



# Chatham County, NC

## Legislation Text

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**File #:** 19-3297, **Version:** 2

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Vote on a request to approve a Legislative request to consider County-initiated zonings of five (5) parcels formerly located in Harnett County.

### **Action Requested:**

Vote on a request to approve a Legislative request to consider County-initiated zonings of five (5) parcels formerly located in Harnett County.

### **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 3<sup>rd</sup> 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 1<sup>st</sup> 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 deferral. 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?id=51414fb5c26348989cac8babad91540a> .

The Public Hearing was held at the November 18<sup>th</sup> 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.

Planning staff presented the PowerPoint to the Planning board at the December 3<sup>rd</sup> 2019 meeting. George Lucier asked about the implications for developments that might occur in the parcels that straddle the county line. Staff explained that such developments occur at other places in the county, and that in such cases, both jurisdictions requirements must be met. It was also explained to the planning board that this land is predominantly agricultural and forestry land. Mr. Galin asked if the new parcel data had been added to the county GIS system. Staff explained that GIS had created new parcel numbers for the five lots gained by the county, and that the tax info was now displayed on the GIS viewer. The Planning Board by unanimous vote (9-0) recommends adoption of the rezoning request and a consistency statement in support.

### **How does this relate to the Comprehensive Plan:**

Objective 7: Provide infrastructure to support desired development and support economic and environment objectives and Objective 9: Provide equitable access to high quality education, housing, and community options.

### **Recommendation:**

The Planning Board, by unanimous vote (9-0), recommends approval of the resolution approving the following consistency statement:

**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.”**

The Planning Board, by unanimous vote (9-0) recommends adoption of an ordinance amending the Zoning Ordinance approving the request by the Chatham County Board of Commissioners to approve the initial zoning of the five parcels affected by the Chatham-Harnett boundary line change as described in attachment “A”.