

Town of Franklin Voluntary Annexation Policy

I. Purpose

The objective of the Annexation Policy is to set forth guidelines for the annexation of parcels to the Town of Franklin, whether those parcels are in the existing extraterritorial jurisdiction (ETJ) or not, and whether they are contiguous or to be a satellite to the main body of town.

II. Jurisdictional Considerations

The Town of Franklin regulates, through zoning, all areas of the town proper and those areas that are in the ETJ as it may exist from time to time. Satellite annexed areas are also regulated through zoning as are the other parts of the Town. Macon County is un-zoned and those areas outside of the town limits and the ETJ are not similarly regulated as they would be if they were in the town's jurisdictional areas.

1. Definitions

- a. **Annexation.** The process whereby land is incorporated into and under the jurisdiction of the municipal government.
- b. **Contiguous Parcel.** A parcel of land that either abuts directly on the municipal boundary or is separated from the municipal boundary by a street or street right-of-way, a creek or river, the right-of-way of a railroad or other public service corporation.
- c. **Extraterritorial Jurisdiction (ETJ).** An area allowed by statutory reference (N.C.G.S. 160A-360) that a municipality may decide to regulate by zoning, near to its main body, by local ordinance through procedures outlined in State Statute.
- d. **Satellite Annexation.** A voluntary annexation meeting statutory requirements of N.C.G.S. 160A-58 through 160A-58.6 that is not contiguous to any portion of the main body of town.

III. General Policy

It shall be the policy of the Town of Franklin to review and consider annexations individually according to the terms and conditions of this policy. Decision to annex shall be at the discretion of the Town Board, and the decision regarding any annexation does not cause a precedence to be set for future consideration of annexations. The property owners shall irrevocably petition for annexation of said property into the municipal limits of the town.

1. Parcels Contiguous to Municipal Boundary

It is the policy of the Town of Franklin to consider most favorably the voluntary annexation of parcels that are contiguous to the existing town boundaries and that are within the ETJ of the Town. These parcels are already governed by the Town of Franklin's Unified Development Ordinance (UDO) and its Sign Ordinance.

2. Noncontiguous Parcels Within the ETJ of the Town

The Town of Franklin will consider voluntary annexation of noncontiguous property that lies within the ETJ of the Town based on whether the property meets the requirements of satellite annexation, prior to annexation or recording of a subdivision plat.

3. Parcels Outside the ETJ of the Town

If the property is not contiguous to the municipal limits of the town and not within the defined ETJ of the Town of Franklin, but meets the requirements of satellite annexation, prior to annexation or recording of a subdivision plat, the property owners shall enter into a binding written agreement with the town that there will be full compliance, if annexed, with the applicable provisions of the Town's UDO and Sign Ordinance prior to further development or business licensure of the property. All nonconforming issues will be brought into compliance

4. Annexation Required for Provision of Water and Sewer Services

It is the Town of Franklin's intent that the future annexations of the town shall match the existing and future utility service extensions of the Town. Therefore, new applicants for utility services shall be required to voluntarily annex to the Town for delivery of those services. If those properties do not meet the requirements of satellite annexation they will

enter into a binding written agreement that the present or future owners will voluntarily petition for annexation for the provision of those municipal services. That future petition will be made at the time of any of the following occurrences:

- a. The property meets the requirements for satellite annexation;
or,
- b. The property becomes contiguous to any annexed portion of town; or,
- c. At the convenience of the Town of Franklin.

This policy was approved by the Town of Franklin Board of Aldermen on _____, 2010, and may be revised and amended from time to time as needed.

Mayor
Town of Franklin

Attest:

Town Clerk