

## County eyes adequate facilities rules

*By PETER J. HOVANEK - MONROE*

The Union County Board of Commissioner got their first look Monday at the process needed to develop an adequate public facilities ordinance (APFO).

The board directed county staff to research the APFO earlier in the year and during Monday's meeting assistant county manager Joe Lesch updated the board on the staff's progress.

Lesch explained that "an APFO is a form of land use regulation that controls the timing of property development and population growth with the purpose of ensuring that the public facilities needed to serve new residents are constructed and made available contemporaneously with the impact of the new development.

"Basically an APFO is a planning tool that attempts to coordinate the local capital improvement plan and growth," Lesch said.

He added that the APFO can be applied to facilities like schools, jails, transportation, utilities, parks and recreation, but for Union County's purpose, the best suited APFO was one relating to school capacity and water and sewer capacity.

Currently only three counties in the state have some type of APFO: Currituck County since 1994, Cabarrus County since 1998, and Orange County which recently adopted its APFO after a two-year process.

Lesch informed the board that residential developers would first need to get an adequacy permit before they can develop property. The permit would be awarded by comparing the existing and expected capacity of the schools or water/sewer in the area with the number of approved lots.

"The county would still have to provide the reasonable expectation of growth and will be bound by the adopted capital improvement plan," he said.

Commissioner Hughie Sexton said the APFO could be used to encourage growth in areas where there is space or less development.

Lesch said in order for the county to move forward with an APFO it must enlist the help of "stakeholders" such as the Union County Public Schools, county municipalities, home builders, developers and citizens from the county.

He stated that municipalities account for 50 percent of all building permits issued in the county and it was critical for the municipalities to be participants in the process.

"What if a town does not want to participate? Is there any way to make them?" said commissioner Stony Rushing.

"If a municipality chooses not to participate, I don't know of any way to make them," Lesch said.

Lesch said there are many issues associated with the drafting of an APFO. Issues range from defining adequacy to ensuring that an APFO is legally defensible.

He suggested the a mayors commissioners meeting, or some other type of forum to discuss the APFO process, participation and agreement to work towards a memorandum of understanding. He also suggested the county engage a consultant to assist in the process.

"There is an enormous amount of work that has to be done for this to work," he said.

Commissioner Richard Stone echoed Lesch's sentiment when he said "More than 2,500 man-hours will have to be put into this document."

Chairman Paul Standridge called the presentation a "road map" for the board to follow.

"In 2000 when I brought this to the board it failed as a final document, this will have a much greater chance of survival," Standridge said.

The board took the information as presented by Lesch and Standridge said there would be further discussion at a later time.