominium ownership, as condominium ownership can make parcel assembly difficult. The greatest concentration of possible redevelopment sites is in the Downtown; north of 33rd Street redevelopment sites are more dispersed.

Several of the larger parcels offer special opportunities. When located near the entrances to the city, their development has aesthetic as well as traffic consequences. Special consideration should be given to these sites so they are developed in harmony with the community's development strategy.

Temporary Land Use (Special Events / OC at Night)

In addition to conventional land uses which are typically more permanent in nature, Ocean City also accommodates temporary uses which that often occupy municipal or large private properties. Uses such as Concerts on the Beach, Summer Nights on the Boardwalk, Car Shows and Parades, Sunfest at the Inlet Lot, Lunasea at Seacrets, and the White Marlin Tournament cause large gatherings of the population in specific locations which must be organized and managed. These special events and tourist activities are equally important for land use planning because they are location specific, involve activities which must be coordinated with other compatible land uses, and are a vital part of the local economy.

Ocean City at Night is a unique combination of bright lights, entertainment, boardwalk activities, dining and celebration which could be the subject of its own Comprehensive Plan. With this Plan update, it is enough to explore the potential land use differences and service demands of the 24 hour resort and to identify potential study topics for the next Comprehensive Plan in 2022.

Summary

Ocean City's land use development pattern is well established. Consistency in land use management is important to maintain family traditions, property values, and encourage continued investment in maintenance and redevelopment.

The ocean side contains a diverse mix of residential types and intensities. The town's southern end is a conglomerate of residential and commercial uses, many of which are related to the Boardwalk or have a marine orientation. The bayside further north is also a mixture, but in a more defined districting of residential and commercial uses. Development covers 9795 percent of developable land, so redevelopment will be a major component of any future development.

Commercial establishments are sufficiently dispersed to provide convenient access for consumable goods. Major commercial centers have clustered in the north end of town. Future commercial growth on the island will come through the expansion and/or more intensive use of existing facilities. Opportunity for construction of larger retail or big box uses will be limited by available land and land cost on the Island and will likely continue to developmentdevelop in West Ocean City over time.

Substantial pressure for condominium residential development has, in manysome cases, prompted redevelopment which has displaced a number of commercial uses including restaurants, office uses and shops. Evaluation of opportunities to maintain or encourage development of commercial uses and/or to promote mixed use development are presently beingshould be explored to maintain such uses as an important component of the Town's tax base, and to assure they continue to meet residentsresidents' needs for goods and services.

Marine-commercial

Commercial-marine uses require bayside access, but ~~manysome~~ of these sites have been developed in other uses. Zoning should continue to favor these working waterfront activities, as they support the identity of Ocean City as the White Marlin Capital of the World and provide a vital service to boating, fishing, and tourism interests.

Industrial land uses are limited in number and scope. An increase would be detrimental to the town's resort character.

Existing land use policies help to maintain the course set by previous Comprehensive Plans, with minor changes in direction to enhance value and meet new challenges. Coordination of current objectives with economic development can strengthen the 'brand' or 'sense of place' of the community.

Growth and change occurring outside of the Town boundary may require changes in the future land use plan as well as an active participation with West Ocean City, Worcester County, State and Federal land management programs.

FUTURE LAND USE PLAN

Future development, ~~like-as~~ in the past will be dominated by resort accommodations and services. The demand for land for future development is affected by several factors including the national and regional economies, financing capabilities, the supply of developable land, and the attractiveness of Ocean City as an investment opportunity. A proven approach which continues valued traditions and the established land use pattern, while encouraging incremental redevelopment to present new experiences each year is recommended.

As discussed earlier, the majority of Ocean City's visitors and property owners reside in the Washington—Baltimore regions and south—~~entral-Central~~ Pennsylvania. Growth and income levels in those areas ~~will-behave traditionally been~~ the primary determinants of growth in Ocean City. Growth in the number of households ~~will-may continue to~~ be greater than the rate of population growth as average household size continues to decrease. ~~This should-encourage~~In the past, this has encouraged an even higher demand for accommodations.

Map 3-x Property Owner Zip Code Map

Looking to the past for indications of future trends, land use plans should also consider that:

- Families who first visit by day trip, will likely make extended stays in the future;
- Families who vacation in Ocean City are likely to begin a tradition that their children will want to continue when they grow up;

- Many small business owners in Ocean City have become property owners, full time residents and community leaders within one generation, and pass on the legacy to the next generation;
- Special events introduce new visitors to Ocean City and quickly become an annual tradition that is maintained by public/private partnerships;
- The natural environment surrounding Ocean City is resilient, and with proper management ~~and it can withstand challenging the weather can be predictably stormy conditions; and~~
- Elements of municipal infrastructure are adequately sized for current land use with limited incremental growth, and may have reached a sustainable balance; and ;
- Certain streets, blocks, neighborhoods or districts will have unique characteristics which should be considered when redevelopment, ~~or~~ infill or change of use is evaluated for compatibility with surrounding land uses.

Based on these indicators, Ocean City should plan for a more international and diverse population, a 'next generation' that values old traditions and seeks to make new ones, a resilient and adaptable economy, a strong local government, and a built environment that sustains many uses and functions over time.

As developable sites in Ocean City continue to diminish, nearby mainland unincorporated sites are coming under more intensive development pressures. EWith the sewer expansion of sewer and water service in West Ocean City and advancement of spray irrigation techniques will cause; substantial new development may to will occur. Presently over 3,000 Incremental growth on buildable lots are in nearby Berlin and Ocean Pines will continue and with substantial acreage is unplatted and slated for future development in Sussex County, DE. West Ocean City contains about 2100 vacant buildable lots. The potential exists Comprehensive Plan for an additional 40,000 seasonal residents in northern Worcester County; intends to limit growth in the Berlin and Showell areas to 9,114 people over the planning period. The Sussex County and Fenwick Island Delaware Comprehensive Plans are currently under review in 2016.

Projected commercial development in the Route 50 corridor and a potential regional sports complex will have an undetermined impact on Ocean City's local economy and accessibility.

Mainland development will place many demands on Ocean City's facilities and services. Police protection, sanitation, water and sewer service and public transportation all must be available for nonresident visitors and day trippers; day trip visitors. The costs of providing these services should be borne by all users.

An important caution is in order about the preceding analysis. Historically, demand for resort accommodations has far exceeded growth in households in the prime market area. This may be accounted for by pent up demand and/or the growth in incomes expanding the market for second homes. For this reason, production rates should be monitored and projections adjusted as conditions change. (Given present market conditions and tax regulations, it appears the projected modest production rates are reasonable in the near term. and housing affordability is not a critical issue.)

The land use plan recognizes Ocean City's existing development pattern which is well established since 97.95 percent of the buildable land is now developed. The opportunities for major change are limited. ~~However, the plan attempts to direct future development and foster patterns of re-development to the town's best advantage, based on undeveloped land area. Zoning districts are generally consistent with the planned land use, however the characteristics of 'pyramidal zoning' which allows a range of residential densities and commercial uses by-right, are still subject to non-compatible changes of land use in response to market forces and new property investment strategies.~~

In general, major changes in permitted land uses and densities are not recommended by the plan. ~~Current Revisions to zoning regulations are so entrenched that sweeping changes could unfairly burden necessary to implement updated priorities of the Comprehensive Plan should be phased in over time to avoid unreasonable financial burdens to existing property owners. However, when~~ When feasible, the following concepts should guide future development.

Residential

For the most part, the highest density residential uses should be located on the ocean block for two reasons:

*✓ ↓ Vacationers desire the convenience to the beach.

*✓ ↓ Major bayside development often produces substantial traffic and parking demands on the oceanfront.

New residential development on the bayside should be of moderate to low density, and building height. Again, this recognizes bayside dwellers' use of automobiles to reach the beach. Once there, an on—street parking space is needed. Lower density on the bayside will help reduce the ultimate number of pedestrians who must cross Coastal Highway. In addition to the traffic impacts, more moderate densities, reduced height, and some careful project design will help preserve bayside vistas.

The plan recommends limited higher density and taller buildings (maximum of eight stories) on larger bayside parcels through the establishment of special, carefully crafted regulations. The plan also recommends that only parcels greater than 5 acres on the bayside may apply for the Planned Overlay designation. Where existing zoning districts allow for hotel use on the bayside, special consideration should be given to encouraging private shuttle service to the beach along east west cross streets, and providing enhanced pedestrian access and crossings at key signalized intersections with Coastal Highway.

~~The Plan does accommodate limited high density bayside development through the use of planned overlay district. This development concept is typically only appropriate on the largest parcels of land.~~

The Plan proposes the provision of additional public bayside access. Such access points would be public ~~miniparks~~mini-parks, piers, and docks. Public and private marinas would be desirable.

Established residential neighborhoods on the bayside, and areas zoned R-1 single family provide for a different quality of life and retreat from the noise and activity along Coastal Highway and the Ocean blocks. Protecting this lower density housing type from non-compatible commercial impacts is beneficial and necessary to promote year round residency and long term rental housing.

Additional control over short term residential rental use should be considered in established residential neighborhoods and R-1 zoning districts due to its non-compatible commercial use activities and impacts. Improved code definitions for long, short and transient term rental housing, modifications to the rental license program, and the adoption of an optional R-1A zoning district are solutions that require further consideration.

Commercial

The Plan encourages the retention of existing commercial areas. Both regulations and incentives should be designed to maintain commercial uses that have been threatened by conversion to condominium development. Future ~~need~~needs for commercial services will be met through more intensive use of existing shops, redevelopment of existing commercial uses and off—island centers. ~~Additional community scale shopping centers are not encouraged, especially in the north end of town because they are major traffic generators.~~

As ~~noted~~noted earlier, virtually the entire island is within convenient distance of an existing food or convenience store. Mixed-use development or redevelopment forms that contain some component of commercial use along with residential uses can increase the diversity of commercial uses in the Town, support their broader distribution throughout the community, reinforce the scale and character of structures within specific neighborhoods, and minimize demand for automobile use to preserve transportation system capacity. Small, neighborhood serving commercial uses should be permitted to operate in selected locations on both sides of Coastal Highway to better serve the residential population in all areas.

Industrial / Office / Manufacturing

The plan ~~provides for~~recommends limiting industrial and manufacturing uses. For the most part, moderate and heavy industrial uses, and their by-products, are incompatible with the Town's resort nature and have traditionally located on the mainland. Ample, more suitable, land exists in Worcester County- for this purpose. Light food processing and craft industries

are provided for in the commercial areas. These uses have located in town for convenience and are, in the case of crafts/craft manufacturing, more of a commercial than industrial character.

Although not an industrial use, the Ocean City Convention Center is a key component to support and promotion of tourism as the essential industry of the community. Opportunities to expand this facility should be protected/supported to assure it can function over time in a manner that continues to support growth of tourism as the major industry of the community.

Office use is an important component of the commercial zoning districts and is encouraged where it supports other complimentary business and residential use.

Marinas, boat repair, and fueling are suitable in locations with deep water access and working waterfronts. Close proximity to the inlet is desirable. Designated areas would incorporate marine—related retailing and services.

New impacts to Ocean City may need to be addressed in the future as ‘big utility’ plans are proposed with offshore wind energy and offshore oil/natural gas exploration. Preliminary studies have indicated that new coastal electric power networks will be required to support wind energy generation with connections to the existing power grid. Construction activities and support facilities may be proposed in existing coastal communities.

Downtown

The Downtown area (south of 15th Street) retains much of Ocean City’s early character. A mixture of hotels, cottages, rooming houses, apartments, commercial uses, restaurants, and entertainment attractions combine to make the area an exciting part of town. The buildings share a fairly uniform scale and architecture, ~~although much of that has been lost over recent years.~~ that serves as a model for complementary design details in new construction.

The plan recommends continued hotel development along the Boardwalk and around the inlet to South Division Street. This would locate development in a prime destination area. Interior blocks should remain at moderate residential density and scale, and marine uses and waterfront restaurants should continue to be encouraged in the lower bayside area. Protection of the seaside cottage character of development and management of the scale and bulk of structures is a major consideration in the downtown area.

The OCDC has successfully administered architectural design guidelines and a façade improvement grant program in the Upper and Lower Downtown Overlay Districts extending from the Inlet to 17th Street. Extension of this program north to 33rd Street is proposed along with the designated Maryland Sustainable Communities area.

Interim use of vacant land in the downtown area for paid parking lots is expected to continue in the near term as private property owners, OCDC and the Town of Ocean City all meet the prime

destination demand of day trip visitors and special event participants. The future land use plan for downtown revitalization is described in more detail in Chapter 8.

~~Refer to Chapter 8 for a more in-depth discussion of Downtown Revitalization.~~

Master Planned Areas

A number of key parcels with ~~unusual~~unique development opportunities should be given special consideration. Designating these areas for planned development would be appropriate to ensure their proper development. Generally, these properties are large vacant or redevelopmentable parcels held in single ownership. Mixed use developments integrating special attractions would be desirable. Combining lots is a viable way to create larger building lots.

As a result of the Comprehensive Plan update, neighborhoods or districts may be identified which complete a small area plan process to explore potential redevelopment concepts in greater detail. Participation by area stakeholders to accomplish a mutually beneficial development strategy would be necessary.

Conservation and Protection of Sensitive Areas

The plan calls for conservation zoning of the beach dune systems and remaining bayside wetlands. These areas, while generally designated on the future land use map, must be field verified to locate the exact conservation zone boundary. The beach ~~should~~must be preserved ~~in its natural state~~ for its recreational and flood protection benefits and wildlife habitat. Wetlands are necessary to preserve the finfish and shellfish habitat so important to sport and commercial fishing. Wetlands are also a key habitat for waterfowl.

Chapter 7 includes a more in—depth discussion of Sensitive Areas and underscores the importance of the Town’s ongoing participation in the Coastal Bays Program in future years as a means to garner support for resource conservation and protection measures. The regulation of conservation and sensitive areas should continue to follow State and Federal regulations where applicable.

~~Future~~Ocean City will advocate for active natural system management and partner with the USACE to complete projects for beach renourishment, inlet dredging, and sediment management/sand bypass to Assateague Island. Ocean City will partner with the Maryland Coastal Bays Program and Worcester County to protect coastal bays water quality and provide shared recreational use of the natural resources.

Temporary Land Use (Special Events / OC at Night)

Temporary uses such as special events, or large gathering areas such as the downtown Boardwalk, have not traditionally been mapped or identified by Plan

goals, strategies and objectives. In preparation for the next comprehensive plan update, this land use type is highlighted with recommendations to collect data and formulate land use policies which assist in managing temporary uses and the areas where they take place.

Future Land Use Plan Map

The Future Land Use Plan is depicted graphically at the end of this chapter on Map 3-2. For the purpose of this Plan update, the 2006 adopted Future Land Use Plan will remain in effect to promote consistency in land use planning decisions. Where there is a difference in land use category between existing and future land uses, Map 3-2 will correspond with the Map 3-1 Existing Land Use Plan as follows:

~~The Future Land Use Plan is depicted graphically at the end of this chapter on Map 3-2. This plan is based on the following assumptions:~~

- ~~* No prolonged disruption of national peace or economy occurs.~~
- ~~* The demand for ocean-related recreation remains strong, with Ocean City's market share remaining at least constant.~~
- ~~* Infrastructure and public services are provided to meet needs, and new physical or environmental constraints do not develop.~~
- ~~* The beach and seawall are maintained and continue to provide 100-year storm protection.~~
- ~~* Existing commercial development can accommodate more intense usage.~~
- ~~* Ocean City's land area remains relatively constant without additions through dredge and fill operations or reductions due to erosion or sea level rise.~~

Residential Land Use Designations

- ~~* **Single Family** — Includes single family uses with densities less of about 7,500 square feet of land per unit; building heights of three or less stories; yard requirements provide relatively large open spaces.~~
- ~~● **Low Density Multifamily** — Includes areas of mixed residential types with generally low density; densities of about 4,000 square feet of land per multifamily unit and 2,000 for hotel units, and heights of five stories or less are permitted.~~
- ~~● **Medium Residential** — Includes medium density development including a variety of single family, duplexes, townhouses, motels/hotels, and apartments; density of about~~

2,000 square feet per multifamily unit and 1,000 for hotels, and building heights of five or less stories; open space would be used to break long expanses of buildings; bayside marina facilities would be encouraged.

- ~~Downtown — Includes the oldest portion of Ocean City developed with mixed commercial and residential uses at relatively high densities and generally low rise in character. These existing use, density, and height characteristics (1,000 square feet per multifamily units and 500 for hotels, with a 4 story height limit) are encouraged to continue.~~
- ~~Moderate Residence — Includes areas of generally mid and low rise construction appropriate for moderate levels of density; the areas of this designation are either oceanblock areas east of substantial bayside development or serve as an intervening area between the oceanblock and Coastal Highway; permitted densities are for hotels, 1,000 square feet per unit and 1,450 square feet per unit for multi-family development; building height of five or less stories.~~
- ~~General Residence — Includes areas suitable for Oceanfront or near Oceanfront development of higher density residential uses; new development of buildings over five stories in height would be appropriate; density would be about 1,000 square feet per multifamily unit and 500 for hotels. This area includes “High Rise Row”.~~
- ~~Mobile Homes — Includes areas of existing mobile home parks; permitted densities would be 4,800 square feet per unit; building heights of one story would be permitted. Additional landscaping and screening is recommended especially along Coastal Highway. Intermingling of other residential types are not encouraged.~~

Commercial Land Use Designations

- ~~Local — Includes individual businesses and neighborhood shopping centers offering services and retail goods which conveniently meet the daily needs of residents and vacationers. Residential development should be at the density of the General Residence District.~~
- ~~Boardwalk Commercial — Includes the area south of 12th Street fronting on the Boardwalk consisting mainly of retail and amusement uses whose clientele is almost exclusively pedestrians. A uniform commercial frontage (no interior sideyards) on the first floor should be encouraged to eliminate small, dark vacant spaces. These spaces tend to accumulate trash and are a safety and security hazard. Residential uses and hotel development would be appropriate at the intensity of the General Residence district.~~
- ~~Shopping Center District — Includes major existing community scale shopping center. Such areas have major traffic concentration impacts and should be located with sufficient buffers from residential areas. New community shopping centers are not encouraged.~~

- ~~Bayside Marine — Includes locations most suitable for marinas and marine support facilities. Marinas, minor boat repair, and service along with related commercial activities are encouraged. Uses not related to deep water should be permitted only as part of a mixed use development with marine emphasis. Building height should be five or less stories and residential densities should be at the intensity permitted by the General Residence District.~~
- ~~Downtown Bayside Marine — Includes the area of the Downtown which has developed with a bayside water orientation. Similar to the rest of the Downtown, this area's existing character contains a variety of uses of relatively high intensity. This character is encouraged to continue. Permitted density should be similar to the Downtown District and building height of five stories would be permitted.~~

Overlay Districts

Several overlay districts are proposed in an effort to address special needs and to add flexibility to the zoning regulations. Each overlay district will have its own unique standards which will be contained in the Zoning Ordinance. While the locations of several overlay districts are shown on the Future Land Use Plan, other properties will be eligible to apply for an overlay designation.

The function of an overlay district is an offering of certain incentives to developers of unique properties in exchange for the recognition of public needs in the development of those properties. Incentives could be in the form of increased density, increased height, or parking bonuses. For example, it is envisioned that a “planned overlay” on a property whose underlying zoning would permit medium density residential development would entitle that property to increase its density to that of the General Residential District in exchange for concessions such as increased landscaping, a design review process, or other items of public benefit.

Three overlay districts are proposed by the Plan:

- ~~Commercial Marine — The Commercial Marine areas will be overlay districts using incentive zoning to encourage the development of new public marinas or expansion of existing ones. Incentives could involve density, height or parking bonuses. Standards will be developed to define qualifications for this overlay and the incentives to be given. A ratio should exist between the size of the marina provided and the incentives. Appropriate sites could apply for Commercial Marine designation.~~
- ~~Amusement — This overlay designation would implement the policy of encouraging existing amusement parks to continue operation and provide the flexibility necessary for their efficient evolution in response to changing market conditions. Amusement areas other than those identified on the land use plan may apply for this designation. Standards for buffering of residential development and protecting residential~~

neighborhoods from noise and glare would be part of the review process. Consideration of traffic and compatibility with existing development would also be part of the review process for new amusement areas.

- ~~Planned— This overlay district would apply to designated areas which presents special development opportunities and are important to the orderly development of Ocean City. Special development review procedures would be established to add design flexibility and increased public input into site and architectural design. Sites other than those identified on the land use plan could apply for the Planned designation.~~

Other Uses

- ~~Public Buildings/Parks— Both existing and future proposed public buildings and parks should be designed and maintained to provide a positive image of the Town and set an example for private property owners. The city should take the lead in landscaping and property maintenance as this will help instill pride in the town of its appearance.~~
- ~~Sensitive Areas— Wetland and beach areas which should be preserved in their natural states. These areas act as buffers protecting property from natural hazards and are critical to the tourism industry (beaches) and the sportfishing industry (wetlands). Maintaining these areas in their natural state is, therefore, very important to the public’s safety and general welfare.~~
- ~~Pier— The amusement and fishing pier which is located east of the Boardwalk at Wicomico Street is identified on the Future Land Use Plan. Its use and operation is regulated by the “Pier Franchise” (Chapter A12 of the Code of the Town of Ocean City) which supersedes any conflicting ordinances, including the Zoning Ordinance.~~
- ~~Industrial designation— An industrial designation is used on the property immediately north of North Division Street on the Bay which is currently a concrete plant. The plan intends that the only “industrial” use permitted will be a concrete plant.~~

<u>SINGLE FAMILY</u>	<u>Single Family, Mobile Home, Townhouse</u>
<u>MULTI-FAMILY</u>	<u>Low Density, Medium Density, Moderate Density, High Density, Hotel</u>
<u>MIXED USE</u>	<u>Mixed Use, Amusement Mixed Use, Overlay Districts</u>
<u>BUSINESS / COMMERCIAL</u>	<u>Boardwalk, Bayside Marine, Local Commercial, Shopping Center</u>
<u>PUBLIC/GOVERNMENTAL</u>	<u>Civic, Municipal, Parks, Utilities, Transportation</u>
<u>OTHER</u>	<u>Non-Buildable (Beach and Bayside Wetlands), Street Right-of-way, Temporary Uses (not mapped)</u>

Residential Land Use Designations

- Single Family — Includes single family detached, and areas of existing mobile home parks; uses and densities established by the R1 and MH zoning districts*; building heights of one to three stories; yard requirements providing landscaped open spaces particularly along major roadways.
- Low Density Multifamily — Includes areas of mixed residential types; uses and densities established by the R2-A zoning district*, building heights of five stories or less; yard requirements providing landscaped open spaces.
- Medium Density Multifamily - Includes a variety of single family, duplexes, townhouses, motels/hotels, and multifamily residential types; uses and densities established by the R2 zoning district*; building heights of five or less stories; landscaped open space used to break long expanses of buildings; bayside marina facilities would be encouraged.
- Moderate Density Multifamily — Includes areas of generally mid and low rise construction appropriate for moderate levels of density; the areas of this designation are either ocean block areas east of substantial bayside development or serve as an intervening area between the ocean block and Coastal Highway; uses and densities established by the R3-A zoning district*; building height of five or less stories.
- High Density Multifamily — Includes areas of generally mid to high rise construction appropriate for maximum levels of density; the areas of this designation are ocean block areas; uses and densities established by the R3 zoning district*; building height up to 12 stories based on lot size, setback, parking and other criteria.
- Hotel/Motel — Includes residential areas zoned R2 or higher, usually including or adjacent to local and shopping center districts developed with mixed commercial and residential uses at relatively high densities. These existing use, density, and height characteristics are encouraged to continue with adequate provision for safe pedestrian access to recreational amenities and the beach.

Business/Commercial Land Use Designations

- Boardwalk — Includes the area south of 12th Street fronting on the Boardwalk consisting mainly of retail and amusement uses whose clientele is almost exclusively pedestrians. A uniform commercial frontage (no interior side yards) on the first floor should be encouraged to eliminate small, dark vacant spaces. Residential uses and hotel development are appropriate with uses and density established by the B1 and BC2 zoning districts.
- Bayside Marine — Includes locations most suitable for marinas and marine—support facilities. Marinas, minor boat repair, and service along with related commercial activities are encouraged. Uses not related to deep water should be permitted only as part of a

mixed use development with marine emphasis. Building height should be five or less stories and residential development should be integrated into the neighborhood context.

- Local Commercial — Includes individual businesses and neighborhood shopping centers offering services and retail goods which conveniently meet the daily needs of residents and vacationers. Uses and densities established by the LC-1 zoning district. Mixed commercial and residential development should be integrated into the neighborhood context.
- Shopping Center — Includes major existing community-scale shopping center. Such areas have traffic concentration impacts and should be located with sufficient buffers from residential areas. Uses and densities established by the SC-1 zoning district. New community shopping centers are not encouraged.

Mixed Use/Overlay Districts

- Downtown Mixed Use / Marine — Includes the area of the Downtown which has developed with a mix of commercial, boardwalk, residential and bayside water orientation uses. This area’s existing character contains a variety of uses of relatively high intensity and primarily pedestrian access. This character is encouraged to continue and redevelop under the mixed use ‘model block’ concept. Uses and densities established by the DMX, DM, DR and I-1 zoning district, and building height of five stories.
- Overlay Districts - Three overlay districts have been identified to address special needs and add flexibility to the zoning regulations. Each overlay district has its own unique standards contained in the Zoning Ordinance. While the locations of several overlay districts are shown on the Future Land Use Plan, other properties will be eligible to apply for an overlay designation.

The function of an overlay district is an offering of certain incentives to developers of unique properties in exchange for the recognition of public needs in the development of those properties. Incentives could be in the form of increased density, increased height, or parking bonuses. For example, it is envisioned that a “planned overlay” on a property whose underlying zoning would permit medium density residential development would entitle that property to increase its density to that of the General Residential District in exchange for concessions such as increased landscaping, a design review process, or other items of public benefit.

- Amusement — This overlay designation implements the policy of encouraging existing amusement parks to continue operation and provide the flexibility necessary for their efficient evolution in response to changing market conditions. Amusement areas other than those identified on the land use plan may apply for this designation. Standards for

buffering of residential development and protecting residential neighborhoods from noise and glare are part of the review process. Consideration of traffic and compatibility with existing development are also be part of the review process for new amusement areas.

- Planned — This overlay district applies to designated areas which present special development opportunities and are important to the orderly development of Ocean City. Special development review procedures are established to add design flexibility and increase public input into site and architectural design. Sites other than those identified on the land use plan could apply for the Planned Overlay designation.
- Commercial Marine — The Commercial Marine areas will be overlay districts using incentive zoning to encourage the development of new public marinas or expansion of existing ones. Incentives could involve density, height or parking bonuses. Standards will be developed to define qualifications for this overlay and the incentives to be given. A ratio should exist between the size of the marina provided and the incentives. Appropriate sites could apply for Commercial Marine designation.

Public/Governmental

- Public Buildings/Parks — Both existing and future proposed public buildings, municipal facilities and parks are designed and maintained to provide a positive image of the Town and set an example for private property owners. The city will plan, construct and maintain adequate public facilities to meet the needs of community residents and visitors.
- Pier — The amusement and fishing pier which is located east of the Boardwalk at Wicomico Street is identified on the Future Land Use Plan. Its use and- operation is regulated by the “Pier Franchise” (Chapter A112 of the Code of the Town of Ocean City) which supersedes any conflicting ordinances, including the Zoning Ordinance.

Other Uses

- Open Space/Sensitive Areas — Ocean beach and bayside wetland areas are identified which should be preserved and managed for their recreational and ecological benefits to the community. These areas act as buffers protecting property from natural hazards and are critical to the tourism industry and the sportfishing industry.

(* Pyramidal zoning extends to higher districts as noted with additional uses and permitted densities.)

Recommendations, ~~Proposals and Special Projects~~

The following is a summary of the future land use plan’s major proposals and projects. Featured are those items of significance or those not addressed elsewhere in the Comprehensive Plan.

- 1) Future development should be monitored for its impact on Ocean City's quality of life. Specifically, changes in congestion levels (traffic, overcrowding, transit, etc.) and vacationers' and residents' attitudes towards the resort should be monitored. Future adjustments to land use regulation may be required.
- 2) Land use implementation measures (zoning, subdivision regulations and capital improvements programming) should be revised to reflect the proposals of this plan. Flexible zoning techniques regulating the intensity of development should be instituted whenever possible, when appropriate.
- 3) Future development should be directed to create a quality image for Ocean City. As vacationers' expectations increase, Ocean City ~~must keep pace~~ will continue to encourage compatible redevelopment, opportunities for new experiences along with -celebration of traditional landmarks and activities.
- 4) Nonconforming uses, when redeveloped, should be ~~encouraged~~ required to reduce their level of nonconformity. ~~Incentives~~ Modified standards for compliance with existing codes may be appropriate. New code requirements for determining a change of use and applicability of current design criteria are needed.
- 5) Large parcel developments should be encouraged to use planned development or clustering techniques to promote design flexibility, gain open space and retain natural features~~---~~. Planned developments should be located on substantial parcels and contain a mix of residential types along with supporting commercial development and marinas when appropriate.
- 6) Tall buildings should have special minimum lot sizes and additional landscaped setbacks to prevent overcrowding of the land. Buildings above five stories should be designed and located on their parcel so that their shadow does not exceed that of a five story building. This will prevent excessive shading of neighboring buildings and the beach. Additional open space and landscaping should be provided.
- 7) Wetlands and the beach should be designated as sensitive conservation areas to be preserved ~~in their natural state.~~ The ~~beaches~~ beach should be replenished and maintained to provide flood protection and recreational benefits. Public ownership of the beach and wetlands ~~would be~~ is desirable.
- 8) Hotel/motel needs should be monitored to ~~determine suitable production targets~~ evaluate current market conditions as well as current room inventory and at what point a reexamination of the density requirements would be appropriate. Experience indicates the density differential for hotels has stimulated their development. Enforcement of the ~~bonafide~~-hotel non-conversion requirements should be rigorous. This is especially important with the increasing popularity of suite hotels and the possibility of converting them to "lock out" units with insufficient parking.

▪9) A design review process should be established to ensure compatibility of new and redevelopment projects. Design Advisory design guidelines should be prepared incorporated into site plan and building permit reviews reflecting the desired character of each section or district within the Town. An incentive program may be required to encourage participation. As a resort, the town's appearance has a major impact on its economic mainstay, tourism. For this reason it is in the community's interest to oversee the visual quality of development. (See Appendices D and E)

▪10) In concert with the design guidelines, a townwide beautification plan encouraging the use of native plants, should be prepared. This staged effort would identify priorities, costs, and an implementation plan. The purpose of this plan would be to unify and coordinate beautification efforts as well as program them.

▪11) The baywalk should be extended northward to the Chicago Avenue Park and be connected to the oceanside boardwalk in the 4th Street area.

▪12) The ocean boardwalk should incorporate sitting areas and gazebos for the added comfort of our visitors. The special boardwalk setback north of Third Street should not be violated, unless, as a part of a planned overlay district, a reduced setback from the Boardwalk facilitates an improved development project. The special boardwalk setback should be enhanced with landscaping and not covered with concrete or outdoor displays.

▪13) Setbacks should be provided enforced on water frontage to improve the aesthetics of waterfront areas, prevent buildings from interfering with bulkhead replacement, provide protection from flood damage, and enhance water quality improvement opportunities.

~~▪—Coordinate with Worcester County so development of the mainland is complimentary and compatible with Ocean City's long term objectives. This is especially important along the Route 50 and 90 corridors. This should include efforts to control strip development and manage access to development through the use of shared entrances and service roads.~~

14) Existing single family neighborhoods should be protected from development influences, and changing short term residential rental techniques that could degrade their quality of life.

▪—

Develop regulations

▪15) Regulations should be developed which control the amount of land covered by structures and impervious surfaces. A greater area should be implemented landscaped.

Revise the

16) The zoning ordinance to eliminate the should be revised to promote mixed use development of larger parcels within planned overlay districts. The current pyramidal zoning framework. The framework is permitting permits conversion of commercial uses in areas zoned commercial to condominium residential development, and is threatening to limit the mix and range of commercial uses needed to support neighborhoods in Ocean City.

- Revisions to the ordinance should limit first floor uses in commercial districts to those that are commercial but may permit residential development at appropriate densities above office or retail uses. -Parking standards for residential uses should meet minimum requirements to encourage visitors to ‘park where you stay and then ride the bus’.
- ~~Evaluate design standards for buildings and structures, parking areas, height and yard requirements, screening and landscaping and provision of open space or public amenities and modify standards where appropriate.~~

~~Establish standards~~

▪ 17) Standards should be established for public amenities to be provided as part of any larger mixed-use development or re-development project. This may include requiring each project to provide a minimum of one of the following:

- • public art
- • clock tower
- • outdoor seating or outdoor furniture
- • courtyard or plaza
- • water feature/fountain/or sculpture

~~Establish standards~~

▪ 18) Standards should be established for larger structures to incorporate wall plane projections, changes in roof configuration, building modulation and fenestration that complement the established proportions and mass of adjacent structures and avoid featureless massing and design.

19) Residentially zoned areas in the interior of the Upper Downtown area (generally 3rd Street to 17th Street between Baltimore Avenue and St. Louis Avenue) should be developed at a medium or low density with height limited to three stories.

20) Pockets of Local Commercial land uses should be evaluated by conditional use permit or zoning map amendment in appropriate locations, based on adopted performance and separation criteria, on the Oceanside of Coastal Highway and Philadelphia Avenue. The preparation of a small area land use plan is recommended prior to any significant land use change.

- 21) Integration of land use policies with other long range planning documents such as the Town Strategic Plan, Hazard Mitigation Plan, Tourism Master Plan, Capital Improvement Plan, and plans from allied agencies.
- 22) Data collection and study of regional information sources regarding best practices for climate adaptation and community resilience. Monitor and analyze the frequency and duration of high tides and local flooding based on the Ocean City Inlet tide gauge data.
- 23) Characterize Special Event schedules as a temporary land use in the next Comprehensive Plan update in order to evaluate and plan for the multiple uses of public spaces, and the entire Town as a venue for event-specific permitted uses.

Summary-Summary

Ocean City faces important future challenges. The economy, even more than in the past, will rely on the tourism resort emphasis as its economic generator. In the past, land development shared this role to some extent. As the town approaches Town stabilizes at build—out, levels, encouraging continued re-investment in renovating older structures and re-development’s role in expanding the tax base will be less prominent.more important than ever.

~~For this reason, the town should concentrate on keeping pace with trends in the tourism industry. Well-heeled and better educated, the vacationer of the 21st Century will have higher expectations. Therefore, aesthetic improvements, along with strides to accommodate our guests, will position Ocean City to compete in this changing environment. The town has an obligation to its citizens to achieve and maintain success.~~

~~The guidelines and proposals contained in the plan are designed to anticipate and address these issues. Elected and appointed officials must continue to interpret this plan as circumstances change and will need to adjust the specifics as time passes.~~

~~As noted in the 2004 fiscal report for the town:~~

~~“During the 2004 fiscal year, the Town of Ocean City (the Town) again experienced soaring real estate sales and increasing property values. The significant amount of new development prompted public over-development concerns, building moratorium proposals and a review of the Town’s Comprehensive Plan that is currently underway. A recent population trend study shows moderate population increases during the spring, summer and fall seasons with the most surprising and significant increases during the winter months. More property owners are opting~~

~~to utilize their investment throughout the year rather than rent while a growing number are deciding to stay year round. The Town's goal is to anticipate and accommodate development needs that will balance competing land use objectives and coordinate local with regional interests. The Town is becoming more than a resort community, and we embrace this change and challenge²².~~

Ocean City is also working to expand year-round job opportunities and cultural activities that will help to retain or expand the resident population. Recommendations in this chapter seek to balance the need for protecting established neighborhoods, successful business districts and favorite landmarks with the goal of redevelopment to provide continued investment and new recreational opportunities for our seasonal visitors.

Based on an extended period of strong but stable demographic and economic performance over the last 10 years, along with strategic investments in municipal infrastructure and tourism marketing, no significant changes to the land use policies are proposed with this update.

Map 3-1 Existing Land Use

Map 3-2 Future Land Use