

Item Title: Public Hearing on Proposed Town of Holly Springs Extra Territorial Jurisdiction (ETJ) Request of 6,125 Acres

Specific Action Requested:

That the Board of Commissioners holds a public hearing and adopts the attached resolution granting the Town of Holly Springs ETJ extension.

Item Summary:

Request: Approve the Town of Holly Springs ETJ Extension of 6,125 acres.

Petitioner: Town of Holly Springs

Location: The proposed extension includes small areas east and south of town, the majority is west of current town limits along Holly Springs New Hill Road, Avent Ferry Road, Cass Holt Road, and New Hill Holleman Road south of US 1.

Analysis:

On April 21, 2015, the Holly Springs Town Council adopted a resolution requesting that the Wake County Board of Commissioners consider granting extension of the Town's Extra Territorial Jurisdiction by 10,485 acres. The ETJ request was modified by the Town of Holly Springs on November 3, 2015. The amended request is 6,125 acres.

According to State law, a municipality of more than 25,000 in population may exercise ETJ over an area not more than three miles beyond its corporate limits. The area beyond the corporate limits is defined as extraterritorial jurisdiction (ETJ). In determining the population of a city for the purposes of Article 1 of 160A-360 of the North Carolina General Statutes, the city council and the board of county commissioners may use the most recent annual estimate of population as certified by the Secretary of the North Carolina Department of Administration. The State Demographer released the most current certified municipal population estimates in September 2015: July 1, 2014 population estimate for the Town of Holly Springs – 28,832.

ETJ allows a municipality to have its development policies, procedures and standards in place in advance of development. This provision proactively influences the character of development in an area that is expected to urbanize and be serviced by municipal utilities in the near future. This enables the municipality to plan for timely, efficient provision of development and associated infrastructure and urban services, and address code enforcement issues that might impair their development.

Wake County Land Use Plan Policies

Seven criteria have been developed and adopted within the Wake County Land Use Plan in reviewing ETJ extension requests:

- 1) Classification as Urban Services Area
- 2) Commitment to Comprehensive Planning
- 3) Adoption of Special Regulations
- 4) Municipal Water and Sewer Service
- 5) Evidence of Feasibility for Urban Density Development
- 6) Annexation within Ten (10) Years
- 7) Existing ETJ

On April 15, 2015, the Town of Holly Springs Department of Planning & Zoning held a public information meeting to engage affected property owners. The Town of Holly Springs mailed over 700 letters to the property owners within the proposed ETJ extension. Holly Spring Town staff submitted its ETJ report to Wake County Planning in June of 2015 for review.

In August 2015, the Town of Holly Springs staff mailed over 700 letters to affected property owners informing them of the upcoming Wake County Land Use Committee and Planning Board meeting dates. The letter also contained a Frequently Asked Questions page on the various aspects of ETJ.

The Wake County Land Use Committee held four meetings between September 2, 2015 and November 4, 2015 to review the ETJ request.

The Towns of Holly Springs and Fuquay-Varina are adjusting their annexation boundary agreement to address jurisdictional issues with PIN 0658304164 owned by Richard Mullen. The parcel is currently split between Fuquay-Varina ETJ and the proposed Holly Springs ETJ.

Findings:

1. The Town of Holly Springs request for 6,125 acre ETJ Extension is in accordance with North Carolina State law 160A-360 Article 19.
2. The Town of Holly Springs request of 6,125 acre ETJ Extension complies with Wake County Land Use Plan's seven criteria for ETJ extensions.
3. The Town of Holly Springs is experiencing urban growth in its Short and Long Range Urban Service Areas.

RECOMMENDATIONS

STAFF: Recommends that the Board of Commissioners approve the Town of Holly Springs ETJ request of 6,125 acres.

PLANNING BOARD:

The Planning Board recommended at their December 2, 2015 meeting, by a vote of 7 to 2, that the Board of Commissioners adopt the Town of Holly Springs ETJ request of 6,125 acres with the removal of PIN 0658304164 owned by Mr. Richard Mullen.

Attachments:

1. Holly Springs ETJ Presentation
2. Town of Holly Springs ETJ Request Resolution
3. Wake County ETJ Criteria
4. Holly Springs ETJ Staff Report
5. Town of Holly Springs ETJ Request Map
6. Town of Holly Springs CIP (2015-2020)
7. Town of Holly Springs Future Land Use Map
8. Town of Holly Springs Water Service Map
9. Town of Holly Springs Wastewater Map
10. ETJ Frequently Asked Questions
11. Wake County Planning Board Minutes
12. Communications
13. Wake County Resolution