



## Legislation Text

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**File #:** 20-408, **Version:** 1

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### **TITLE:**

Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA) Amendment

**PURPOSE:** The purpose of this item is to provide an opportunity for the Town Council to consider approving a possible amendment 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 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.

In mid-February, the petition (*Attachment B*) was received by the five signatories of the WASMPBA. The petition was made on behalf of the property owners for two undeveloped lots - 1204 and 1205 Bayberry Drive. These two lots that were formerly (pre-2000) within the Town of Chapel Hill's "urban service area" and OWASA facilities are currently "stubbed out" to the lots. Connection would have been possible under OWASA's previous connection policies.

In reviewing this request and this location, staff of all the parties to the agreement agreed that including additional, adjacent, previously developed lots (11 in total) in the proposed boundary amendment would better match the service potential in this area and provide consistent water and sewer policy for all lots in the Hunt's Reserve neighborhood. The nine additional lots currently have homes on them and are served by OWASA services. Water and sewer lines were installed to serve the neighborhood in 1997.

The neighborhood in question predates adoption of WASMPBA in 2001. At that time, the Town of Chapel Hill had an interest in reducing the size of the water and sewer service area in southern Chapel Hill. OWASA and the Town put a policy in place that allowed lots to still receive water and sewer service if the "structure existed before May 8, 2000 and is located on a lot adjacent to an OWASA water or sewer line that was installed before May 8, 2000". During staff review, the appropriateness of a minor boundary amendment to prevent the boundary line from bisecting a neighborhood was highlighted. Staffs believe that, particularly in cases such as this where services already exist and/or are being provided and property owners are requesting inclusion, it is appropriate to include served parcels in the "Primary Service Area" for water and sewer services. OWASA staff have advised that, from an engineering perspective, it is feasible to provide water and sewer service to all

11 lots under consideration (9 of the lots already receive services). A vicinity map is included as *Attachment C*.

The meeting schedule for the five WASMPBA parties to consider this amendment is as follows:

Chapel Hill - October 28

Hillsborough - November 9

Carrboro - November 10

OWASA - November 12

Orange County - November 17

Attachment A is a Resolution to approve the amendments with a map exhibit included. Amendments to the WASMPBA require approval of all five signatory parties through the regular agenda/decision process; a public hearing is not required. As the initiator of this amendment, since the parcels in question are within its planning jurisdiction, the Town of Chapel Hill's resolution requested that the governing boards of the Town of Carrboro, the Town of Hillsborough, Orange County, and OWASA consider approval of the amendment.

**FISCAL & STAFF IMPACT:** No extraordinary staff and fiscal impacts are anticipated with adoption of the amendment. 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 Town Council consider adoption of the resolution (*Attachment A*) approving an amendment to the Water and Sewer Management, Planning, and Boundary Agreement to adjust the Primary Service Area boundary and include the noted lots in the Hunt's Reserve neighborhood.