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Government : Commissioners revisit issue of Adequate Public Facilities Plan

Posted by *Jon Mayhew* on 2007/6/19 18:27:03 *News by the same author*

By Jon Mayhew, Editor
Lincoln Tribune

"More palatable" according to Lincoln County homebuilders

Lincolnton -- It's the second time around for a program commissioners tabled last year.

Lincoln County leaders are taking a look at a program they think is designed to curb and manage growth in Lincoln County.

Homebuilders and real estate agents, meantime, see the Adequate Public Facilities Plan (APFP) -- once known as the Adequate Public Facilities Ordinance (APFO) -- see the legislation as a limitation to building, developing and selling properties.

Lincoln County leaders took public comment Monday night after seeing a presentation on the APFP.

The biggest issue facing Lincoln County now is the growth, especially in eastern Lincoln County.

According to attorney Tyson Smith, who presented the APFP to a standing room only crowd, industries are looking at an area with a good quality of life.

"In other words, will employees want to move here to live and work," said Smith.

In the APFP, existing homes or approved lots are not effected. Currently, there are about 11,000 lots already set aside for development in Lincoln County; more than 7,000 of those lots are in east Lincoln.

According to Smith's presentation, the APFP provides advance notice to developers about facility requirements including facility shortages and needs.

"If the facilities are inadequate for development, then there are several choices," said Smith. "The choices include reducing the scope of the project, move the project, build five or fewer units or wait until the county provides capacity."

Cheryl Burgess, past president of the Lincoln County Homebuilders Association, said the elimination of the impact fee option has made the APFP "palatable" for the homebuilding industry.

"On the heels of having the fee option removed, we now understand the Board of Commissioners will allow a potential developer to offer his own mitigation plan," said Burgess during her presentation to commissioners. "Therefore, each application will be considered on a case-by-case basis. In layman's terms, that tells us that he with the deepest pockets will win."

Burgess called mitigation on a case-by-case basis "zoning for dollars."

"If the board advocates that a developer can build as long as the builder offers something in return, then why have zoning at all," asked Burgess. "The unfairness we see in the program is an opportunity for money to talk."

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Burgess added she thought commissioners have already decided on the APFP.

She pointed out that three of the sitting commissioners -- Marie Moore, Tom Anderson and Alex Patton -- have seen the APFP presentation before.

"The two new commissioners used the APFP to get elected," said Burgess. Those two commissioners are Jim Klein and Bruce Carlton.

Commissioners did not make a decision on the program Monday night. The APFP was given to the Lincoln County Planning Board and are expected to make recommendations either in July or August.

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