

Item Title: Public Hearing on Proposed Town of Fuquay-Varina Extra Territorial Jurisdiction (ETJ) Extension Request of 22 Acres

Specific Action Requested:

That the Board of Commissioners holds a public hearing and adopts the attached resolution granting the Town of Fuquay-Varina ETJ extension.

Item Summary:

Request: Approve the Town of Fuquay-Varina ETJ Extension of 22 acres.

Petitioner: Town of Fuquay-Varina

Analysis:

The Towns of Holly Springs and Fuquay-Varina amended their annexation boundary agreement on January 4, 2016. Parcel (PIN 0658304164) was split between the Town of Fuquay-Varina ETJ and Holly Springs Short Range Urban Services Area. Both Towns agreed to have the entire parcel ultimately placed within the Town of Fuquay-Varina Planning Jurisdiction. The property is 44.5 acres and is located along Wade Nash Road near NC 55.

On April 19, 2016, the Fuquay-Varina Town Council adopted a resolution requesting that the Wake County Board of Commissioners consider granting extension of the town's Extra-Territorial Jurisdiction by approximately 22 acres. The proposed expansion is surrounded on three sides by Fuquay-Varina town limits and ETJ. The landowner is in support of the request. The county has not received any objections to the ETJ extension request.

State Law

By State law, a municipality of more than 10,000 but less than 25,000 in population may exercise ETJ over an area not more than two 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 this Article, 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 her most current certified municipal population estimates October 2015: July 1, 2014 population estimate for the Town of Fuquay-Varina – 21,796.

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 (Annexation & Utility Development)

The Town of Fuquay-Varina's ETJ request complies with the Wake County Land Use Plan criteria for ETJ Extension requests.

Findings:

1. The Town of Fuquay-Varina request for 22 acre ETJ Extension is in accordance with North Carolina State law 160A-360 Article 19.
2. The Town of Fuquay-Varina request of 22 acre ETJ Extension complies with Wake County Land Use Plan's seven criteria for ETJ extensions.
3. The Town of Fuquay-Varina 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 Fuquay-Varina ETJ request of 22 acres.

PLANNING BOARD:

The Planning Board recommended at their May 4, 2016 meeting, by a vote of 9 to 0, that the Board of Commissioners adopt the Town of Fuquay-Varina ETJ request of 22 acres.

Attachments:

1. Fuquay-Varina ETJ Presentation
2. Town of Fuquay-Varina ETJ Request Resolution & Map
3. Wake County ETJ Criteria
4. Fuquay-Varina ETJ Staff Report
5. Town of Fuquay-Varina Future Land Use Map
6. Town of Fuquay-Varina Utility Service Map
7. Wake County Planning Board Minutes
8. Wake County Resolution