

Town of Siler City

SILER CITY, NORTH CAROLINA 27344

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A RESOLUTION APPROVING THE USE OF THE CHATHAM COUNTY FARMLAND PRESERVATION PROGRAM ORDINANCE AND THE USE OF AGRICULTURAL DISTRICTS WITHIN THE TOWN OF SILER CITY'S EXTRATERRITORIAL PLANNING JURISDICTION (ETJ),

WHEREAS, in 2001, the Town Board expressed interest in extending the Town's extraterritorial jurisdiction (ETJ) three miles from the Town's corporate limits, consistent with the standing authority for such extensions granted by the General Assembly in Chapter 415 of the Session Laws of 1989; and

WHEREAS, on March 27, 2002, notices were mailed to property owners explaining the Town of Siler City's intent to expand the ETJ and zone the property affected Agricultural-Residential (A-R). Approximately 800 letters were sent to property owners located within the proposed expanded ETJ; and

WHEREAS, two public informational sessions were conducted and staffed by Bernard Rogers and Joel Brower on April 11 and 18, 2002, and notice was published in the Chatham News two consecutive weeks prior to the meetings on March 8, 2002 and April 4, 2002; and

WHEREAS, on April 29, 2002, a joint public hearing was held with the Town Board and Planning Board both present. Notice was published in the Chatham News two consecutive weeks prior to the meeting on April 18 and 25, 2002; and

WHEREAS, various citizens expressed concerns at the informational sessions and at the joint public hearing regarding existing Agricultural Districts approved by the County pursuant to its Farmland Preservation Ordinance, including whether such Districts would continue to be recognized, and whether new Agricultural Districts could be formed; and,

WHEREAS, the Town Board expressed to the citizens in attendance at the Public Hearing its intention to continue to recognize existing districts and to allow new Agricultural Districts to be formed under the existing rules applicable to the establishment of such districts; and,

WHEREAS, the ETJ process has now been completed and the property has been initially zoned A-R (Agricultural-Residential), and the Town recognizes that utilizing Agricultural Districts is consistent with the goals underlying A-R zoning, which is designed to accommodate agricultural uses with large tracts of uninhabited land near the fringe of urban areas and low-density single-family residential development in areas not served by water and sewer facilities; and,

WHEREAS, the statutory authority for adopting and administering ordinances such as the Chatham County Farmland Preservation Ordinance lies with Counties, as opposed to municipalities (N.C.G.S. Section 106-735 through 106-743) and such ordinances are not considered to be land use or zoning ordinances such that the Town would be legally required to adopt and administer them itself in the ETJ; and,


WHEREAS, the County has expressed its willingness and desire to continue to administer its Farmland Preservation Ordinance within the Siler City ETJ and the Town agrees and has been informed by counsel that the County's administration of the Ordinance is not inconsistent with the laws of North Carolina;

NOW, THEREFORE, the Siler City Board of Commissioners resolves as follows:

Section 1. Chatham County may administer its Farmland Preservation Ordinance within the Siler City extraterritorial planning jurisdiction.

Section 2. All existing Agricultural Districts established pursuant to the Farmland Preservation Ordinance may continue to be recognized and new Districts may be formed.

TOWN OF SILER CITY


Charles L. Turner, Mayor

ATTEST:


Wanda G. Ingold, Town Clerk

The foregoing resolution, having been submitted to a vote, received the following vote and was duly adopted this 4th day of November, 2002.

Ayes: 7

Noes: 0

Absent or Excused: 0