

Town of Fuquay-Varina ETJ Request Board of Commissioners Work Session

June 10, 2019



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Today's Discussion

1. What is Extra-territorial Jurisdiction (ETJ) and why we use it
2. The Town of Fuquay-Varina's request to extend their ETJ
3. Staff and Planning Board recommendations
4. Next step – Consider date for Board of Commissioners Public Hearing

Fuquay-Varina ETJ Review Process

- *August 2018* – Town Council adopts resolution requesting ETJ
- *August 2018* – Town Planning Department notified property owners of ETJ, community meetings, and Frequently Asked Questions page
- *September-October 2018* – The Town hosted five community meetings
- *January-February 2019* – Two Wake County Land Use Committee meetings with public comment
- *March 2019* - Wake County Land Use Committee Work Session
- *May 2019* - Wake County Planning Board Public Hearing

What is ETJ and Why We Use It?

- The prevalence and use of municipal ETJ is widespread in North Carolina
- Provides municipalities control over development in areas expected to be within their jurisdictions in the near future
- Allows for the long-term growth and planning of the town and its surrounding lands
- Allows the town to plan for municipal water & sewer as well as other municipal services
- Town's require more road improvements that include sidewalks, paths, and transit

North Carolina State Law & ETJ

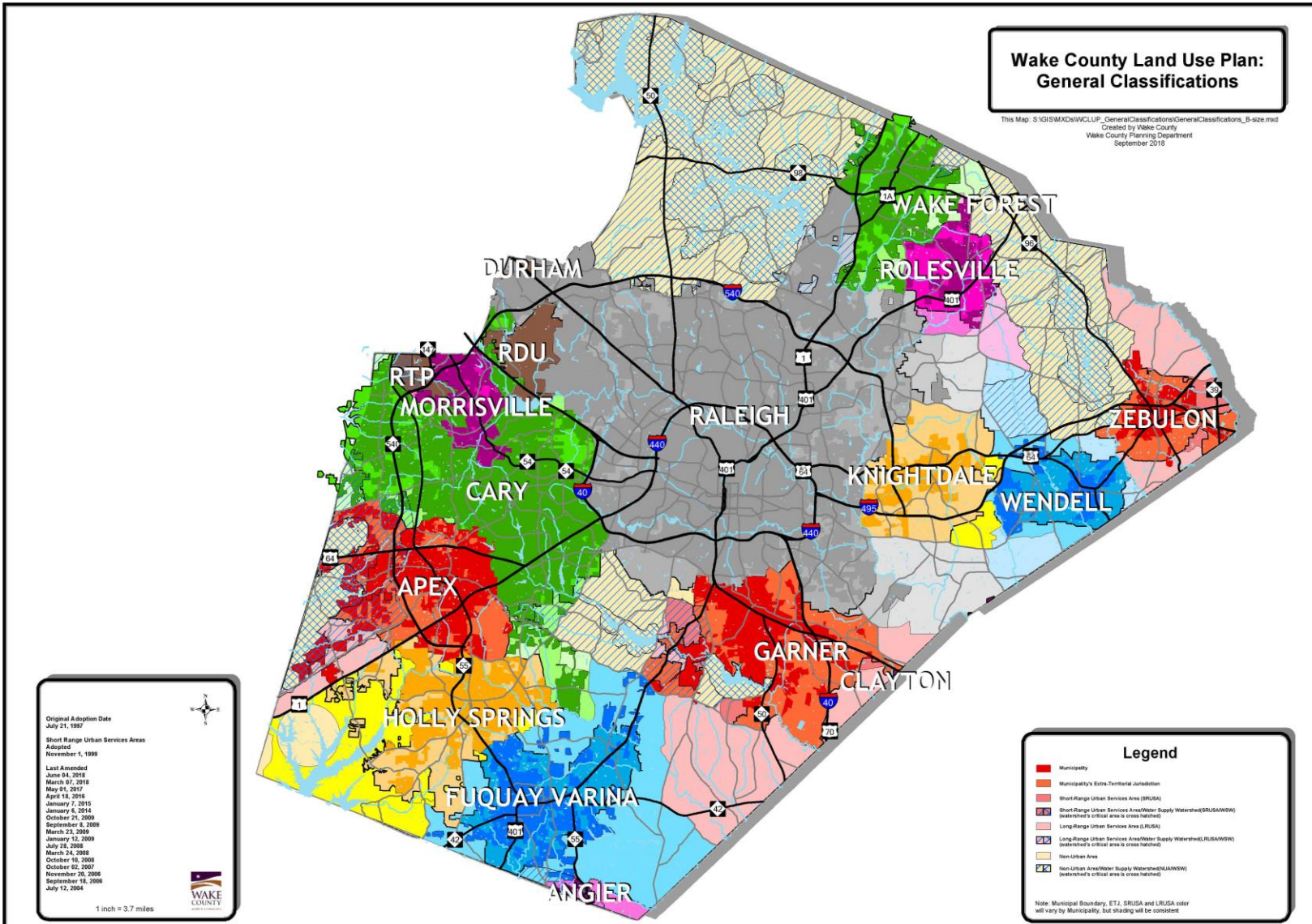
State law authorizes municipalities to have ETJ areas based upon the following:

- Existing or projected urban development
- Areas of critical concern to the town that are expected to come within their corporate limits in the near future
- Allow for a smoother transition from county to municipal services
- Municipal population requirements
 - 25,000 or more people = ETJ extension up to 3 miles from current corporate limits (satellites excluded)
 - State certified 2017 population estimate = 25,548
 - U.S. Census official population estimate = 27,906

Wake County Land Use Plan General Classifications Map

Identifies-

- City Limits
- Extra Territorial Jurisdiction
- Short Range Urban Services
- Long Range Urban Services
- Non-Urban areas



What Does ETJ Mean for Property Owners?

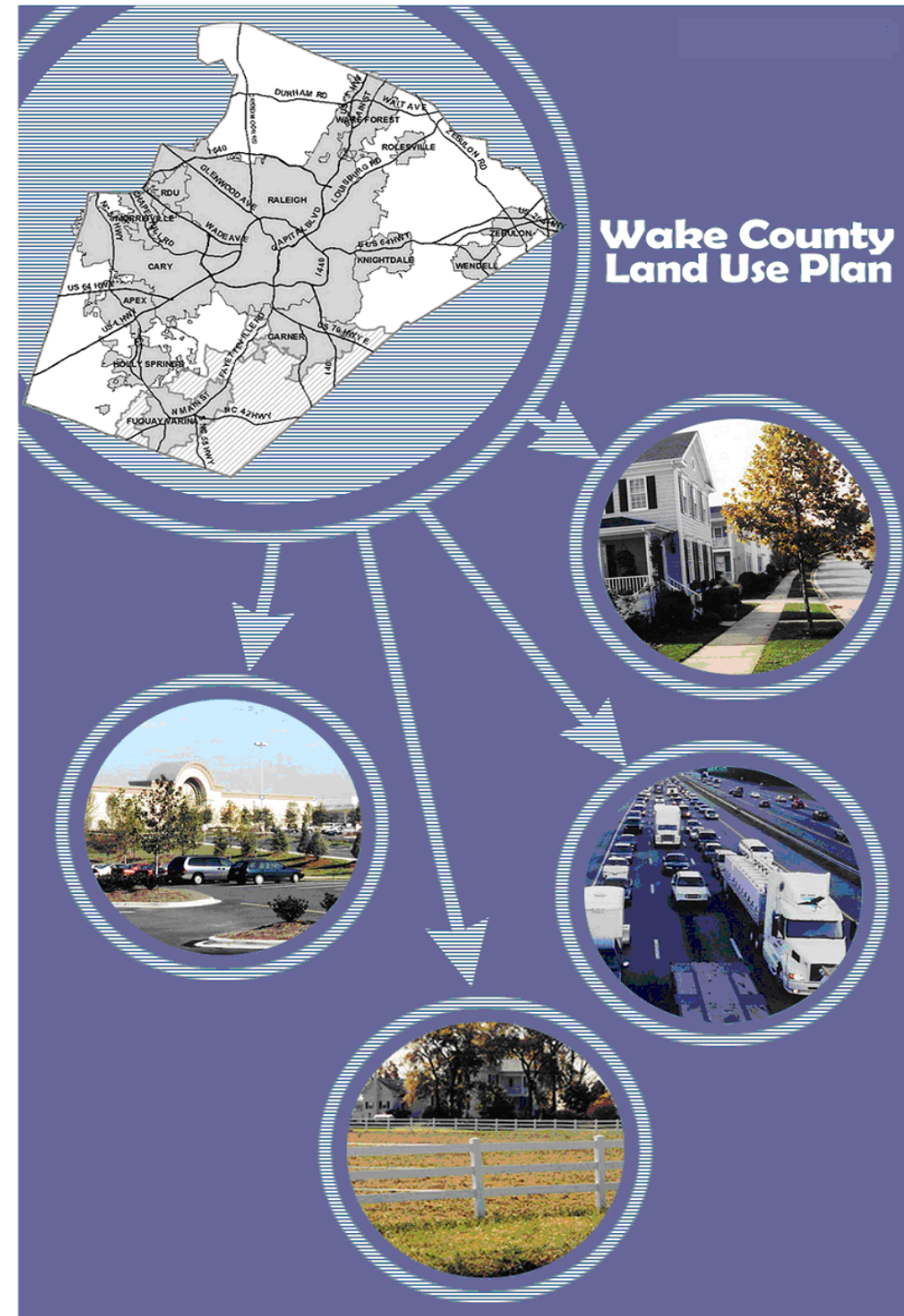
- ETJ applies municipal zoning, development regulations, and building permitting, but no other municipal services
- ETJ extension is NOT annexation
- ETJ residents DO NOT pay municipal taxes
- Property converts from county zoning to municipal zoning
- Residents can continue using private wells and septic systems
- Building permits would be issued by the municipality

What Does ETJ Mean for Property Owners?

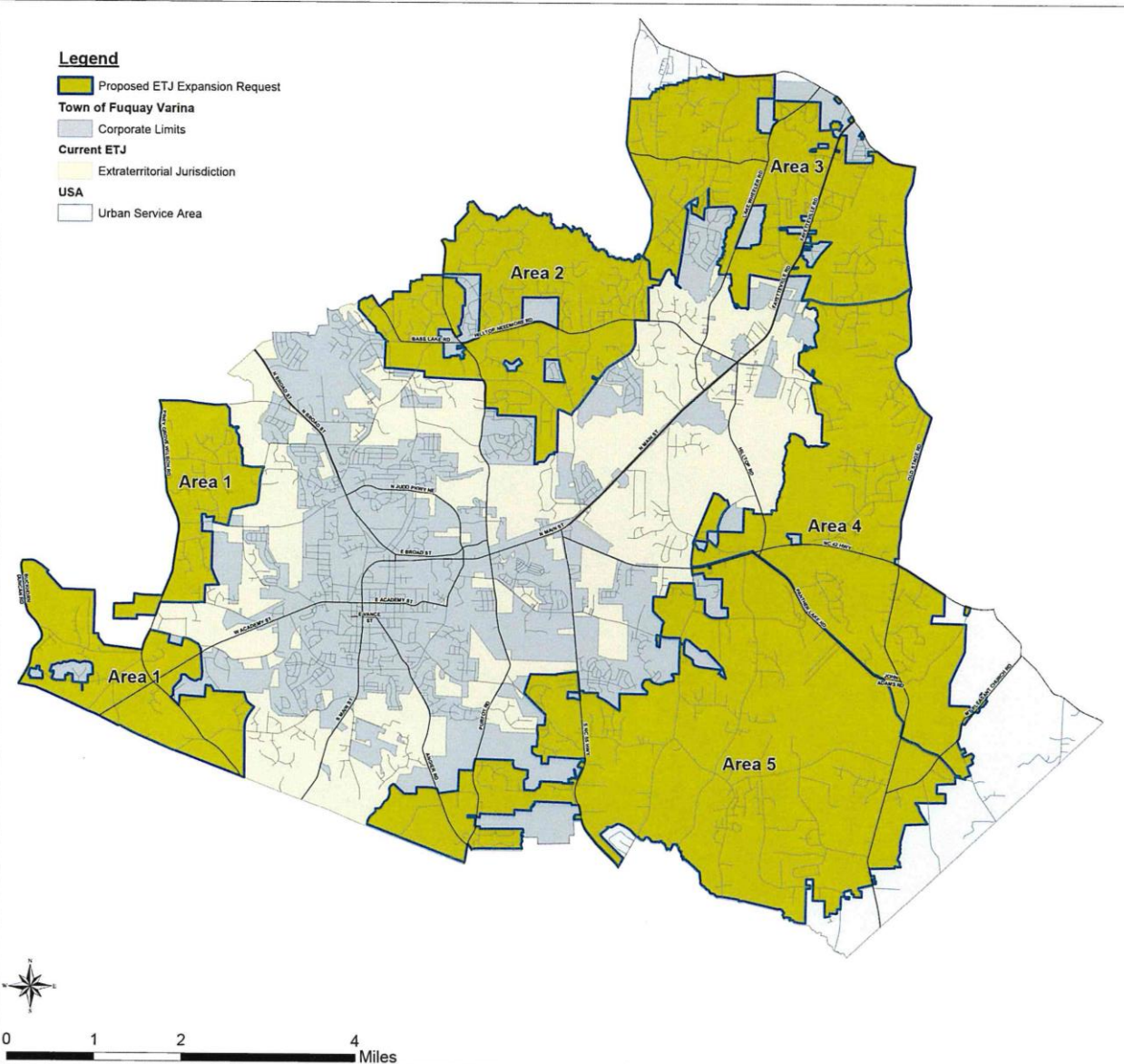
- Bona-fide farms are EXEMPT from municipal and county zoning until the farm use ceases operation
- ETJ residents CAN JOIN the municipal Planning Board & Board of Adjustment
- ETJ residents CANNOT VOTE in municipal elections

Town of Fuquay-Varina ETJ Request

- Public input is encouraged throughout the process from Town meetings, Planning Board and Board of Commissioners
- Wake County Land Use Plan contains seven criteria used to evaluate ETJ proposals



What has the Town requested?



Town of Fuquay-Varina requested 22,038 acres, divided into five (5) areas

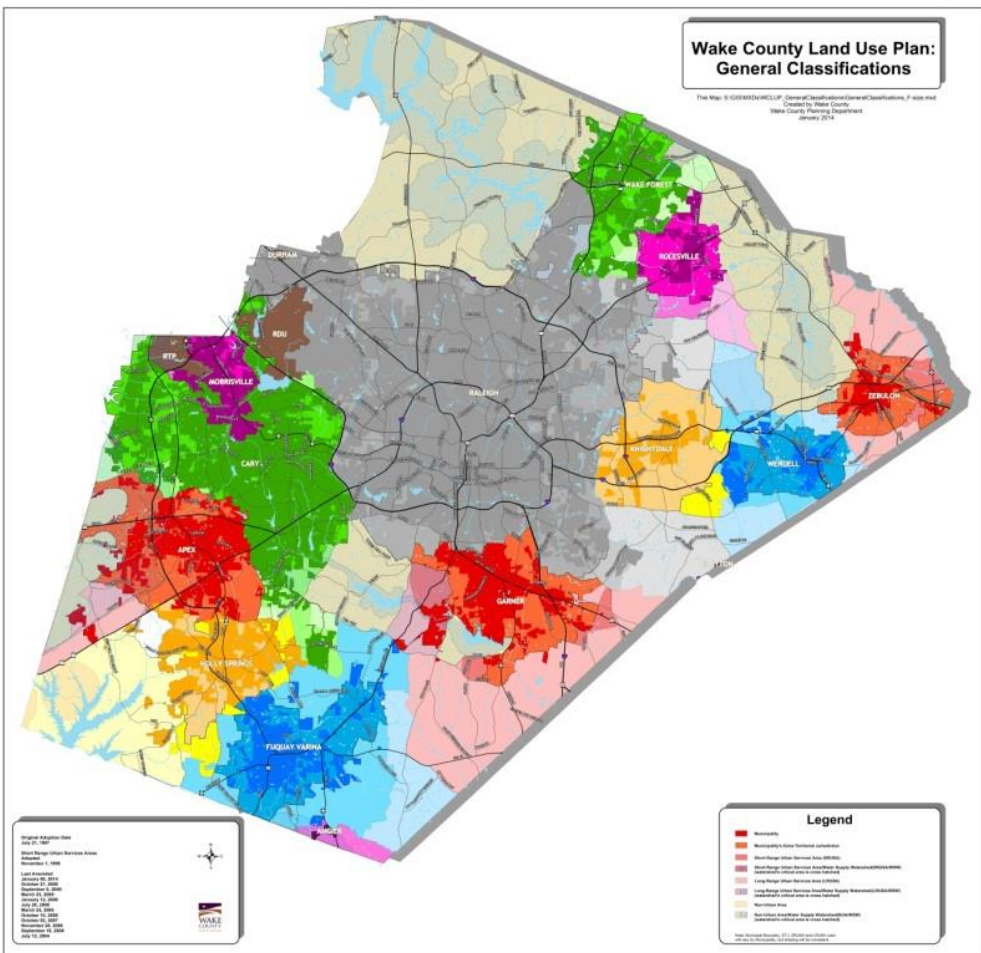
Areas are within 3-miles of current core corporate limits

Wake County Planning Staff & Planning Board reviewed Town's request utilizing criteria within the Wake County Land Use Plan

Wake County Adopted Criteria

- 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
- 6- Annexation within Ten Years
- 7- Existing ETJ's

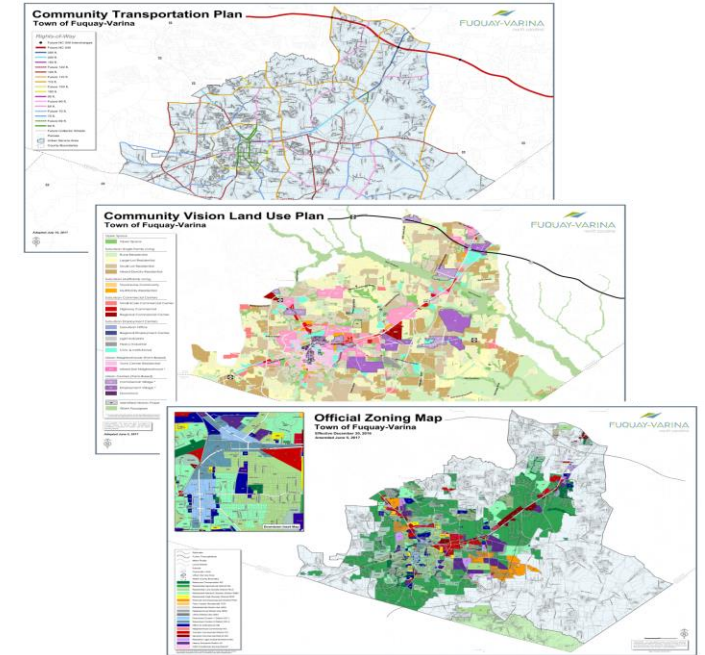
Criterion 1- Classification as Urban Services Area



- ✓ Area within ETJ request is classified as Fuquay-Varina's Short Range Urban Services within the Wake County Land Use Plan
- ✓ The Town has annexation agreements with neighboring towns
- ✓ **Town's request meets this criteria**

Criterion 2- Commitment to Comprehensive Planning

- ✓ Town of Fuquay-Varina has adopted the following:
 - 2035 Community Vision Land Use Plan
 - 2035 Community Transportation Plan (CTP)
 - Capital Improvement Plan (CIP) updated yearly
 - Town supported Bonds in 2007 & 2015
- ✓ **Town's request meets this criteria**



Criterion 3- Adoption of Special Regulations

- ✓ Town's Development Ordinance ensures transportation corridors are protected and density increased along major corridors
- ✓ The Town participates in the Wake County Historic Preservation Program
- ✓ Fuquay-Varina staff evaluated the current County development regulations and recommended several ordinance changes related to agricultural uses not on a bona-fide farm, home occupations, and fencing requirements etc. (adopted January 2019)
- ✓ **Town's request meets this criteria**



Criterion 4- Municipal Water

- ✓ Town's water supplied by Harnett County, Johnston County and City of Raleigh
 - Current supply of 4.25 millions gallons daily (MGD)
 - The Town's current peak consumption is 3.10 (MGD)
 - Town recently completed a water capacity study, discussions with possible future providers and continue to evaluate Town-owned and operated facility
 - Harnett County Water District
 - Existing water service already extended to reach recent annexations

Criterion 4- Municipal Water

- ✓ Waterlines recently completed and operational:
 - Lake Wheeler Rd - 13,400 LF
 - Ten-Ten Rd. - 2,000 LF
 - Optimist Farm Rd - 3,200 LF
 - Johnson Pond Rd - 2,900 LF
 - Hilltop-Needmore Road/Sunset Lake
- ✓ Town's 5-year CIP identifies additional waterlines along the following roads:
 - Hilltop-Needmore/Lake Wheeler Rd
 - Kennebec Rd
 - Eddie Howard Rd
 - Walter Myatt Rd
 - Buck Rowland Rd
 - Maude Stewart Rd
 - Hilltop Rd
 - New water storage tank
- ✓ **Portions of the Town's request meets this criteria**

Criterion 4- Municipal Sewer

- ✓ The Town's wastewater is treated by three facilities, Terrible Creek, North Harnett Regional, and Brighton Forest facilities
- ✓ The Town operates 25 pump stations, one under construction, 6 more proposed and designed
- ✓ The Town uses 2.04 MGD of its 5.7 MGD capacity
- ✓ Future capacity at Terrible Creek facility can double to 6 MGD, state issued discharge permit and designed for expansion



Criterion 4- Municipal Sewer

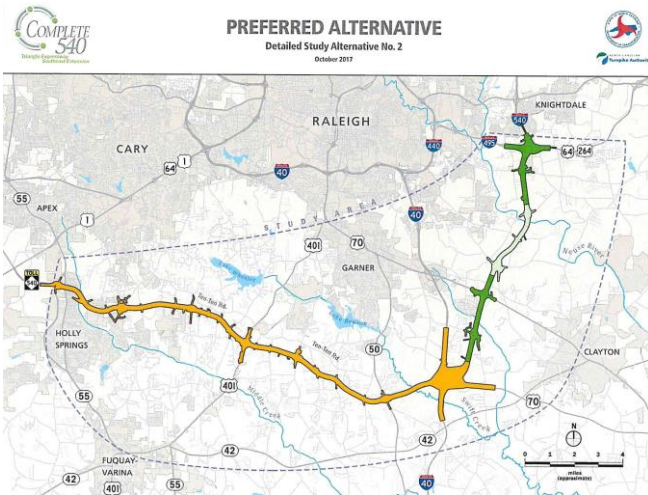
- ✓ Recently completed major sewer projects:
 - Hidden Valley to Kenneth Creek forced sewer line
 - Hilltop-Needmore Extension
 - Terrible Creek facility expansion
- ✓ Town's 5-year CIP identifies the following projects:
 - Multiple new/upgrades to pump stations
 - Middle Creek Interceptor from US 401 to Lake Wheeler
 - US 401 sewer improvements along with NC 540 sewer relocation
 - NC 55 to Walter Myatt Rd sewer extension
- ✓ **Portions of the Town's request meets this criteria**

Criterion 5- Feasibility for Urban Density Development

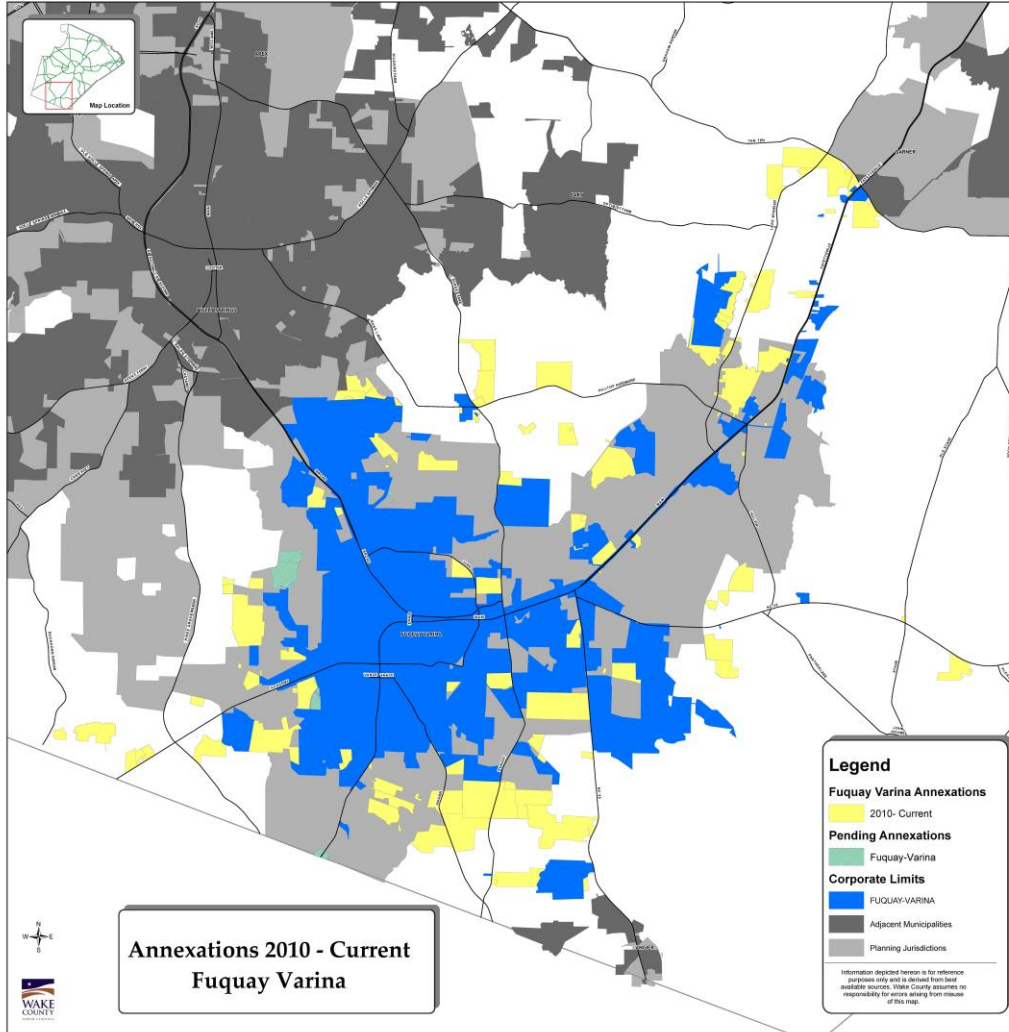


Willow Spring High School

- ✓ **NC 540 Expansion** from Holly Springs to US 401 and I-40 (STIP 2022)
- ✓ Large undeveloped parcels close to transportation and public water and sewer utilities
- ✓ Wake County Public School Sites (Willow Spring HS, Bowling Rd Site, Hilltop Needmore)
- ✓ US 401- Wake County Transit Plan - connecting Fuquay-Varina to employment and activity centers.
- ✓ **Portions of the Town's request meets this criteria**



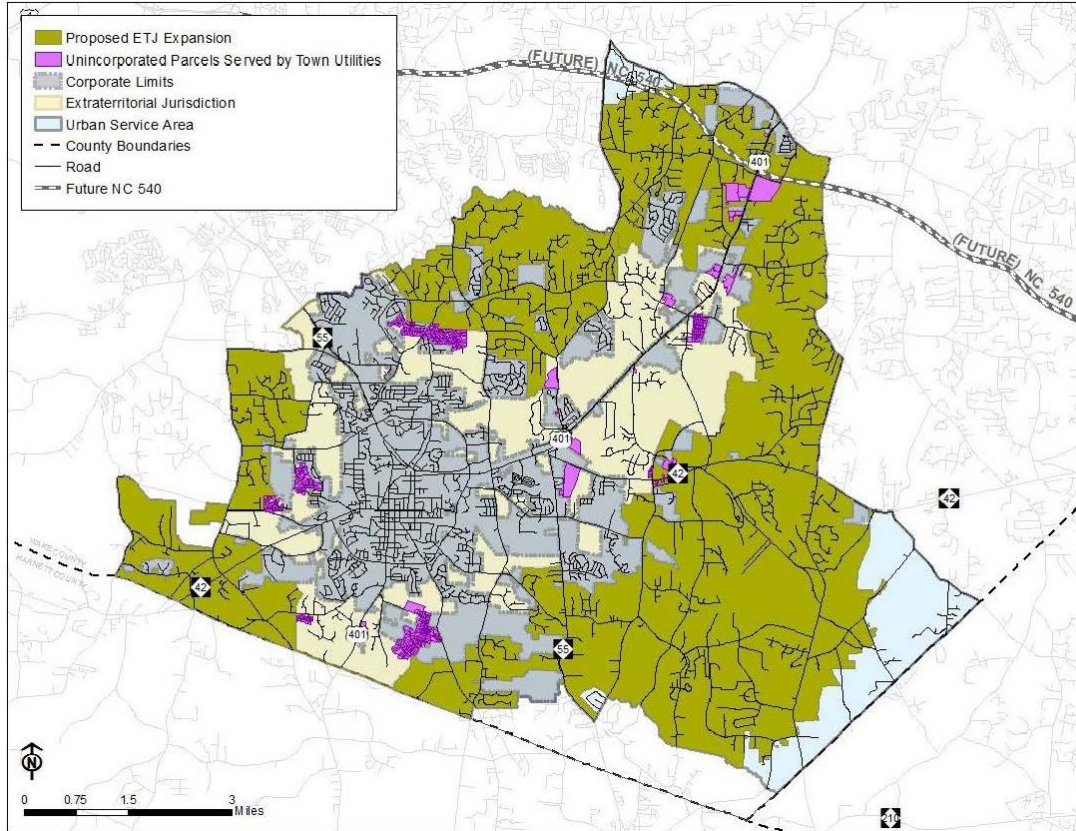
Criterion 6- Annexation within Ten Years



- ✓ Voluntary annexation is required by the Town for connections of municipal water/sewer service
- ✓ 5-Year Average Single Family Building Permits- 604 permits/year
- ✓ Development Patterns - SW Wake along NC 55 & future NC 540
- ✓ 2010 to 2017 Population Growth - 9,969
- ✓ **Town's request meets this criteria**

Criterion 7- Existing ETJ

Unincorporated Parcels Served by Town Utilities

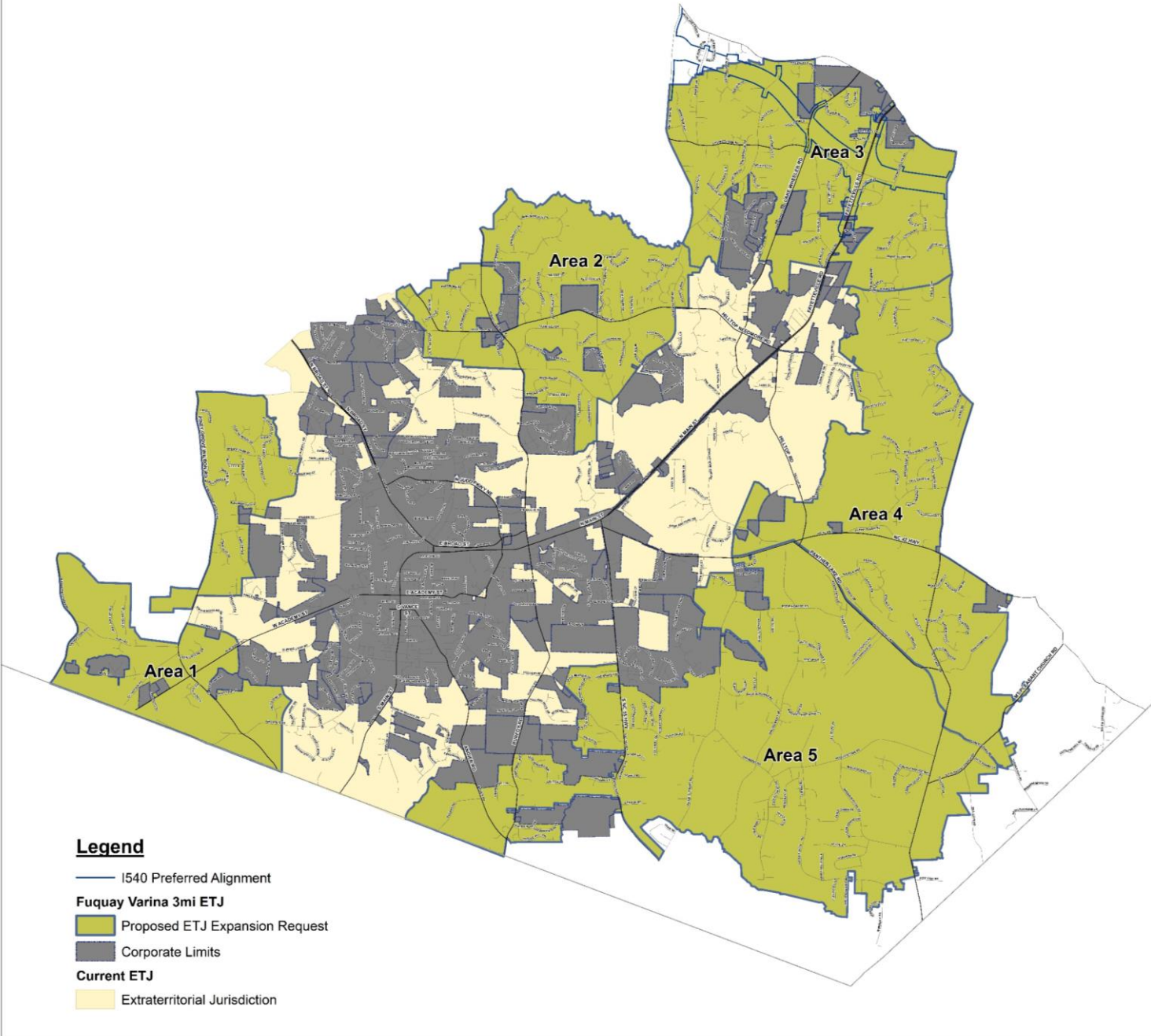


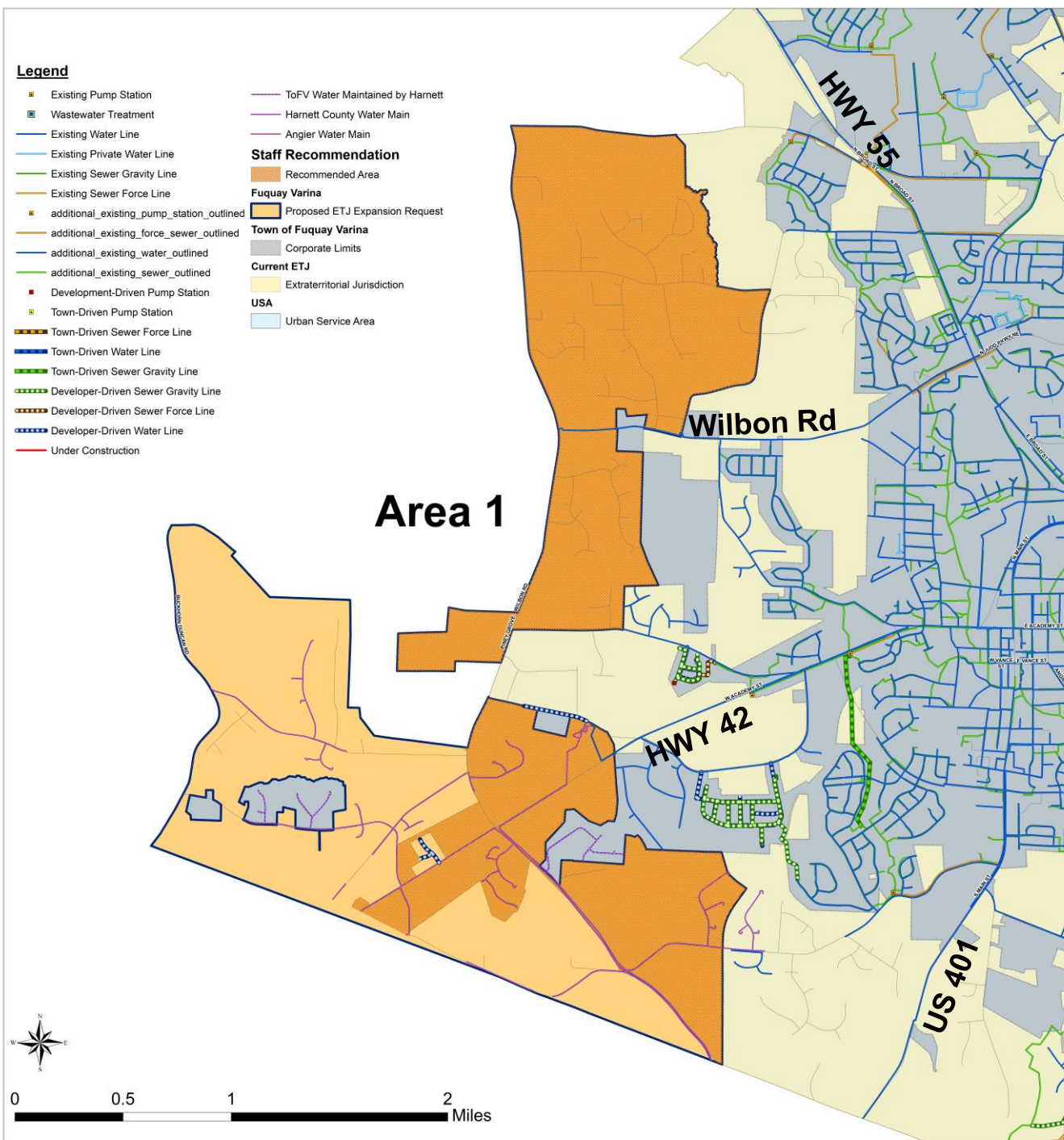
- ✓ Current Corporate Limits- 10,846 acres
- ✓ Current ETJ- 8,453 acres
- ✓ Town has had five ETJ extensions since 1988 for 3,971 acres
- ✓ Within the current ETJ, 768 acres of existing development is receiving utility services but not within town limits
- ✓ **Town's request meets this criteria**

Staff Findings

- 1) The Town's ETJ request is in accordance with North Carolina State law 160A-360 Article 19.
- 2) The Town's ETJ request is all within the their Short Range Urban Services Area.
- 3) The Town adopted its 2035 Community Vision Land Use Plan and Community Transportation Plan.
- 4) The Town's CIP provides a 5-year plan for infrastructure improvements.
- 5) The Town's CIP plans for utilities in areas of the requested ETJ.
- 6) The Town is experiencing growth pressure by recent annexations and municipal utility extensions.

Town of Fuquay-Varina request includes 22,038 acres and is highlighted in green





Area 1- Recommendation (1,780 Acres)

- Harnett County Water Service District
- NC 42 West
- Wilbon & Wade Nash Roads
- Piney Grove Wilbon Road
- Recent Annexations- westward
- Holly Springs Development Pattern
- NC 55 Corridor
- Growth in Harnett County
- Lack of sewer in the western portion

Legend

Staff Recommendation

Recommended Area

Fuquay Varina

Proposed ETJ Expansion Request

Town of Fuquay Varina

Corporate Limits

Current ETJ

Extraterritorial Jurisdiction

USA

Urban Service Area

**Area excluded from
Planning Board
recommendation**

Area 2

Hilltop-Needmore Rd

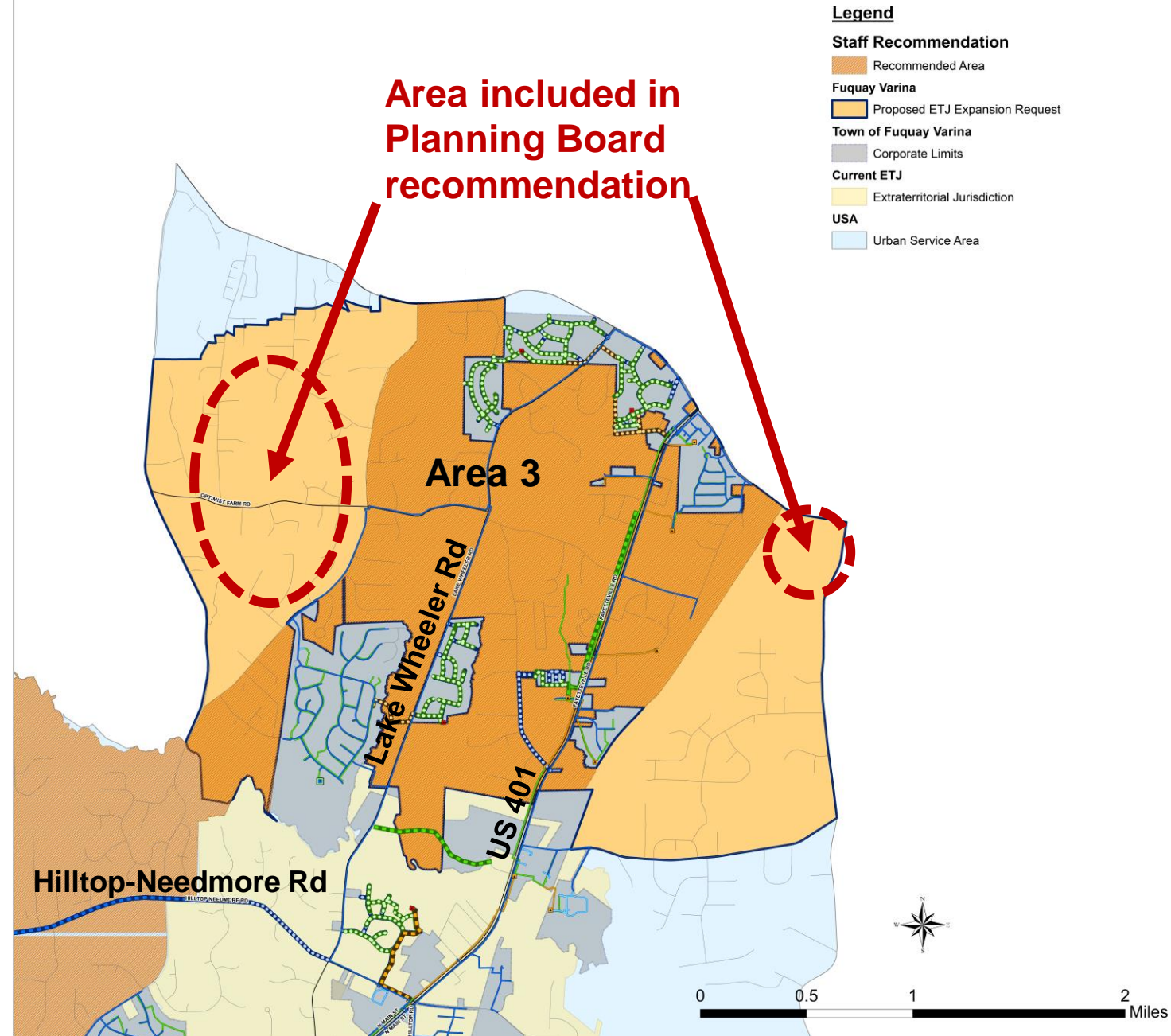
Lake Wheeler Rd

US 401

- ## Area 2- Recommendation (2,576 Acres)
- Utility Extensions along Hilltop Needmore Road
 - Existing utilities along Sunset Lake, Old Mills, James Slaughter
 - Bentwinds Golf Club & Vintage Ridge Lane
 - Recent Annexations & Pending Development
 - Wake County school site at Crooked Creek within 5 year timeframe

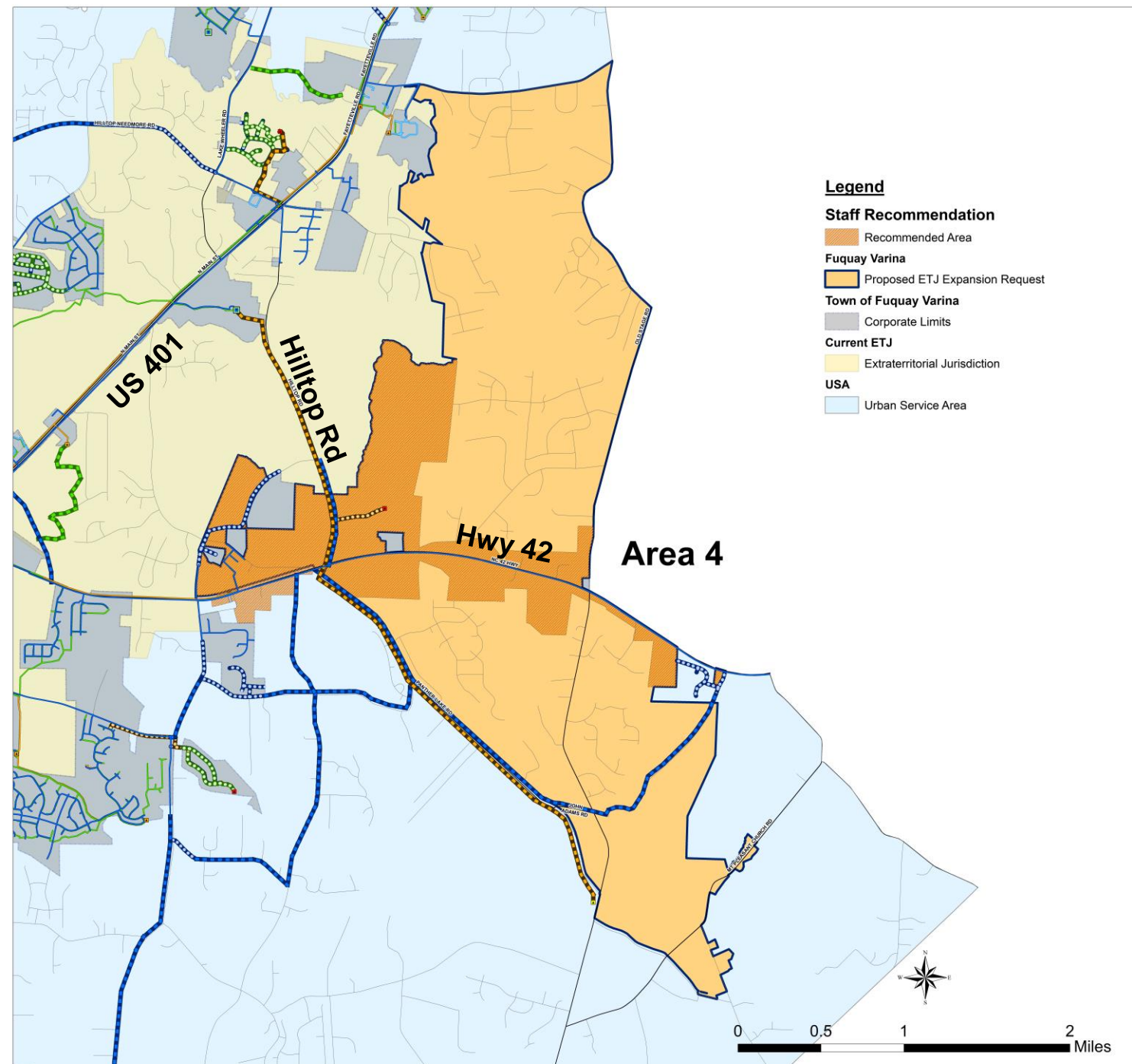
Area 3- Recommendation (1,959 Acres)

- Recent Utility Extensions along Lake Wheeler, Ten-Ten, Optimist Farm, Johnson Pond Rd.
- NC 540 Interchange with NC 401
- Recent Annexations & Pending Development
- Garner Growth along north side of Ten-Ten Road
- Excess capacity at Brighton Forest
- Rail line used as the eastern boundary, and Johnson Pond Rd as the western boundary of Area 3



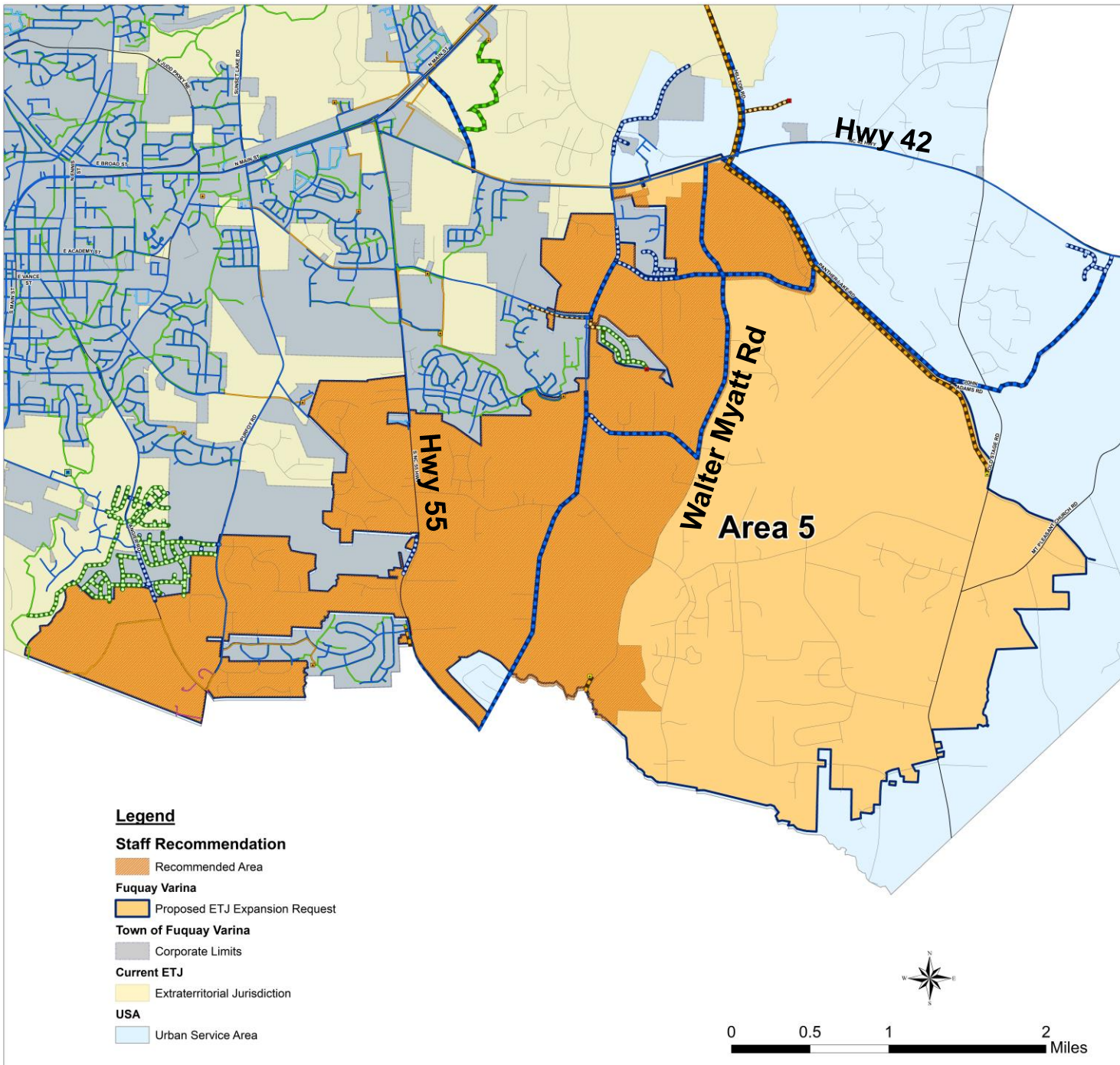
Area 4- Recommendation (996 Acres)

- NC 42 East
- Recent Annexations & Pending Development
- NC 42 & Hilltop Road
- No plans in the CIP for extensions along Banks Rd, Fanny Brown, Old Stage
- Panther Lake extensions in 10-year plan, but not in 5-year CIP

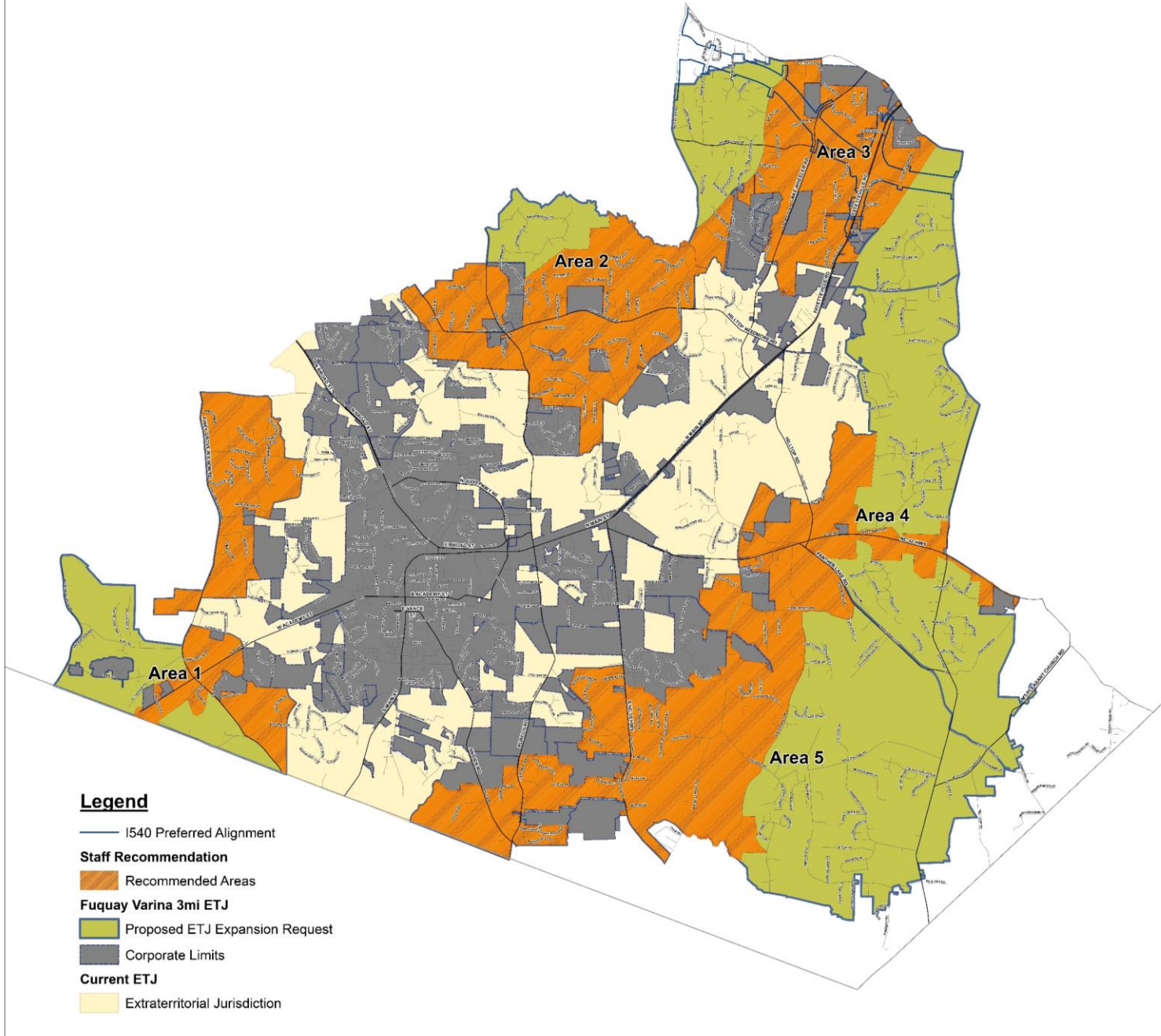


Area 5- Recommendation (3,928 Acres)

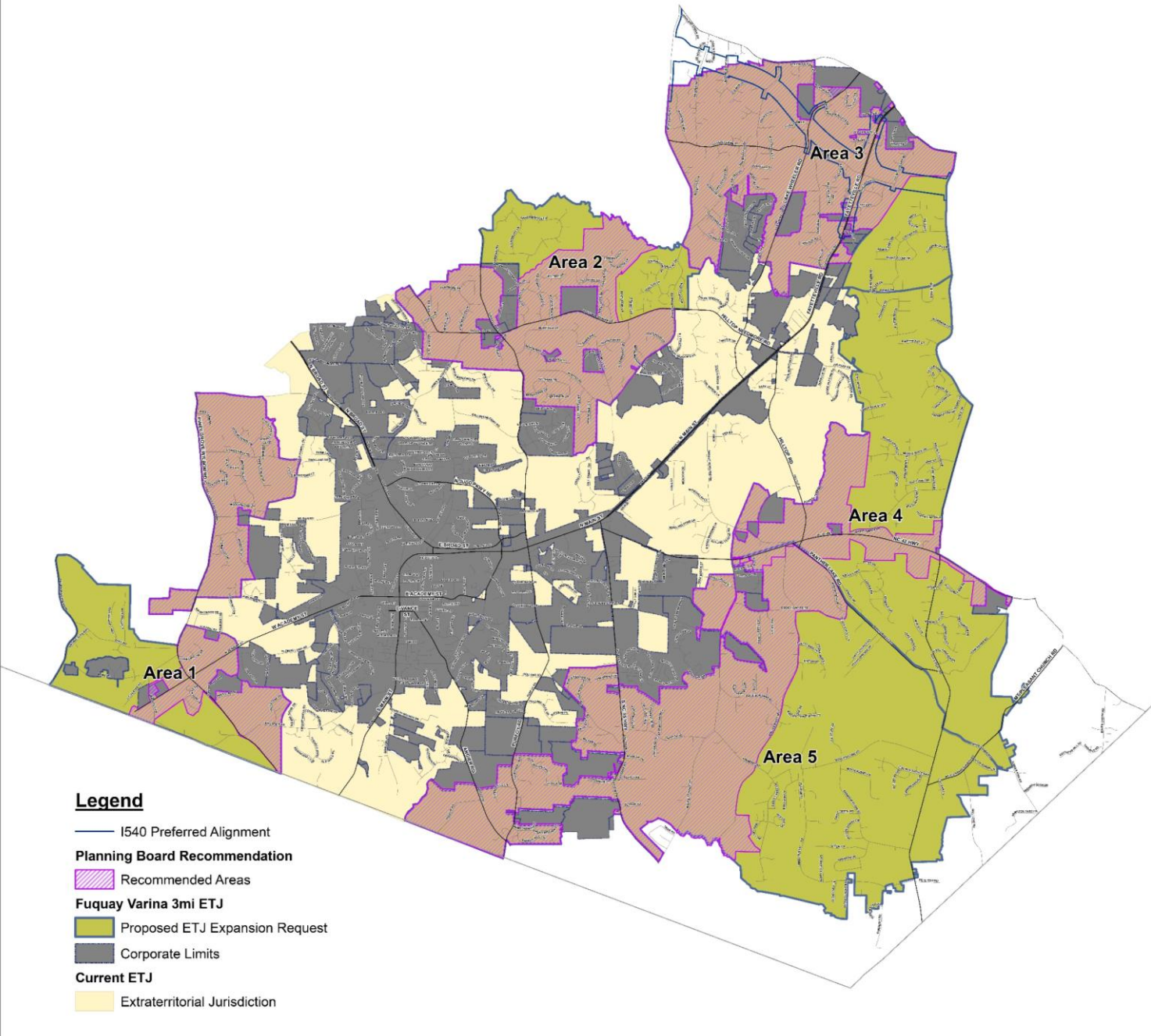
- Willow Spring High School
- Purfoy & Angier Roads South
- Recent Annexations & Pending Development
- Utility extensions Kennebec, Eddie Howard, Maude Stewart, Buck Rowland, Walter Myatt, Walter Myatt Pump Station
- NC 55 Growth
- No utility extensions planned in the eastern section of Area 5



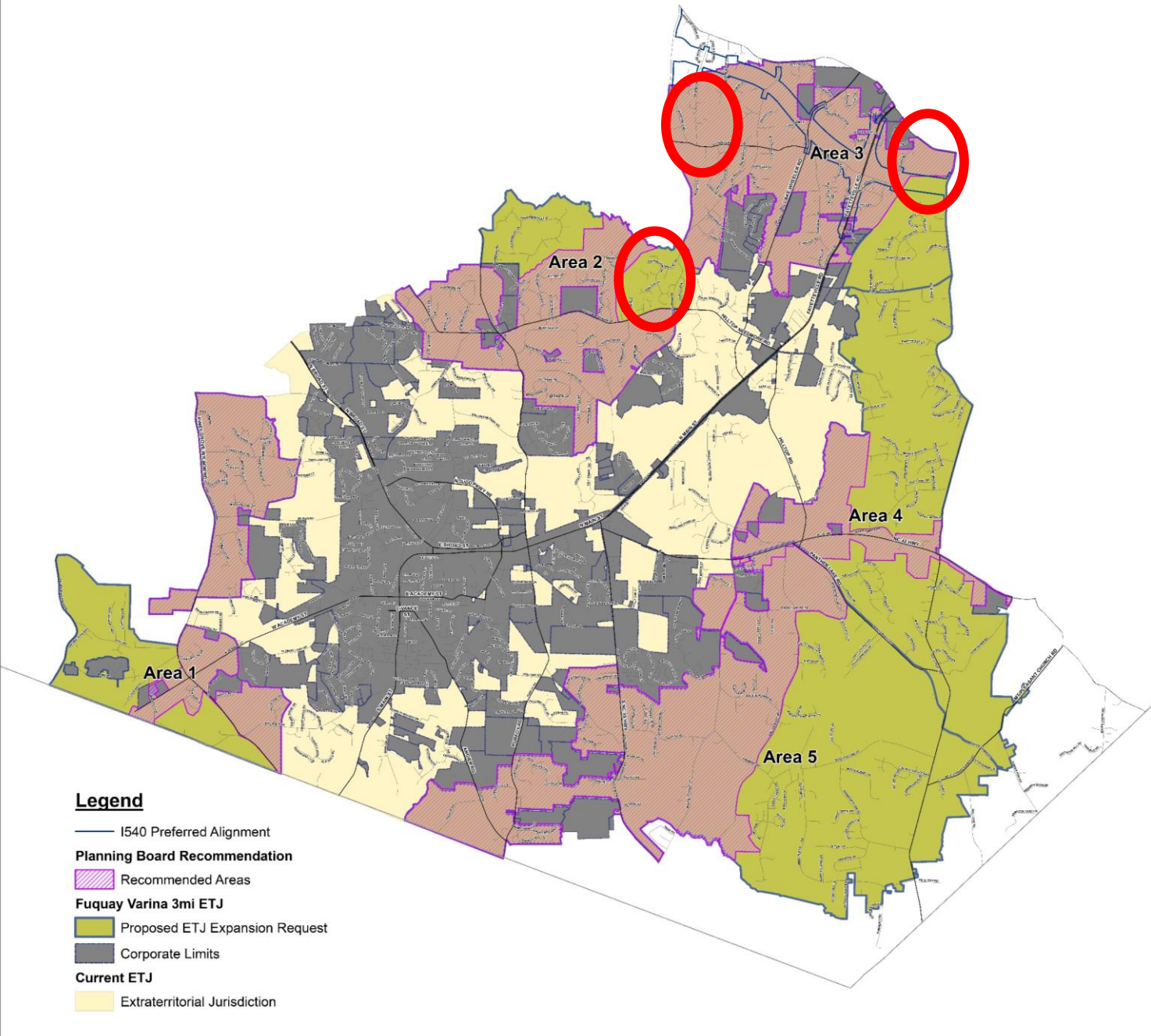
Wake County Planning
Staff Recommendation is
11,240 acres and is
highlighted in orange



Wake County Planning Board Recommendation is 11,870 acres and is highlighted in light purple



Wake County Planning Board & Planning Staff Recommendation differences highlighted with red circles



Summary

- The Town's ETJ request is large, but includes portions consistent with the County's criteria for ETJ expansion
- The Town is actively preparing for growth prompted by future NC 540 and the availability of land with municipal services
- Staff and the Planning Board both recommend granting ETJ area less than the Town's request

Next Steps

- Wake County Board of Commissioners Public Hearing – TBD
- Property owners in the request area will be notified of the public hearing
- Visit www.wakegov.com/fvetj for more information and meeting documents

Town of Fuquay-Varina

