



Town of Garner

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FREQUENTLY ASKED QUESTIONS ABOUT EXTRA-TERRITORIAL (PLANNING) JURISDICTION

What does ETJ (Extra-territorial [planning] jurisdiction) mean?

The ETJ is an area outside of the Town of Garner's corporate limits that is part of the larger municipal planning and services area. Areas designated as ETJ become subject to the Town's zoning and building regulations instead of Wake County's. This enables the Town to ensure that development patterns and associated infrastructure will allow the efficient provision of urban services as the Town grows. According to the rules set by the State of North Carolina, Towns with populations exceeding 25,000 can request an ETJ up to three (3) miles from their primary corporate limits.

What if I don't want to be included in any municipal planning area?

You already are. The Wake County Land Use Plan, adopted by the Wake County Board of Commissioners in 1997 identifies areas for development in the future by the Town of Garner. The plan places areas adjacent to all municipalities in Wake County in either "short-range" or "long-range" urban service areas. When these areas develop and/or redevelop they are expected to be provided with urban services by the Town of Garner.

Will I be charged for Garner property taxes?

No. No one in Garner's ETJ pays Town property taxes. Your property taxes will be levied as they always have.

Will I have to pay for any water and sewer extensions as a result of ETJ?

Since zoning and building regulations are the only municipal services provided in the ETJ, water and sewer lines will not be extended to existing subdivisions or other properties when they are included in the Town's ETJ. The policy of the County for granting additional ETJ requires that the area be able to be served with other municipal services (besides zoning and building regulations), but does not require all areas to actually have services or to be annexed.

What if I don't want to be annexed?

The extension of ETJ does not annex your property. Annexation is an entirely different process and is guided by state law and Town policy. Existing subdivisions such as Echo Heights, Pinehurst Park, Hillandale and Camelot have existed only in the Town's ETJ since the 1960's/70's without ever being annexed. Two (2) annexation approaches exist: either a landowner voluntarily requests to be annexed, or the Town initiates an annexation that must be approved by a vote of the residents. The Town of Garner has not initiated an annexation since the 1980's and has no plans to do so.

Will I have an opportunity to comment and ask questions?

Yes. The Town of Garner is hosting several public drop-in sessions as noted in the cover letter. Anyone interested may attend.

Additional opportunities to comment on the ETJ request will be provided by Wake County since the County must approve Garner's request to extend ETJ. The Wake County Planning Board will review the request and make a recommendation to the County Commissioners. The commissioners must then conduct a public hearing before they make any decision to approve additional ETJ for Garner. All County meetings and hearings will be open to the public. Before the public hearing, legal advertisements will be placed in newspapers, signs will be posted, and mailed notice will be sent to every property owner in the affected area. If a determination is made by Wake County to extend Garner's ETJ, the Town will also hold a public hearing to establish the zoning of properties within the newly extended ETJ.

How will my property be zoned?

Any land brought into the Town's ETJ will be zoned according to the goals of the Town's Comprehensive Plan. Landowners will be notified in writing of the specific zoning designation for their property. When the properties are "re-zoned" to Town districts, each landowner as well as adjacent landowners will be notified via first class mail prior to the public hearing.

How will this affect my current residential property?

Any new additions, decks, porches, fences, pools, storage sheds, etc. will be required to be constructed according to the Town's zoning regulations which tend to be similar to those of Wake County. If a building permit is required under the North Carolina Building Code, that permit would be obtained locally from Garner Inspections as opposed to Wake County Inspections offices in downtown Raleigh. As is the case with Wake County, all new Home Based Businesses and Home Occupations will be similarly subject to the Town's zoning regulations and are required to be permitted and registered with the Town.

How will this affect my current non-residential property?

All new additions, fences, dumpsters, parking areas, signs, etc. will be required to be constructed according to the Town's zoning regulations. If a building permit is required under the North Carolina Building Code, that permit would be obtained locally from the Town of Garner Inspections Department as opposed to County offices in downtown Raleigh.

How will this affect my undeveloped property?

All future development will be subject to the Town of Garner's zoning regulations and review procedures. All building permits will be obtained locally from the Town of Garner Inspections Department as opposed to County offices in downtown Raleigh.

How will this affect my historic property?

The Town of Garner is a partner in the Wake County Historic Preservation Commission which is advised by the Wake County Planning Department and managed by Capital Area Preservation. Therefore, there will be no effect on existing or future historic designations.

For more information, please contact:

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