

## SECTION 3 – ESTABLISHMENT OF DISTRICTS

### A. DISTRICTS ESTABLISHED

For the purposes of this Ordinance, the Town of Sebago is hereby divided into the following districts:

1. Village (V)
2. Rural Residential District (RR)
3. Rural District (R)

### B. STANDARDS ESTABLISHING DISTRICTS AND DISTRICT DESCRIPTIONS

#### 1. VILLAGE DISTRICT (V)

- a. Purpose: The Village District is established as a district which will allow a range of uses as described in Table 4-1 of Section 4 (Schedule of Uses).
- b. Areas Included: The location of the Village District is illustrated on the Official District Map of the Town of Sebago.

#### 2. RURAL RESIDENTIAL DISTRICT (RR)

- a. Purpose: The Rural Residential District is established as a district which will allow a range of uses as described in Table 4-1 of Section 4 (Schedule of Uses).
- b. Areas Included: The location of the Rural Residential District is illustrated on the Official District Map of the Town Of Sebago.

#### 3. RURAL DISTRICT (R)

- a. Purpose: The Rural District is established as a district which will allow a range of uses as described in Table 4-1 of Section 4 (Schedule of Uses).
- b. Areas Included: The location of the Rural District is illustrated on the Official District Map of the Town of Sebago.

### C. OFFICIAL DISTRICT MAP

Districts established by this Ordinance are bounded and defined as shown on the official “Land Use District Map of Sebago, Maine.” The following rules of interpretation shall apply:

The official copy of the map shall be that map which bears the certification that it is true and correct, signed by the Chairman of the Planning Board and attested by the Town Clerk, and retained on file in the office of the Town Clerk.

#### **D. INTERPRETATION OF DISTRICT BOUNDARIES**

Where uncertainty exists as to the boundary lines of Districts as shown on the "Land Use District Map of Sebago," the following rules of interpretation shall apply:

1. Boundaries indicated are approximately following the center lines of streets, highways, public utilities or right of ways shall be construed as following such center lines.
2. Boundaries indicated as being approximately following shore line of any lake or pond shall be construed as following the normal high water mark.
3. Boundaries indicated as being the extension of center lines of streets shall be construed to be the extension of such center lines.
4. Boundaries indicated as approximately following the center lines of streams, rivers or other continuous flowing water courses shall be construed as following the channel center line of such watercourses.
5. Boundaries indicated as being parallel to extension of features listed above shall be so construed. Distances not specifically indicated on the official map shall be determined by the scale of the map.
6. Where physical or cultural features existing on the ground are at variance with those shown on the official map, or in other circumstances where uncertainty exists with respect to the location of the boundary, the Planning Board shall interpret the district boundaries.

#### **E. DIVISION OF LOTS BY DISTRICT BOUNDARIES**

In the event that a District boundary line divides a lot or parcel of land of the same ownership of record, at the time such line is established by adoption or subsequent amendment of this Ordinance, the Planning Board, after written findings of fact, finds that such extensions will not create unreasonable adverse impacts on the existing uses of the adjacent properties, may:

1. When that portion of the lot which is located in the more restrictive District is greater than ten (10) acres, extend the regulations applicable to the less restrictive portion into no more than twenty (20) percent of the restrictive portion.
2. When that portion of the lot which is located in the more restrictive District is less than ten (10) acres, extend the regulations applicable to the less restrictive portion into no more than fifty (50) percent of the more restrictive portion.
3. This provision applies to lots of less than 10 acres when that portion of the lot which is located in the more restrictive District is equal to that which is located in the less restrictive District, the Planning Board may extend the regulations applicable to the less restrictive portion to the entire more restrictive portion.
4. Except that, no such extensions shall be granted by the Planning Board into any Protection Districts.

**F. AMENDMENTS TO THE DISTRICT BOUNDARIES**

The Board of Selectman, of its own initiative, and the Planning Board or any property owner may petition for a change in the boundary of any District. No change in a District boundary shall be approved without a duly authorized majority vote at a Special or Annual Town Meeting. A warrant article shall not be presented for consideration without written finding of fact upon substantial evidence that:

1. The change would be consistent with:
  - a. the standards of the District boundaries in effect at the time
  - b. the Comprehensive Plan
  - c. the purpose, intent and provisions of this Ordinance
  
2. The change in District boundaries will satisfy a demonstrated need in the community and will have no undue adverse impact on existing uses or resources, or that a new District designation is more appropriate for the protection and management of existing uses and resources within the affected area. The Board of Selectman will not act upon this petition for a change of District boundaries unless notice is first given by certified mail to all owners of land abutting or located within 1000 feet of the parcel for which a change in boundaries is sought. The Board of Selectman may require, as part of any petition for a change of District boundaries, that the petitioner submit the names and addresses of all such surrounding landowners.