

Responses to Frequently Asked Questions About Adequate Public Facilities Ordinances (APFO)

What is an APFO?

- a requirement that adequate facilities be available at the time a development creates demand for those facilities
- a “surge protector” to ensure that there is a way to address a development proposal with unanticipated impacts due to its location, timing or intensity
- the Blueprint for Good Growth recommends APFO for transportation, water, sewer, stormwater, fire protection and schools, though only roads are proposed to be addressed at this time
- APFO relies on local governments’ authority/responsibility to ensure that adequate facilities are available

Why is an APFO needed?

- development is occurring in a pattern that is generating demands that exceed available funding
- local governments and ACHD need a tool to coordinate development decisions with road funding and planning to avoid excess traffic congestion
- APFO provides a means to discourage development that would create extraordinary costs for taxpayers

What will the APFO do?

- provide a means of coordinating development decisions with road capacity through
 - traffic impact analysis
 - coordination of developments’ traffic impacts with road capacity
 - providing developers the option to mitigate deficiencies that would otherwise cause the development to be denied
- establish greater predictability for applicants, local governments and ACHD

What happens if there isn’t sufficient capacity? A developer has the option to:

- wait for available capacity (not more than 5 years)
- mitigate the lack of capacity by
 - increasing capacity
 - reducing demand
 - phasing the demand over time in synch with the provision of adequate capacity

How can an applicant get reimbursed for providing excess capacity?

- Through impact fee credits if the project is planned to be funded by impact fees
- Through extraordinary impact fees paid by others under conditions to be determined

How does the APFO relate to the Transportation Land Use Integration Program (TLIP)?

- TLIP refines traffic modeling, proposes street cross sections that affect available capacity and establishes variable level of service standards (acceptable levels of congestion)
- APFO uses this information to assess the traffic demands that would result from a proposed development and determine whether planned road improvements provide adequate capacity to meet projected demands

How will APFO affect existing residents/businesses?

- Link traffic demands from new growth to available road capacity (limit traffic congestion)
- Discourage or slow sprawl development so that ACHD
 - Can better fund road projects required to serve existing residents and businesses and/or
 - Minimize the tax burden created by sprawl development