

**ORANGE COUNTY  
BOARD OF COMMISSIONERS**

**ACTION AGENDA ITEM ABSTRACT**

**Meeting Date:** June 15, 2010

**Action Agenda**

**Item No.** 4 bb

**SUBJECT:** Letter to Town of Carrboro Regarding Amendments to the Water and Sewer Management, Planning, and Boundary Agreement

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**DEPARTMENT:** Planning and Inspections

**PUBLIC HEARING:** (Y/N)

No
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**ATTACHMENT(S):**

1. Proposed Letter to Town of Carrboro
2. E-mailed Correspondence from Town of Carrboro Staff
3. Map of County-Proposed Water and Sewer Boundary Changes
4. Map of Historic Sites

**INFORMATION CONTACT:**

Craig Benedict, 245-2592  
Perdita Holtz, 245-2578

**PURPOSE:** To approve the transmittal of a letter to the Town of Carrboro regarding the Town's concerns about proposed amendments to the Water and Sewer Management, Planning, and Boundary Agreement.

**BACKGROUND:** In accordance with authorizations received at the October 13, 2009 BOCC work session and the March 25, 2010 Assembly of Governments meeting, staff of Orange County, the Orange Water and Sewer Authority (OWASA), and the Towns of Chapel Hill, Hillsborough, and Carrboro have been working on amendments to the Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA). To date, the Towns of Chapel Hill and Hillsborough and OWASA have approved the proposed amendments. The Town of Carrboro has approved the amendments related to the area in and around the Town of Hillsborough, but has not approved the County's proposed changes in the Efland-Mebane area.

Perdita Holtz of Orange County's Planning staff attended the April 6, 2010 Carrboro Board of Aldermen meeting. At this meeting, the Board of Aldermen approved the WASMPBA changes related to Hillsborough, but expressed concern about the proposed Mixed Use area (443 acres) adjacent to the City of Mebane north of Bowman Road and west of the existing Commercial-Industrial Node/Buckhorn Economic Development District.

The adopted 2006 Efland-Mebane Small Area Plan recommended this area for potential Mixed Use development due to the:

- proximity to utilities
- nearby existing economic development districts
- adjacency to the City of Mebane
- visibility along the I-85/40 corridor
- need for a mixed use component near a designated employment center

The Board of Aldermen voted to invite a citizen member of the Efland-Mebane Small Area Plan Implementation Focus Group to a Town Board meeting to discuss the Mixed Use area in the hopes of further understanding why the area was recommended for Mixed Use development. Minutes of the meeting are not yet available but the Board Aldermen meeting can be viewed at: [http://www.ci.carrboro.nc.us/BoA/Agendas/2010/04\\_06\\_2010.htm](http://www.ci.carrboro.nc.us/BoA/Agendas/2010/04_06_2010.htm). The presentation and discussion on this item is at 2:03 through 2:37.

Ms. Holtz and Mr. Pete Hallenbeck, a member of the Efland-Mebane Small Area Plan Implementation Focus Group and a member of the citizen task force that developed the small area plan, attended the May 18, 2010 Board of Aldermen meeting. The Board of Aldermen meeting can be viewed at: [http://www.ci.carrboro.nc.us/BoA/Agendas/2010/05\\_18\\_2010.htm](http://www.ci.carrboro.nc.us/BoA/Agendas/2010/05_18_2010.htm). (The presentation and discussion on this item is at 0:37 through 1:34.) The Board of Aldermen expressed concern over the history of the area (Carrboro Mayor Mark Chilton provided an accounting of the history at 1:01 through 1:09 of the meeting video). The map in Attachment 4 shows the sites in the County's current database. Mayor Chilton's commentary includes information about the former site of Hawfield's Presbyterian Church (no building standing) and an associated unmarked graveyard. The mayor also commented on early (1700's) ownership in the area and property conflicts which resulted in the relocation of the Presbyterian Church. This type of information is not generally included in historic surveys of the type completed by Orange County to produce the historic sites map.

The Board of Aldermen also expressed concern that economic development should occur where the population base of the County resides (Chapel Hill and Carrboro) and that Orange County needed to have a different mindset when it came to economic development. Discussion regarding sewer rates in the Efland area also occurred. Ultimately, the Board voted to request that the BOCC provide the Board of Aldermen with feedback on the intention and commitment to preserve historic sites in the Bowman Road area.

The letter at Attachment 1 is intended to provide the requested feedback. The County has regulations in place that address historic preservation objectives.

If the Board approves the Manager's recommendation, this topic is expected to be placed on the June 22, 2010 Board of Aldermen agenda for further consideration and possible approval of the County's WASMPBA amendments.

**FINANCIAL IMPACT:** Work required to achieve the amendments to the Water and Sewer Management, Planning, and Boundary Agreement is being completed by existing Planning staff.

**RECOMMENDATION(S):** The Manager recommends the Board approve the transmittal of the letter at Attachment 1 and authorize the Chair to sign.

{{{TO BE PRINTED ON BOCC LETTERHEAD}}}

June 15, 2010

Mayor Mark Chilton  
Town of Carrboro  
301 West Main Street  
Carrboro, NC 27510

Subject: Proposed Changes to the Water and Sewer Management, Planning, and Boundary Agreement (WASMPBA) and Historic Resources

Dear Mayor Chilton:

This letter is in response to a request by the Board of Aldermen that the Board of County Commissioners provide feedback regarding intention and commitment to preserving historic resources in the Bowman Road area if the area is included in Orange County's Primary Service Area in the WASMPBA.

As you know from discussions with Staff, the County's Efland-Mebane Small Area Plan recommends that a 443 acre area north of Bowman Road and south of the Interstate be designated for Mixed Use development. Additionally, the small area plan recommends that future development and transportation projects should endeavor to minimize any impacts to historic resources. Like many areas within the county, the Bowman Road area has a rich history. The County's Environmental Impact Ordinance requires an Environmental Assessment and/or Environmental Impact Statement, depending on a project's impact, for most development projects. Historic resources are one of the issues reviewed in the environmental document and are something the County endeavors to appropriately protect. Zoning and subdivision reviews also include cultural and environmental considerations.

Staff also indicated to you that water and sewer services in the area would be provided by the City of Mebane. Orange County has an existing agreement (2004) with the City regarding utility services which would be amended to include the Bowman Road area if the WASMPBA amendments are approved. Under the agreement, development approvals/permits are issued by Orange County (under Orange County regulations) and any annexation application will not be acted upon by the City for at least 12 months after its submission and after issuance by Orange County of development approval and permits. Development in this urbanizing area is similar to that of towns within Orange County wherein projects serve Orange County residents and become part of the countywide tax base.

Orange County has a long history of protecting sensitive environmental resources, including historic resources, and the Board of County Commissioners intends to continue protection of those resources while allowing for economic development projects in areas that are designated for such uses. Orange County's land use plan and those of its municipalities have designated only 16% of the county for growth and 84% of the land area for lower density uses, farming, and environmental protection. The 16% of the county designated for urban type of uses is rare and valuable urban potential that can build the tax base to support the cost of quality of life services in Orange County. The assets of interstate location and nearby utilities are assets that must be harnessed to the benefit of all residents of Orange County.

We look forward to your decision on the County-proposed amendments to the Water and Sewer Management, Planning, and Boundary Agreement.

Sincerely,

Valerie Foushee  
Chairperson

cc: Board of County Commissioners  
Frank W. Clifton, Jr., County Manager  
Craig N. Benedict, Planning Director

**Perdita Holtz**

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**From:** Patricia J. McGuire [PMcGuire@ci.carrboro.nc.us]  
**Sent:** Wednesday, May 19, 2010 5:35 PM  
**To:** Perdita Holtz  
**Subject:** Follow-up to Board of Aldermen and WASMPBA


Dear Perdita,

Thanks for returning to respond to Board questions related to the JPA/WASMPBA amendments under review last evening, and for arranging for Pete Hallenbeck to join you. Per our conversation after the Board completed its review last night, I understand that you will convey the Carrboro Board's request that the Board of County Commissioners. This request is for information on the Commissioners' intention and commitment to preserve and protect historical sites within the areas contemplated for mixed use development around Bowman Road through participation in project approval and requirements that projects, even if located within the City of Mebane, and compliance with Orange County regulations.

Please don't hesitate to let me know if you need additional information. Thanks again.

Trish.

*Patricia J. McGuire, AICP, CZO*  
Planning Administrator  
Town of Carrboro  
301 W. Main Street  
Carrboro, North Carolina 27510  
35° 54' 41", -79° 04' 39"  
919-918-7327 (T)/919-918-4454 (F)  
[pmcguire@ci.carrboro.nc.us](mailto:pmcguire@ci.carrboro.nc.us) <http://townofcarrboro.org>

 Please only print this e-mail when necessary.

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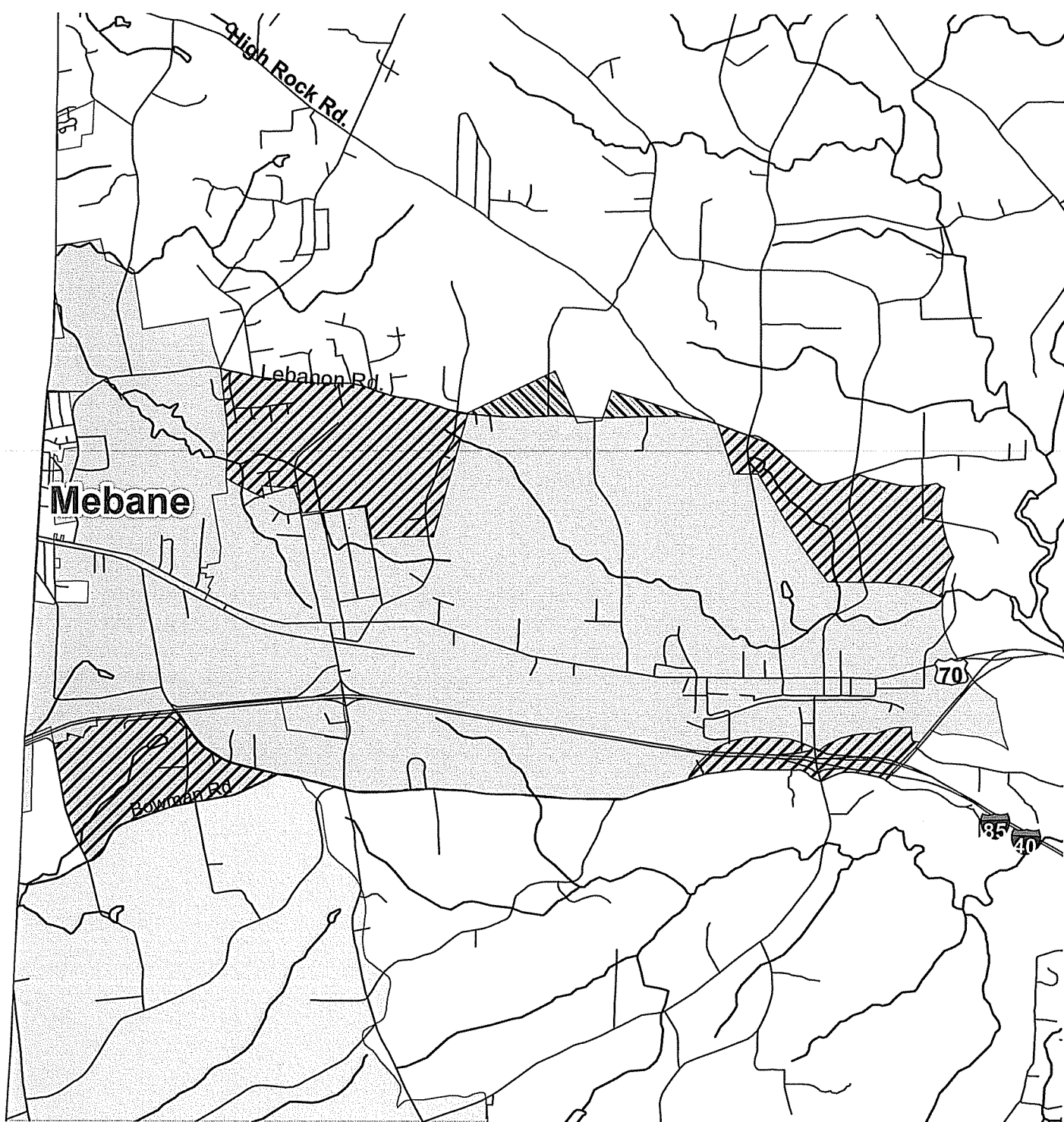
Town of Carrboro, NC Website - <http://www.townofcarrboro.org>

E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

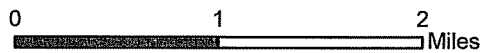
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5/25/2010

# Proposed Changes to Water and Sewer Management Planning and Boundary Agreement

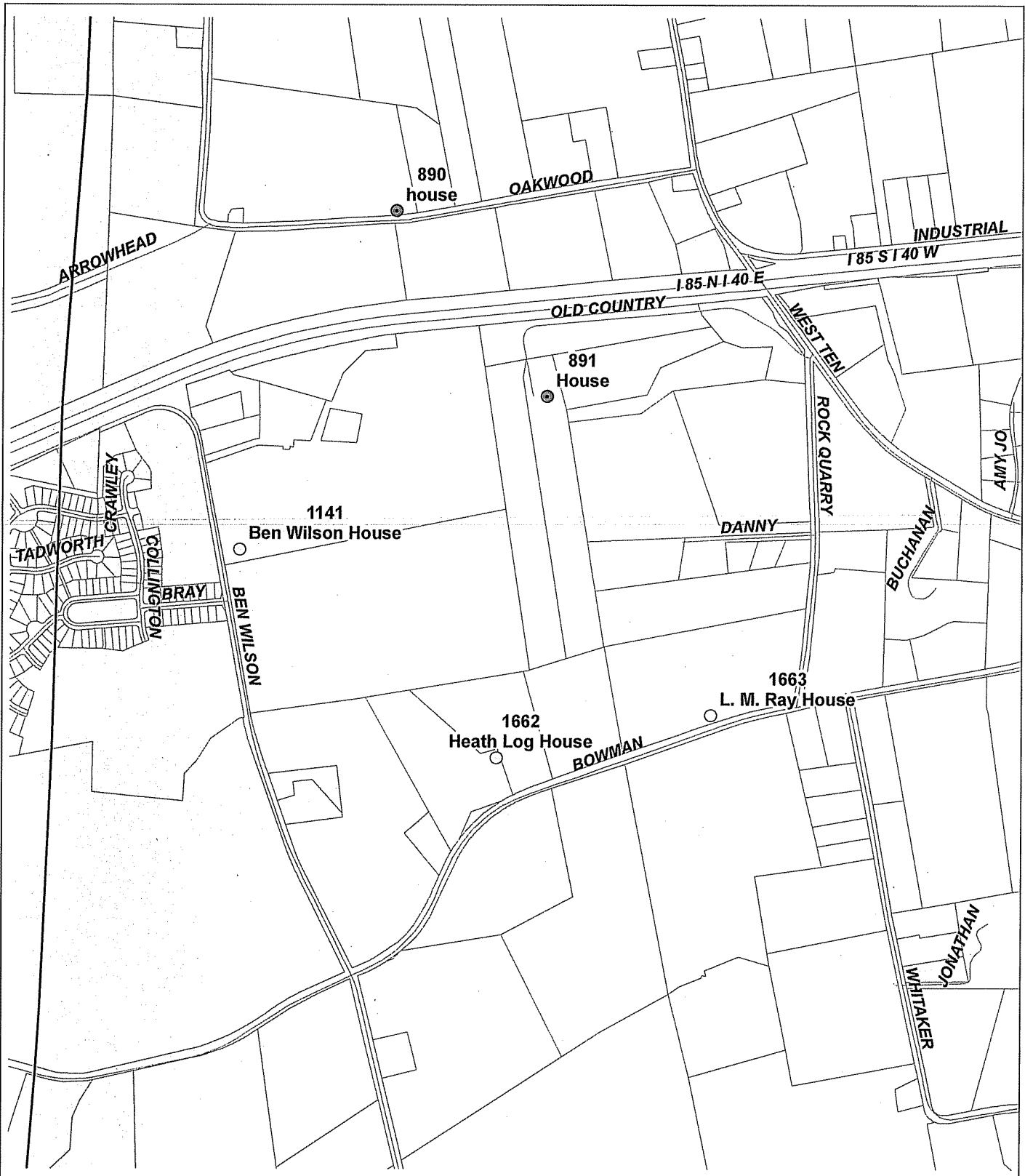


- Legend**
- |  |  |
|--|--|
| <b>Proposed Changes</b>  | <b>Water and Sewer Boundary Jurisdiction</b> |
| Original Orange County Primary Service Area to be Retained             | OWASA Long-Term Interest Area                |
| Added Orange County Primary Service Area                               | Orange County Primary Service Area           |
| Removed Orange County Primary Service Area                             | OWASA Primary Service Area                   |
| Existing Primary Service Area to be changed to Long-Term Interest Area | Orange County Long-Term Interest Area        |
| Original Hillsborough Primary Service Area to be retained              | Rural Buffer Boundary                        |



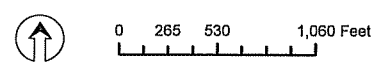
1 inch = 0.890721 miles

Orange County Planning and Inspections Department  
Data modified and map created by Miriam Coleman, 03/26/10



**Historic Sites in the Mebane Area**

- Historic sites
  - No longer there
  - Survey Sites
- Streets
- Parcel boundary



Orange County  
Dept. of Environment, Parks  
& Recreation  
M Jones 4/8/2010

