

Sec. 204 District Regulations

204.16 OVERLAY DISTRICTS

204.17 Setback Overlay Districts [Adopted, effective 7/10/00]

204.17.1 Setback Overlay District 1

The following minimum setbacks are required for all structures in the Setback Overlay District 1:

The setbacks shall be the lesser of the distance from the existing building to the nearest property line or the stated limit below:

1. Front: the setback for the underlying district;
2. Side: 10’;
3. Rear: 25’; principal structure (including decks and porches); 10’ all other buildings

204.17.2 Setback Overlay District 2

The following minimum setbacks are required for all structures in the Setback Overlay District 2:

The setbacks shall be the lesser of the distance from the existing building to the nearest property line or the stated limit below:

- A. For the LDR District;
 1. Front: 50’ provided that no front setback need be greater than the average depth of the existing front setbacks on the adjoining lots on either side lots. A vacant lot shall be considered as having an existing front setback requirement of 50’;
 2. Side: 15’ and a combined setback of 35’ for the principal structure (including decks and porches); 8’ all other buildings;
 3. Rear: 40’ for the principal structure (including decks and porches); except that for lots with an average depth of 100’ or less, the setback requirement for the principal structure shall be no less than 25% of the average depth of the lot; 10’ all other buildings;
- A. For the MDR and RR2 Districts;

1. Front: 35' provided that no existing front setback need be greater than the average depth of the front setbacks on the adjoining lots on either side lots. A vacant lot shall be considered as having an existing front setback requirement of 35';
2. Side: 15' and a combined setback of 35' for the principal structure (including decks and porches); 8' all other buildings;
3. Rear: 40' for the principal structure (including decks and porches); except that lots with an average depth of 100' or less, the setback requirement for the principal structure shall be no less than 25% of the average depth of the lot; 10' all other buildings;

204.18 Mobile Home Park Overlay District

Mobile Home parks are permitted in the Mobile Home Park Overlay District as delineated on the official Town zoning map, subject to the provisions of Section 416-A and subdivision review. [Amended, effective 12/28/89]

204.19 Fairgrounds Overlay District

The purpose of the Fairgrounds Overlay District is to allow as permitted uses a diverse range of exhibitions, shows, fairs, entertainment programs, and similar events, both related to and not related to agriculture, of the type commonly and historically associated with the Cumberland Fairgrounds.

- 204.19.1 The Cumberland Fairgrounds, delineated as R07, Lots 8 and 8-1 on the official Town of Cumberland Tax Assessor's map dated April 1 2001, is hereby designated as an overlay district within the Rural Residential District 2 zone for the purposes designated herein.
- 204.19.2 All the uses commonly and historically associated with the annual Cumberland County Fair shall be allowed at the Cumberland Fairgrounds as permitted uses. These uses shall conform to the Cumberland Mass Gathering Ordinance and other ordinances of the Town of Cumberland as may be appropriate.
- 204.19.3 All uses commonly and historically associated with the Cumberland Fairgrounds other than the annual Cumberland County Fair shall be allowed to continue at the Cumberland Fairgrounds as permitted uses. These uses shall conform to the Cumberland Mass Gathering Ordinance (if necessary) and other ordinances of the Town of Cumberland as may be appropriate. Permitted uses shall include, but not be limited to the following:
 - .1 Animal Exhibitions and Competitions;

- .2 Antique Fairs and Shows;
- .3 Art Fairs and Shows;
- .4 Auctions;
- .5 Barbecues;
- .6 Boat Shows;
- .7 Car Shows;
- .8 Car Club Meets;
- .9 Circuses;
- .10 Craft Fairs and Shows;
- .11 Cultural Events;
- .12 Dog Shows;
- .13 Farm and Garden Shows;
- .14 Home Shows;
- .15 Horse Shows;
- .16 Jamborees, Scouting Events, 4-H Club Events, etc;
- .17 Picnics;
- .18 Public Events and Suppers;
- .19 Sporting Events;
- .20 Concerts
- .21 Para mutual Horse racing

Because no list of uses can be complete, uses similar in size, scope, type, and impact to those listed above will be permitted within the discretion of the Code Enforcement Officer, subject to the appeal provisions of Section 603.4 of this Ordinance. [Adopted, effective 2/25/02], [Amended, effective 6/22/09]

204.20 Recreational Overlay Districts

The purpose of the Recreational Overlay is to allow as permitted uses a range of recreation uses and recreation-related or recreation support uses.

204.21 Val Halla Golf and Recreation Center Overlay District

204.21.1 The Val Halla Golf and Recreation Center, delineated as R04, Lot 41 on the official Town of Cumberland Tax Assessor’s Map dated April 1, 2001, is hereby designated as an overlay district within the Medium Density Residential District zone for the purposes designated herein.

204.21.2 All recreational uses listed below shall be allowed as permitted uses in the Val Halla Golf and Recreational Overlay District:

- .1 Active recreational uses, including golf, tennis, cross-country skiing, sledding, and snowshoeing;
- .2 Passive recreational uses, including walking trails and areas for bird and wildlife observation;

- .3 Golf clubhouse, including a pro shop and food and beverage service;
- .4 Banquet facilities and outdoor receptions including tables, tents, and chairs;
- .5 Public Facility and Outdoor Recreational Facility; (as defined)
- .6 Offices accessory to permitted uses;
- .7 Offices for recreational services or recreational support services;
- .8 Parking associated with permitted uses;
- .9 Other uses determined by the Code Enforcement Officer to be similar in size, scope, type and impact to those uses permitted by this Section;

204.21.3 Notwithstanding the requirements of Section 206.2, accessory storage buildings up to 400 square feet in size shall not require site plan review.

204.21.4 Buildings in existence as of the date of adoption of this section 204.20.4 on July 28, 2008, shall meet the following lot size and setback requirements: [Amended, effective July 28, 2008]

- .1 Front: 5 feet
- .2 Rear: 5 feet
- .3 Side 0 feet
- .4 Lot size: 20,000 square feet with sewer and 50 feet of frontage on a street, private way or existing driveway.
- .5 All new buildings exceeding 400 sq. ft. shall require Site Plan Review in accordance with Section 206.

204.22 West Cumberland Recreational Facility Overlay District

204.22.1 The West Cumberland Recreational Facility Overlay District, delineated as MapR07, Lot 34A on the official Town of Cumberland Tax Assessor's Map dated April 1, 2001, is hereby designated as an overlay district within the RR2 Residential District zone for the purposes designated herein.

204.22.2 All recreational uses listed below shall be allowed as permitted uses in the West Cumberland Recreational Facility Overlay District:

- .1 Passive and active recreational uses, including hiking, cross-country skiing, and playing fields both improved and unimproved;

- .2 Accessory lighting for fields and parking areas;
- .3 Public Facility and Outdoor Recreational Facility (as defined);
- .4 Accessory structures including, but not limited to, inclement weather shelters, bathroom facilities, equipment storage;
- .5 Parking associated with permitted uses;
- .6 Engineered seating structures, with Site Plan Approval by the Planning Board;
- .7 Other uses determined by the Code Enforcement Officer to be similar in size, scope, type and impact to those uses permitted by this Section;