



GOVERNMENT OF THE VIRGIN ISLANDS OF THE UNITED STATES

DEPARTMENT OF PLANNING AND NATURAL RESOURCES

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May 11, 2026

Honorable Milton E. Potter
President
36th Legislature of the United States Virgin Islands
Capitol Building
St. Thomas, Virgin Islands

Re: Petition to Amend Official Zoning Map No. SCZ-6, Application No. CCZP0107-25

Good day Senate President Milton E. Potter, members of the 36th Legislature, legislative staff, and members of the public. My name is Leia LaPlace-Matthew, Territorial Planner with the Division of Comprehensive and Coastal Zone Planning (CCZP) within the Department of Planning and Natural Resources (DPNR). I am here to present the department's recommendation on Zoning Map Amendment Application No. CCZP0107-25.

This application, submitted by Mr. Earl Charles, seeks to amend the zoning designation of Plot Nos. 242, 243, 563, and 564 Estate Strawberry Hill, Queen Quarter, St. Croix, from R-2 (Residential-Low Density-One and Two Family) to R-3 (Residential-Medium Density). The purpose of the request is to develop a two-story, six-unit apartment building containing four two-bedroom units and two one-bedroom units, with construction to occur in a single 24-month phase. Proposed amenities include high-speed internet, CCTV, trash removal, green space, landscaping, buffering, and ten parking spaces.

DPNR conducted a review of the application that included an analysis of land-use compatibility, zoning context, infrastructure capacity, subdivision history, and consistency with the 2024 Comprehensive Land and Water Use Plan. The subject parcels, totaling 0.52 acres, are surrounded by R-2 zoned residential homes, with vegetation and historical ruins to the north. Water and sewer needs will be met through public utility lines, and a Phase I Cultural Resources Survey is required due to nearby historic ruins.

At the DPNR-CCZP public hearing held January 29, 2026, no opposition was expressed, and no post-hearing comments were received. This indicates no immediate community objection to the proposed development.

The 2024 Comprehensive Land and Water Use Plan highlights significant territory-wide housing challenges, such as rising costs of housing, limited land availability, high construction costs, low local incomes, and demand pressures from non-residents. However, the Comp Plan also emphasizes the importance of avoiding spot zoning, ensuring rezonings further long-term planning objectives rather than individual development preferences.

DPNR evaluated whether existing tools under the R-2 zoning could support the proposed development. Options considered included Subdivision, Group Dwelling Permit, and Planned Area Development (PAD).

The results were as follows:

1. A Planned Area Development requires a minimum of 5 acres. The site's combined 0.52 acres disqualifies it from the PAD option.
2. A Group Dwelling Permit under R-2 allows 8 dwelling units per acre. The site's combined 0.52 acres would allow development of only 4 units, not the proposed 6.
3. The lots, created in 1970-1971, are substandard in size (approximately 5,523 sq. ft. each) compared to the R-2 zoning minimum of 10,000 sq. ft.

Given these constraints, and considering the history of the subdivision, the Department determined that R-2 zoning was improperly applied to this area when the Zoning Code was adopted in 1972. Because the subdivision has access to public water and sewer, the R-4 zoning district would have been the appropriate designation from the beginning.

Further comparative analysis showed the petitioned R-3 zone would allow development meeting the applicant's needs. However, the R-4 best matches the subdivision's original design, lot sizes, and infrastructure capabilities. Rezoning to R-4 would correct the historical zoning error, reduce repeated nonconforming cases, and provide the most consistent long-term framework for the area. Thus, although the applicant petitioned for R-3, DPNR finds that R-4 is the zoning that should have been previously adopted for the Strawberry Hill subdivision.

The Department of Planning and Natural Resources recommends approval, with modification to the zoning district requested. The Department recommends from R-2 (Residential-Low Density-One and Two Family) to R-4 (Residential-Medium Density), not R-3 as petitioned. R-4 is the zoning district most appropriate for the subdivision and consistent with planning principles.

Pursuant to Title 29 Virgin Islands Code, Chapter 3, Section 238, the detailed Planning Office report regarding this proposal is incorporated into the records submitted prior to this Committee of the Whole Hearing. We respectfully request that the PowerPoint presentation for CCZP0107-25 now be displayed.

This concludes the testimony on behalf of the Department, and we are available to answer any questions.