



TOWN OF FALMOUTH

ORDINANCE NO 15-2018

An Ordinance Amending the Code of Ordinances Regarding Farming and Animal Husbandry

Be it ordained by the Town Council of the Town of Falmouth, Maine in Town Council assembled, that the Falmouth Code of Ordinances be amended to read as follows:

Chapter 19 **Definitions**

Agricultural Education is the teaching of farming, animal husbandry, natural resources, and land management through hands on experience and guidance.

Accessory Farm Use – Activities located on the same lot(s) as an operating farm that are subordinate and related to the primary use of farming and limited to:

- a. indoor and outdoor agricultural education;
- b. processing, packaging and storage of crops grown on the premises;
- c. lease or rent of garden plots to the public; and
- d. pick-your-own operations.

Accessory Animal Husbandry Use – Activities located on the same premises of an operating animal husbandry operation that are subordinate and related to the primary use of animal husbandry including indoor and outdoor agricultural education and the processing, packaging and storage of fiber from animals raised on the premises.

Farming: The commercial production, keeping, harvesting, or grading, for sale of plants useful to humans, including, but not limited to, forages and sod crops, grains and seed crops, bees and apiary products, horticultural or greenhouse products.

Permitted Uses

Accessory farm use permitted in all districts where farming is permitted.

Accessory animal husbandry permitted in FF.

Sec. 19-34.1 Roadside Stands [Adopted 02/27/12]

1. Approvals required.
 - a. Individual Roadside stands. Roadside stands as a stand alone accessory use are exempt from Div. II-19-1-9, Planning Board Site Plan Review. The Board of Zoning Appeals may permit a roadside stand as a Conditional Use. In addition to meeting the standards in Sections 19-119 and 19-123, roadside stands shall meet the following requirements and be shown on a scaled drawing of the lot and building elevation plan submitted as part of a Conditional Use Application.
 - b. Roadside Stands as part of a development requiring Planning Board Site Plan Review. Planning Board Site Plan Review is required for roadside stands that are proposed in conjunction with other uses that require Site Plan Review under Div. II-9-1-9. These stands are considered permitted uses and do not require a Conditional Use approval by the Board of Zoning Appeals.
2. Outdoor display area in conjunction with a roadside stand is permitted and shall be limited to 200 gross square feet.
3. Minimum of three parking spaces shall be provided meeting the ordinance requirements under Div. II-19-1-5, with the exception of Section 19-38.g.
4. Products sold are limited to:
 - a. Local home prepared foods,
 - b. Local farm and food products, and
 - c. Products registered as Maine Made by the Maine Department of Economic and Community Development
5. Roadside stands shall only be located on lots that have a minimum of 125 feet of lot width and are at least twenty thousand (20,000) square feet in size.
6. Minimum setbacks for all improvements related to a roadside stand – Roadside stands are exempt from setback requirements elsewhere in this ordinance.
 - a. Front - 10 feet from the front lot line
 - b. Side - 50 feet from the side lot lines, and
 - c. Rear - 40 feet from the rear lot line.
7. Conversion of roadside stands to another use is permitted only if all appropriate setbacks are met.
8. Maximum floor area
 - a. FF District
 - i. Accessory to a primary residential use- 400 gross square feet
 - ii. Accessory to a primary farm use - 800 gross square feet
 - b. All other Districts where permitted - 300 gross square feet

9. Building height

- a. New Buildings - one story and 24 feet.
- b. Notwithstanding paragraph a. above, roadside stands may utilize existing structures on the property.

Attest: _____

Ellen Planer
Town Clerk
July 10, 2017