**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 followsor 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 inserted, or deleted, in appropriate alphabetical order]*

**Alternative Housing** means a single family, owner-occupied dwelling, whether mobile or permanent, 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).

**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.

*(Current definition: “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.)*

**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 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, rooming houses per 105 CMR 410.010, manufactured homes, homeless shelters, temporary housing, alternative housing, and condominiums.

*[Current definition: “Dwelling - Any structure, including mobile homes, containing one or more dwelling units.”]*

**Dwelling Unit:** the group of rooms within a dwelling used or intended for use by an individual, family, or household for living, sleeping, cooking, and eating, and other areas of which the occupants have exclusive use. (105 CMR 410).

*[Current definition: “Dwelling Unit – Living quarters for a single family plus not more than four (4) boarders or lodgers, with cooking (stove plus either or both a refrigerator and sink), living, sanitary and sleeping facilities independent of any other unit; or quarters for not more than four (4) persons in a lodging house or dormitory.”]*

**Family:** Delete altogether the definition of “Family” from Section 3. Definitions.

*[Current definition:* ***“****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.”]*

**Manufactured Home:** means a dwelling unit, built in conformance to the National Manufactured Home Construction and Safety Standards which is transportable in one or more sections, which in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.(105 CMR 410).

**Mobile Home:** Delete altogether, the definition of “Mobile Home” from Section 3. Definitions.

*[Current definition:* ***“****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.”]*

**Modular Home:** A completely factory-built house, either as a single complete structure or built in sections, that is constructed according to national HUD standards, local building codes and MA Sanitary Code, 310 CMR 15.000. This home or sections of a home, sit atop a frame that allows for delivery by truck to a home site and placed upon a permanent foundation constructed in compliance with the MA Building Code 780.

**Short-Term Vacation Rental:** 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, provided that no lot shall contain more than one such rental unit.

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

1. 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.
2. 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.

**Revise** **paragraph c** within paragraph A.4 of **Section 4.1 Permitted Uses** to read**:**

c. the renting of rooms or boarding of not more than 4 persons;

*[Current language: c. the renting of rooms or boarding of not more than 4 persons not members of the resident family”*

**Add the following paragraph A.4** to **Section 4.2 Uses requiring a Special Permit:**

A.4. Stand-alone commercial or industrial scale Battery Energy Storage Facilities, larger than for what power is produced by on-site power generation.

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

1. 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….