

# IMAGINE Mills River – Bona-Fide Farms & Agriculture

## Frequently Asked Questions

2026

This document reviews some of the most common questions and concerns the Town of Mills River has received regarding the Unified Development Ordinance (UDO) and town-wide zoning update as it relates to agriculture and farming in Mills River.

### **Will bona-fide farms and agriculture be regulated by the new UDO?**

**No**, the Town of Mills River is preserving its zoning exemption for bona-fide farms and agricultural uses within town limits as part of the UDO. The only regulations applied to agriculture are the limited flood hazard prevention ordinance rules for fuel and chemical tanks in floodplains, the locating of structures outside floodways, and limitations on filling of floodplains for non-agricultural purposes, which were adopted by Town Council in October 2025.

### **How can I qualify as a bona-fide farm or agricultural use that will be exempt from Town zoning requirements in the new UDO?**

The Town will carry forward the current farm qualifiers, as identified in State law, that prove a property is a bona-fide farm or exempt agricultural use. These documents include a farm sales tax exemption certificate issued by the Department of Revenue; proof the property is in the present-use value (PUV) tax deferral program; a copy of the farm owner's or operator's Schedule F from the most recent federal income tax return; or a forest management plan. Town Council also instructed staff to include proof of a Farm Service Agency (FSA) farm identification number as an additional option to qualify for exemption from the UDO regulations.

### **How will zoning district changes affect the value of farmland?**

While zoning district designations can influence how a property may be used, a change in zoning does not automatically increase or decrease a property's assessed value. The Henderson County Tax Assessor's Office uses recent property sales data to determine and establish property valuations, which are then reflected through property tax bills. Local government elected officials establish a tax rate, which is then applied to properties based on their assessed valuation. North Carolina law requires that real property be valued at its true market value based on market sales data. Henderson County uses the mass appraisal approach, where groups of uniform and similar properties are compared to ensure fair and equitable property values. Various characteristics of the property are considered during the appraisal process such as location, type of construction, age, replacement cost, zoning designation, etc. Zoning is just one of many factors that are considered in property valuation.

### **Will the UDO regulate agricultural uses, farming, gardening, keeping of animals and livestock, having greenhouses, or similar uses on a residential property?**

**No**, the Town of Mills River does not intend to regulate any agricultural related use on private property. These uses will either not be listed in the UDO or will be allowed by-right in every zoning district with no permitting requirements or standards.

### **Will the UDO restrict the storage of agricultural products, by-products, and equipment?**

The UDO allows storage of agricultural products, by-products, hay, silage, grain, farm equipment, etc. in all zoning districts. When these are stored on a bona-fide farm property, they are completely exempt.