



ORANGE COUNTY, NORTH CAROLINA

Schools Adequate Public Facilities Ordinance (Schools APFO)
Adopted July 2003

DEFINITION AND PURPOSE: An ordinance of the county and towns and an inter-local memorandum of understanding with both school districts to ensure that, to the maximum extent practical, approval of new residential development will be synchronized with the availability of capacity within public school levels (i.e. elementary, middle and high schools)

APPLICABILITY: Two overlay districts were created; one for each school district in the county with appropriate school board of education (BOE) and town and county participants.

COLLABORATIVE PROCESS TO IMPLEMENT SCHOOLS APFO: Over three years of monthly meetings between various partners, and associated attorneys, choreographed through a special task force, (Schools and Land Use Councils), by the County Planning Department.

ELEMENTS OF THE ORDINANCE:

TOPIC		STANDARD
Level of Service	Elementary Schools	105% of capacity
	Middle Schools	107% of capacity
	High Schools	110% of capacity
Building Capacity		2003 NC Dept of Public Instruction
Capital Investment Program		10-year plan
Student Growth Rate		Average 5 Different Projection Methods
Student Generation Rate		2001 TISHLER STUDY

ADMINISTRATIVE IMPLEMENTATION: A Certificate of Adequate Public Schools (CAPS) computer program was created by County Planning to track existing membership and capacity and test for and log new development impacts against capacity levels. Local governments approve feasibility of the projects but final approval is contingent upon BOE staff confirming adequate capacity by issuing CAPS back to developer and local government for final approval.

UNIQUE AND INTERIM CONDITION: At the time of ordinance implementation, one school level in each school district was over the rated level of service. Both schools were programmed in the CIP, but in later years, so as an initial CAPS system start, both levels temporarily suspended the adequacy tests until the new schools came on line.

For questions, please call: **Craig N. Benedict, AICP**
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County Commissioner Alice Gordon
Forum Panelist