



TOWN OF CHAPEL HILL

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Legislation Details (With Text)

File #: [20-0742] **Version:** 1 **Name:**

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File created: 9/21/2020 **In control:** Town Council

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Title: Consider an Amendment to the Water and Sewer Service Area Boundary (WASMPBA Amendment).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution, 2. Draft Staff Presentation, 3. Petition on Behalf of Bayberry Residents, 4. Proposed Boundary Amendment Map, 5. Water and Sewer MPB Agreement, 6. WASMPBA Appendix A: Boundary Map, 7. OWASA Extension Policy - April 2001, 8. Staff Presentation, 9. Council Questions with Staff Response, 10. A RESOLUTION APPROVING AN AMENDMENT TO APPENDIX A OF THE WATER AND SEWER MANAGEMENT, PLANNING AND BOUNDARY AGREEMENT (WASMPBA) TO DESIGNATE 31.88 ACRES IN THE SOUTHEAST CHAPEL HILL AREA AS "OWASA PRIMARY SERVICE AREA" (2020-10-28/R-24)

Date	Ver.	Action By	Action	Result
10/28/2020	1	Town Council	adopted	Pass

Consider an Amendment to the Water and Sewer Service Area Boundary (WASMPBA Amendment).

Staff:
Judy Johnson, Interim Director
Corey Liles, Principal Planner

Department:
Planning

Overview: The Water and Sewer Management, Planning and Boundary Agreement (WASMPBA) is a multi-agency agreement governing which areas of Orange County may be served by public water and sewer utilities. On February 26, 2020, the Town received a petition from residents of Bayberry Drive in the Hunt's Reserve neighborhood to include their lots in the OWASA Primary Service Area as defined under WASMPBA. If Council adopts the resolution to amend the boundary, it will proceed for consideration by OWASA and the other WASMPBA agencies.

☆ **Recommendation(s):**

That the Council adopt a resolution to amend the boundary of the OWASA Primary Service Area to include all lots with frontage on Bayberry Drive, Silers Fen Court, and Quarry Place.

Decision Points:

- Appropriateness of a minor boundary amendment that prevents the boundary line from bisecting a neighborhood and makes all lots in the same neighborhood eligible for public water and sewer service.
- Council interest in future consideration of a policy for staff interpretation of the mapped boundary, to provide a path for resolving minor discrepancies similar to this one.

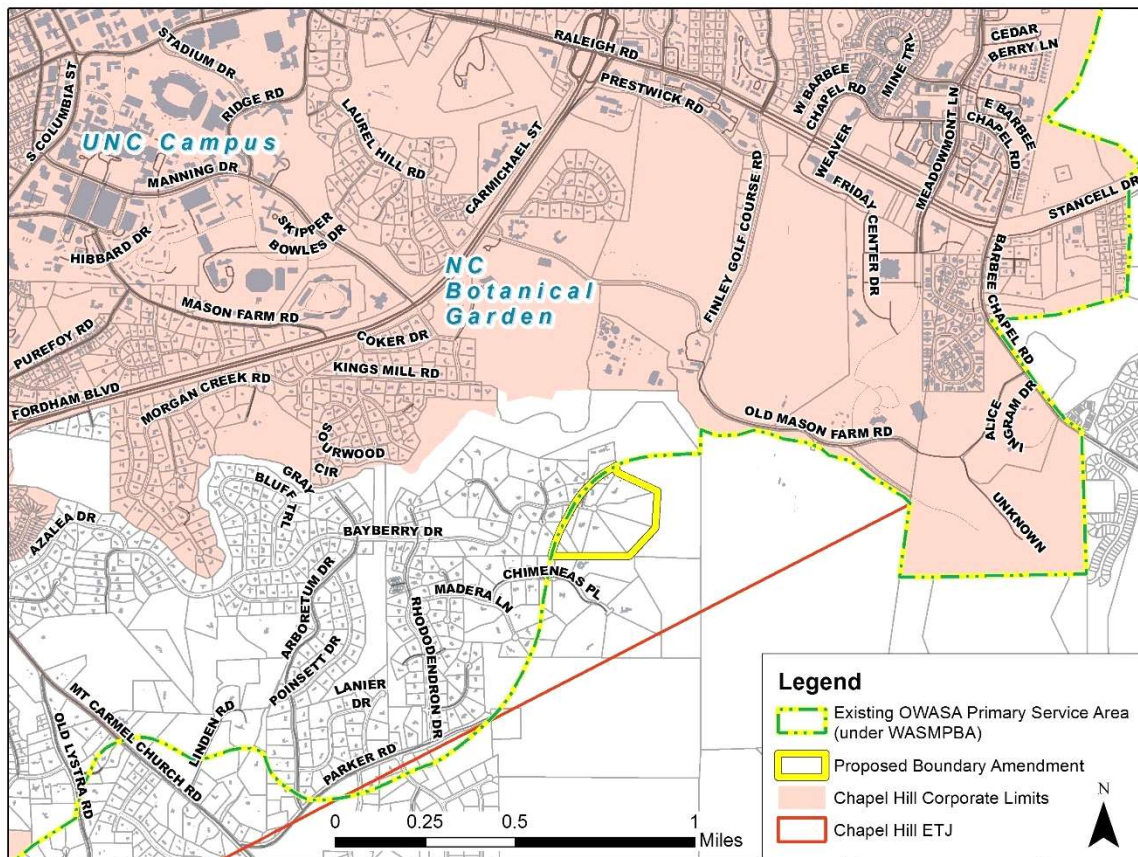
Proposed Boundary Amendment:

- The petition was made on behalf of the property owners for two undeveloped lots - 1204 and 1205 Bayberry Drive. Staff determined that including adjacent, previously developed lots in the proposed boundary amendment would:
 - Result in an boundary line that follows parcel boundaries
 - Provide consistent water and sewer policy for all lots in the Hunt's Reserve neighborhood
- The total proposed area for the boundary amendment is 31.88 acres. This includes all or part of 11 lots. Where homes already have service, putting lots fully within the boundary would support the potential for future home additions and accessory dwelling units (ADUs).

Background Information:

- The existing boundary of the OWASA Primary Service Area, as defined under WASMPBA, generally follows a ridge line and is meant to exclude property that could not be served by gravity sewer. However, the boundary is not based on a topographic survey and therefore does not have a high degree of accuracy.
- OWASA staff have advised that from an engineering perspective, it is feasible to provide water and sewer service to all lots in the Hunt's Reserve neighborhood.
- Most lots in the Hunt's Reserve neighborhood already have OWASA water and sewer service, including nine of the 11 lots that fall fully or partially outside of the OWASA Primary Service Area. Water and sewer lines were installed to serve the neighborhood in 1997.
- The neighborhood predates adoption of WASMPBA in 2001. At that time, the Town 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".

Vicinity Map:



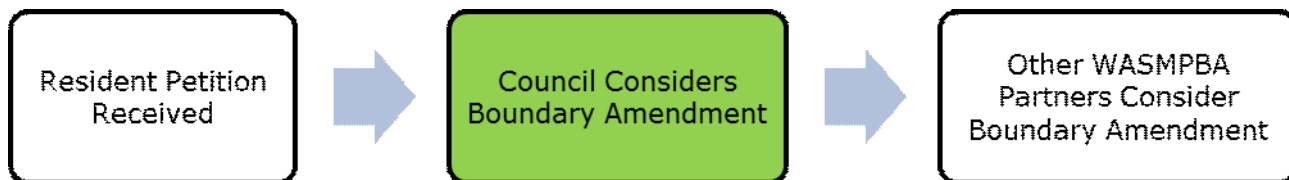
Potential Map Interpretation Policy

- This is not the only instance where natural features (e.g., a stream or ridge line) are meant to serve as boundaries of a service area. Natural features were not surveyed when the WASMPBA boundaries were mapped. Technology has improved since 2001, including GIS tools for more accurate topographic mapping.
- Staff from the five WASMPBA parties have discussed a potential policy for resolving this type of minor discrepancy in the future through GIS analysis and staff interpretation. This could be an item for Council review at a future meeting.

Fiscal Impact/Resources: There are no fiscal impacts associated with changing the WASMPBA boundary. Any cost of extending utilities would be borne by the property owners seeking service.

WASMPBA Amendment Process:

- The signatory parties of WASMPBA include the Towns of Chapel Hill, Carrboro, and Hillsborough; Orange County; and OWASA.
- A boundary amendment takes effect if all five parties approve it through separate actions.
- Chapel Hill is considering the boundary amendment first. If approved by Council, it will proceed to the other signatory parties. Staff is in communication with our counterparts at other agencies and will coordinate with them on scheduling review.



 **Attachments:**

- Resolution
- Draft Staff Presentation
- Petition on Behalf of Bayberry Drive Residents
- Proposed WASMPBA Boundary Amendment Map
- Water and Sewer Management, Planning and Boundary Agreement (WASMPBA)
- WASMPBA Appendix A: Boundary Map
- OWASA Policy for the Extension of Water and Sewer within Chapel Hill’s ETJ but outside of its Urban Services Area - April 2001

The Agenda will reflect the text below and/or the motion text will be used during the meeting.

PRESENTER: Corey Liles, Principal Planner

RECOMMENDATION: That the Council adopt a resolution to amend the boundary of the OWASA Primary Service Area to include all lots with frontage on Bayberry Drive, Silers Fen Court, and Quarry Place.