

BONA FIDE FARMS

GUIDE

What is a Bona Fide Farm?

A “bona fide farm” is officially recognized by the state of North Carolina as a working farm. This classification provides property owners with greater flexibility, potential tax benefits, and exemptions from certain zoning restrictions.

How a Bona Fide Farm can be used

North Carolina General Statute 106-581.1 defines a bona fide farm as including:

- Growing and harvesting crops
- Planting and production of trees and timber
- Raising and caring for animals for personal and public use, sale or consumption
- Raising and breeding of aquatic animals and plants in controlled environments
- Running and maintaining a farm
- Marketing and selling farm products, running agritourism activities and using or storing materials needed for farming.

How to become a Bona Fide Farm

Obtaining one of the following criteria below is sufficient to determine if a property is used for bona fide farm purposes:

- A copy of the Wake County property tax listing showing that the property participates in the Present Use Value program (see NCGS 105-277 series).
- A copy of the IRS Schedule F from the farm owner’s or operator’s most recent federal income tax return.
- North Carolina Department of Revenue farm sales tax exemption certificate.
- Approved forest management plan.

Please note that farms and property that qualify as bona fide farms do not automatically qualify for the Present Use Value Program.

How to permit buildings and structures to be used for farm only purposes

Contact Wake County Planning staff before applying to determine if your building or structure qualifies for farm exemption. Once staff confirm eligibility, proceed with the application process.

1 Submit a **Land Use Simple Application** at wake.gov/PermitPortal. As part of this application, you'll need to upload:

- ✓ **Farm Exempt Supplemental form**
- ✓ **Site plan**

2 **Pay the \$50 permit fee.** Any additional permits required as part of that review will have additional fees.

Zoning exemptions for Bona Fide farms

North Carolina General Statute §160D-903 exempts bona fide farms from zoning regulations except for non-farm uses and flood prevention requirements.

The bona fide farm exemption does not remove the property from regulations such as stormwater management and well and septic requirements. All new and existing buildings, structures and uses proposed on the farm would require appropriate permits.

Changes in ownership, occupancy, or land use may revoke the exemption, potentially creating zoning violations subject to enforcement.

More detailed information is available at wake.gov/bonafidefarm.

Key Contacts

Planning & Zoning

919-856-6310 | wake.gov/planning

Present Use Value Program

919-856-5400 | wake.gov/tax

Environmental Health

919-856-5700 | wake.gov/ehs

Watershed Management

919-856-7436 | wake.gov/watershed

Building Inspections

919-856-6222 | wake.gov/buildingpermit

Emergency Services

919-856-6340 | wake.gov/fire

Farmland Preservation

919-250-1050 | wake.gov/farmland



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