



AGENDA ITEM SUMMARY FORM

MEETING DATE: February 7, 2023

ITEM TITLE: Martin's Point ETJ Transfer Discussion

ITEM SUMMARY:

The Town currently exercises extraterritorial jurisdiction over the Martin's Point commercial properties. The properties consist of ten developed lots that are not within the Town's limits, but they are subject to the Town's land use regulations (zoning, flood, building code). John Finelli is a Martin's Point resident that serves as the ETJ Representative on the Town Planning Board and he is able to vote on matters pertaining to the Martin's Point ETJ area. Mr. Finelli is proposing a transfer of land use regulation (relinquishment) of the Martin's Point commercial properties back to Dare County (see attached letter).

The Town Planning Board discussed the proposal at the December 19, 2022 Planning Board meeting and voted unanimously to recommend approval of the transfer. Mr. Finelli and Town Staff are now seeking direction from the Town Council. If Council would like to move forward with the transfer, Town Staff will prepare an ordinance (including Town Code Amendments) for the Planning Board and Town Council to consider. The Town Council would need to hold a public hearing on the ordinance, following a recommendation from the Planning Board. If the ordinance is adopted by Council, the Town's development regulations and powers of enforcement that currently apply to the Martin's Point commercial properties would remain in effect until Dare County has adopted development regulations for the properties, or a period of 60 days has elapsed, whichever is sooner.

STAFF RECOMMENDATION:

Direct Town Staff to prepare an ordinance to relinquish extraterritorial jurisdiction over the Martin's Point commercial properties.

REQUESTED ACTION:

Motion direct Town Staff to prepare an ordinance to relinquish extraterritorial jurisdiction over the Martin's Point commercial properties.