



Buncombe County Board of Commissioners

Request for Board Action

Meeting Date: 5/3/2022

New Business

Department: Legal Dept.

Presenter(s): Michael Frue/Brandon Freeman

Contact(s): Michael Frue/Brandon Freeman

Subject: An Ordinance Amending Certain Provisions of the County's Farmland Preservation Program to Comply with Session Law 2021-78

Brief Summary:

Chapter 58, Article III, of the Buncombe County Code of Ordinances created the Buncombe County Farmland Preservation Program, which was enacted to promote agricultural values and the general welfare of Buncombe County, and more specifically: to increase identity and pride in the agricultural community and its way of life; to encourage the economic and financial health of agriculture, horticulture and forestry; and to increase protection from non-farm development and other negative impacts on properly managed farms.

On July 2, 2021, the North Carolina General Assembly enacted Session Law 2021-78, which, among other things, refined the requirements to be certified as qualifying farmland and clarified that the required proximity buffer from the boundary line of any farm enrolled in a Voluntary Agricultural District or an Enhanced Voluntary Agricultural District is 1/2 mile.

The County Legal Department has worked with the County's Agriculture and Land Resources Division to draft suggested amendments to the County's Code of Ordinances that bring it in line with Session Law 2021-78.

Recommended Motion & Requested Action: Enact the Ordinance Amending Certain Provisions of the County's Farmland Preservation Program to Comply with Session Law 2021-78.

County Manager's comments and Recommendation: County Manager recommends approval.