**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,** and add the following new **SECTION 5.13 Accessory Dwelling Units (ADU’s)**, 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 simple majority vote.***

**ReviseSections 3, Definitions and Section 4 Use Regulationsas follows:**

*[Add the following in appropriate alphabetical order in Section 3. Definitions]*

**Accessory Dwelling Unit (ADU):** a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a single family dwelling, subject to otherwise applicable dimensional and parking requirements, that (i) maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the single family dwelling sufficient to meet the requirements of the state building code for safe egress; (ii) is not larger in gross floor area than ½ the gross floor area of the single family dwelling or 1200 square feet, whichever is smaller; and (iii) is subject to such additional restrictions imposed within these Leyden Zoning Bylaws.

**Revise Section 4.1.A.1 to read as follows**:

**A.** The following uses are permitted:

**1.** detached one-family dwellings, not including temporary

structures;

*[BYLAW current language reads as follows:]*

*A. The following uses are permitted:*

*1. detached one-family dwellings, not including temporary or mobile structures****,*** *provided that no lot shall contain more than one dwelling;*

**Add to Section 4.1.A.4 Permitted Uses**, **new paragraph g:**

**4.** any use customarily accessory to and clearly incidental to a permitted use on

the lot, including, but not limited to:

**g.** Accessory Dwelling Units, see **Section 5.13.**

**Add to** **Section 4.2 Uses requiring a Special Permit, new paragraph A.5:**

**A.5** Additional detached ADU’s on a lot where one (1) detached ADU already

exists.

**Add the following new section to the Leyden Zoning Bylaw:**

**SECTION 5.13 Accessory Dwelling Units (ADU’s)**

A. APPLICABILITY

For the purposes of this bylaw an accessory dwelling unit (ADU) shall mean one dwelling unit on a lot with a single-family dwelling unit, in a new or existing accessory structure. An attached or detached ADU will be designed and built to meet the applicable requirements of the Massachusetts Building Code, 105 CMR 410, 310 CMR 15.00, and M.G.L. Chapter 40A

B. PURPOSE

The purpose of permitting accessory dwelling units includes but is not limited to the following:

1. Provide older homeowners with a means of obtaining rental income, companionship, security, and services, enabling them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
2. Provide younger homeowners with a means of obtaining rental income and thereby enabling them to own a home they might otherwise not afford;
3. Add moderately priced rental units to the housing stock to meet the needs of smaller households and make housing units available to households who might otherwise have difficulty finding housing;
4. Provide housing units for persons with disabilities, and
5. Provide housing units for farmworkers in support of Leyden’s agricultural community.

**C. Conditions and Requirements**

The Building Inspector may issue a building permit to existing legal residential lots, and to non-conforming lots with a Special Permit, for the installation and use of a detached ADU only after a Site Plan Review by the Planning Board in accordance with Section 5.6 of these Zoning Bylaws. Evidence of the recording, at the Franklin County Registry of Deeds of said review, shall be provided to the Building Inspector before issuance of a permit. The Site Plan Review will be conducted in compliance with Section 5.6 and shall consider the following:

1. The ADU will be a self-contained housing unit, inclusive of sleeping, cooking and sanitary facilities on the same lot as a single-family dwelling that maintains a separate entrance, either directly from the outside or through an entry hall or corridor shared with the principal dwelling sufficient to meet the requirements of the state building code for safe egress.
2. The ADU shall not be larger in gross floor area than ½ the gross floor area of the principal dwelling or 1200 square feet, whichever is smaller.
3. Only one ADU may be created on a lot by right following site plan review. A second ADU on a lot requires the issuance of a Special Permit following site plan review per Section 4.2.A.4 of these Bylaws and Site Plan Review in accordance with Section 5.6 of these Zoning Bylaws.
4. An ADU may be located in an existing structure or an existing accessory structure, such as a garage or barn, or within a new accessory structure or new modular or manufactured home located on the same lot as the single-family dwelling. The accessory dwelling unit must meet all front, side, and rear yard setbacks. unless a Special Permit is issued by the Planning Board under Section 2.3 of this bylaw.
5. The ADU must have a minimum of one (1) off-street parking space provided in addition to the off-street parking spaces required for the single-family dwelling. No more than one curb cut or driveway access shall be permitted for the lot, unless the Planning Board determines that a second driveway will improve public safety and not detract from the rural character of the road during the site plan review.
6. The design and room sizes of the accessory dwelling unit must conform to all applicable standards in the health, building, and other codes. A building permit for an accessory dwelling unit may only be approved subject to obtaining any required approvals from the Board of Health, including compliance with the State Sanitary Code 310 CMR 15 (“Title 5”) where applicable.
7. An application for building permit or Special Permit for an accessory dwelling unit shall include any information necessary to show compliance with the conditions of this section, including a plot plan. If the applicant has obtained a permit for alternative housing under 105 CMR 410.710, that information needs to be submitted to the Planning Board during the site plan review.
8. Only one dwelling unit on a lot with an ADU may be used as a short-term vacation rental and would be subject to M.G.L. Chapter 64G, and regulations promulgated thereunder.