

BONA FIDE FARM EXEMPTION FACT SHEET



North Carolina General Statute (NCGS) 153A-340 and Article 1, Section 5 of the Moore County Zoning Ordinance exempts bona fide farms (farm land and related structures) from zoning requirements. The following information explains the process of applying for the bona fide farm exemption in the Moore County Planning jurisdiction. Only activities and structures that will be used exclusively for agricultural purposes may qualify for the bona fide farm exemption status.

Criteria and Application

To qualify for the bona fide farm exemption the property and the proposed structure or use must be used for agricultural purposes.

The Moore County Planning and Community Development Department will review all requests for bona fide farm exemption status and will provide a bona fide farm permit to the property owner for the proposed use.

In order to request bona fide farm exemption status the following information will need to be submitted to Moore County Planning and Community Development prior to beginning the use or the construction of any structure on the property.

1. Completed Agricultural Exemption Application
2. Notarized Letter of Intent explaining what the structure will be used for and the agricultural activities on site.
3. One of the following as required by N.C.G.S 153A-340.
 - a. A farm sales tax exemption certificate issued by the Department of Revenue.
 - b. A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to G.S. 105-277.3.
 - c. A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
 - d. A forest management plan.
 - e. A Farm Identification Number issued by the United States Department of Agriculture Farm Service Agency.

Exemptions

The following is a list of uses that can be classified as bona fide farm exempt, if the criteria to the left has been met. This list is not all inclusive and additional items can qualify for the exemption.

- Barns
- Livestock (not including household animals such as dogs and/or cats)
- Stables
- Run-In Sheds
- Storage Building for agricultural purposes
- Croplands
- Timber lands
- Orchards
- Migrant or Tenant Housing
- Beekeeping
- Produce Stands (for crops grown on site)
- Greenhouses
- Pick your own produce
- Farm Tours
- Corn Mazes
- Vineyards
- Wineries (where the products are grown on site)
- Other agritourism activities

North Carolina Building Code

The North Carolina Building Code may exempt agricultural buildings from the standards for construction of the building but any electrical work will require the issuance of an electrical permit (including installation or change-out of mechanical systems). Additional permits may be required from Environmental Health and the Fire Marshall depending on the project. This information will be provided to the customer during the application process.

Examples

A barn to be used for storage of hay for livestock Qualifies for Bona Fide exemption

Kennel for boarding dogs and cats Does not qualify for exemption

Produce Stand where no products are grown on site Does not qualify for exemption

Horse Farm (including training and breeding) Qualifies for Bona Fide exemption

This fact sheet is for public information purposes only. It is not to be construed as an official Zoning interpretation in any legal proceedings