



Chatham County Planning Board Agenda Notes

Date: December 3, 2019

Agenda Item: VIII-1

Attachment #: None

- Subdivision Conditional Use Permit Rezoning Request
 Other:

Subject:	A legislative public hearing to consider County-initiated zoning of five parcels formerly located in Harnett County.
Action Requested:	See Recommendation
Attachments:	None

Introduction & Background:

Uncertainty with the location of county boundary lines is common in North Carolina because today's technology can locate boundary lines much more precisely and uncover discrepancies in old boundaries. Discrepancies create issues when it comes to tax assessment, property value, deed recordation, zoning, building permitting, public safety, boards of election, and the school systems.

The current issues were prompted by the differences between the boundary lines used by Chatham and Harnett County. In some instances, the boundary line used between the two counties varied as much as several hundred feet. This resulted in confusion over the delivery of services and tax assessment to the properties along the boundary line.

During the months of April and May 2018, Wake, Chatham and Harnett counties passed joint resolutions authorizing the North Carolina Geodetic Survey to locate and survey the boundary line between Chatham and Harnett County. As part of preliminary survey work completed by the North Carolina Geodetic Survey, it was determined that Wake County and Chatham County had been using a corner boundary established by a 1961 survey that differed from the actual location of the tri-county border. To correct the error, the North Carolina General Assembly ratified SL2018-62 establishing a tri-county corner; and with a new corner, Chatham and Harnett mutually agreed to adjust the common boundary between them.

At the December 3rd 2018 Board of Commissioners meeting the Board adopted a joint resolution adopting and establishing the common boundary line between Chatham and Harnett County. The joint resolution became effective on January 1st 2019. Once this

boundary line was agreed on, staff in both counties set about locating the parcels that were affected by the change.

Discussion & Analysis:

In addition to two community meetings, the property owners affected by the boundary change were sent multiple letters detailing the impact to their property. For instance, if the new boundary split a parcel between the two counties, that property would now be split assessed between the two counties. This is in accordance with state law. In other cases, the property may move completely into a new county. Some of the more common concerns addressed by the property owners were: 1) will further development be restricted in some way on a parcel that is split? and 2) will a split parcel affect the agricultural tax deferment. The answer to both those questions is no impact at all.

It was ultimately determined that Chatham County would gain five properties. The GIS department in conjunction with various other county departments set about updating the GIS data and established Parcel ID numbers for the five properties. Once the five properties had parcel ID numbers, the Planning Department utilized the GIS software to obtain the property owners mailing address and other contact information. Planning staff sent letters to the five property owners in late July informing the owners of the October Commissioners meeting. This letter was a reminder that their property was involved in the border discrepancy. The property owners were informed that a portion of their property was located in Chatham County, and the portion would have a zoning classification of R-1 Residential. Included with a letter was a map indicating the portion of the property that was now located in Chatham County. The properties that are included in the rezoning can be viewed using an interactive gis viewer that can be accessed via the following link - <http://chathamncgis.maps.arcgis.com/apps/webappviewer/index.html?id=51414fb5c26348989cac8babed91540a> .

The Public Hearing was held at the November 18th 2019 Board of Commissioners Meeting. Staff presented a PowerPoint detailing each of the five parcels being zoned. The commissioners had questions regarding the size and location of the parcels, as well as the corresponding zoning in Harnett County. Planning Staff explained that the zoning of the parcels in Chatham was similar to that of Harnett, but being that the counties have different zoning classifications they will obviously be different. Commissioner Crawford was interested in the tax implications. Staff informed him the tax bill for the parcels would most likely be very similar to what it was before the county line adjustment. Most of the parcels take part in the present use valuation. The planning department did not receive any public comments regarding the zoning, and there were no public comments at the hearing. The Commissioners moved that the issue proceed to the planning board.

Recommendation: It is the opinion of Planning staff to recommend approval of the rezoning and the Planning Board has up to three meetings to make a recommendation on zoning requests.

If the Planning Board recommends approval of the rezoning request the following consistency statement is provided in support of the rezoning:

The request to adopt R1-Residential zoning for the unzoned portions of parcels 93277, 93278, 93279, 93280, and 93281, formerly located in Harnett County and being located off of NC HWY 42, and complies with the following strategy of the Chatham County comprehensive plan, Plan Chatham: Strategy 5.2 under the Land Use Plan Element reads “Encourage residential development types that fit the character of different areas of the County.”