

**2/3 MAJORITY VOTE**

**ARTICLE X:** To see if the Town will vote to adopt the following amendments and additions to the **Town of Leyden Zoning Bylaws: SECTION 3. DEFINITIONS, and SECTION 4. USE REGULATIONS** as follows or take any action relating thereto: *[Note: items in italics are included for information purposes only and will not be included in the revised zoning bylaw.]* **This Article requires a 2/3rds majority vote.**

**SECTION 3. DEFINITIONS:** *[new and revised definitions to be deleted, or inserted in appropriate alphabetical order]*

**Alternative Housing** means a single family, owner-occupied permanent dwelling, that is approved by the board of health pursuant to 105 CMR 410.710 to alter standards set forth in 105 CMR 410.000 for heating, plumbing, electrical, and sanitary facilities and minimum square footage requirements in order to reduce energy use or environmental impact. (105 CMR 410)

**Bed and Breakfast Establishment** means a private owner-occupied house where rooms are rented and a breakfast is included in the rent, and all accommodations are reserved in advance. (105 CMR 410).

~~**Camper** – A portable dwelling, eligible to be registered and insured for highway use, designed to be used for travel, recreational and vacation uses, but not for permanent residence, includes equipment commonly called travel trailers, pick-up coaches or campers, motorized campers, tent trailers, and motor homes, but not mobile homes.~~

**Camping Vehicle:** A motor home, travel or camping trailer, slide-in camper attachment to a pick-up truck, or other motor vehicle, attachment to a vehicle, or trailer intended for temporary residence or office purposes, which can be driven, mounted on a motor vehicle, or pulled behind a vehicle on its own chassis and which is not used as a permanent year-round residence.

**Common Driveway:** A driveway serving as the primary vehicular access for at most no more than two (2) legal building lots or no more than four (4) dwelling units, owned in common or created by reciprocal easements, and serving as the sole means of providing legal access required by the Leyden Subdivision Control Law or this Bylaw. (See Section 5.7.B.)

**Dwelling:** means every building or structure used for, or intended for, human habitation and every other structure located within the physical boundaries of the same lot. Dwellings include, but are not limited to, single or multi-unit structures, temporary housing, alternative housing, and condominiums.

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**Event Venue or Retreat Center:** a facility that is leased for private or public events such as, but not limited to, music performances, festivals, retreats, seminars, lectures, conferences, workshops, weddings or family gatherings.

~~**Family:** An individual or two or more persons related by blood or marriage, or a group of not more than five persons not so related, living together as a single housekeeping unit.”]~~

~~**Mobile Home:** A dwelling built upon a chassis, containing complete electrical, plumbing and sanitary facilities, and designed without necessity of a permanent foundation for year round living, irrespective of whether actually attached to a foundation or otherwise permanently located.”]~~

**Short-Term Vacation Rental (STVR):** a furnished dwelling unit that is rented by the owner to another party for a period of not more than 30 consecutive days which is subject to M.G.L. Chapter 64G and regulations promulgated thereunder.

**Temporary Housing:** any structure used for human habitation which is:

- (1) A mobile structure, including a tent that is attached to the ground, to another structure, or to any utility system, on the same premises for less than 30 calendar days; or
- (2) A mobile structure that provides basic shelter and contains at least one habitable room for living, sleeping, eating, cooking or sanitation that is intended to be occupied by a single family or household for intermittent periods of time not to exceed 90 consecutive days, unless extended by the Leyden Board of Health. (105 CMR 410)

**SECTION 4 USE REGULATIONS**

***Add the following paragraphs h, i, and j to Section 4.1 Permitted Uses:***

A. The following uses are permitted:

4. any use customarily accessory to and clearly incidental to a permitted use on the lot, including but not limited to:

h. Short term vacation rentals with up to 3 bedrooms, provided that:

- I. no lot shall contain more than one such rental unit,
- II. no more than 2 overnight occupants per bedroom.
- III. If there is more than one dwelling unit on the lot, one dwelling unit must be owner-occupied.

i. Temporary housing, including homes on wheels, provided:

- i. No person may allow temporary housing to be occupied without the written permission of the Board of health through the issuance of a temporary housing occupancy permit.

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- ii All temporary housing shall be subject to the requirements of 105 CMR 410.00 and 310 CMR 15.000 except as the Leyden Board of Health may otherwise provide in its written permission.
- j. Alternative Housing that otherwise meets all requirements of this Bylaw.

**Delete paragraph c within paragraph A.4 of Section 4.1 Permitted Uses:**

- ~~c. the renting of rooms or boarding of not more than four persons not members of the resident family:~~

**Add the following paragraph A.6 and A.7 to Section 4.2 Uses requiring a Special Permit:**

- A.6. Short Term Vacation Rentals with 4 bedrooms or more, on the following conditions:
  - I. the total number of overnight occupants shall be determined by the Board of Health inspection and septic system analysis.
  - II. Short term rental activities shall be operated in compliance with MGL 64G,
  - III. On-street parking is prohibited
  - IV. If there is more than one dwelling unit on the lot, one unit must be owner occupied.
  - V. A groundskeeper and/or property manager will be available at all times to those renting the property and to town officials whenever the property is being occupied,
  - VI. Renters will be informed of the property boundaries and notified that they are not to trespass on neighbor’s land.
  - VII. The renters of the property will be provided with terms of this special permit and directions on use of the property, to ensure respect for others living in the adjoining neighborhood.
  - VIII. The special permit will not be transferable to a different owner.
- A.7 Retreat Center, Event Venue, or Educational facility not exempted from zoning regulations by MGL Ch. 40A Sec. 3., with the following conditions:
  - I. On street parking is prohibited.
  - II. Owner will obtain all necessary permits from the BOH related to cooking and septic system capacity of the facility
  - III. Advance notice of all events will be provided to the Police, Fire, and Emergency Medical Services for the Town of Leyden
  - IV. A Property Manager contact information will be available to the renters of the facility and provided to Leyden’s officials.

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- V. A groundskeeper and/or property manager will be available at all times to those renting the property and to town officials whenever the property is being occupied,
- VI. The facilities property boundaries will be clearly marked and attendees informed they are to stay within the property boundaries.
- VII. The special permit will not be transferable to a different owner of the property.

Revise **Section 4.3 Prohibited Uses** to read:

- A. Manufactured Home Parks.

*[Current language: "Mobile Homes and Mobile Home Parks"]*

Add "or two (2) legal building lots," to: **Section 5.7.B Common Driveway Regulations**, portion of paragraph 1, as inserted below:

- 1. Common driveways are allowed by special permit. At most, four (4) dwelling units (counting accessory apartments or each unit in a two-family dwelling as separate dwelling units) **or 2 legal building lots**, may be served by or otherwise share a common driveway.