



Adequate Public Facilities (APF) Application Submission & Review Process

Step 1. Pre-submittal meeting.

Prior to submittal of an APF application, the applicant shall meet with the APF Administrator to confirm the scope and applicability of the ordinance, as well as to identify potential public facility deficiencies that may need to be mitigated.

At the pre-submittal meeting, the Administrator shall:

- 1) provide the current APF Schedule;
- 2) identify planned and funded Capital Improvements that affect Available Capacity for the project;
- 3) provide other relevant and available demand and Capacity information for Public Facilities; and
- 4) summarize the scope of the APF Application requirements, which shall include, but not necessarily be limited to, the information listed in subsection 13.6.2(b)

Step 2. Submittal of APF application in accordance with section 13.6.2(b)

Step 3. Within ten (10) days of receipt of an APF application, the Administrator shall determine completeness of application.

- 1). If Application is complete, administrator shall provide copies of application to responsible agencies and Town departments for review.
- 2) If Application is not complete, administrator shall notify applicant **within 15 days of receipt** of application.

Step 4. Determination of Adequacy (DOA) or Determination of No Available Capacity (DONAC) by Administrator, after consultation with agencies and Town departments (Goal of 20 working days).

- 1) Where available capacity exists for each applicable Public Facility, sufficient to accommodate the Proposed Development, the administrator shall issue a DETERMINATION OF ADEQUACY (DOA) **in writing within 10 business days of determination**

- 2) Where no Available Capacity exists for a particular Public Facility, and no Mitigation Plan has been proposed, the administrator shall issue a DETERMINATION OF NO AVAILABLE CAPACITY (DONAC), deny the APF application and notify applicant in writing within 10 business days of denial, stating the reasons for denial and any actions the applicant may take to receive a DOA.

Where there is no capacity, the applicant may:

- 1) Submit a Development Proposal that has a reduced amount of development for which Available Capacity exists;
- 2) Submit a Phased Development Proposal that includes the following:
 - a. a proposed Phasing Schedule setting forth the amount, location, and timing of development associated with each proposed phase;
 - b. a showing that Available Capacity will exist for each phase of development;
 - c. where Advanced Facilities are proposed, the location and timing of the proposed facilities based on the Phasing Schedule and Mitigation Plan as provided in (c)(3) below; and
 - d. Other additional information or materials identified by the Administrator or other Town staff as necessary to ensure the timely and adequate provision of Public Facilities, based on the level of service standards and requirements of this Article.
- 3) Propose a Mitigation Plan that provides Advanced Facilities that would mitigate the impact of the Proposed Development on Public Facilities. Any Mitigation Plan that proposes the provision of Advanced Facilities must provide an estimate of the incremental cost of providing the Advanced Facilities, a schedule for commencement and completion thereof, and a description of how the Advanced Facilities will mitigate the impact of the Proposed Development. In order for a Mitigation Plan to be accepted, it must be approved by the Town Board.