

RESOLUTION NO. 01-05-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING THE BORROWING OF A RESIDENTIAL DWELLING UNIT ("ROGO") ALLOCATION FROM QUARTER FOUR OF YEAR NINE OF ROGO, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 9.5-126(c)(2) of the City Code, the City Planning Commission recommended that two or more ROGO allocation applicants with identical rankings be awarded allocations despite the fact that the quarterly allocation would be exceeded; and

WHEREAS, pursuant to Section 9.5-126(c)(2) of the City Code, the City Council must approve the borrowing of the ROGO allocation(s) from the next succeeding quarterly allocation period.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MARATHON, FLORIDA, AS FOLLOWS:

Section 1. Approval of Additional ROGO Allocation. In accordance with Section 9.5-126(c)(2) of the City Code, the City Council approves the City Planning Commission's recommendation to award a ROGO allocation to two or more ROGO allocation applicants with identical scores by borrowing a ROGO allocation from the next succeeding quarterly allocation period (quarter one of year nine of ROGO), as specified in the staff report dated May 22nd, 2001, attached as Exhibit "A." Additionally, the next quarter ROGO allocations shall be reduced to reflect the use of the allocation during the current quarter.

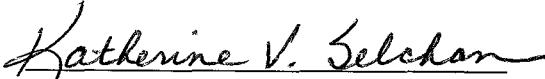
Section 2. **Effective Date.** That this Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 22nd day of May, 2001.



ROBERT MILLER, MAYOR

ATTEST:

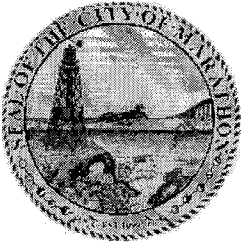


CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:



CITY ATTORNEY



PLANNING COMMISSION STAFF REPORT

TO: Planning Commission

FROM: Christina F. Nolan, AICP
Director of Planning

DATE: May 22, 2001

ITEM: EVALUATIONS AND RANKINGS OF ROGO APPLICATIONS
QUARTER 3, YEAR 9 (JANUARY 14, 2001 TO APRIL 13, 2001)

This evaluation report has been prepared pursuant to Section 9.5-122 of the City of Marathon Land Development Regulations (the "Code"). The residential dwelling unit allocation rankings attached to this report correspond to quarter 3, year 9, as defined by the Rate of Growth Ordinance. This quarter covers the period from January 14, 2001 to April 13, 2001.

I. BACKGROUND

Monroe County adopted the Rate of Growth Ordinance (#016-1992), commonly referred to as ROGO, on July 13, 1992 to implement portions of its Comprehensive Plan. The ROGO established a building permit allocation system for residential construction, for the purpose of directing and limiting growth and, as a result, of enabling a safe and timely evacuation of the Keys in the event of a hurricane.

In this, its ninth year, the ROGO allocation system will issue 24 awards for residential construction within the boundaries of the City, pursuant to the agreement between the City, the Department of Community Affairs (DCA) and Monroe County. Of the 24 allocation awards, 80% (19) is assigned to "market-rate" residential units and 20% (5) is assigned to affordable housing. Applications for permits are evaluated, scored and ranked according to criteria outlined in Section 9.5-127 of the City of Marathon Land Development Regulations on a quarterly basis. Since Monroe County's adoption and implementation of Ordinance #03-1997, which fulfills Comprehensive Plan Policy 101.2.13, the ROGO process has been modified to require the elimination of a cesspit for each new residential building permit granted. The cesspit identification/elimination program, instituted per FAC Rule No. 28-20.100 by the State of Florida, provides the means to identify and eliminate cesspits, replacing them with approved on-site sewage treatment and disposal systems (OSTDS) and thereby building "cesspit credits" for ROGO allocation awards. **Thus, ROGO allocations are awarded, but no building permits will be issued until a cesspit credit is available in the ROGO area within which the ROGO allocation is awarded.**

Until such time as the City amends the interim Comprehensive Plan and Code, the City is required to implement, in their present form, both the ROGO and the cesspit elimination ordinance.

II. ALLOCATION AWARDS AVAILABLE

Five (5) market rate allocations and one (1) affordable rate allocation are designated as available for this ROGO quarter (January 14, 2001 to April 13, 2001). One (1) affordable rate application was received this quarter. Pursuant to Section 9.5-126(a)(2), an affordable allocation will be awarded to this affordable application for this quarter. One (1) affordable rate allocation remains unallocated from quarter 1 of year 9 and two (2) remain unallocated from quarters 3 and 4 of year 8.

III. EVALUATION AND RANKING

Staff's evaluation of the ROGO applications was performed according to the provisions of the Rate of Growth Ordinance—positive and negative points were granted in compliance with the evaluation criteria contained in §9.5-127 of the City Land Development Regulations (see Attachment C). Each allocation application was ranked based on the total number of points scored. ROGO applications with identical scores were further ranked based on the date and time they applied for ROGO to the City, or to the Monroe County Planning Department in the case of applications submitted prior to incorporation of the City. Rollover applications that had been in the system for a complete year by April 13, 2001 received a perseverance point. The evaluation (see Attachment B) and resulting rankings are attached (see Attachment A).

IV. ANALYSIS & RECOMMENDATION

An application submitted by Keys Constructors, Inc. for Mr. Nance initially was not considered ready to compete at the end of this quarter. Mr. Nance' application, submitted on 3/16/01, was complete except for newly required heat load calculations. Upon further discussion with the applicant and further review of the file, staff finds the application should compete in this quarter. To accommodate this and the other applicants, staff recommends borrowing one allocation from the future, pursuant to 9.5-122.1(h).

The six (6) highest-ranking market rate applications have scores that range from eighteen (18) to sixteen (16). The affordable rate application has a score of twenty (20), as indicated in Attachment B. The City Planning and Development staff recommends that the Planning Commission grant allocation awards to the top six (6) market rate applicants and to the affordable rate applicant, as shown in bold, in Attachment A.

As previously stated, the State of Florida, in conjunction with Monroe County and the City, has instituted a cesspit identification/elimination program. Applicants who receive a ranking sufficient to obtain an allocation award this quarter must receive a cesspit replacement voucher from the Department of Health, or have purchased one on the open market, **before issuance of the building permit for the awarded ROGO allocation.**

At the time of this writing, the Health Department has informed City Staff that no cesspit credits are available for the ROGO applicants. None of the recommended top five market rate applications propose dedication or aggregation of lots.

Therefore, staff recommends that the Planning Commission accept the ranking as proposed and grant allocation awards to the market rate applications ranked one (1) through (6) six and to the affordable rate applications ranked one (1), as shown in Attachment A.

Ranking of ROGO Applications for Quarter 3, Year 9, ending April 13, 2001

Rank	Permit #	Name	County Date of Rogo Appl.	City Date of Rogo Appl.	Score	Cesspit Credit Reserved	Key	Subdivision	Lot	Block	RE #
1	RM01033001	Pollock, Edward	NA	03/30/01 - 1:15PM	18		Flam. Isle	Flamingo Isle Estate, PB5-121	1	1	00355450-000000
2	RM00091501	Cichon, Joseph & Eleanor	NA	9/15/00 - 2:00	17	CMN003-00	Vaca Key	Sea-Air Estates, PB6-91	19	1	00331061-001900
3	RM00092601	Schofield, Glenn	NA	9/26/00 - 2:15	17		Crawl	Coco Plum Beach, PB4-166	5	3	00363310-000000
4	RM00092901	Farrell, Merv & Glinda	NA	9/29/00 - 1:15	17	CMN008-01	Crawl #3	Coco Plum Beach, PB4-166	21	10	00364470-000000
5	RM01030601	Damlecki, Marcel	NA	03/06/01 - 3:30	16	CMN007-01	Stirrup Key	Stirrup Key, PB7-4	92	NA	00333641-009200
6*	RM01042301	Nance, Rudolph	NA	4/13/2001 - 9:15	17		Crawl #3	Coco Plum Beach, PB4-166	20	11	00364690-000000
7	RM01030701	Goodwin, Debra	NA	03/07/01 - 12:15	16		Vaca	Puerta Del Sol, PB3-117	24	D	00341700-000000
8	RM3071300	Saunders, Don	7/13/99	7/13/00 - 11:54	14		Stirrup Key	Stirrup Key, PB7-4	76	n/a	00333641-007600
9	RM1070300	Palladino, Steven	2/24/98	7/3/00 - 11:00	13		Boot Key	Walton's (meets & bounds) pt Govt lot 2	AKA 3	n/a	00104900-000100
10	RM1071300	R.C. Partners, Ltd.	10/13/98	7/13/00 - 10:30	13		Boot Key	Ocean East (meets and bounds)	2	n/a	00104670-000700
11	RM1071000	Rood, Douglas	4/23/1999	7/10/00 - 2:37	9		Crawl #3	Coco Plum Beach, PB4-166	12	14	00365350-000000
12	RM00120601	Whitman, Jon J.	NA	12/06/00 - 3:30	8		Crawl #3	Coco Plum Beach, PB4-166	20	14	00365430-000000

[illegible]

Evaluation and Ranking of ROGO Applications for Quarter 1, Year 8 (July 14, 1999 to October 13, 1999)

Affordable Dwelling Units

Rank	Permit #	Name	Date and Time of Rogo Appl.	Score	Cesspit Credit Reserved	Key	Subdivision	Lot	Block	RE #	RE # additional
1	99-10-048	Fried, Harold	10/12/99-09:19a	22	Y	Plantation	Treasure Harbor, Sect 1	3	2	00410680-000000	

Rows in bold identify those applications for which the Planning and Zoning Department recommends approval of an allocation award.

ATTACHMENT B
DWELLING UNIT ALLOCATION SYSTEM -- EVALUATION SCORING SHEET

Building Design Features, Planning Criteria & Environmental Criteria	POINTS Available	MARKET RATE												AFFORDABLE
		Pollock 3-30-01	Cichon 9-15-00	Schofield 9-26-00	Farrell 9-29-00	Damiecki 3-6-01	Nance 4-13-01	Goodwin 3-7-01	Saunders 7-13-99 MC	Palladino 2-24-98 MC	RC Partner 10-13-98M	Rood 4-23-99MC	Whitman 12-6-00	Habitat for Humanity 2-27-01
Windload 130 mph or greater	+ 1 point	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1
Windload 155 mph or greater	+ 1 point	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1
Where FKAA connection available, Ultra-low volume plumbing fixtures	+ 1 point	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1
Where FKAA connection available, one of the following for +1 point: Primary cistern of 12,500 gallons__ Reverse Osmosis 200 gallons/day Secondary cistern of 2,500 gallons__ Reverse Osmosis 50 gallons/day	+ 1 point	+1	+1	0	+1	0	0	0	+1	0	+1	+1	+1	0
Energy performance Index 70 or lower	+ 1 point	+1	0	+1	+1	+1	+1	+1	+1	0	+1	+1	+1	0
HVAC energy rating of 12 or greater	+ 1 point	+1	+1	+1	+1	+1	+1	+1	+1	0	+1	+1	+1	+1
Where FKEC is available, one of the following options is available for +1 point: Solar hot water heater____, Photovoltaic panel____, or Wind Generator____	+ 1 point	+1	+1	+1	+1	0	+1	0	+1	0	+1	+1	+1	0
Elevation 13 inches above required BFE	+ 1 point	+1	+1	+1	0	+1	+1		+1	+1	+1	+1	+1	+1
Coastal High Hazard Area (only one applies): VE Zone..... AE Zone.....	- 6 points - 1 point	-1	-1	-1	-1	-1	-1	-1	-6	-1	-6	-1	-1	-1
"Know" Habitat to Listed Animal Species, -10 per each species, # spp.	-10 ea spp.	0	0	0	0	0	0	0	0	0	0	0	0	0
"Probable/Potential" Habitat to Listed Animal Species, -5 per ea species, # spp.	- 5 ea spp.	0	0	0	0	0	0	0	0	0	0	0	0	0
Habitat to "Wide Ranging" Listed Animal Species, -2 per each species, # spp.	- 2 ea spp.	0	0	0	0	0	0	0	0	0	0	0	0	0
100 ft. from turtle nesting	-10 points	0	0	0	0	0	0	0	0	0	0	0	0	0
500 ft. from piping plover	-10 points	0	0	0	0	0	0	0	0	0	0	0	0	0
Critical Habitat, CARL	-10 points	0	0	0	0	0	0	0	0	0	0	0	0	0
Coastal Barrier Resources System, CBRC	-10 points	0	0	0	0	0	0	0	0	0	0	0	0	0
Environmental Habitat Group (only one applies) Group 4, high quality hammock, palm hammock or undisturbed beach berm... Group 3, moderate quality hammock..... Group 2, low quality hammock, disturbed SMB or disturbed beach berm..... Group 1, scarified, disturbed or disturbed with exotics..... Multiple Groups (to be calculated by area of each habitat per required formula)	-10 points - 5 points - 2 points + 1 point	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1	+1
Platted Subdivision with infrastructure	+10 points	+10	+10	+10	+10	+10	+10	+10	+10	0	0	0	0	+10
Unplatted parcel with infrastructure	+ 5 points	0	0	0	0	0	0	0	0	+5	+5	0	0	0
Lot aggregation: + 3 points for each lot, # of lots	+ 3 each	0	0	0	0	0	0	0	0	0	0	0	0	0
Land dedication: + 2 points for each lot or each acre	+ 2 each	0	0	0	0	0	0	0	0	0	0	0	0	0
Allocated Density Reduction (only one applies): Reduces density by 50 to 66%..... Reduces density by 67 to 75%..... Reduces density by greater than 75%.....	+ 2 points + 4 points + 6 points	0	0	0	0	0	0	0	0	0	0	0	0	0
Affordable Housing	+ 5 points	0	0	0	0	0	0	0	0	0	0	0	0	+5
Zoned Offshore Island	-10 points	0	0	0	0	0	0	0	0	0	0	0	0	0
TDRs: +1 point per each full TDR used	+ 1 each	0	0	0	0	0	0	0	0	0	0	0	0	0
Perseverance Points, applied on each anniversary date of entry into ROGO: + 1 point on the anniversary date for each year for year 1through year 4 + 2 points on the anniversary date for year five and each year thereafter	+ 1 point + 2 points	0	0	0	0	0	0	0	+1	+3	+2	+1	0	0
TOTAL POINTS		+18	+17	+17	+17	+16	+17	+16	+14	+13	+10	+9	+8	+20

[illegible]

(7) Habitat Protection	<u>-10</u>	Application proposes to clear areas of habitat type and quality from Group 4:	<ol style="list-style-type: none"> 1. If the approved clearing area includes more than one habitat type/habitat quality group, points shall be assigned to the application for development on the basis of the following formula: $(\text{area of clearing in Group 1/area in parcel to be cleared}) \times (+1) + (\text{area of clearing in Group 2/area in parcel to be cleared}) \times (-2) + (\text{area of clearing in Group 3/area in parcel to be cleared}) \times (-5) + (\text{area of clearing in Group 4/area in parcel to be cleared}) \times (-10)$ 2. Determination of the quality of undisturbed high hammock, low hammock and pinelands shall be made through utilization of the habitat analysis indices and scores (HEI), applied pursuant to article VII, division ## (environmental design standards)
Points are intended to discourage cleaning of significant habitat and are based on the type and quality of existing vegetation located within the area of approved cleaning <u>or development</u> shown on the approved site plan	<u>-5</u>	Application proposes to clear areas of habitat type and quality from Group 3:	
	<u>-2</u>	Application proposes to clear areas of habitat type and quality from Group 2: <ul style="list-style-type: none"> • high hammock (moderate quality) • low hammock (moderate quality) 	
	+1	Application proposes to <u>develop in areas</u> of habitat type and quality from Group 1: <ul style="list-style-type: none"> • <u>disturbed/scarified</u> • <u>disturbed with exotics</u> 	
(8) Threatened or Endangered Animal Species	<u>-10</u>	Application proposes dwelling unit(s) within a known habitat of a documented threatened/endangered species.	<ol style="list-style-type: none"> 1. <u>Point values shall be applied cumulatively.</u>
Points are based on the probable impacts of the proposed development on the successful protection and recovery of a threatened or endangered animal species in its natural habitat.	<u>-10</u>	<u>Application proposes dwelling unit(s) within one hundred (100) feet of any known nesting area for marine turtles, as described in Section 9.5-286 [original ordinance section number] on Shoreline Setbacks.</u>	
	<u>-10</u>	<u>Application proposes dwelling unit(s) within five hundred (500) feet of any known nesting or resting area of the piping plover.</u> Application proposes dwelling unit(s)	

	-5	within a probable or potential habitat of a threatened/ endangered species. Application proposes dwelling unit(s) within the habitat of a wide-ranging threatened/endangered species or a species of special concern.	
	-2		
(9) Critical Habitat Areas	-10	Application proposes dwelling unit(s) on Big Pine Key, No Name Key, Ohio Key or North Key Largo	1. Point values shall be applied cumulatively.
Points are intended to discourage development in the critical habitat areas of the Florida Keys.	-10	Application proposes dwelling unit(s) within Priority I and Priority II acquisition areas of the National Key Deer Refuge.	
	-10	Application proposes dwelling unit(s) within the Coupon Bight or C.A.R.L. acquisition areas.	
	-10	Application proposes dwelling unit(s) within the "secondary zone" defined by the U.S. Fish and Wildlife Service in the <i>Habitat Management Guidelines for the Bald Eagle in the Southeast Region, 1987</i> , incorporated herein by reference.	NOT IN EFFECT AT THIS TIME
(10) Perseverance Points	+1	A point shall be awarded on the anniversary of the controlling date for each year that the application remains in the dwelling unit allocation system up to four (4) years. Points shall be awarded on the anniversary of the controlling date for each year over four (4) that the application remains in the dwelling unit allocation system.	1. If after gaining a perseverance point or points, an application should be withdrawn for any reason, the perseverance point(s) gained shall be retained; however, a new controlling date shall be established as provided in Sec. 9.5-124(g).
Points are intended to accrue to an application based upon years spent in the dwelling unit allocation system without receiving an allocation award.			
(11) Coastal High Hazard Area	-1	Application proposes development within "A" zones on the FEMA flood insurance rate map.	1. The term <i>coastal high hazard area (CHHA)</i> is defined in Sec. 9.5-11 and the applicable areas are shown on the most recent Federal Emergency Management Agency (FEMA) flood insurance rate map.
Points are intended to discourage development of the coastal high hazard area (CHHA)	-6	Application proposes development within "V" zones on the FEMA flood insurance rate map.	
	+1	Application proposes development within "X" zones on the FEMA flood insurance rate map.	
(12) Coastal Barrier Resources System (CBRS)	-10	Application proposes development within units of the Coastal Barrier Resources System (CBRS).	1. The term <i>coastal barrier resources system (CBRS)</i> is defined in Sec. 9.5-11 and the applicable areas are shown on the most recent FEMA flood insurance rate map. For a general listing of the County's
Points are intended to discourage development of the			

(13) Offshore Islands and Conservation Land Protection Areas

Points are intended to discourage development which impacts Offshore Islands and Conservation Land Protection Areas.

-10

Application proposes development of a parcel designated Offshore Island (OS) on the zoning map.

-2

Application proposes development which may negatively impact Conservation Land Protection Areas.

NOT IN EFFECT AT THIS TIME

1. The determination of negative impact shall be based upon the management plans developed for conservation land protection areas pursuant to the comprehensive plan. For a listing of conservation lands for which management plans are to be developed, see Policy 102.9.3 of the comprehensive plan.

(14) Transferable Development Rights (TDRs)

Points are intended to encourage the use of transferable development rights (TDRs) to decrease the development potential of sensitive sender sites.

+1

Application which proposes development on an eligible receiver site shall earn the specified points for each whole development right transferred from an eligible sender site.

1. Eligibility of sender and receiver sites are determined in accordance with the comprehensive plan policies related to TDRs and the TDR section of this chapter.

(15) Historic Resources

Upon adoption of a historic preservation ordinance, points shall be assigned in order to encourage protection of historic and archaeological resources.

-10

Application proposes development which adversely affects, removes or destroys historic structures located within local or national districts or destroys known archaeological resources.

1. The Secretary of the Interior's guidelines shall be used in making these determinations.

NOT IN EFFECT AT THIS TIME

(16) Water Conservation

Points are intended to encourage the use of water conservation measures. No points shall be awarded for proposed development in areas in which Florida Keys Aqueduct Authority water connection is prohibited, as described in Chapter 48-7, F.A.C.

-10

Application proposes development which preserves, restores or enhances historic or known

+1

Application includes ultra-low volume plumbing fixtures for all toilets, sinks, and showers which match the following flow rates:

- toilets 1.6 gal/flush
- showerheads 2.5 gal/min.
- faucets 2.0 gal/min.

+1

Application includes either:

- a primary water source consisting of a cistern (12,500 gallon minimum) or reverse osmosis (RO) facility (200 gallon per day minimum; or

1. No point credit shall be granted unless flow rates match those listed and all building department application requirements are met.
1. A maximum of only one (1) point shall be earned for any single or combination cistern and/or RO facility.
2. All RO systems must be used to convert saltwater to potable fresh

		<ul style="list-style-type: none"> a secondary water source consisting of a cistern (2,500 gallon minimum) or reverse osmosis facility (50 gallon per day minimum) 	<p><u>water. The use of RO facilities to filter potable water shall not be awarded a point.</u></p> <p>3. <u>All building department application requirements must be met.</u></p>
<p>(17) Energy Conservation</p> <p>Points are intended to encourage the use of energy conservation measures. No points shall be awarded for proposed development in areas not served by the Florida Keys Electric Cooperative or the City Electric System</p>	<p>+1</p> <p>+1</p> <p>+1</p>	<p>Application includes dwelling unit(s) with air conditioning unit(s) with an Energy Efficiency Rating of 12 or better.</p> <p>Dwelling unit has an energy performance index of 70 or lower, as calculated for Section 9 – Residential Point System Method of the Florida Energy Efficiency Code for Building Construction.</p> <p>Application includes one of the following:</p> <ul style="list-style-type: none"> a solar hot water heater; photovoltaic panels; or a wind generator. 	<p>1. <u>This point provision shall not apply where no air conditioning is proposed.</u></p> <p>2. <u>All building department application requirements must be met.</u></p> <p>1. <u>All building department application requirements must be met.</u></p>
<p>(18) Structural Integrity of Construction</p> <p>Points are intended to encourage high standards of structural integrity.</p>	<p>+1</p> <p>+1</p> <p>+1</p>	<p>Application proposes dwelling unit(s) exceeding the minimum flood elevation required by article VII, division 6 of this chapter by <u>thirteen (13) inches or more.</u></p> <p>Application proposes dwelling unit(s) designed to meet a minimum peak wind speed of 130 mph.</p> <p>Application shall earn an additional point for proposed dwelling unit(s) designed to meet a minimum peak wind speed of 155 mph.</p>	<p>1. <u>All building department application requirements must be met.</u></p> <p>1. Wind loading must be certified by a qualified engineer or <u>architect.</u></p> <p>2. <u>All building department application requirements must be met.</u></p>

<p>(1) Platted Subdivision Infill</p> <p>Points are awarded to encourage the infill of legally platted subdivisions served by existing infrastructure.</p>	<p>+10</p>	<p>Application proposes dwelling unit(s) within legally platted, recorded subdivision on lot(s) served by existing infrastructure, including at a minimum, potable water, electricity, and roadways which are paved, as determined by the Planning Director.</p>	<p>In order to be considered "served", the necessary infrastructure must be located along the same street as the lot(s) or parcel(s) proposed for development.</p> <p>"Existing infrastructure" means that the infrastructure has been in place since July 13, 1992.</p>
<p>(2) Infrastructure Availability</p> <p>Points are awarded to encourage the infill of lots or parcels served by existing infrastructure.</p>	<p>+5</p>	<p>Application proposed dwelling unit(s) outside of a legally platted, recorded subdivision, but the lots or parcels proposed for development are served by existing infrastructure, including at a minimum, potable water, electricity, and roadways which are paved, as determined by the Planning Director.</p>	<p>In order to be considered "served", the necessary infrastructure must be located along the same street as the lot(s) or parcel(s) proposed for development.</p> <p>"Existing infrastructure" means that the infrastructure has been in place since July 13, 1992.</p>
<p>(3) Lot Aggregation</p> <p>Points are awarded to encourage the voluntary reduction of density through aggregation of vacant, legally platted, buildable lots with density allocated by lot.</p>	<p>+3</p> <p>+3</p>	<p>Application aggregates a contiguous, vacant, legally platted, buildable, <u>IS</u>, <u>URM</u> or <u>URM-L</u> lot together with the parcel proposed for development.</p> <p>Each additional contiguous, vacant, legally platted, buildable <u>IS</u>, <u>URM</u> or <u>URM-L</u> lot aggregated earns the application the specified points.</p>	<p><u>*Buildable" means to construction a dwelling unit</u></p> <p>The following documents must accompany the application:</p> <ul style="list-style-type: none"> an affidavit of ownership of all affected parcels, acreage or land, and <p>a legally binding restrictive covenant limiting the number of dwelling units on the aggregated lot, running in favor of Monroe County and enforceable by the county, subject to the approval of the board of county commissioners prior to filing in the office of the clerk of the county. Such covenant must be approved by the board before development approval may be issued pursuant to an award.</p>
<p>(5) Land Dedication</p> <p>Points are awarded to encourage the voluntary dedication of vacant, buildable land within areas proposed for acquisition by governmental agencies for purposes of conservation of resource protection.</p>	<p>+2</p> <p>+2</p>	<p>Application included dedication to Monroe County of one (1) vacant, legally platted buildable lot or at least one (1) acre of unplatted buildable land located within conservation areas or areas proposed for acquisition by governmental agencies for purposes of conservation and resource protection.</p> <p>An additional two (2) points shall be assigned for each additional legally platted, buildable lot, and for each</p>	<p>3. <u>*Buildable" means construction of a dwelling unit or some development could be permitted, as determined by the environmental resources director.</u></p> <p>4. The following documents must accompany the application:</p> <ul style="list-style-type: none"> an affidavit of ownership of all affected lots, parcels, acreage or land; <p>a statutory warranty deed, subject</p>

		one (1) acre of unplatted buildable land located in areas proposed for acquisition by governmental agencies for purposes of conservation or resource protection, which lot(s) or acreage is dedicated to Monroe County.	to the approval of the board of county commissioners prior to filing in the office of the clerk of the county. Such deed must be approved by the board before any development approval may be issued pursuant to an award.
4) Density Reduction Points are intended to encourage the voluntary reduction, through the use of restrictive covenants, in allocated density on parcels with density allocated in residential units per acre.	+2 +4 +6	Application voluntarily reduces allocated density of the parcel proposed for development by between fifty (50) and sixty-six (66) percent. Application voluntarily reduces allocated density of the parcel proposed for development by between sixty-seven (67) and seventy-five (75) percent. Application voluntarily reduces allocated density of the parcel proposed for development by greater than seventy-five (75) percent.	<u>Parcels proposed for development must be located in zoning districts in which density is allocated in residential units per acre.</u> The following documents must accompany the application: an affidavit of ownership of all affected parcels, acreage or land, a legally binding restrictive covenant limiting the number of dwelling units on the acreage tract, running in favor of Monroe County and enforceable by the County, subject to the approval of the board of county commissioners prior to filing in the office of the clerk of the county. Such covenant must be approved by the board before any development approval may be issued pursuant to an award.
(6) Affordable Housing Points are intended to increase the supply of affordable housing	+5	Application proposes dwelling unit(s) which meet the definition of <i>affordable housing</i> in Article 3, Division 11, and restricts dwelling unit(s) to households which: <ul style="list-style-type: none"> derive at least seventy (70) percent of their household income from gainful employment in Monroe County; and earn an income no greater than one hundred twenty (120) percent of the median household income in Monroe County; for a period of at least twenty (20) years. 	1. The following documents must accompany the application: <ul style="list-style-type: none"> an affidavit of ownership of all affected lots, parcels, acreage or land; and a legally binding restrictive covenant consistent with Sec. 9.5-266(a)(3) and (4)[original ordinance section number]. Such documentation must be approved by the board before any development approval may be issued pursuant to an award.
<u>(13) Offshore Islands and Conservation Land Protection Areas</u> Points are intended to discourage development which impacts Offshore Islands and Conservation Land Protection Areas.	-10	<u>Application proposes development of a parcel designated Offshore Island (OS) on the zoning map.</u>	<u>The determination of negative impact shall be based upon the management plans developed for conservation land protection areas pursuant to the comprehensive plan. For a listing of conservation lands for which management plans are to be developed, see Policy 102.9.3 of the comprehensive plan.</u>

			<u>102.9.3 of the comprehensive plan.</u>
<u>(14) Transferable Development Rights (TDRs)</u> <u>Points are intended to encourage the use of transferable development rights (TDRs) to decrease the development potential of sensitive sender sites.</u>	+1	<u>Application which proposes development on an eligible receiver site shall earn the specified points for each whole development right transferred from an eligible sender site.</u>	<u>Eligibility of sender and receiver sites are determined in accordance with the comprehensive plan policies related to TDRs and the TDR section of this chapter.</u>
<u>(10) Perseverance Points</u> <u>Points are intended to accrue to an application based upon years spent in the dwelling unit allocation system without receiving an allocation award.</u>	+1	<u>A point shall be awarded on the anniversary of the controlling date for each year that the application remains in the dwelling unit allocation system up to four (4) years.</u>	<u>If after gaining a perseverance point or points, an application should be withdrawn for any reason, the perseverance point(s) gained shall be retained; however, a new controlling date shall be established as provided in Sec. 9.5-124(g).</u>
	+2	<u>Points shall be awarded on the anniversary of the controlling date for each year over four (4) that the application remains in the dwelling unit allocation system.</u>	
<u>(8) Threatened or Endangered Animal Species</u> <u>Points are based on the probable impacts of the proposed development on the successful protection and recovery of a threatened or endangered animal species in its natural habitat.</u>	-10	<u>Application proposes dwelling unit(s) within a known habitat of a documented threatened/endangered species.</u>	<u>Point values shall be applied cumulatively</u>
	-10	<u>Application proposes dwelling unit(s) within one hundred (100) feet of any known nesting area for marine turtles, as described in Section 9.5-286 [original ordinance section number] on Shoreline Setbacks.</u>	
	-10	<u>Application proposes dwelling unit(s) within five hundred (500) feet of any known nesting or resting area of the piping plover.</u>	
	-5	<u>Application proposes dwelling unit(s) within a probable or potential habitat of a threatened/ endangered species.</u>	
	-2	<u>Application proposes dwelling unit(s) within the habitat of a wide-ranging threatened/endangered species or a species of special concern.</u>	
<u>(9) Critical Habitat Areas</u> <u>Points are intended to discourage development in the critical habitat areas of the Florida Keys.</u>	-10	<u>Application proposes dwelling unit(s) on Big Pine Key, No Name Key, Ohio Key or North Key Largo</u>	<u>2. Point values shall be applied cumulatively.</u>
	-10	<u>Application proposes dwelling unit(s) within Priority I and Priority II acquisition areas of the National Key Deer Refuge.</u>	
	-10	<u>Application proposes dwelling unit(s)</u>	

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	+1	wind speed of 130 mph. Application shall earn an additional point for proposed dwelling unit(s) designed to meet a minimum peak wind speed of 155 mph.	<u>architect.</u> <u>All building department application requirements must be met.</u>
16) Water Conservation Points are intended to encourage the use of water conservation measures. No points shall be awarded for proposed development in areas in which Florida Keys Aqueduct Authority water connection is prohibited, as described in Chapter 48-7, F.A.C.	+1	Application includes ultra-low volume plumbing fixtures for all toilets, sinks, and showers which match the following <u>flow rates</u> : <ul style="list-style-type: none"> • toilets 1.6 gal/flush • showerheads 2.5 gal/min. • faucets 2.0 gal/min. 	2. <u>No point credit shall be granted unless flow rates match those listed and all building department application requirements are met.</u>
	+1	Application includes either: <ul style="list-style-type: none"> • a primary water source consisting of a cistern (12,500 gallon minimum) or reverse osmosis (RO) facility (200 gallon per day minimum; or a secondary water source consisting of a cistern (2,500 gallon minimum) or reverse osmosis facility (50 gallon per day minimum) 	1. <u>A maximum of only one (1) point shall be earned for any single or combination cistern and/or RO facility.</u> 2. <u>All RO systems must be used to convert saltwater to potable fresh water. The use of RO facilities to filter potable water shall not be awarded a point.</u> <u>All building department application requirements must be met.</u>
16) Water Conservation Points are intended to encourage the use of water conservation measures. No points shall be awarded for proposed development in areas in which Florida Keys Aqueduct Authority water connection is prohibited, as described in Chapter 48-7, F.A.C.	+1	Application includes ultra-low volume plumbing fixtures for all toilets, sinks, and showers which match the following <u>flow rates</u> : <ul style="list-style-type: none"> • toilets 1.6 gal/flush • showerheads 2.5 gal/min. • faucets 2.0 gal/min. 	3. <u>No point credit shall be granted unless flow rates match those listed and all building department application requirements are met.</u>
	+1	Application includes either: <ul style="list-style-type: none"> • a primary water source consisting of a cistern (12,500 gallon minimum) or reverse osmosis (RO) facility (200 gallon per day minimum; or a secondary water source consisting of a cistern (2,500 gallon minimum) or reverse osmosis facility (50 gallon per day minimum) 	1. <u>A maximum of only one (1) point shall be earned for any single or combination cistern and/or RO facility.</u> 2. <u>All RO systems must be used to convert saltwater to potable fresh water. The use of RO facilities to filter potable water shall not be awarded a point.</u> <u>All building department application requirements must be met.</u>
17) Energy Conservation Points are intended to encourage the use of energy conservation measures. No points shall be	+1	Application includes dwelling unit(s) with air conditioning unit(s) with an Energy Efficiency Rating of 12 or better.	1. <u>This point provision shall not apply where no air conditioning is proposed.</u> 2. <u>All building department application requirements must be met.</u>

awarded for proposed development in areas not served by the Florida Keys Electric Cooperative or the City Electric System	+1	Dwelling unit has an energy performance index of 70 or lower, as calculated for Section 9 – Residential Point System Method of the Florida Energy Efficiency Code for Building Construction.	<u>All building department application requirements must be met.</u>
	+1	Application includes one of the following: <ul style="list-style-type: none"> • a solar hot water heater; • photovoltaic panels; or a wind generator. 	
17) Energy Conservation Points are intended to encourage the use of energy conservation measures. No points shall be awarded for proposed development in areas not served by the Florida Keys Electric Cooperative or the City Electric System	+1	Application includes dwelling unit(s) with air conditioning unit(s) with an Energy Efficiency Rating of 12 or better.	1. <u>This point provision shall not apply where no air conditioning is proposed.</u> 2. <u>All building department application requirements must be met.</u> <u>All building department application requirements must be met.</u>
	+1	Dwelling unit has an energy performance index of 70 or lower, as calculated for Section 9 – Residential Point System Method of the Florida Energy Efficiency Code for Building Construction.	
	+1	Application includes one of the following: <ul style="list-style-type: none"> • a solar hot water heater; • photovoltaic panels; or a wind generator. 	
17) Energy Conservation Points are intended to encourage the use of energy conservation measures. No points shall be awarded for proposed development in areas not served by the Florida Keys Electric Cooperative or the City Electric System	+1	Application includes dwelling unit(s) with air conditioning unit(s) with an Energy Efficiency Rating of 12 or better.	1. <u>This point provision shall not apply where no air conditioning is proposed.</u> 2. <u>All building department application requirements must be met.</u> <u>All building department application requirements must be met.</u>
	+1	Dwelling unit has an energy performance index of 70 or lower, as calculated for Section 9 – Residential Point System Method of the Florida Energy Efficiency Code for Building Construction.	
	+1	Application includes one of the following: <ul style="list-style-type: none"> • a solar hot water heater; • photovoltaic panels; or a wind generator. 	
(18) Structural Integrity of Construction Points are intended to encourage	+1	Application proposes dwelling unit(s) exceeding the minimum flood elevation required by article VII, division 6 of this chapter by <u>thirteen (13) inches or more.</u>	3. <u>All building department application requirements must be met.</u>

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