

CHAPTER 9: Plan Implementation (text only)

The preceding plan document and maps provide a new and more focused direction for Ocean City. New initiatives for improving the quality of life in our resort, an emphasis on fostering better site planning and design characteristics in new structures as re-development occurs over time, and meeting the goals of the Annotated Code of Maryland Land Use Article, as amended, Maryland State Planning Act of 1992 and Maryland Smart Growth initiatives established in 1997 are but a few of the plan's many features.

The plan's purpose is not necessarily to produce a major diversion from the past, but rather to fine tune and guide future development and services to enhance Ocean City's vitality as a resort and a community. Many opinions have been expressed as to how to achieve this objective. Of necessity, the plan represents a blending and a compromise, the result of which must represent a balance between individual property rights and the overall community's welfare. The Plan update in 2016 generally incorporates current information into each chapter without proposing major changes. A full revision is scheduled in 2022 following the release of 2020 Census data.

Goal:

To utilize the Comprehensive Plan as a reference and guide for local government decision making, and to identify projects which help to advance the goals and objectives adopted with the Plan. Action items will be evaluated with the annual report to the Maryland Department of Planning and updates will be completed in accordance with a 10 year cycle following release of new census data.

Objectives: In order to achieve the plan implementation goal, the following objectives are adopted:

- 9.1 Integration of Comprehensive Plan goals and objectives with all related plan documents such as the Hazard Mitigation Plan, Tourism Master Plan, Capital Improvement Plan, Recreation and Parks Master Plan, Special Events Plan, etc.
- 9.2 Achieve measurable progress on identified projects and activities
- 9.3 Initiate small area planning as a tool to define unique neighborhood or district strategies that will meet specific needs or goals

Planning without implementation is merely an exercise. Implementation will require a variety of public and private organizations and individuals to take action. Attempting implementation without broad based public support would produce limited results.

The plan strives to maximize the long-term benefits to the community. Such a perspective requires foregoing some short-term gains. Ocean City faces a future filled with shifting elements: the federal tax structure, changing vacationer expectations and needs, ~~and~~ a more competitive economy and a challenging environment. The year-round population ~~continues to grow~~ has stabilized and may grow or decline in the future. However, physical limitations on new development will slow the historically steady growth in the tax base, thus requiring additional resources to maintain the high level of service which the town has historically provided.

~~In a positive vein,~~ Prospects for tourism ~~remain~~ are excellent. Both population and incomes continue to grow substantially in the areas from which visitors to Ocean City come. Mobility has steadily increased with improved road and bridge access and personal vehicle ownership.

Challenges abound, but Ocean City's proven ability and resourcefulness will measure up to the task. Along with experience, determination and a positive attitude, several planning tools are available to prepare for the future. Comprehensive planning has been the first to be put to the task. Next the implementation tools which will carry out the plan must be addressed.

The Land Use Article of the Annotated Code of Maryland Planning Act of 1992 encourages the streamlining of regulatory mechanisms and the use of flexible development regulations to promote innovative and cost-saving site design and protect the environment. It has been the policy and practice of the Town to streamline regulations whenever possible, providing such streamlining is not a detriment to public or environmental interests that must be protected. The Town should continue to take advantage of opportunities for streamlining regulations, as long as the public interest is maintained.

The Town has already implemented several innovative regulatory techniques, including overlay zones, transfer of development rights, and the use of special criteria for special types of development. These techniques offer flexibility and greater discretion which may lead to better development. Other tools such as non-conformity of minimum parking criteria is often used to encourage reinvestment in older structures, however the cumulative impact of this incentive should be evaluated.

Outlined below are the approaches for implementing the comprehensive plan. Implementation begins with the Mayor and City Council through aligned priorities in the Strategic Plan, and through funded projects of the Capital Improvement Plan. Traditional methods, such as zoning ~~and~~ subdivision regulations and capital improvements programming, have withstood ~~legal~~ court challenge and proven to have practical value in directing private investment in the community. The plan recommends their continued use with some modifications.

Strategic Plan

The Strategic Plan identifies and establishes short term priorities for projects and actions

which often involve multiple City Departments working together to manage and improve the ongoing operations and services Ocean City provides to its citizens and visitors. Figure 9-1 illustrates the 2016 Strategic Plan summary. A full copy may be viewed on the City Manager's web page.

Figure 9-1

Capital Improvement Planrogram

The Capital Improvement Planrogram (CIP) identifies and establishes long term priorities for ~~the~~ capital improvements in the town's infrastructure. The town annually prepares a CIP and should use it to implement the capital recommendations of this plan. This plan should also be used to prepare-inform future CIPs.

Briefly, the CIP identifies specific projects, their cost, and sources of funding. Each project is slated for funding in one or more of the program's five future years. Estimates of future income can be developed to determine needs for financing. This process helps elected officials and staff to anticipate major projects, and allows time for arranging site purchase and favorable financing terms.

Projects identified for the current CIP planning period (2016-2020) are incorporated by reference into the Comprehensive Plan. Selected priorities for CIP implementation which expand or change existing land use are identified below:

Public Safety

- Mid-Town Fire Station (proposed relocation of Station 3 from 74th Street to existing 65th Street Public Safety Building Complex)

General Public Works

- Boardwalk Tram Facility (Whiteside) Relocation to St. Louis Avenue between 2nd and 3rd Streets, conversion of existing site to public parking
- Potential Bus Transit Center relocation to 4th Street between Baltimore and Philadelphia Avenues (consolidation with Post Office parcel)

Municipal Facilities

- 65th Street Municipal Campus Plan with new employee parking, transit bus maintenance and public safety support facilities
- Potential relocation of Keyser Point Road Public Works Yard in Worcester County

Highways and Streets

- Potential southern extension of Philadelphia Avenue transit bus lane from 17th Street south to 4th Street.

Recreation and Parks

- Phase 2 construction of a pier at Sunset Park

Environmental

- Construction of a new double lane bayside public Boat Ramp at 64th Street with channel dredging

Technology and Communications

- Installation of telecommunications equipment at new 1st Street Water Tower

Convention Center

- Phase 3 Expansion of Hall A-B (30,000 square feet to the north)
- Life Saving Museum Elevator and Exit Stairs

Airport

- Taxiway A relocation (60 feet north of current location)
- Hanger K 3 bay expansion per approved master plan
- Combination aircraft hangar and commercial office building within long term parking lot

Water

- Construction of new 1 million gallon water tower at 1st Street and St. Louis Avenue, with co-located utility services, removal of existing water tanks at Worcester Street and 15th Street.
- Proposed water treatment plant at 66th Street with raw water line extension from well field at existing 44th Street water plant.

Wastewater

- Future construction of additional clarifiers within the existing wastewater treatment plant facility
- Installation of a structural liner within a section of the Ocean outfall pipe that lies beneath the beach

Other capital improvements within the corporate limits have been identified as a priority for planning, funding and implementation in partnership with others including:

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- Mixed Use Downtown Model Block redevelopment with OCDC
 - Downtown Parking Garage funded by a fee-in-lieu or special tax district
 - Expansion of Express Transit Bus Service along Coastal Highway with smart tracking technology
 - Parking Space Management System with smart signs and online technology to maximize use and capacity of downtown/boardwalk parking
 - Expansion of cellular communications networks to support future needs
 - Beach Replenishment and Ocean City Inlet maintenance by USACE
 - Stormwater outfall tide gates for Flood Protection by FEMA/HMGP
 - SHA project to replace the Route 50 bridge along the approved Alternative 5A north parallel alignment

- Future Route 90 dualization~~Dualization~~ by SHA
- Baltimore Avenue streetscape improvements (N. Division Street to 15th Street)
- OC Municipal Airport obstruction removal/clear zones

Land Use Regulations

Zoning

Zoning regulates the use, intensity, and bulk of buildings, as well as other attributes of development. This regulation is accomplished by segmenting the town into districts, each with its own set of permitted uses and development standards. The recommendations below address the process and content of the zoning code.

- Revise the code when necessary to reflect the location, and development standards and policies of the Comprehensive Plan.
- ~~Establish~~ Modify design guidelines, standards and a design review process to assure that the quality of re-development in various districts within the Town reflect the desired character for each district. This includes standards for buildings and structures, screening and landscaping and provision of open space or public amenities. (See appendices DB and EC to this plan).
- A long standing recommendation of the Plan is to r~~Revise~~ the zoning ordinance to eliminate the current pyramidal zoning framework. The current zoning framework ~~is permit~~sting conversion of commercial uses in areas zoned commercial to condominium residential development and allows potentially non-compatible ~~commercial use in established residential areas. is threatening to limit the~~ Although mixed-use and a range ~~of commercial uses is~~ needed to support neighborhoods in Ocean City, all areas ~~should not be considered equally flexible based on potential impacts to~~ surrounding uses. Revisions to the ordinance should encourage new commercial ~~development with~~limit first floor uses in commercial districts to those that are ~~commercial but may permit residential development above office or retail uses.~~
- Establish measures to preclude displacement of basic commercial retail uses by condominium development in appropriate locations.
- Develop incentives to encourage a healthy mix and distribution of commercial restaurant, retail, and service uses throughout the Town and promote mixed-use development which includes a workforce housing component and to minimize dependence on automobile use.

- Consider limitations on short term rental of single family homes in the R-1 zoning district to reduce incompatible commercial rental use and activities in established neighborhoods.
- Review site plan approval procedures and amend as needed, always looking for ways to streamline the development process while assuring compliance with codes and ordinances. Improve plan submission checklists and pre-application conference procedures.
- Examine permitted uses, and uses requiring special approvals; revise if necessary. Evaluate the best means to transition away from pyramidal zoning in specific areas identified through a small area plan process.
- Reduce off-street parking requirements where appropriate, especially for commercial uses. Otherwise, periodically review parking standards and revise if necessary. Establish modified minimum parking standards for non-conforming structures, significant improvements, change of use, and redevelopment.
- Investigate alternative and innovative approaches to zoning. Determine their usefulness and potential effectiveness for achieving Ocean City's goals and objectives.
- The current Continue the practice of allowing the ~~strictly enforcing~~ outdoor display of merchandise by retail stores ~~should be studied~~, as it contributes greatly to the ~~degraded~~ positive visual image of the Town.
- Combine code requirements for landscaping into a single section.
- Evaluate need for areas of commercial zoning east of Coastal Highway in order to meet basic needs for the ocean block, and minimize pedestrian and vehicle crossings of Coastal Highway.

Subdivision and Land Development Regulations

Subdivision and Land Development regulations establish design standards, procedures and information requirements for the legal division of land. The purpose is to establish an orderly process which results in parcels complying with the zoning ordinance and having the proper relationship to streets, utilities, and surrounding properties. The subdivision regulations should be reviewed and improved where appropriate. Many of the design standards recommended for implementation through zoning may also be implemented through the subdivision regulations.

- Incorporate minimum standards for NFIP compliance and CRS criteria.

- Develop review standards for ‘land condominium’ divisions.
- Review and adopt minimum checklist and development standards to strengthen existing policies such as 8 foot wide sidewalks in heavy pedestrian use areas.
- Consider a street elevation policy to address areas subject to frequent tidal/storm flooding and the implications for future code revisions.

Development Tracking System

The Town’s computerized system (Laserfishe) which is used and maintained to track development and record land uses changes as they occur should continue to be improved. Improvements over time should focus on relating the system to the Towns geographic information system. Such a system should also continue to enhance the following characteristics:

- ~~Use of the computer for storage, retrieval and manipulation of data.~~
- Ability to track a project from site plan review through occupancy.
- Tied to the online permit system so initial construction as well as alterations are automatically recorded.
- Encourage increased use of the new online permit system by property owners, developers and contractors.
- ~~Contain key information about each parcel; for example, present use, number of units, parking facilities, and zoning.~~
- ~~Retrieval should be simple and be used on any of the parcels’ characteristics.~~
- ~~Utilization of the Town’s recently acquired current aerial photography as a component of the geographic information system.~~
- Improve capabilities for inspection/citation/tracking of development activities

Design Criteria, Standards and Review Process

Across the country, many communities are recognizing the need to exert some influence over the design quality of development. This has demonstrated that a shared sense of

minimum aesthetic values, does exist and can be codified. In many areas the courts have supported this effort; others have found fault with its implementation. The U.S. Supreme Court stated in upholding a landmark protection law:

“We emphasize what is not in dispute... This court has recognized, in a number of settings, that states and cities may enact land-use regulations or controls to enhance the quality of life by preserving the character and the desirable aesthetic features of a City...” Penn Central Transportation Co. V. New York City, 438 U.S. 104, 129 (1978).

Design review does not stop projects or greatly reduce their size; rather it concerns items such as compatibility and the details of development. Some common considerations include:

- Building mass (height, bulk and nature of roof line.)
- Proportions (building’s emphasis on the horizontal or vertical plane.)
- Surroundings (open space and a building’s relationship to neighboring buildings and open space).
- Landscaping (amount and location).
- Facade (location and size of openings, color, texture, offsets and projections to break up mass and add shadow interest).
- Signs and Lighting.

Ocean City has implemented design standards for the Downtown Area in 2002 and Upper Downtown Area in 2006 with a cooperative process of design review including with landowners, developers and the Ocean City Development Corporation. After only a few years in practice, the process seems to be working has worked well and the use of design standards has already improved the quality of new development and re-development within the downtown area.

~~Written review standards and procedures should be established for additional areas, north of the Lower Downtown area.~~ Simplified design guidelines were adopted as Code Section 110-181(c) for other areas of Town in 2012 which ~~also manifest~~ encourages the review of compatible building form as a part of the site plan approval process. Additional recommended infill and redevelopment guidelines were adopted as Appendix D and E of the Comprehensive Plan in 2006. These guidelines should be regularly reviewed, updated and considered for adoption as infill development performance standards in the Zoning Ordinance.

~~Draft standards for consideration are provided in Appendices B and C to this plan. They provide a starting point for discussion and refinement in cooperation with the development community and interested civic organizations of interest. Such standards when adopted as code regulations are intended to allow for design flexibility, even when supplemented with graphic examples for clarity. The standards should be clear enough to allow implementation within the current administrative structure (staff and Planning Commission) or with OCDC assistance.~~

The proliferation of signs, allowed by the town's ~~overly~~-permissive regulations in the past has caused a general degradation of Ocean City's appearance. The sign regulations should continue to be periodically reviewed and amended to reduce the number of signs, and better regulate the location, height, lighting and quality of signs.

Economic Development

The Town of Ocean City in its entirety is an area of critical state concern ~~as that it is~~ a major economic generator for the state and as a cultural asset. It is probable that more residents of Maryland visit Ocean City than any other recreational area in the state. It is estimated that 80 percent of Worcester County's state tax revenues originate in Ocean City and Worcester County contributes the highest ratio of taxes to benefits in the state. The state, county and towneity should continue to work together to improve Ocean City as a resort. This will benefit the state with added tourism and economic development.

~~The Ocean City Tourism Master Plan is incorporated as a part of the Comprehensive Plan and will continue to serve as the primary tool to promote economic development. New focus areas such as —Special Event Management and Free Family Entertainment will be evaluated regularly to determine unique impacts to existing businesses and residential neighborhoods as the community transitions to a year round resort.~~

~~Critical Infrastructure — see Chapter 4 — Transportation for priority issues related to future gateway road corridor improvements.~~

~~New Industries New industries that expand and complement tourism will be encouraged such as: —Brewery/Distillery, Offshore Wind, and Competitive SportingSport Events.~~

Environmental Resource Management

- ~~The Beach and Dunes - The Atlantic Ocean beach serves as one of Ocean City's main recreational assets. In addition, it provides storm and erosion protection which reduces risk and preserves life and property. The prime management action should be the continued implementation of the Beach Replenishment Project to improve the recreational and storm protection abilities of the beach.~~

- A part of the coastal management plan relies on the continuation of a Sediment Bypass Project at the Ocean City Inlet by the US Army Corps of Engineers and the National Park Service. Management of a transitional area at the north end of Assateague Island is critical to maintain a naturalized system of beach, vegetated dunes and bayside marsh for approximately 6 miles to the Maryland State Park.
- Grooming and cleaning of the recreational beach should be continued. Construction should not be permitted on the beach. The beach should be accessible to the public, and, ~~whenever possible, it should be held in trust under~~ public ownership.
- The Ocean and Bay Waters - Water is what makes Ocean City a resort. Ocean City is in partnership with tThe Maryland Coastal Bays Program's to implement a Comprehensive Conservation and Management Plan (CCMP); ~~which~~ This plan focuses on quality of life for the watershed, identifies five priority problems in Maryland's coastal bays: degraded water quality, loss of habitats, changes in living resources, unsustainable growth and development, and poorly planned recreational use of the bays. With a local economy that is heavily dependent on natural resources, Ocean City should continue to make environmental resource protection a priority, including:
 - Protecting sensitive habitats such as wetlands, shady bayside beaches, natural shorelines and native urban landscaping by:
 - Dissuading rip rap and promoting soft shorelines where feasible, and alternative bulk heading materials where appropriate.
 - Reducing water quality impacts from stormwater runoff by:
 - Encouraging the retention of open space and reduce impervious surfaces in site plans;
 - Retrofitting catch basins and dead end canals to treat the cumulative effect of runoff from small properties;
 - Source water prevention (minimize flooding by capturing ~~and~~ storing and infiltrating stormwater to be released at a slower rate later).
 - Reducing threat of development to cultural and natural resources by:
 - Encouraging development practices and design standards that minimize disaster through proper design and construction;
 - Promoting individual business and community evacuation in the event of coastal hazards. Encourage post disaster planning. How will the Town rebuild?
 - Enhancing recreational access, opportunities and infrastructure for the public.
 - Reducing resource impacts from marinas due to pollution, location and design.

- Other Town of Ocean City action items from the CCMP

Transportation

- Coastal Highway - Coastal Highway is owned by the state and is the key element of Ocean City's land based transportation system. Efforts should continue to maintain and improve the road's capacity and safety. Walk Smart/Bike Smart programs should continue to promote pedestrian and bicycle safety. Median fence installation and lighting from Route 90 to Convention Center Drive will be installed as a phase one demonstration project in 2017.
- A number of recommendations for pedestrian improvements, street system improvements, bus system improvements and use of the Coastal Bays to augment transportation options are provided in Chapter 4 of this plan. These recommendations should be implemented as financial resources permit over time.
- Continue to strengthen the transit system to increase capacity of a fixed road system during peak use periods.

Citizen Participation

Citizens participate in government in many ways, the most obvious is the electoral process. Legally mandated processes, such as public hearings, are also effective in encouraging public participation. Regular meetings of the City Council, Planning and Zoning Commission, and Board of Zoning Appeals are open to the public and recorded for viewing on the website.

Other public ~~participation information activities sources that should be undertaken or continued~~improved and regularly evaluated are regularly updated -including:

- **Community Newsletter**

The Ocean City Newsletter has proven to be useful for apprising citizens of progress made and objectives for the future. ~~I~~An informed Citizenry citizens are important to the operation of local government. The Newsletter should continue to be published and distributed as widely as possible.

- **Annual Report**

The Planning and Zoning Commission ~~should~~shall prepare an annual report identifying actions taken and development activity occurring for the year. Maps identifying location of subdivisions, site plans approved, granted special

exceptions and conditional uses along with zoning map amendments ~~would be useful~~. Further, a description of upcoming work program elements ~~would be informative~~ shall be included.

- **News Media**

The staff and Planning Commission should make positive use of the extensive local media to inform and educate the public about planning and development issues.

- **Social Media**

Efforts to promote Ocean City under the Tourism Master Plan have combined with Emergency Management notification programs to create a vibrant social media connection with Ocean City residents and visitors. Keeping this information current and engaging is the responsibility of the Town's Public Information Officer working within the City Manager's Office.

- **Website**

In recent year the Town's website and links to the activities to the many Town departments have perhaps proved to provide the most promising opportunity to better inform residents about services, facility improvements, upcoming forums, and a broad range of Town affairs. New and interesting ways of utilizing this website should continue to be explored and updated.

Figure 9-2 Chart with Summary of Key Objectives and Projects by Chapter