



Town of Lenox

Planning Board

6 Walker Street | Lenox | Massachusetts | 01240

The Planning Board is bringing the following Zoning Bylaw amendments to the November 1, 2018 Town Meeting:

- **Short-Term Rental Bylaw (Zoning)**

A positive vote on the Zoning Bylaw as presented will:

- Allow rentals of less than 30 days in all zoning districts of up to two (2) rooms within one's primary residence By-Right subject to standards listed in the Zoning Bylaw, year-round.
- Allow rentals of less than 30 days in all zoning district of an entire primary residence (except Accessory Dwelling Units) via a Special Permit granted by the Lenox Zoning Board of Appeals. The Short-Term Rental of entire dwelling units (except Accessory Dwelling Units) will be allowed between Memorial Day and Labor Day, weekends only through Columbus Day. Standards are listed in the Zoning Bylaw.

- **Short-Term Rental Bylaw (General)**

A positive vote on this General Bylaw will:

- Require property owners Short-Term Renting their homes to receive a Certificate of Compliance from the Building Commissioner, register with the Town Clerk, and renew annually to demonstrate continued compliance with local and state zoning, building, safety, sanitary and housing codes along with an annual inspection.

- **Adult Use of Marijuana**

A positive vote on the proposed Zoning Bylaw amendment will:

- Allow seven (7) different types of Marijuana Establishments in Lenox, organizing activity so that retail will only take place along the Route 7/20 corridor (the C-1A and C-3A zoning districts) and that cultivation and processing of marijuana products may take place in Lenox Dale and along the Route 7/20 corridor.

The cultivation, processing, and sale of medicinal marijuana will still be allowed in Lenox Dale and the Route 7/20 corridor.

- **Prohibition of the Adult Use of Marijuana**

A 2/3 majority vote on this proposed prohibition is contingent on a positive ballot vote as well.

- A positive vote on this article and corresponding ballot vote would prohibit the cultivation, processing and sale of marijuana for recreational purposes. The cultivation, processing, and sale of medicinal marijuana would still be allowed in Lenox.

- **Extension of the local current Moratorium on Adult Use of Marijuana in Lenox**

In case the Town chooses not to pass a zoning bylaw regulating the adult use of marijuana, and chooses not to pass a prohibition, it may choose to extend its current moratorium through June 2019.

- **Changes to multi-family housing dimensional requirements**

The Planning Board and Board of Selectmen adopted the current Lenox Housing Production Plan in 2017. The Housing Production Plan recommends facilitating multi-family and smaller residential units in Lenox to further diversify housing stock and housing choice in the community. The bylaw changes below are congruent with the recommendations of the HPP.

A positive vote on the Zoning Bylaw amendment will:

- Allow the development of multifamily dwellings in the C1A zoning district via Special Permit from the Zoning Board of Appeals (Route 7, New Lenox Road to Pittsfield line) and in the Commercial “C” district in Lenox Village and Lenox Dale By Right. In the “C” district, projects unable to comply w/ standards will be allowed to seek a Special Permit.
- Remove minimum size standards in Section 9.1.4, Dwelling, Two Family (Duplex)
- Delete the apartment unit definition which requires a multifamily unit to be at least 700 square feet, which will allow multifamily units to be any size so long as they are compliant with building, safety, sanitary and housing code.
- Remove minimum size standards in Section 9.5, Mixed Use Development
- Remove minimum size standards in Section 9.6, Residential Conversions

All changes to the Zoning Bylaw require a 2/3 majority vote of Town Meeting, and require a public hearing per M.G.L. Ch. 40A, §5. A general bylaw requires a simple majority vote of Town Meeting and does not require a public hearing.