



Land Utilization and Disposition Policy

Contents

1. Purpose	1
2. Applicability	1
3. Policy	1
4. Policy Non-Compliance	3
5. Audit	3
6. Definitions	3
7. Approval and Revision History	3
8. Background	3

1. **Purpose**

This policy establishes the classification, assessment criteria, and decision-making structure for how Buncombe County utilizes and disposes of land. This approach provides staff with a methodical approach for evaluating the use of vacant or un/underutilized county-owned properties for strategic priorities, such as affordable housing, recreation, etc.

2. **Applicability**

This policy applies to all Buncombe County departments and employees unless there is a conflict with GS 153A-103 related to hiring, discharging, and supervising employees. Such an exclusion is noted at the end of this policy. Otherwise, departments may adopt and enforce policies that are more restrictive than County Policy.

3. **Policy**

3.1. **Overview of Minimum Baseline Activities**

County staff will maintain an inventory of county-owned sites and periodically evaluate the list for use or disposition. A feasibility study will be conducted on all sites identified for potential county use. If the site is deemed acceptable for use, then the appropriate staff will be engaged to determine if the site can help meet a strategic priority. If a property does not meet any of the county's priorities, then these properties will be made available to all interested, qualified buyers in accordance with NC General Statute 160A, Article 12.

3.2. **Feasibility Analysis**

A feasibility analysis will be conducted by county Planning staff to determine the development viability, legal restrictions, and risk assessment of each county-owned parcel. Planning staff will review all Buncombe County-owned land to determine its physical and market suitability and its viability for county use. Such uses may include, but are not limited to, the advancement of a strategic initiative, land protection/preservation, and operational benefit.

This is a controlled document for internal use only. Any documents appearing in paper form are not controlled and should be verified with the electronic file version prior to use. For support related to this policy and procedures, contact the Planning Department.

A County Land Disposition Review Panel consisting of at least one (1) member from Planning, Legal, General Services, Equity and Human Rights, and Recreation Services departments plus other departments as needed will review county-owned parcels and feasibility findings at least annually. Ad hoc reviews may be necessary if other land acquisitions occur outside of the annual review process. If it is determined the county does not need a parcel of land, then Planning staff will work with county Legal staff to evaluate appropriate options based on how the land was acquired as well as potentially viable uses. The findings of such options evaluations will be presented to Buncombe County's Board of Commissioners for consideration.

3.2.1. Physical Feasibility and Market Suitability Criteria

Each county-owned property will also go through a formal assessment process either by the county (or their designee) or by an independent real estate assessor.

The following attributes will be considered in determining physical feasibility and market suitability for disposition of county-owned land:

- Deed restrictions or encumbrances
- Advancement of a strategic initiative
- Geographic location
- Proximity to existing residential and commercial activity
- Proximity to basic services and resources
- Road, transit, and multi-modal connectivity
- Utility access
- Equity impact analysis
- Due diligence, zoning, and compliance review

After the physical feasibility and market suitability criteria have been determined, the County Land Disposition Review Panel will identify whether the property has one or more of the following potential uses:

- Core Services: includes county facilities, EMS, training sites, transportation, and other uses that further the county's ability to deliver core services
- Quality of Life: includes affordable housing, recreation, economic development, and other uses that improve the quality of life for residents
- Strategic Initiatives: includes conservation and FEMA, and other uses that further county strategic priorities
- Other Identified Potential

If the property has no immediately identifiable public purpose in the above four (4) categories, then it is classified as having no identifiable potential. The county would then seek avenues for disposition or continued ownership of the property.

3.3. Disposition of Property

Real property may be held and developed by Buncombe County or disposed of through various methodologies in accordance with NC General Statute 160A, Article 12 and any

This is a controlled document for internal use only. Any documents appearing in paper form are not controlled and should be verified with the electronic file version prior to use. For support related to this policy and procedures, contact the Planning Department.

other applicable federal statutes. Properties that have an encumbrance or environmental sensitivity may be retained by Buncombe County. County Legal staff will work with the Board of Commissioners to process the disposition by a method allowed under NC General Statute 160A, Article 12.

3.4. **Monitoring and Reporting**

Buncombe County Legal staff will maintain a list of all county-owned real property along with the most recent feasibility data.

4. **Policy Non-Compliance**

Employees willfully violating the terms and conditions of this policy may be subject to appropriate disciplinary action, up to and including dismissal.

5. **Audit**

All policies for Buncombe County may be subject to audit or review as outlined in the [Internal Auditor's Statement](#).

6. **Definitions**

6.1. Encumbrance – any mortgage, lien, claim, or zoning law or environmental restriction that is an impediment to a legal transfer of property

6.2. Disposition – any sale or transfer of real property

7. **Approval and Revision History**

Policy Origination Date:	July 27, 2023
Requires Board Approval:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Board Approval Date:	7/27/2023
Policy Exclusions	None
Revision History:	

8. **Background**

This is a controlled document for internal use only. Any documents appearing in paper form are not controlled and should be verified with the electronic file version prior to use. For support related to this policy and procedures, contact the Planning Department.