

Essex Zoning Bylaw Review Project

Planning Board & Board of Selectmen Meeting

January 25, 2023

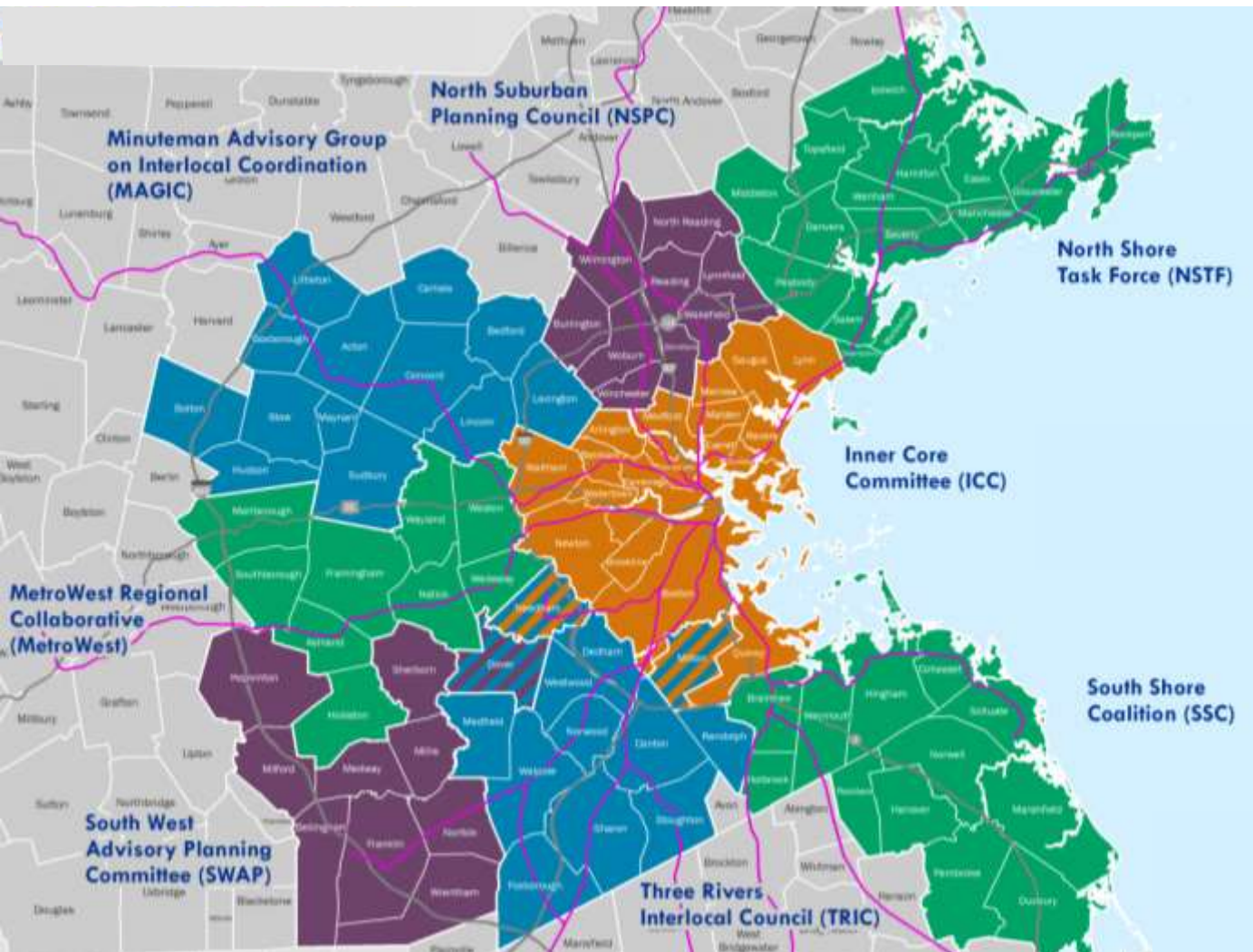


Agenda

- I. Introductions**
- II. Recap: Phase I of Essex Zoning Review**
- III. Phase II Project Overview**
 - I. Section 3A MBTA Communities Compliance**
 - II. Outline of Bylaw Potential Reorganization, Updates, and Additions**
- IV. Board discussion**
- V. Next steps**



MAPC Team Introductions



101 cities & towns

4.3M people

**Smart Growth &
Regional Collaboration**

Who is Working on the Project?

Town of Essex Staff + Board of Selectmen

Brendhan Zubricki, Town Administrator

Dana Menon, Town Planner

Ruth Pereen, Chair, Board of Selectmen

Essex Planning Board

Lisa O'Donnell, Chair

Shelly Bradbury

Simone Early, Vice Chair

Matthew Greco

Jud Lane

Peter Levasseur

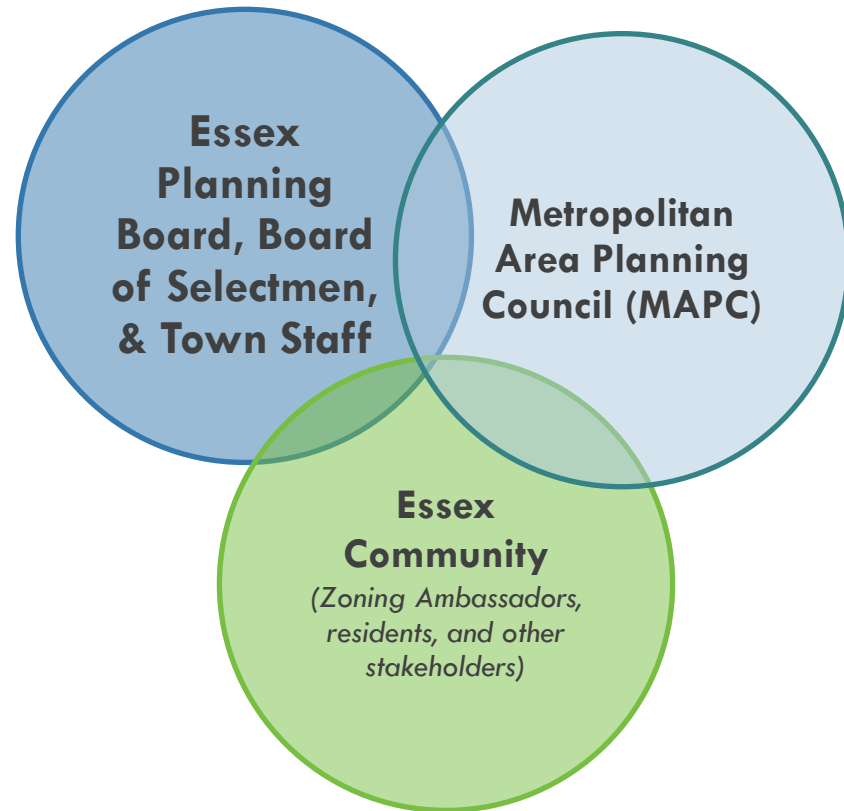
Michael McConnell

MAPC

Andrea Harris-Long, AICP, Senior Planner

Courtney Lewis, Senior Planner

Chris Kuschel, AICP, Land Use Manager



Roles & Responsibilities

Town Staff + Planning Board

- Provide feedback during Planning Board meetings to guide MAPC work
- Promote and participate in engagement events; answer questions about project
- Review draft bylaw amendments, coordinating with Town Counsel as necessary

Project Steering Committee

(Lisa O'Donnell, Simone Early, Ruth Pereen, Brendhan Zubricki, Dana Menon and MAPC staff)

- Review outreach-related materials and help prep for full Board conversations
- Provide periodic updates regularly to full Board and other Town boards/committees
- Promote and participate in engagement events

MAPC

- Prepare draft bylaw amendments for review and incorporate revisions as requested
- Prepare materials to facilitate conversations about amendments with Planning Board and Town residents
- Facilitate events to collect public feedback; synthesize comments for Planning Board

A wide-angle photograph of a coastal town, likely in New England, viewed from across a body of water. The town features several large, multi-story houses with gabled roofs, some with porches. A prominent white church steeple is visible in the background. The water is calm, and the sky is filled with heavy, grey clouds. In the foreground, there's a rocky shoreline with some dry grass. A blue rectangular box is overlaid on the bottom left of the image, containing the text 'Phase I Recap' in white.

Phase I Recap

Essex Zoning Bylaw Update

Phase I – May 2022
Bylaw Review Project
(Zoning Recommendations)

June 2022
Apply for State Grant
(Awarded Fall 2022)

Phase II
Prepare zoning
bylaw amendments
(Fall 2022-Fall 2023)



Phase I – Zoning Diagnostic

Existing Conditions Analysis

- ✓ Review of past plans
- ✓ Mapping land uses, environmental constraints, parcel characteristics
- ✓ Interviews with bylaw users
- ✓ Zoning best practices
- ✓ Statutory compliance

Public Engagement

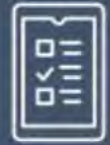
Focus groups

11 participants



Online Survey

428 participants



7 Interviews



2 virtual forums

166 participants

Outreach through website, social media, e-blasts, and word of mouth. Coverage in Gloucester Times.

PHASE I GOALS

Understand **existing land use patterns**

Gauge **public opinion**

Consider **best planning practices**

Zoning Diagnostic Report



Existing conditions



Policy context



Zoning audit findings



Community feedback



Recommendations



Next steps

Essex Zoning Diagnostic

Produced by the Metropolitan Area Planning Council (MAPC)
for the Town of Essex

May 2022



Photo Credit: John Sullivan



Zoning Recommendations

- 1 Establish zoning districts + use table; address nonconforming uses
- 2 Update dimensional standards and use regulations (including development standards and parking)
- 3 Remove barriers to expanding housing options
- 4 Align zoning with community values of entrepreneurship, environmental stewardship, and historic preservation
- 5 Make the bylaw more user-friendly (including addressing confusing or conflicting regulations)
- 6 Improve the application review process
- 7 Expand capacity to adequately administer and enforce the bylaw
- 8 Develop a robust community engagement strategy

A photograph of a coastal town, likely in New England, featuring several houses with white siding and dark roofs. A prominent church steeple is visible in the background. The town is situated along a body of water, with a rocky shoreline in the foreground. The sky is filled with heavy, grey clouds. A blue banner with white text is overlaid on the bottom left of the image.

Phase II – Bylaw Amendments

Project Goals

- Begin **implementing** some of the **recommendations** from the Zoning Diagnostic Report, focusing on:
 - Better aligning the bylaw with the Town's **goals**
 - Creating a **user-friendly** bylaw
 - Compliance with **Section 3A** MBTA Communities
- Continue **building relationships** with Essex residents, business owners, and other stakeholders through effective, inclusive community engagement



Project Goals – Planning Board Priorities

- Ensure bylaw regulations are performing as intended
- Site Plan Review
- More categories of uses
- Special Permit applicability
- Update definitions
- Understand what is regulated through bylaws and what other PB rules/regulations may cover outside of bylaw
- Incorporate Scenic Byways
- Parking
- Explore district zoning
- Affordable Housing
- Public Outreach
- Enforcement

Any additional thoughts or reflections on the project goals?

Project Timeline

Jan Feb Mar Apr May June July Aug Sept Oct Nov Dec

Kick-Off




MAPC drafts amendments

Outreach w/ Zoning Ambassadors *(including Planning Board & Board of Selectmen)*



MAPC refines amendments *(based on public feedback)*

 **Town Meeting**

 **Town Meeting**
Public Hearings

  **Planning Board Meetings & Activities**  **Community Event**



Community Engagement

Zoning Ambassadors

- Ideally a **diverse group** of Essex residents and business owners who represent different areas of Town and different perspectives
- Help develop community engagement **strategy**
- **Identify** local groups and organizations and the **best means to connect** with them
- **Spread the word** about community events to increase overall participation in project

Zoning Ambassadors are not expected to be experts in zoning or 100% supportive of all proposed changes



Community Engagement

Zoning Ambassadors

- Initial 2-3 hour in-person meeting with MAPC (late Feb.)
 - Project Overview
 - Defining community engagement and coalition building
 - Stakeholder Analysis
 - Strategizing engagement for the zoning project
 - Purpose
 - Opportunities & challenges
 - Engagement Activities
- Two 60- to 90-min virtual sessions
 - Messaging (early March)
 - Debrief first forum (April)

Ongoing:

MAPC will email updates requesting help sharing info with networks (posting flyers, sharing information on social media, etc.)



Community Engagement

Town-wide Community Events

March - Visioning Session

Share information about zoning recodification process and potential bylaw amendments; hear preferences on future development

April/May – Community Forum

Visioning for Section 3A compliance and other bylaw improvements

June/July – Community Forum

Alternatives for Section 3A compliance and other bylaw improvements

Note: Potential Planning Board public hearing in **March/April** on reorganization and other warrant articles



Community Engagement

Town-wide Community Events (cont'd)

Aug/Sept – Community Forum + Online Open House

Share proposed bylaw amendments

Aug/Sept – Virtual Office Hours

MAPC and Planning Board members available for 1:1 conversations with stakeholders

Sept/October – Planning Board Public Hearings

Refinement of bylaw amendments based on public feedback

Share the Project Webpage

mapc.ma/essexzoning

The screenshot shows the MAPC (Metropolitan Area Planning Council) website for the Town of Essex Zoning Bylaw Review Project. The header includes the MAPC logo and navigation links: HOME, METROPOLITAN AREA PLANNING COUNCIL, CALENDAR, PRESS ROOM, and BLOG. A secondary navigation bar contains: LEARN, OUR WORK, GET INVOLVED, ABOUT MAPC, and a SEARCH bar. The main heading is 'TOWN OF ESSEX Zoning Bylaw Review Project'. Below this is a blue navigation bar with links: ABOUT, NEWS, ZONING, and MEETINGS. The 'About the Project' section explains that Essex's current zoning is unique, allowing residential, commercial, and industrial buildings to be constructed potentially anywhere with minimal requirements, leading to conflicts. It mentions that in Fall 2021, the Town of Essex worked with MAPC to begin a phased process of reviewing and updating its zoning bylaw. A link is provided to 'Read the Essex Zoning Diagnostic report'. On the right, the 'MAPC CONTACT' is listed as Andrea Harris-Long, Senior Land Use Planner, and the 'TOWN CONTACT' is listed as Brendhan Zubricki, Town Administrator. At the bottom right, there are two buttons: 'Read the Final Report' and 'Sign up here to receive emails with project news and upcoming events', which is circled in red.

MAPC
METROPOLITAN AREA PLANNING COUNCIL

HOME METROPOLITAN AREA PLANNING COUNCIL CALENDAR PRESS ROOM BLOG

LEARN OUR WORK GET INVOLVED ABOUT MAPC SEARCH

TOWN OF ESSEX

Zoning Bylaw Review Project

ABOUT NEWS ZONING MEETINGS

About the Project

Essex's current zoning is unique - it allows residential, commercial, and industrial buildings to be constructed potentially anywhere with minimal requirements. This has resulted in conflicts when residents are surprised by new businesses opening near their homes. Most towns have zoning districts that guide where residential and neighborhood-oriented commercial uses can develop and where more intense commercial and industrial uses are more appropriate.

In Fall 2021, the Town of Essex worked with MAPC to begin the phased process of reviewing and updating its zoning bylaw. During Phase I of this work, the Town wanted to better understand its existing land use patterns and characteristics and hear from residents, business owners, and visitors on how it should proceed with the zoning revision process. MAPC helped the Town by conducting an audit of existing zoning regulations and organizing several different community engagement opportunities.

Read the Essex Zoning Diagnostic report [A](#) to learn more about what community members want to see in zoning reform.

MAPC CONTACT
[Andrea Harris-Long](#), Senior Land Use Planner

TOWN CONTACT
[Brendhan Zubricki](#), Town Administrator

[Read the Final Report](#)

[Sign up here to receive emails with project news and upcoming events](#)

A photograph of a coastal town, likely in New England, featuring several houses with gabled roofs and a prominent church steeple in the background. The town is situated along a body of water, with a grassy bank in the foreground. The sky is filled with heavy, grey clouds. A blue banner with white text is overlaid on the lower left portion of the image.

Section 3A Compliance

Section 3A MBTA Communities

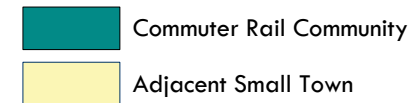
3A Requirements for the Town of Essex

Community	Essex
Community Category:	Adjacent Small Town
2020 Housing Units (Census PL-94):	1,662
Minimum Multi-family Unit Capacity:*	83
Minimum Land Area**	N/A
Developable Station Area***	N/A
Percent of District to be Located in Station Area	0%





* Minimum multi-family unit capacity for most communities will be based on the 2020 housing stock and the applicable percentage for that municipality's community type. In some cases, the minimum unit capacity is derived from an extrapolation of the required minimum land area multiplied by the statutory minimum gross density of 15 dwelling units per acre. In cases where the required unit capacity from these two methods would exceed 25% of the community's housing stock, the required unit capacity has instead been capped at that 25% level.

** Minimum land area is 50 acres for all communities in the rapid transit, commuter rail and adjacent community types. There is no minimum land area requirement for adjacent small towns. Where 50 acres exceeds 1.5% of the developable land area in a town, a cap has been instituted that sets minimum land area to 1.5% of developable land area in the town.

*** Developable station area is derived by taking the area of a half-mile circle around an MBTA commuter rail station, rapid transit station, or ferry terminal and removing any areas comprised of excluded land.



Essex Downtown District (EDD)

-  Essex Downtown District
-  Density Denominator Deductions
-  Excluded Land
-  Essex Parcels

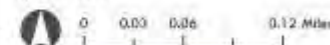


The information depicted on this map is for planning purposes only. It is not adequate for legal boundary definition, regulatory interpretation, or parcel-level analysis.

Produced by:
Metropolitan Area Planning Council
60 Temple Place, Boston, MA 02111
(617) 933-0700

Data Source: MAPC, MassGIS, DHCD

January 2023

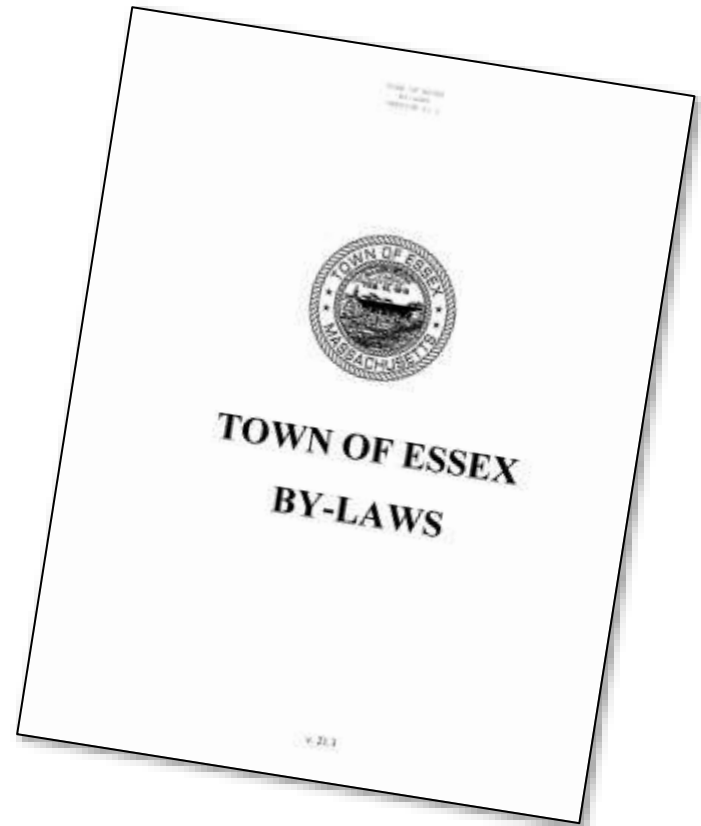


Section 3A MBTA Communities

Zoning Checklist

Essex Downtown District (EDD)

Model Inputs for Calculating Unit Yield	Input
Minimum Lot Size	10,000
Additional Lot Square Feet per Dwelling Unit	0
Open Space %	0%
Excluded Land Counted Toward Open Space	
Parking Spaces per Dwelling Unit	2.00
Building Height	2.5
Maximum Lot Coverage %	75%
Floor Area Ratio	0.00
Zoning Restrictions that Cap Unit Counts	Input
Lot Area per Dwelling Unit	0
Maximum Dwelling Units per Acre	0.00
Cap on Maximum Dwelling Units per District	0.00

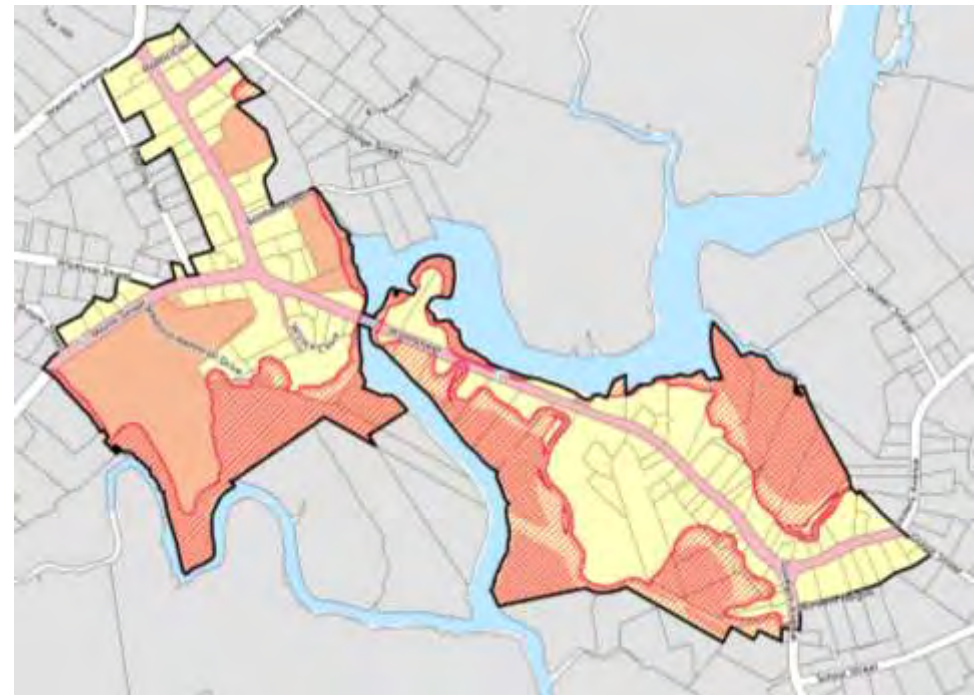


Section 3A MBTA Communities

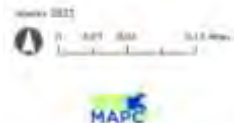
Summary Table of Model Output

Essex Downtown District (EDD)

District Acreage	32.6
District Density Denominator	32.6
Final Unit Capacity per District	757
DU/AC	23.2
Parcel Acreage	82.2
Total Built Square Feet	787,314
Total Units in Station Area	0
Non-Conforming Parcels	51
Total Excluded Land (sf)	1,974,154
Total Open Space (sf)	2,690,670
Total Parking Area (sf)	584,862
Units Forgone due to Unit Cap in Zoning	0.00



- Essex Downtown District
- Density Denominator Deductions
- Excluded Land
- Essex Parcels



Section 3A MBTA Communities

Comparison Table of Requirements and Modeled Results

Essex Downtown District (EDD)		
Category	Guideline Requirements	Modeled Results
2020 Housing Units (Census PL-94):	1,662	1,662
Minimum Multi-family Unit Capacity:	83	757
Minimum Land Area:	0	32.6
Developable station area:	0.00	0.00
% Unit Capacity within Transit Station Areas:	0%	0%
% Land Area Located in Transit Station Areas:	0%	0%



Based on assumptions used for this model, the **Essex Downtown District** is Section 3A compliant.

Note: The district is compliant based on existing dimensional requirements. However, certain aspects of zoning bylaw require further clarification to determine if zoning changes are needed.

Next Steps for 3A Compliance

- **Submit initial results to DHCD for review**

A photograph of a coastal town, likely in New England, featuring a harbor with several houses and a church steeple visible in the background. The sky is overcast with grey clouds. A blue banner is overlaid on the bottom left of the image.

Bylaw Amendments

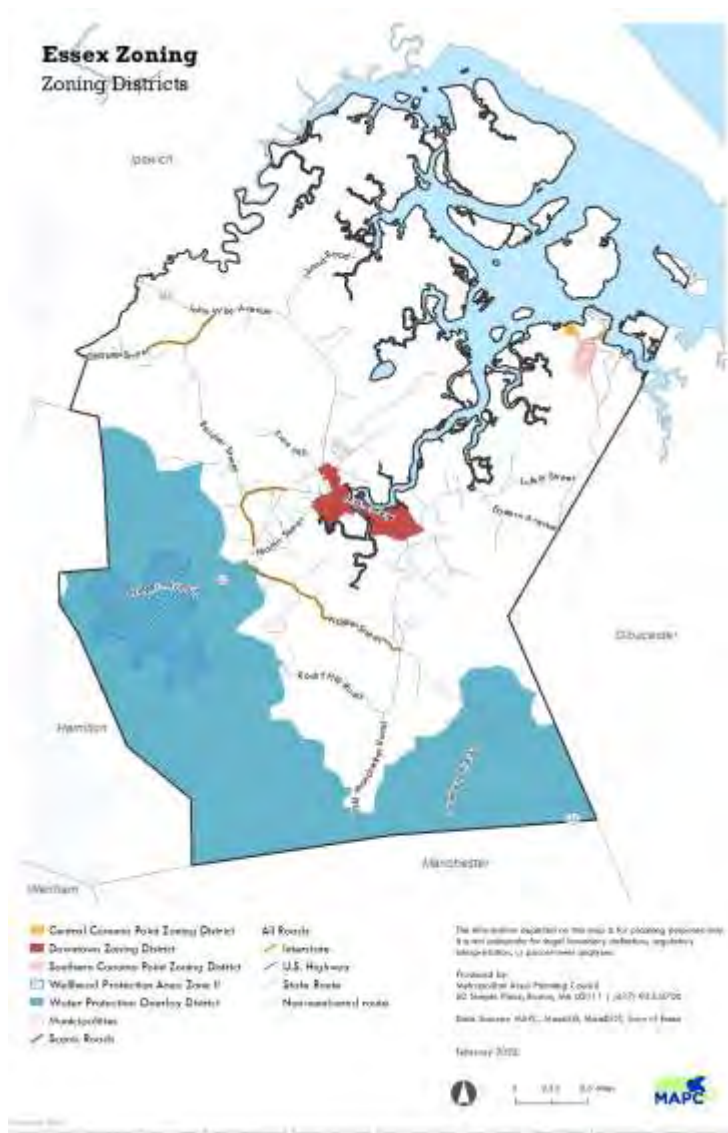
Drafting Bylaw Amendments

- 1 **Establish existing zoning districts; explore potential new districts**
- 2 **Update dimensional standards and use regulations** (including development standards and parking)
- 3 Remove barriers to expanding housing options
- 4 Align zoning with community values of environmental stewardship, entrepreneurship, and historic preservation
- 5 **Make the bylaw more user-friendly** (including addressing confusing or conflicting regulations)
- 6 Improve the application review process
- 7 Expand capacity to adequately administer and enforce the bylaw
- 8 Develop a **robust community engagement** strategy

Annotated Outline of New Bylaw

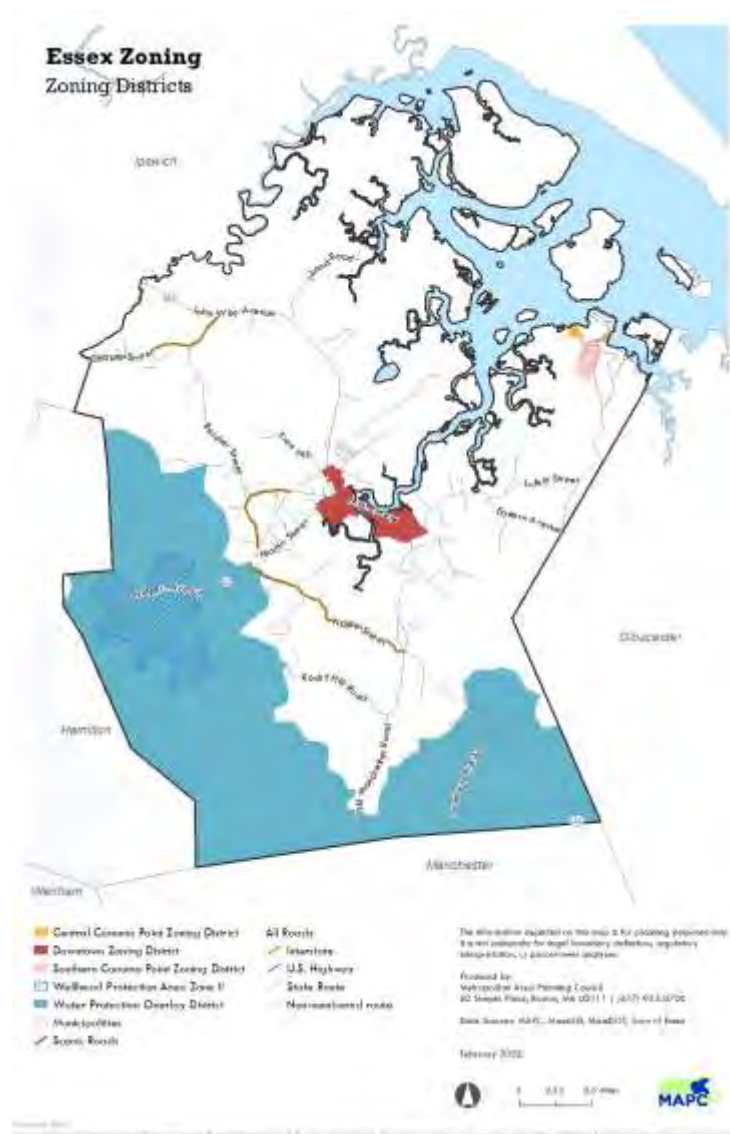
- **Proposed reorganization of existing bylaw language into new format**
- **Annotations indicate:**
 - **Topics that require more public dialogue**
 - **Sections that are primarily administrative changes (recodification items)**
- **Planning Board priorities noted throughout**

Annotated Outline of New Bylaw



**Potential Approach:
Codify “General”
district and apply some
form-based aspects that
maintain current
flexibility but
incorporate standards
for balancing impacts to
adjacent properties and
environment**

Annotated Outline of New Bylaw



- **Regulate development based on street type and building type**
- **Uses regulated by district**
- **Site Plan Review and Special Permit processes still apply**

Annotated Outline of New Bylaw

[Link to Document](#)

Discussion

What are your first impressions of the proposed reorganization?

What do you think of the potential zoning approach?

Is anything missing or miscategorized?

Next Steps

- **Invite Zoning Ambassadors to participate**
- **Revise annotated outline based on tonight's discussion**
- **Submit 3A compliance findings to DHCD for review**
- **Schedule next Planning Board Meeting**
 - Discuss zoning ideas in more detail
 - Prepare for first community forum

Thank you!

Andrea Harris-Long, AICP
Senior Planner
aharris-long@mapc.org

Courtney Lewis
Senior Planner
clewis@mapc.org

