



## Legislation Text

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**File #:** 17-022, **Version:** 1

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### **TITLE:**

Introduction to Possible Amendments to the Joint Planning Agreement and the Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA)

**PURPOSE:** The purpose of this item is to introduce the Board of Aldermen to possible amendments to both agreements.

**DEPARTMENT:** Planning

**CONTACT INFORMATION:** Trish McGuire, [pmcguire@townofcarrboro.org](mailto:pmcguire@townofcarrboro.org)  
<<mailto:pmcguire@townofcarrboro.org>>, 919-918-7327

**INFORMATION:** Planning staffs of the three local governments that are party to the Joint Planning Agreement (JPA) have been discussing possible amendments to the related Joint Planning Area Land Use Plan (JPALUP). Amendments to the Water and Sewer Management Planning and Boundary Agreement (WASMPBA) would be needed to actualize some of the changes that are under consideration. Carrboro and OWASA staff have identified an additional possible change to the WASMPBA on Smith Level Road and Orange County and Hillsborough Planning staff have identified other possible changes to the WASMPBA in order to designate a larger area for Hillsborough's Economic Development District (EDD). The Orange County Board of County Commissioners will be receiving an introduction to these items on Monday, February 13<sup>th</sup>. Next steps will be formulated and scheduled in relation to feedback to these introductions.

Descriptions of the possible Joint Planning Area changes are presented first, followed by descriptions of the possible WASMPBA changes.

### **Possible Changes to Joint Planning Land Use Plan and Agreement**

The map in *Attachment 1* depicts the possible amendments to the JPALUP (the current version of which is included in *Attachment 4*). Possible amendments are summarized below, by jurisdiction.

#### Chapel Hill Area:

- Change the Millhouse Road Park (78.2 acres) parcels, three smaller parcels (6.3 acres) owned by the Town of Chapel Hill and located between Millhouse Road and the Millhouse Road Park parcels, and 2.2 acres of road right-of-way from Rural Buffer to Chapel Hill ETJ (Extraterritorial Jurisdiction).
  - This modification would allow the planned park to eventually be served by public water and sewer systems, if WASMPBA is also amended. Service by public water and sewer is an important component of increasing the capacity of the park and its expected active recreation (possible soccer center) component, since a park served only by well and septic systems would have a more limited capacity.
- Change the northern portion of the parcel on which the Town of Chapel Hill's Operations Facility is

located from Rural Buffer to ETJ (32.2 acres).

- Change 66 acres of Chapel Hill Transition Area to ETJ. This area is located immediately south of Interstate 40 in the vicinity of Sunrise Road.
- Change 207.8 acres from Chapel Hill Transition Area to Rural Buffer. This area is located in the southwest corner of the county between Highway 15-501 and Old Lystra Road. Staff's understanding is that this area was formerly part of Chapel Hill's Urban Service area before the WASMPBA "primary service area" boundary was established in 2001, thereby removing this area from urban utility access.

Carrboro Area:

- Change 2.9 acres on Highway 54 West from Rural Buffer to Carrboro ETJ. This proposal involves six parcels and was discussed at the October 13, 2016 [http://www.orangecountync.gov/document\\_center/BOCCAgendaMinutes/161013.pdf](http://www.orangecountync.gov/document_center/BOCCAgendaMinutes/161013.pdf) joint BOCC/Town of Carrboro meeting. The portions of the parcels located immediately adjacent to the highway are currently within Carrboro's ETJ while the northern portion of the parcels is designated as Rural Buffer. This change would designate all of the smaller parcels (five parcels) as ETJ while moving the ETJ line of a "flag lot" slightly further north. Because of the relatively small size on the overall map, a "zoomed in" map is provided in *Attachment 2*.

If amendments were prepared and eventually approved, the Joint Planning Land Use categories would change in the following ways: the Rural Buffer would increase in size by 207.8 acres (from Chapel Hill Transition Area); the Carrboro and Chapel Hill Extraterritorial Jurisdictions would increase by 121.8 acres (from Rural Buffer); and the Chapel Hill Extraterritorial Jurisdiction would increase by 66 acres (from Transition Area)

The map in *Attachment 3* shows the "primary service area" of WASMPBA overlaid on the geographic area. Possible changes to WASMPBA related to the JPA changes, and others that are unrelated to the JPA, are described in the section below.

### **Possible Changes to Water and Sewer Management Agreement**

The maps in *Attachments 5, 6 and 7* depict the possible amendments to the WASMPBA map (the current version of which is included in *Attachment 8* with the possible changes overlaid). A summary of possible amendments is provided here:

Chapel Hill Area:

- Designate 118.9 acres in the vicinity of Millhouse Road as "primary service area."
  - 78.2 acres Orange County owns for the planned Millhouse Road Park
  - Three smaller parcels (totaling 6.3 acres) owned by the Town of Chapel Hill, located between the railroad tracks and the Millhouse Road Park parcels.
  - 2.2 acres of road right-of-way.
    - As noted in previous section, these changes would be possible following a JPA amendment and would allow public water and sewer service.
  - The northern portion of the parcel on which the Town of Chapel Hill's Operations Facility is located (32.2 acres).

Carrboro Area:

- Designate 20.6 acres (34 parcels, 3 partial parcels, and road right-of-way) in the vicinity of Smith Level Road near Carrboro High School as "primary service area."

- The area is zoned R-10 (Residential, 10,000 square feet per dwelling unit) which is extremely small if onsite well and septic service is necessary. There is water service in part of the area already (which may have started in 1969, according to OWASA pipe data) and a sewer line is stubbed out at Bixby Lane which could provide service to a portion of the properties; others would be served from lines adjacent to Smith Level Road.

Hillsborough Area:

- Designate 87.5 acres (12 parcels, 2 partial parcels, and road right-of-way) contiguous to, and south of, the Hillsborough EDD as “primary service area.”

Amendments to the Joint Planning Land Use Plan require approval of all three signatory local governments (Orange County and the Towns of Chapel Hill and Carrboro) subsequent to a joint public hearing (which includes mailed notice to property owners). JPA public hearings can be held in the spring and fall of each year, generally the March and October joint meeting dates, which must be “converted” to joint public hearing dates on the governmental calendars.

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).

**FISCAL & STAFF IMPACT:** None anticipated in association with receiving this information. If amendments to the noted agreements are of interest, staff and attorney time associated with development and process of those amendments would be needed.

**RECOMMENDATION:** It is recommended that the Board of Aldermen receive this introduction.