



## Planning, Development & Inspections

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### MINUTES OF REGULAR MEETING

#### Wake County Planning Board

Wednesday January 16, 2019 (1:30 p.m.)  
Wake County Justice Center  
300 S. Salisbury St., Room 2700  
Raleigh, North Carolina

**Members Present:** (6) Mr. Jason Barron (Chair), Mr. Thomas Wells (Vice-Chair), Mr. Phil Feagan, Mr. Bill Jenkins, Ms. Susan Sanford, Mr. Amos Clark

**Members Absent:** (3) Ms. Tara Kreider, Mr. Asa Fleming, Mr. Ted Van Dyk

**County Staff:** (6) Mr. Tim Maloney, Mr. Steven Finn, Ms. Sharon Peterson, Mr. Keith Lankford, Ms. Jenny Coats, Mrs. Loretta Alston

**County Attorney Present:** (1) Mr. Kenneth Murphy (Senior Assistant County Attorney)

4. **ZP-899-18** Rezoning request to apply Wake County zoning to a total of approximately 136.2 acres located within portions of 37 separate parcels along the Wake County-Harnett County-Chatham County line. The proposed zoning map amendment would bring the Wake County Zoning Map into conformity with the more accurate representation of the actual location of the county boundary line that was established by the North Carolina Geodetic Survey (NCGS) staff and as jointly agreed upon by the Wake County and Harnett County Boards of Commissioners on October 15, 2018.

Mr. Keith Lankford, Planner III presented a presentation detailing information outlined in the staff report.

#### Planning Board Discussion

Mr. Barron opened the floor for discussion. Board members discussed the following items:

Mr. Jenkins asked if the highway district zoning abutted by the R-30 will be a straight-line highway district down to the county line or will zoning be applied for each individual parcel? Mr. Lankford stated that the highway district zoning will follow those property lines to the county line but may angle so not to cross lot boundaries.

Ms. Sanford asked Mr. Lankford to explain further how the rezoning is not moving the County line but just communicating the line more accurately. Mr. Lankford stated that the County lines between Wake County and Harnett County were not accurately represented in previous years. With the more advance technologies that we have available – i.e. GPS, etc. – the North Carolina Geodetic Survey Office was able to definitively address the issue.

Mr. Maloney added that state statutes guide county lines. In 1961, Chatham and Wake (but not Harnett) agreed upon the Tri-County corner that was later discovered to be incorrect. A correction for this required Legislative action. The Wake-Harnett line posed a different problem in that different versions were continuously given to both Counties from surveyors creating problems jurisdictionally for both counties. To correct it, both Wake and Harnett agreed to work with the North Carolina Geodetic Survey Office and determine the line.

Ms. Sanford asked how landowners with split parcels would be addressed. Mr. Maloney explained split parcels will become split assessed. He further explained the portion of Wake is dictated by the general statutes; therefore, the landowner would get two tax bills.

Mr. Finn added to Mr. Maloney's response and stating for development purposes if a new building was constructed that was in two different counties each county would have to approve a site plan and then whichever jurisdiction has the greater percentage of square footage would issue the actual building permit.

Mr. Wells asked if there is any negative impact on any parcels where the line is changing, where the new (Wake County's) zoning would be more stringent, or a property owner may have a zoning currently in Harnett County or Chatham County that allows them to do things that with this new acquisition they would not be able to do. Mr. Lankford referenced West Buckhorn Duncan road where there is a little lower density but stated most of that land is owned by Duke Progress. He commented there may be some nonconformities created with regards to setbacks and things like that; however, the zoning districts, our R- 30, even the HD since it's not activity center, are comparable to their RA-30 and RA-40 that Harnett County has on their side. Mr. Barron asked if the impacted parcels were all residential. Mr. Lankford replied he was not aware of any commercial development.

### **Public Comments**

There being no opposition, Mr. Barron asked for a motion.

### **MOTION FOR CONSISTENCY (1<sup>ST</sup> MOTION)**

In the matter of ZP-899-18, Mr. Wells moved that the Planning Board offers to the Wake County Board of Commissioners the following recommended statement of consistency, reasonableness, and public interest:

1. This request, to rezone the subject areas described above by extending the existing Wake County zoning districts to the more accurate representation of the location of the county line as established by the North Carolina Geodetic Survey staff, is consistent with the Wake County Land Use Plan.
2. The existing and proposed extended zoning districts and the existing and allowable range of possible uses, are consistent with the Wake County Land Use Plan's designation, and would be reasonable, and appropriate, for the area.
3. The proposed zoning map amendment would bring the Wake County Zoning Map into conformity with the county boundary line that was jointly agreed upon by the Wake County and Harnett County Boards of Commissioners on October 15, 2018.
4. Provisions of the Wake County Unified Development Ordinance will ensure adequate protection of any environmentally sensitive features.
5. There are no traffic issues (e.g.—high traffic volumes, high number of accidents) on the area roadways, although some may need to be improved or upgraded to accommodate new development as it occurs.
6. Any new development in this area will be required to comply with any and all applicable standards of the Wake County Unified Development Ordinance and the county's development review process, which will ensure protection of the public health, safety and general welfare.
7. The Wake County Planning staff has received no objections from the surrounding property owners or the general public.

Mr. Jenkins seconded the motion. By a vote of 6 to 0, the Planning Board voted unanimously in favor of the motion.

### **MOTION FOR APPROVAL (2<sup>nd</sup> MOTION)**

In the matter of ZP-899-18, Mr. Clark moved that the Planning Board offers to the Wake County Board of Commissioners a recommendation for approval of the rezoning request as presented. Mr. Jenkins seconded the motion. The motion passed unanimously with a 6-0 vote.