Legislation Text

File #: 17-159, **Version:** 1

TITLE:
Amendments to the Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA)

PURPOSE: The purpose of this item is to provide possible amendments to the WASMPBA.
DEPARTMENT: Planning

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INFORMATION: The Water and Sewer Management, Planning, and Boundary Agreement is an agreement signed in 2001 between Orange County, the Orange Water and Sewer Authority (OWASA), and the Towns of Chapel Hill, Carrboro, and Hillsborough. The agreement (included for reference purposes as Attachment C) provides a comprehensive county-wide system of utility service areas upon which signatory entities could rely when making decisions related to issues such as planning, land use, annexation, zoning, and growth management.

Possible amendments to the WASMPBA map and the Joint Planning Agreement were presented to the Board of Aldermen in February. Those amendments included JPA changes in Chapel Hill and Carrboro and WASMPBA amendments in Chapel Hill, Carrboro, and Hillsborough. WASMPBA amendments for Carrboro and Hillsborough are included at this time and include areas south of the Hillsborough Economic Development District (EDD) and areas in the vicinity of Smith Level Road in the Town of Carrboro's Extraterritorial Jurisdiction. Town of Chapel Hill staff are studying the possible amendments in the Millhouse Road area and are not ready to move forward.

Orange County/Hillsborough EDD Area

The proposed amendments in the Hillsborough EDD Area include:

- Designating 87.5 acres "Primary Service Area". This area is currently "Hillsborough Long-Term Interest Area". Designating the area "Primary Service Area" would allow extension of public water and sewer systems into the area.

Orange County has received a Master Plan Development conditional zoning application that includes a large portion of the area proposed to become "Primary Service Area" (the area east of Old Highway 86). These WASMPBA amendments are prerequisites to considering amendments to land use and zoning designations that

would allow for greater development potential in this general area, an area in which Orange County is planning to invest approximately $1.6 million in sewer infrastructure. The area proposed for addition to the Primary Service Area is serviceable by gravity sewer.

Town of Carrboro ETJ/Smith Level Road Area

Town of Carrboro and OWASA staff began researching the status of this area when contacted by a person interested in possibly developing in the southern portion of the area proposed for "Primary Service Area" designation. As the map in Attachment 3 shows, many parcels in this area are already served by OWASA water and sewer systems, and have been since long before the WASMPBA was adopted (some services go back to the 1960s). The Town of Carrboro's long-time zoning designation for the area is R-10 (Residential, 10,000 square feet per dwelling unit), with a Jordan Lake Overlay district. The effective density is two units to the acre for single-family and three units to the acre for multi-family, both of which are permissible. The minimum lot size of 10,000 square feet and the effective density is not compatible with onsite septic and well services.

Staffs has not determined why this area was not designated "Primary Service Area" when the WASMPBA was adopted in 2001, particularly since the area is not listed in the text of the Agreement (Section IV of Agreement in Attachment 4) as an exception area. Nevertheless, the adopted WASMPBA map currently designates the area in question as "OWASA Long-Term Interest Area" so new water or sewer connections cannot be permitted.

The proposed amendments in the Smith Level Road Area include:

- Designating 20.6 acres "Primary Service Area".

Attachment A is a Resolution to approve the amendments with maps depicting the geographic extent of the amendment areas. The map in Attachment B shows the overall WASMPBA map with the proposed amendments overlaid on the map.

All signatory parties to the Agreement must approve the amendments before they are effective. Proposed dates for adoption consideration are:

Orange County	June 6, 2017
Town of Carrboro	May 16
Town of Hillsborough	April 24 (work session); May 8
Town of Chapel Hill	June 12
OWASA	May 25 or June 8

Amendments to the WASMPBA require approval of all five signatory parties (Orange County, OWASA, and the Towns of Chapel Hill, Carrboro, and Hillsborough) through the regular agenda/decision process. A formal public hearing is not required.

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FISCAL & STAFF IMPACT: No extraordinary staff and fiscal impacts are anticipated with adoption of the amendments. Some additional development potential and associated property tax revenues would be expected with development served by water and sewer services in the areas added to the Primary Service Area.

RECOMMENDATION: It is recommended that the Board of Aldermen adopt the resolution approving amendments to the Water and Sewer Management, Planning, and Boundary Agreement.