



## Agenda Abstract

### BOARD OF COMMISSIONERS

Meeting Date:	Feb. 12, 2024
Department:	Planning & Economic Development
Agenda Section:	Consent
Public hearing:	No
Date of public hearing:	N/A

#### PRESENTER/INFORMATION CONTACT

Planning & Economic Development Manager Shannan Campbell

#### ITEM TO BE CONSIDERED

**Subject:** Amendment to the Water and Sewer Management, Planning, and Boundary Agreement

##### Attachments:

1. Hillsborough resolution for amendment
2. Town of Chapel Hill resolution (Nov. 15, 2023)
3. Petition from The Chamber for a Greater Chapel Hill/Carrboro to the Town of Chapel Hill requesting the amendment
4. OWASA Staff letter evaluating the potential boundary expansion impacts on OWASA's water and sewer systems

##### Summary:

The Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA) 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. It was last amended in November 2020. 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.

The Town of Chapel Hill received a request from the Chamber for a Greater Chapel Hill-Carrboro to modify the boundaries of OWASA's Primary Service Area within the town's planning jurisdiction at the June 14, 2023 council meeting (Attachment 3). At its Nov. 15, 2023 council meeting, the Town of Chapel Hill adopted a resolution to amend the WASMPBA (Attachment 2). All five signatories to the agreement must adopt resolutions amending the agreement before any proposed amendment is incorporated into the agreement. Materials for the Nov. 15, 2023 town council meeting are available for viewing at:

<https://chapelhill.legistar.com/LegislationDetail.aspx?ID=6414722&GUID=5B798FC2-BED6-47A5-BB9F-24D77186A447> The staff report prepared by town staff includes links to additional materials.

The area proposed to be designated OWASA Primary Service Area totals approximately 357.56 acres (Note: this acreage figure differs from the town's resolution of 360.23 acres because the area the town considered contains 2.67 acres that is already designated as Primary Service Area). The area has been reviewed by OWASA staff and is technically feasible for provision of both water and sewer service (Attachment 4).

The area proposed for amendment is entirely within the Town of Chapel Hill's planning jurisdiction. A 236.28-acre area is within the town Extraterritorial Jurisdiction (ETJ) and a 121.28-acre portion is designated "Transition Area" in the Joint Planning Land Use Plan (plan and maps available here: <https://www.orangecountync.gov/3031/Long-Range-Comprehensive-Planning>).

Because the WASMPBA is a multi-jurisdiction interlocal agreement, not an adopted plan or ordinance, amendments to the WASMPBA have historically occurred prior to any subsequent amendment to a jurisdiction's plans or ordinances. Any necessary reviews related to subsequent development occur in accordance with the relevant jurisdiction's ordinances. The WASMPBA does not require any analyses or studies be conducted prior to amending the agreement.

**Financial impacts:**

None for Hillsborough.

**Staff recommendation and comments:**

Staff recommends adoption of the resolution. This expansion of OWASA's primary service boundary does not impact Hillsborough's planning jurisdiction, current or future development, or water and/or sewer systems.

**Action requested:**

Adopt resolution consenting to the expansion of OWASA's primary service boundary as shown in the attached map.