



Town of Scarborough, Maine

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Personal Farming Activities in Residential and Commercial Zones

In the Spring of 2010 the Town Council adopted changes to town zoning to better allow for farming and farm animals for personal use in most of the zones in Town. This memo outlines what is permitted, but please review the applicable sections of the Zoning Ordinance for details and specifics.

Personal Farming is termed "Accessory Agricultural Activities" in the Zoning Ordinance and is allowed in the RF, RFM, R2, R3, R4, VR2, VR4, R4A, RPO, B1, B2, B3, TVC, TVC2, TVC3, HP, BOR, RH, RH2 and I Zoning Districts with the follow standards:

- ◆ *Accessory agriculture needs to be an activity done in conjunction with a home or other principle use of the property and needs to be primarily for use by that person or family (such as a garden or chickens that lay eggs for household consumption)*
- ◆ *A resident or property owner can keep up to 5 chickens on any lot and up to 10 chickens on lots between 10,000 and 40,000 square feet*
- ◆ *Any number of chickens can be kept on lots over 40,000 square feet*
- ◆ *The Ordinance includes standards for the housing and maintenance of chickens*
- ◆ *Small animals (farm animals that typically weigh less than 100 lbs—ducks, geese, sheep, goats etc) may be kept on lots with at least 40,000 square feet*
- ◆ *Large animals (farm animals that typically weigh more than 100 lbs—horses, cows, hogs etc) may be kept on lots with at least 80,000 square feet*
- ◆ *A limited amount of sales of excess products is allowed (such as vegetables, flowers, eggs on a 20 square foot or less stand or table)*

EXERPT FROM THE TOWN OF SCARBOROUGH ZONING ORDINANCE:

**P. PERFORMANCE STANDARDS – ACCESSORY AGRICULTURAL ACTIVITIES
[Adopted 05/05/2010]**

Accessory Agricultural Activities must be carried out in conformance with the following performance standards:

1. Chickens may be kept on a lot in accordance with the following standards:
 - a. Up to five (5) chickens may be kept on a lot with a lot area of less than ten thousand (10,000) square feet.
 - b. Up to ten (10) chickens may be kept on a lot with a lot area of ten thousand (10,000) square feet or more but less than forty thousand (40,000) square feet.
 - c. Any number of chickens may be kept on a lot with a lot area of forty thousand (40,000) square feet or more.
 - d. On lots with a lot area of less than ten thousand (10,000) square feet, all chickens must be female.
 - e. On lots with a lot area of less than forty thousand (40,000) square feet, the chickens must be kept in an enclosure or fenced area at all times. This requirement can be met through the use of a mobile enclosure or a so called “chicken tractor”.
 - f. The chickens must be confined within a henhouse during non-daylight hours.
 - g. The henhouse must be enclosed on all sides, have a roof and door, and the access doors must be able to be shut and locked. The henhouse must be constructed from substantial materials and be visually compatible with the property. The hen house must be setback from any property line at least fifteen feet or the minimum required setback for the district in which it is located, whichever is greater
 - h. The henhouse and enclosure must be maintained so that it is clean, dry, and odor free. All manure or other wastes must be stored in a fully enclosed structure or in airtight containers and must be periodically removed from the property or composted so there is no accumulation of waste material on the lot.
2. Small animals (such as sheep, goats, pot-belly pigs, or fowl that typically weigh not more than 100 pounds at maturity) other than domestic pets or chickens may be kept on a lot that has a lot area of at least 40,000 square feet.
3. Large animals (such as horses, cows, hogs, or llamas that typically weigh more than 100 pounds at maturity) may be kept on a lot that has a lot area of at least 80,000 square feet.
4. Any building or structure that is used to house animals other than domestic pets or chickens must meet the setback requirements for the zone in which it is located.
5. The sale of products produced on the property in excess of what is consumed by the occupants of the property is permitted. The sales must occur in a designated area not more than twenty (20) square feet in area and may include a display stand or table. The stand or table may only be in place during the season when products are being sold and must be removed during the “off-season”.