

## DRAFT PROPOSED ZONING BYLAW

### Open Space and Recreation District (OSRD)

(A) Establishment, Scope and District Boundaries: There is hereby established the Open Space/Recreation Overlay District (OSRD) which shall be governed by the regulations, provisions and procedures specified in this OSRD By-law. The OSRD overlay district encompasses all areas of the Town of Egremont, Massachusetts.

#### (B) Intent and Purpose:

- (1) The OSRD overlay district is intended to apply special use and other standards to certain types of development within the Town. The intent of the OSRD is to modify use restrictions of land to allow for the use of larger tracts of land in a manner that will achieve the other purposes of this by-law while reducing the possibility of potential negative impacts on abutters. The requirements of this overlay district shall apply in addition to the other provisions of the underlying zoning districts; where the base zoning regulations differ from the requirements of the OSRD, the requirements of the overlay district shall apply.
- (2) To protect and preserve open spaces, scenic views, natural resources, and areas of natural beauty;
- (3) To protect and enhance land suitable for agriculture, horticulture, forestry, and other rural resources;
- (4) To preserve land for outdoor recreational uses;
- (5) To promote types of rural resource economics that generate income for property owners while protecting large parcels of land from residential development;
- (6) To establish a category of zoning for certain large parcels that are currently used or have the potential to be used for recreational purposes.

(C) Allowed Uses: In addition to all uses allowed in any particular underlying zoning district in which a parcel is located, on all parcels greater than 50 acres, land, buildings and structures may be used as of right for any of the purposes and functions set forth below. Multiple principal uses and structures are allowed in the OSRD for the following uses if the other provisions of this overlay by-law are met:

- (1) Agriculture, forestry, horticulture, floriculture, and viticulture, including but not limited to:
  - (a) Farming,
  - (b) Forestry,
  - (c) Horticulture,
  - (d) Floriculture,
  - (e) Viticulture,
  - (f) Tours,
  - (g) Educational uses associated with any of the above uses,
  - (h) Farm stands, so long as at least 20% of items for sale are produced on the subject parcel,
  - (i) Processing or preparation of food for sale on the premises,
  - (j) Hand-pick or harvest of agricultural products by customers,
  - (k) Seasonal events, and

(l) Sale of prepared foods for consumption on the premises so long as such use is incidental to another use allowed hereunder.

(2) Active and/or passive outdoor recreational activities, including but not limited to:

- (a) golf courses;
- (b) tennis courts;
- (c) boating areas;
- (d) ski resorts;
- (e) play and family activity areas;
- (f) nature trails;
- (g) hiking areas;
- (h) climbing areas;
- (i) adventure or structured climbing activities;
- (j) non-motorized biking;
- (k) non-motorized recreation;
- (l) horseback riding;
- (m) scenic tours;
- (n) pre-existing uses.

(3) Accessory uses that are incidental to a principal allowed use on a parcel and that are commonly associated with the above listed uses are allowed, provided that each accessory building has a footprint below 12,000 square feet.

(D) Prohibited Uses: The following commercial uses, purposes, and functions are prohibited unless pre-existing:

- (1) Commercial for-hire operation of motorized recreational vehicles, such as motorcycles, dirt bikes, ATVs and go-carts;
- (2) Shooting ranges.

(E) Special Permits. The Board of Selectmen may grant a Special Permit to erect or use buildings and structures with a building footprint greater than 12,000 square feet in accordance with the provisions of Section 6.2 of this By-law.