

Overview of Rockport's Comprehensive Zoning By-laws Update

Why is Rockport updating its zoning by-laws?

Rockport is undertaking a process to update its zoning by-laws, which includes sections that haven't been updated in 20 years. Making these changes to Rockport's zoning code is a way for the Town to set guidelines for the future development and evolution of the community.

The proposed changes will ensure Rockport's zoning code works as intended, is as user-friendly as possible, and reflects the most up-to-date best practices. You may have heard members of the Planning Board refer to these as "nuts-and-bolts" changes. More specifically, these changes will include:

- updating definitions,
- reorganizing sections,
- fixing references,
- adding a section reference tab,
- consolidating requirements into tables where applicable,
- eliminating outdated provisions, and
- bringing other provisions up to current planning best practices.

You can see more details on these changes on the [Planning Board website](#). These updates will need to be passed with a 2/3rds majority vote in town meeting.

*“The existing Zoning Bylaw has inconsistent and outdated language. For example, archaic language such as “boarding house” or “tourist court” or the reference to obsolete “microwave antennas” have been eliminated. **The proposed changes are long overdue.**”*

– Jason Shaw, Chairman of Rockport Planning Board

In addition to the overall zoning update, there are three by-laws you should know about:

Updated Accessory Dwelling Unit (ADU) By-law

What exactly is an ADU?

Accessory Dwelling Units (ADU) are also known as in-law apartments and granny flats. They are smaller, self-contained living spaces that are built on the same lot as an existing single-family home. They provide “naturally affordable” housing as they are smaller and less costly, filling a gap in Rockport's housing stock.

We already have a by-law about ADUs. What is changing?

The current version of Rockport's ADU by-law includes a number of requirements that make it impossible to actually build ADUs in many cases. For example, the current by-law only allows Stand Alone Units. The update creates standards to facilitate ADUs to provide more housing options, while ensuring they do not have adverse impacts on the Town through limits on size, design, etc.

About Zoning

Zoning is...

- Regulations about the use of land, buildings, and structures to protect the health, safety and general welfare of their present and future inhabitants.

Zoning is not...

- A development plan or proposal. Zoning is put into place to guide what kind of development can be built. Future projects must not only align with a town's zoning, but also go through the approval processes the town has in place like Planning Board review.
- Applied retroactively to existing structures. The new zoning by-laws will only apply when starting a new construction project or redeveloping an existing structure after the zoning is in place.

Updated Accessory Dwelling Unit (ADU) By-law (continued)

Who are ADUs for?

ADU residents will be people who live in Rockport full-time. This could range from retirees looking to downsize while staying in their hometown to teachers and other workers who couldn't otherwise afford to live in Rockport. Homeowners may also consider renting their ADU for an additional source of income.

Will ADUs be used for short-term rentals?

No. The current version of Rockport's zoning code has no controls on short-term rentals (e.g., Airbnb). This update would prohibit future ADUs from being used for short-term rentals, ensuring that ADUs are used the way they are intended, for permanent housing.

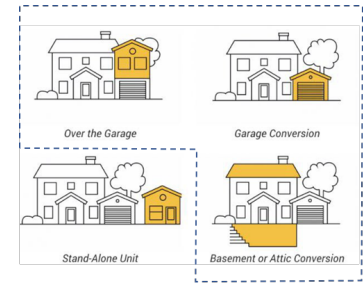


Figure 1. Types of Accessory Dwelling Units (ADU). The current by-law only allows Stand Alone Units. The other types shown above would be allowed after the update.

“ADUs will help us ensure that our **aging residents can downsize without having to leave the community** and would also enable parents to support **children who want to keep living in Rockport**. ADUs are a key low-impact opportunity to build more affordable housing options as well. An expanded ADU ordinance will still have to comply with Rockport's existing design specifications, which **will ensure that new ADUs match the look and feel of what we have here already.**”

— Denise Donnelly, Board of Selectmen

Updated Open Space Residential Development (OSRD) By-law

What is the OSRD?

The Open Space Residential Development (OSRD) by-law preserves open space when land is divided for building residences. (See figure 2.) This will protect wildlife habitats and open space, make construction and maintenance of new housing more efficient, and mitigate the effects of climate change.

We already have an OSRD by-law. What is changing?

Rockport has an existing OSRD that has never been used. The proposed updates will make this type of residential development the default choice for any future subdivisions and brings the provisions of the by-law up to best practices. This change can be made with a simple majority vote by town meeting, due to the 2021 Housing Choice law.

Will this lead to denser development?

No. The OSRD will not change the number of homes allowed by underlying zoning. The same number of homes will be built with the benefit of preserving open space.

When will we see this development occur?

There are not many tracts of land available for single home subdivisions in Town and there is no existing proposal for new development. This by-law ensures that if and when such a proposal comes in, development will occur in a way that protects our natural resources.

Does the Town have the water and sewer capacity for new developments?

A development must apply for permits to connect new buildings with the Town's water and sewer systems. This requirement is separate from the zoning by-laws and acts as a “check” on the zoning (i.e., even if it's allowed in zoning, this would ensure the **development would not overload the water/sewer system**). If the water and sewer system cannot handle the impacts of a proposed project, the developer will need to propose solutions to address this or the project would be denied.

a) Development without OSRD



b) Development with OSRD



Figure 2. Example comparison of open space in developments with and without OSRD in place.

New Transit-Oriented Village Overlay District (TOVOD)

Why do we need the TOVOD?

Transit-Oriented Village Overlay District (TOVOD) would be a new by-law based on a vision set by the community to allow mixed-use development around the Rockport train station. It will also work towards Rockport meeting the requirements under the [MBTA Communities state law](#).

What are the elements of the TOVOD?

Overall, the proposed overlay district will allow “mixed-use” development and a more pedestrian friendly environment. The zoning includes requirements like 2.5 story maximum buildings, traditional roof lines, open space requirements, and other guidelines to ensure the area reflects the scale and character of the Town. It is proposed as an overlay district, providing landowners with an additional options for future redevelopment, while maintaining the allowed uses of the underlying zoning.

How will concerns about noise from the train be addressed?

Site plan review includes provisions to mitigate the impacts of the trains through various buffering mechanisms. Some of the issues related to train noise go beyond zoning. For example, over the longer term, the Town is working with the MBTA to reduce idling time, erect sound barriers, or even locate the train’s terminus further from future development.

How will this impact density?

The development of this by-law occurred through an extensive, multi-year community engagement process in which residents identified a need for increasing housing options in Rockport. It was developed explicitly to maintain Rockport’s small-town character, while providing additional residential and commercial opportunities.

How will this impact open space?

The existing zoning has no open space requirements and most of the district is impermeable surface. The TOVOD has requirements to *increase open space* and *reduce impervious surfaces*, which will reduce heat island effects and improve stormwater retention.



Figure 3. Examples of how the area surrounding Rockport station may look with the proposed zoning guidelines in place.

“In 2021 the median single family home price in Rockport rose to over \$800,000. Young families with children cannot afford Rockport, and affordable, decent rental housing is scarce. Not surprisingly, the student population in the Rockport schools has been steadily declining... The Planning Board has worked hard on multiple revisions of these zoning proposals. We also recognize that the Zoning Bylaws are a living document and that future changes, revisions, and corrections are inevitable. We believe these four warrant articles are a good start.”

— Jason Shaw, Chairman of Rockport Planning Board