

AGENDA

PLANNING COMMISSION
MONROE COUNTY
December 18, 2013
10:00 A.M.

MARATHON GOV'T CENTER
2798 OVERSEAS HIGHWAY
MARATHON, FL 33050

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMISSION:

William Wiatt, Chairman
Jeb Hale
Elizabeth Lustberg
Ron Miller
Denise Werling

STAFF:

Townsley Schwab, Senior Director of Planning and Environmental Resources
Susan Grimsley, Ass't County Attorney
John Wolfe, Planning Commission Counsel
Mayte Santamaria, Assistant Director of Planning and Environmental Resources
Joe Haberman, Planning & Development Review Manager
Mitch Harvey, Comp Plan Manager
Mike Roberts, Sr. Administrator, Environmental Resources
Rey Ortiz, Planning & Biological Plans Examiner Supervisor
Emily Schemper, Sr. Planner
Barbara Bauman, Planner
Matt Coyle, Planner
Gail Creech, Planning Commission Coordinator

COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

-

SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

-

SWEARING OF COUNTY STAFF

CHANGES TO THE AGENDA

-

APPROVAL OF MINUTES

-

MEETING

New Items:

1. A PUBLIC HEARING TO CONSIDER AND FINALIZE THE RANKING OF APPLICATIONS IN THE DWELLING UNIT ALLOCATION

SYSTEM for the July 13, 2013, through October 15, 2013, ROGO (1st Quarter Year 22). Allocation awards will be allocated for all unincorporated Monroe County.

(File 2013-147)

[2013-147 SR PC 12.18.13 - Website.PDF](#)

2. A PUBLIC HEARING TO CONSIDER AND FINALIZE THE RANKING OF APPLICATIONS FOR NON-RESIDENTIAL FLOOR AREA FOR ALL UNINCORPORATED MONROE COUNTY FOR THE NROGO (1st Quarter Year 22) July 13, 2013 – October 15, 2013. ALLOCATION AWARDS WILL BE ALLOCATED FOR ALL UNINCORPORATED MONROE COUNTY.

(File 2013-148)

[2013-148 SR PC 12.18.13 - Website.PDF](#)

Pursuant to Section 286.0105 Florida Statutes and Monroe County Resolution 131-1992, if a person decides to appeal any decision of the Planning Commission, he or she shall provide a transcript of the hearing before the Planning Commission, prepared by a certified court reporter at the appellant's expense. For such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

BOARD DISCUSSION

- GROWTH MANAGEMENT COMMENTS

- RESOLUTIONS FOR SIGNATURE

ADJOURNMENT



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Planning Commission

Through: Townsley Schwab, Sr. Director of Planning & Environmental Resources *TS*

From: Tiffany Stankiewicz, Development Administrator *[Signature]*

Date: December 6, 2013

Subject: Residential Dwelling Unit Evaluation Report for Quarter 1, Year 22

Meeting Date: December 18, 2013

1 This report has been prepared pursuant to Section 138-26 of the Land Development Regulations
2 (LDRs). The proposed residential dwelling unit rankings attached to this report are for the first
3 quarter of year twenty-two which covers the period July 13, 2013, through October 15, 2013.
4

5 **I) BACKGROUND INFORMATION:**
6

7 On June 23, 1992, the Monroe County Board of County Commissioners (BOCC) adopted
8 Ordinance #016-92, implementing the Residential Dwelling Unit Allocation System. The
9 Ordinance became effective on July 13, 1992, and has been amended from time to time.
10

11 On March 15, 2006, the BOCC adopted Ordinance 009-2006 to implement the Tier System, and
12 subsequently, it was challenged by Florida Keys Citizens Coalition, Inc. and Protect Key West
13 and the Florida Keys, Inc., d/b/a Last Stand. Thomas G. Pelham, Secretary, Department of
14 Community Affairs signed the final order deciding the challenge on September 26, 2007
15 (amended Final Order issued January 2, 2008). The Tier System, still a Rate of Growth
16 Ordinance (ROGO), made changes such as sub-area boundary districts for allocation distribution,
17 basis of scoring applications, and administrative relief.
18

19 On September 21, 2012, the BOCC adopted Ordinance #021-2012, revising the ROGO
20 allocation scoring system regarding land dedications and Tier III properties containing wetlands
21 adjacent to Tier 1 properties. The ordinance became effective on December 31, 2012.
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23 The following background information regarding applications reviewed this quarter is divided
24 into sub districts: A) Lower Keys Sub-area and Upper Keys sub-area and B) Big Pine/No Name
25 Key subareas.

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A. Applications reviewed this quarter for Lower & Upper Keys Sub-areas:

	Market Rate	Affordable Housing
*Lower Keys	10	0
** Lower Keys (Adm. Relief)	0	0
***Upper Keys	21	0
****Upper Keys (Adm. Relief)	0	0
TOTAL	31	0

- * 06 applications are rollovers or reapplications from previous quarters.
 ** 0 applications are rollovers or reapplications from previous quarters.
 *** 10 applications are rollovers or reapplications from previous quarters.
 **** 0 applications are rollovers or reapplications from previous quarters.

B. Big Pine/No Name Key Sub-area:

- 1) On June 23, 1992, the Monroe County Board of Commissioners adopted Ordinance 016-1992, implementing the Residential Dwelling Unit Allocation System. The ordinance became effective on July 13, 1992 and has been amended from time to time.
- 2) In 1998, the Florida Department of Transportation, Monroe County, the Florida Department of Community Affairs, the U.S. Fish and Wildlife Service and the Florida Fish and Wildlife Conservation Commission signed a Memorandum of Agreement to develop a Habitat Conservation Plan (HCP) for the Key Deer and other protected species in the project area.
- 3) The Livable Communikeys Program (LCP), Master Plan for Future Development of Big Pine Key and No Name Key was adopted on August 18, 2004 under Ordinance 029-2004. The LCP envisioned the issuance of 200 residential dwelling units over 20 year horizon at a rate of roughly 10 per year. A minimum of twenty percent of the 10 units per year are to be set aside for affordable housing development. Below is a table tracking LCP allocations remaining at the conclusion of Quarter 4 Year 21 (October 13, 2013- July 12, 2013).

Livable Communikeys Master Plan (LCP) 2003-2023					
	Beginning Balance	Allocated thru Quarter 4 Year 21	Balance of Allocations remaining to LCP*	Deferred Allocation	Balance including Deferred Allocation(s)
Market Rate Allocations	160	91	70	1	69
Affordable Housing Allocations	40	10	30	0	30
Totals	200	101	100	1	99

* Means the total adjusted to account for expired allocations and re-use of allocations.

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- 4) On September 22, 2005, the Monroe County Board of Commissioners adopted Ordinance 025-2005 which revised the ROGO to utilize the Tier overlay as the basis for the competitive point system. The ordinance became effective on February 5, 2006.
 - 5) On June 9, 2006, the Federal Fish and Wildlife Permit was issued to 1) Monroe County, Growth Management Division, 2) Florida Department of Transportation, and 3) Florida Department of Community Affairs for Threatened and Endangered Species Incidental Take Permit (ITP) as defined within the geographic area covered by the HCP.
 - 6) Livable CommuniKeys Master Plan *Action Item 3.2.6*: Limit allocation awards in Tier I to no more than five percent of all residential units permitted over the twenty year planning period (i.e. a maximum of 10 units) or a total of $H = 0.022$ (two percent of the total H), whichever results in the lower H. Development in Tier 1 is tracked from December 27, 2004, the effective date of the Livable CommuniKeys Plan, which established the Tier System for Big Pine, and No Name Key. (Ordinance 020-2009)
 - 7) The ITP (Federal ITP #TE083411-0) requires the Permittees [1. Monroe County, Growth Management Division, 2. Florida Department of Transportation, and 3. Florida Department of Community Affairs] to ensure that the take of the covered species is minimized and mitigated. The Permittees are responsible for meeting the terms and conditions of the ITP and implementing the HCP.
 - 8) The ITP specifies in G5, "New residential development in Tier 1 (Tiers defined in HCP, Table 2.7) areas will be limited to no more than five percent of all residential units permitted over the 20-year life of the HCP (i.e., a maximum of 10 units) or a total H of 0.022), whichever results in a lower H."
 - 9) The Incidental Take Permit (ITP) provides specific development limitations on Big Pine/No Name Keys, including, but not limited to:
 - The total impact of commercial, institutional (including public projects such as wastewater and roads), and residential development over the 20 year life of the HCP shall not exceed $H=1.1$.
 - For each H value unit of development, 3 H units of conservation lands shall be acquired, restored, and protected in perpetuity. Over the term of this permit, lands with a cumulative H value of 3.3 shall be acquired.
 - New residential development will be limited to a maximum of 200 dwelling units over the 20 year life of the HCP.
 - New residential development in Tier 1 areas will be limited to no more than 5% of all residential units permitted over the 20 year life of the HCP (no more than 10 units) or $H=0.022$ whichever results in a lower H.
 - No new development other than single-family residential and accessory uses will be permitted in Tier I areas.

As of December 2012 (9 years into the 20 year permit), the County has issued 91 of the 200 building permits allowed to be issued totaling 33% (0.3641 H) of the total 1.1 'H' allowed, while having acquired 77% (2.554 'H') of the total 3.3 'H' mitigation required by the HCP and ITP.

As noted above, the ITP allows development of 10 dwelling units or 0.022 H impact, whichever results in a lower H in Tier I areas on Big Pine/No Name Keys. ROGO allocations for 9 dwelling units totaling 0.0201 H have been issued to date, with 4 of these allocations resulting in building permits. The remaining 5 parcels have allocations that are valid until July 2015.

For purposes of the annual monitoring reports the County submits to the USFWS, 'H' impacts are not debited until the building permit is issued. So while the issued building permits for Tier I are well under the permit limits, **the total allocations for Tier I development are within one allocation of the permit limits.** There are 36 applications (with a total 'H' of 0.049) currently competing in ROGO. Of these, 11 are Tier I applicants with a cumulative 'H' value of 0.025. The 'H' value of the highest ranked Tier I parcel currently competing in ROGO is 0.0026 H, the allocation of which would put the County over the 0.022 'H' limit.

10) **Tier 1 applications previously deferred on Big Pine/No Name Key Sub-area:**

Key (Island)	Permit Number	Deferred Allocation type	Quarter, Year Deferred	Real Estate Number	H-value
No Name	96101462	Market Rate	Q4Y21 (2013)	00319494.000300	0.0026

11) **Applications reviewed this quarter for the Big Pine/No Name Key Sub-area:**

	Market Rate	Affordable Housing
*Big Pine Key/No Name Key	33	0

* 32 applications are rollovers or reapplications from previous quarters.

II) ALLOCATION FACTORS:

- A. Pursuant to Section 138-24 the number of annual allocations available is 197.
- B. Section 138-24(c) allows any unused portion of affordable housing allocations to be retained and rolled over into the next dwelling unit allocation year.
- C. Section 138-24(a)(4) allows the Planning Commission to amend the affordable housing proportions during any ROGO quarter.
- D. Section 138-27(g) limits administrative relief allocations per quarter. The number of allocations that may be awarded under administrative relief in any subarea quarter shall be no more than fifty percent (50%) of the total available market rate allocations.

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E. Section 138-24(a)(6) limits the number of allocation awards in Tier I. The annual number of allocation awards in Tier I shall be limited to no more than three (3) in the Upper Keys and no more than three (3) in the Lower Keys. The ITP limits Big Pine/No Name Key to ten (10) allocations over a twenty year period or $H = 0.022$ whichever is lower. Below is a table tracking the Tier 1 allocations by Quarter/Year.

Tier 1 Award limits	Key (Island)	Permit Number	Allocation type	Quarter, Year	Real Estate Number	H-value	Tier 1 Allocations Update
Limited to a maximum 10 or $H = .022$ whichever is lower over the life of the ITP.	Big Pine	95101613	Market Rate	Q3Y4 (1996)	00285550.000000	0.0028	Big Pine/No Name Keys Subarea: Used 9 (since 1996) out of a maximum potential of 10 or less depending on H allowance whichever comes first. Based on permits issued to properties in Tier 1 and pending permits with allocation awards the H total is .0201 (since Dec. 27, 2004).
	Big Pine	96101622	Market Rate	Q2Y6 (1998)	00289510.000000	0.0022	
	Big Pine	03102303	Adm. Relief	Q2Y16 (2008)	00289710.000000	0.0013	
	Big Pine	97101361	Market Rate	Q1Y17 (2008)	00296820.000000	0.0011	
	No Name	96101472 (Not used)	Market Rate	Q2Y19 (2011)	00319494.001300		
	No Name	96101470	Market Rate	Q2Y20 (2012)	00319494.001000	0.0029	
	No Name	96101469	Market Rate	Q2Y20 (2012)	00319494.000900	0.0032	
	No Name	96101464	Market Rate	Q3Y20 (2012)	00319494.000500	0.0024	
	No Name	96101463	Market Rate	Q4Y20 (2012)	00319494.000400	0.0019	
	No Name	96101473	Market Rate	Q4Y20 (2012)	00319494.001400	0.0023	
0.0201							
Subarea Lower: Begin July 14, 2009 (Year 16)							
Lower Keys maximum annual allocations in Tier 1 is limited to 3.	Little Torch	96100414	Market Rate	Q4Y16 (2008)	00213240.000000	N/A	Lower Keys: Used 0 out of the 3 allowed in Year 22.
	Sugarloaf	03102265	Adm. Relief	Q2Y17 (2009)	00172070.000700	N/A	
	Ramrod	03103801	Market Rate	Q3Y19 (2011)	00114150.000400	N/A	
	Ramrod	03102386	Market Rate	Q4Y19 (2011)	00114100.000200	N/A	
	Sugarloaf	03102265	Adm. Relief	Q4Y19 (2011)	00172070.000700	N/A	
	Ramrod	03102385	Market Rate	Q1Y20 (2011)	00114100.000300	N/A	
	Big Torch	05100528	Market Rate	Q1Y20 (2011)	00243621.001400	N/A	
	Summerland	05103801	Market Rate	Q1Y20 (2011)	00199810.000000	N/A	
	Ramrod	03102384	Market Rate	Q1Y21 (2012)	00114080.000000	N/A	
	Ramrod	04105722	Market Rate	Q1Y21 (2012)	00210811.005600	N/A	
	Ramrod	05106427	Market Rate	Q1Y21 (2012)	00210500.000000	N/A	
Subarea Upper: Begin July 14, 2009 (Year 16)							
Upper Keys maximum annual allocations in Tier 1 is limited to 3.	Largo	04305020	Adm. Relief	Q4Y17 (2009)	00449410.000000	N/A	Upper Keys: Used 0 out of 3 in Year 22
	Largo	04303580	Market Rate	Q4Y21 (2013)	00448460.000000	N/A	
	Largo	04303599	Market Rate	Q4Y21 (2013)	00445710.000000	N/A	
	Largo	05300846	Market Rate	Q4Y21 (2013)	00450150.000000	N/A	

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Based on the Code, Comprehensive Plan, Livable CommuniKeys, Habitat Conservation Plan, and Incidental Take Permit: 1) Within the Big Pine/No Name Key Subarea, new residential development in Tier 1 is limited to no more than five percent of all residential units permitted over the twenty year planning period (i.e. a maximum of 10 units) or $H = 0.022$, whichever results in a lower H over the life of the ITP (2003-2023). A review of the H-impacts used (0.0201) to date, shows 0.002 remains available for Tier 1 (H limit is $0.022 - 0.0201$ used = 0.002); therefore, the current applicant ranked number 2 if

1 granted an allocation would exceed the H limit of 0.022; and 2) Lower Keys Subarea has
 2 zero allocations available for Tier 1 for the remainder of Year 21 and 3) Upper Keys
 3 Subarea has three Tier 1 allocations available in Year 21.
 4

5 F. G5 in the ITP specifies, "New residential development in Tier 1 (Tiers defined in HCP,
 6 Table 2.7) areas is limited to no more than five percent of all residential units permitted
 7 over the 20-year life of the HCP (i.e., a maximum of 10 units) or a total H- 0.022),
 8 whichever results in a lower H."
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10 G. LCP, Action Item 3.2.6: Limits allocation awards in Tier I to no more than five percent
 11 of all residential units permitted over the twenty year planning period (i.e., a maximum of
 12 10 units) or a total H-0.022 (two percent of the total H), whichever results in a lower H.
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14 H. Monroe County Code Section 138-24(a)(5) Big Pine Key and No Name Key.
 15 All allocation awards on Big Pine Key and No Name Key are subject to the provisions of
 16 the Incidental Take Permit and the Habitat Conservation Plan for the Florida Key Deer
 17 and other covered species, which may affect ROGO allocations under this article.
 18

19 I. Monroe County Code Section 138-25(f) Expiration of allocation award: Except as
 20 provided for in this division, an allocation award shall expire when its corresponding
 21 building permit is not picked up after sixty (60) days of notification by certified mail of
 22 the award or, after issuance of the building permit.
 23

24 J. Monroe County Section 138-24 allows a total of 197 allocations per year (126 Market
 25 Rate and 71 Affordable Housing).
 26

27 **Year 22 Allocation Allotment Breakdown by Quarter (July 13, 2013 –July 12, 2014)**
 28

Area	MCC allotment by subarea	Qtr 1	Qtr 2	Qtr 3	Qtr 4
Market Rate:					
Lower Keys (Lower/Middle) Keys	57	14	14	14	15
Big Pine/No Name Keys	8	2	2	2	2
Upper Keys	61	15	15	15	16
Total:	126	31	31	31	33
Affordable Housing:					
Big Pine/No Name Keys	14*				
Lower/Upper Keys	262**				

29 Beginning balances:

30 a) *Big Pine/No Name Key Subarea affordable housing allocation breakdown into the two income categories are as follows: 1) very low, low, &
 31 median income (6 allocations rollover from Year 21 +1 new allocation for Year 22 = 7 allocations) and 2) moderate income (6 allocations
 32 rollover from Year 21 +1 new allocation for Year 22 = 7 allocations); and

b) **unincorporated Monroe County excluding the Big Pine/No Name Key Subarea affordable housing allocation breakdown into the two income categories are as follows: 1) very low income, low income and median income (118 allocations rollover from Year 21 + 34.5 new allocatons for Year 22 = 152.5 allocations) and 2) moderate income (75 allocations rollover from Year 21 + 34.5 new allocatons for Year 22 = 109.5 allocations).

K. Monroe County Code Section 138-26 allows the adjustment of residential ROGO allocations at the end of each quarterly allocation period of additions or subtractions to the basic allocation available by subarea such as the number of dwelling unit allocation awards that expired prior to the issuance of a corresponding building permit.

L. Florida Administrative Rule 28-20.140 Comprehensive Plan (2)(b) “The number of permits issued annually for residential development under the Rate of Growth Ordinance shall not exceed a total annual unit cap of 197, plus any available unused ROGO allocations from a previous ROGO year. Each year’s ROGO allocation of 197 units shall be split with a minimum of 71 units allocated for affordable housing in perpetuity and market rate allocations not to exceed 126 residential units per year. Unused ROGO allocations may be retained and made available only for affordable housing and Administrative Relief from ROGO year to ROGO year. Unused allocations for market rate shall be available for Administrative Relief. Any unused affordable allocations will roll over to affordable housing. A ROGO year means the twelve-month period beginning on July 13.

Table shows Total Market Rate Allocations Unused ROGO Years 19-21 available for Administrative Relief per Florida Adminstrative Rule 28-20.140.				
	Unused Market Rate Allocations from Year 19	Unused Market Rate Allocations from Year 20	Unused Market Rate Allocations from Year 21	Total Unused Market Rate Allocations
Lower Keys Subarea	11	44	14	69
Big Pine/No Name Key Subarea	0	0	0	0
Upper Keys Subarea	0	0	0	0
Total Allocations	11	44	14	69

Note: This table does not include expired market allocations and may be revised to included expired allocation awards.

III) EVALUATION AND RANKING:

The evaluation of the allocation applications was performed by the Planning & Environmental Resources Department pursuant to Monroe County Code and Comprehensive Plan. Positive and negative points were granted in compliance with the evaluation criteria contained in Section 138-28 of the LDRs for the Lower, Upper Keys, and Big Pine/ No Name Key Sub-areas. An evaluation report has been provided in accordance with Monroe County Code Section 138.26.

Based on the total points scored, each allocation was ranked by sub-area. If applications received identical scores, they were first ranked by date and time. Please note that any excess allocations approved must be deducted from the next quarterly allocation period pursuant to Monroe County Code Section 138-26(e).

1 **IV) RECOMMENDATIONS:**
2

3 **A. Market Rate Allocations Quarter 1 Year 22:**
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5 The number of applications in the Lower Keys, Big Pine/No Name Keys, and Upper Keys sub-
6 areas was greater than the quarterly allocation awards available. Per Section 138-26(b)(7) of the
7 code, the rankings indicate which applications are within the quarterly allocation, and those
8 applications whose rankings puts them outside the quarterly allocation. An additional page is
9 attached which identifies the location of each proposed allocation by island and subdivision.
10

11 **The Market Rate applications that are within the quarterly allocations recommended for**
12 **Quarter 1 Year 22 approval are as follows:**
13

14 Lower Keys: Applicant ranked 1 through 7.
15

16 Lower Keys Administrative Relief: No Applicants.
17

18 Big Pine/No Name Keys: Applicant ranked 1 through 2 is recommended for allocation award
19 subject to mitigation availability at the time of permitting.
20

21 Upper Keys: Applicants ranked 1 through 15.
22

23 Upper Keys Administrative Relief: No Applicants.
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26 **B. Affordable Housing Allocations for the Lower & Upper Keys Quarter 1 Year 22:**
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28 There are two affordable housing allocation categories: 1) very low, low, & median income and
29 2) moderate income. A total of 262 affordable housing allocations are available in the two
30 categories 1) very low income, low income and median income (152.6 allocations) and 2)
31 moderate income (109.5 allocations). The Planning Commission may amend the ratio
32 proportions for affordable housing during any ROGO quarter pursuant to MCC §138-24(a)(4).
33

34 There were zero (0) affordable housing applications submitted this quarter in the moderate
35 income category and there were zero (0) affordable housing applications submitted this quarter in
36 the very low, low & median income category.
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38 **C. Affordable Housing Allocations for the Big Pine/No Name Keys Quarter 1 Year 22:**
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40 There are two affordable housing allocation categories: 1) very low, low, & median income (7
41 allocations) and 2) moderate income (7 allocations). The Planning Commission may amend the
42 affordable housing proportions during any ROGO quarter pursuant to Monroe County Code
43 Section 138-24(a)(4).
44

45 There were zero (0) affordable housing applications submitted this quarter in the moderate
46 income category and there were zero (0) affordable housing applications submitted this quarter in
47 the very low, low & median income category.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
LOWER KEYS -YEAR 22, QUARTER 1 (JULY 13, 2013 TO OCTOBER 15, 2013)**

Tier Rank	Permit #	Name	Date	Time	Key	Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50%	Wetlands: Tier III adj to Tier I with < 50%	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6)	Flood Zone 'v'	BAT /AW T	First Four Years	Each Add. Years Sec. 138-23(12)	Payment to Acq. Fund	Total
MARKET RATE DWELLING UNITS												-3	-5	4		6	-4	4	1	2	up to 2	
1	* 13103466	Almquist, Mark	4-Oct-13	3:40 PM	Cudjoe	Cuthroat Harbor Estates	26	21	00181140.000100	3	30	0	0	0	0	0	0	0	0	N/A	0	30
2	* 13103448	Wright, Miles	9-Oct-13	10:15 AM	Sugarloaf	Sugaloaf Shores Plat 2 Sec C	85		00166650.000100	3	30	0	0	0	0	0	0	0	0	N/A	0	30
3	* 13103615	Wilson, John	10-Oct-13	9:40 AM	Saddlebunch	Bay Point Amd	19	7	00161360.000000	3	30	0	0	0	0	0	0	0	0	N/A	0	30
4	* 13103385	Anderson, Charles	24-Sep-13	11:30 AM	Cudjoe	Cuthroat Harbor Estates	9 & 1/2 8	26	00182340.000000	3	30	0	0	0	0	0	0	0	0	N/A	0	26
5	* 06101084	Schwartz, John	12-Sep-06	2:00 PM	Big Torch	Torchwood West Unit 1	15	1	00243621.001500	1	10	N/A	N/A	0	0	0	-4	0	0	N/A	0	20
6	* 06106183	Geis, David	4-Jan-07	10:57 AM	Big Torch	Torchwood West Unit 2	8 & S 1/2 of 9	2	00243622.002100	1	10	N/A	N/A	0	0	0	0	0	4	6	0	20
7	* 07101251	Parkinson, Dean	19-Jun-07	11:09 AM	Ramrod	Ramrod Shores Marina Sec.	4	7	00210811.009500	1	10	N/A	N/A	0	0	0	0	0	4	4	0	18
8	06100873	O'Brien, Christopher	10-Jul-07	3:19 PM	Sugarloaf		Pt Govt 3		00119450.000000	1	10	N/A	N/A	0	0	0	0	0	4	4	0	18
9	06104954	Escorcia, Jorge	26-Aug-09	12:33 PM	Summerland	Summerland Est. Re-sub #2	11 & 12	5	00200140.000000	1	10	N/A	N/A	0	0	0	-4	0	4	4	0	14
10	11102428	Stebbins, Consuelo	18-Sep-12	11:09 AM	Big Torch		PtGovtL 2		00112920.000100	1	10	N/A	N/A	0	0	0	0	0	1	N/A	0	14

* Indicates a ranking sufficient to receive an allocation award.
 @ Indicates a ranking subject to additional reviews and approvals.
 Point evaluation criteria pursuant to Monroe County Code Section 138.28.
 Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007.
 Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.

The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT
LOWER KEYS (ADMINISTRATIVE RELIEF) - YEAR 22, QUARTER 1 (JULY 13, 2013 TO OCTOBER 15, 2013)**

Tier Rank	Permit #	BOCC Resolution	Name	Date and Time of Application			Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50%	Wetlands: Tier III adj to Tier I with < 50%	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6)	Flood Zone 'V'	BAT/A WT	First Four Years	Each Add. Years Sec. 138-	Payment to Acq. Fund	Total
MARKET RATE DWELLING UNITS												-3	-5	4		6	-4	4	1	2	up to 2		
<p>* Indicates a ranking sufficient to receive an allocation award. @ Indicates a ranking subject to additional reviews and approvals. Point evaluation criteria pursuant to Monroe County Code Section 138.28. Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007. Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.</p> <p>The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.</p>																							

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKINGS,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
UPPER KEYS - YEAR 22, QUARTER 1 (JULY 13, 2013 TO OCTOBER 15, 2013)**

Tier Rank	Permit #	Name	Date and Time of Application				Key	Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: III adj to Tier I with > 50%	Wetlands: III adj to Tier I with < 50%	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6)	Flood Zone 'V'	BAT/ AWT	First Four Years	Each Add. Years Sec. 138-23(12)	Payment to Acq. Fund	Total
			Date	Time																				
MARKET RATE DWELLING UNITS																								
1	*	13302373	Hixon, Charles	7-Aug-13	10:04 AM	Largo	South Creek Village	17	1	00466560.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34	
2	*	13302094	BSM Securities	22-Aug-13	9:02 AM	Largo	Bay Harbor Amd. Plat	58	A1	00489350.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34	
3	*	13302135	Marquez, Joaquin	11-Sep-13	1:30 PM	Largo	Key Largo Trailer Village	7	20	00462550.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34	
4	*	13302267	Whitesides, Randy	30-Sep-13	10:10 AM	Largo	Lake Surprise II	29		00083740.000133	3	30	0	0	0	0	0	0	4	0	N/A	0	34	
5	*	13302805	Hixon, Charles	2-Oct-13	9:50 AM	Largo	South Creek Village	22	3	00466980.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34	
6	*	13301704	Alvarez, Jose	8-Oct-13	11:00 AM	Largo	Winston Waterways #2	47	6	00547190.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34	
7	*	13302528	Pacho, Jorge	9-Oct-13	12:15 PM	Largo	Buccaneer Point	4	5	00496131.012200	3	30	0	0	0	0	0	0	4	0	N/A	0	34	
8	*	13302378	Hixon, Charles	10-Oct-13	9:05 AM	Largo	South Creek Village	16	1	00466550.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34	
9	*	13302898	TD Group Retail LLC	10-Oct-13	1:00 PM	Largo	Twin Lakes	15	14	00549940.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34	
10	*	13302692	Petters, William	11-Oct-13	10:42 AM	Largo	Ocean Park Village	13	4	00446230.000000	3	30	0	0	0	0	0	0	4	0	N/A	0	34	
11	*	12302096	Oshesky, Daniel	12-Oct-12	11:00 AM	Largo	Monroe Park	8		00572890.000000	3	30	N/A	N/A	0	0	0	0	4	0	N/A	0	34	
12	*	07303533	Samples, William	5-Jan-12	02:27 PM	Largo	Paradise Point	7	1	00513260.000000	3-A	20	N/A	N/A	0	0	0	-4	0	1	N/A	0	27	
13	*	01303683	Jess Jenn Corp.	19-May-04	12:20 PM	Largo	Gulfstream Shores	14	6	00565770.000000	1	10	N/A	N/A	0	0	0	0	4	1	N/A	0	25	
14	*	01303684	Jess Jenn Corp.	19-May-04	12:21 PM	Largo	Gulfstream Shores	4	5	00565360.000000	1	10	N/A	N/A	0	0	0	0	0	4	10	0	24	
15	*	01303685	Jess Jenn Corp.	14-Oct-04	08:30 AM	Largo	Gulfstream Shores	3	5	00565350.000000	1	10	N/A	N/A	0	0	0	0	0	4	10	0	24	
16		10307629	Escobar, David	22-Mar-13	02:48 PM	Largo	Bowens Add. to Riviera Village	1 & 2	6	00511990.000000	3-A	20	0	0	0	0	0	0	4	0	N/A	0	24	
17		13302093	BSM Securities	3-Oct-13	9:40 AM	Largo	Bowens Add. Rivera Village	4	11	00512720.000000	3-A	20	0	0	0	0	0	0	4	0	N/A	0	24	
18		05305610	Nannini, Steven	13-Feb-06	11:25 AM	Largo	Gulfstream Shores	7	5	00565390.000000	1	10	N/A	N/A	0	0	0	0	0	4	6	0	20	
19		11306042	Capobianco, Blaine	12-Oct-12	11:05 AM	Largo	Largo Gardens	2	17	00458730.000000	1	10	N/A	N/A	0	0	0	0	4	1	N/A	0	15	
20		13300305	Ginjauma, Jesus	28-Mar-13	10:30 AM	Largo	Harris Ocean Park Est. 1st Add.	11	9	00450180.000000	1	10	0	0	0	0	0	0	4	0	N/A	0	14	
21		10303865	Dietrich, Susanne	13-Apr-12	03:05 PM	Largo	Ocean Reef Shores	113		00569041.010000	1	10	N/A	N/A	0	0	0	0	0	1	N/A	0	11	

* Indicates a ranking sufficient to receive an allocation award.

@ Indicates a ranking subject to additional reviews and approvals.

Point evaluation criteria pursuant to Monroe County Code Section 138.28.

Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007.

Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.

M Indicates additional issues to be monitored and addressed prior to permit issuance.

The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
UPPER KEYS (ADMINISTRATIVE RELIEF) - YEAR 22, QUARTER 1 (JULY 13, 2013 TO OCTOBER 15, 2013)**

Tier Rank	Permit #	BOCC Resolution	Name	Date and Time of Application				Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50%	Wetlands: Tier III adj to Tier I with < 50%	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6)	Flood Zone 'V'	BAT/A WT	First Four Years	Each Add. Years Sec. 138-23(12)	Payment to Acq. Fund	Total
				-3	-5	4	6							-4	4									
MARKET RATE DWELLING UNITS																								
<p>* Indicates a ranking sufficient to receive an allocation award. @ Indicates a ranking subject to additional reviews and approvals. Point evaluation criteria pursuant to Monroe County Code Section 138.28. Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007. Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.</p> <p>The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.</p>																								

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
AFFORDABLE HOUSING - YEAR 22, QUARTER 1 (JULY 13, 2013 TO OCTOBER 15, 2013)**

Date and Time of Application											Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: III adj to Tier I with > 50%	Tier Wetlands: III adj to Tier I with < 50%	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-23(5)	Mkt in Emp./AFH project Sec. 138-23(6)	Flood Zone 'V'	BAT/AWT	First Four Years	Each Add. Years Sec.	Payment to Acq. Fund up to 2	Total
Rank	Permit #	Name	Date	Time	Key	Subdivision	Lot	Block	RE#														
AFFORDABLE DWELLING UNITS Very Low, Low, Median Income No applicants under Very Low, Low, Median Income AFFORDABLE DWELLING UNITS Moderate income													-3	-5	4		6	-4	4	1	2		
<p>* Indicates a ranking sufficient to receive an allocation award. @ Indicates a ranking subject to additional reviews and approvals. Point evaluation criteria pursuant to Monroe County Code Section 138.28. Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007. Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.</p>																							

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS (REVISED) PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL DIRECTOR
BIG PINE KEY and NO NAME KEY - YEAR 22, QUARTER 1 (JULY 13, 2013 TO OCTOBER 15, 2013)**

Rank	Permit #	Name	Date and Time of Application		Key	Subdivision	Lot	Block RE#	Tier Designation	Tier Pts Sec. 138-28(1)	Wetlands: Tier III adj to Tier I with > 50%	Wetlands: Tier III adj to Tier I with < 50%	Located on No Name	Marsch Rabbit/ Buffer	Key Deer Corridor	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-	Payment to Acq. Fund	Mkt in Emp/ AFH projec	BAT/ AWT	Flood Zone 'V'	First Four Years	Each Add. Years Sec. 2	Total
			-3	-5							-10	-10	-10	3	2	up to 2	6	4	-4	1	2			
MARKET RATE DWELLING UNITS																								
1	*	06101006	Leon, Enmesto	6-Oct-06	2:30 PM	Big Pine	Doctors Arm 2nd Add.	19		00312470.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	6	20
2	*	06101002	Fernandez, Juan	6-Oct-06	2:31 PM	Big Pine	Doctors Arm 3rd Add.	19		00312571.002000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	6	20
3		06104544	Cabassa, Edward	13-Oct-06	9:00 AM	Big Pine	Eden Pines Colony	12	19	00269070.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	6	20
4		96101461	Schleu, Vivienne	8-Jan-97	9:18 AM	No Name	Rev. Plat Galleon Bay	2	N/A	00319494.000200	N/A	N/A	-10	0	0	0	0	0	0	0	0	4	24	18
5		96101460	Schleu, Vivienne	8-Jan-97	9:19 AM	No Name	Rev. Plat Galleon Bay	1	N/A	00319494.000100	N/A	N/A	-10	0	0	0	0	0	0	0	0	4	24	18
6		96101465	Schleu, Vivienne	8-Jan-97	9:20 AM	No Name	Rev. Plat Galleon Bay	6	N/A	00319494.000600	N/A	N/A	-10	0	0	0	0	0	0	0	0	4	24	18
7		96101467	Schleu, Vivienne	8-Jan-97	9:21 AM	No Name	Rev. Plat Galleon Bay	7	N/A	00319494.000700	N/A	N/A	-10	0	0	0	0	0	0	0	0	4	24	18
8		96101468	Schleu, Vivienne	8-Jan-97	9:22 AM	No Name	Rev. Plat Galleon Bay	8	N/A	00319494.000800	N/A	N/A	-10	0	0	0	0	0	0	0	0	4	24	18
9		96101471	Schleu, Vivienne	8-Jan-97	9:24 AM	No Name	Galleon Bay, Rev. Plat	11	N/A	00319494.001100	N/A	N/A	-10	0	0	0	0	0	0	0	0	4	24	18
10		06101005	Vasseur, Jorge	3-Nov-06	12:06 PM	Big Pine	Doctors Arm 3rd Add Sec B	20		00312572.002100	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
11		06106156	Hahn, David	11-Jan-07	3:30 PM	Big Pine	JR Matthew Properties Pt 2	pt 5 & 6		00109350.000500	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
12		03105296	Hochstim, Jan	29-Mar-07	8:38 AM	Big Pine	Eden Pines Colony 1st Add.	4	7	00269910.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
13		06101001	Ojeda, Alex	31-May-07	11:38 AM	Big Pine	Doctors Arm 3rd Add. Sec. B	2		00312572.000300	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
14	c	07100485	Akins, John	12-Jun-07	10:00 AM	Big Pine	Doctors Arm	27&PIL126	1	00310280.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
15	c	07100483	Akins, John	12-Jun-07	10:02 AM	Big Pine	Doctors Arm	25&P124&26	1	00310260.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
16	c	07100479	Akins, John	12-Jun-07	10:04 AM	Big Pine	Doctors Arm	23&P124	1	00310240.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
17	c	07100486	Akins, John	12-Jun-07	10:06 AM	Big Pine	Doctors Arm	21 & 22	1	00310220.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
18		07102535	Wheeler, Scott	24-Aug-07	8:45 AM	Big Pine	Eden Pines Colony 1st Add.	9	1	00269190.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
19		07102237	Akins, Candace	10-Sep-07	2:40 AM	Big Pine	Eden Pines Colony	13	6	00266360.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
20		07102238	Akins, Candace	10-Sep-07	2:45 AM	Big Pine	Eden Pines Colony 3rd Add.	3	23	00271270.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	4	18
21		06100507	Sampson, James	31-Jul-06	11:15 AM	Big Pine	Doctors Arm 3rd Add.	4		00312571.000500	N/A	N/A	0	0	0	0	0	0	0	0	-4	4	6	16
22		07103911	Shearin, Jerry	24-Oct-07	8:50 AM	Big Pine	Doctors Arm	48	1	00310490.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	2	16
23		08101995	Perez, Orlando	24-Jul-08	9:47 AM	Big Pine	Tropical Bay	31		00312890.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	14
24		08102801	Bahn (Rev. Trust)	14-Oct-08	2:27 PM	Big Pine	Doctors Arm 1st Add.	3	5	00311610.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	14
25		05100259	Vasquez, Jovan	10-Aug-09	8:55 AM	Big Pine	Doctors Arm 3rd Add. Sec. B	5		00312572.000600	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	14
26		09102047	Eline, William	9-Nov-09	1:34 PM	Big Pine	Eden Pines Colony 3rd Add.	2	23	00271260.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	N/A	14
27		10103101	Mackenzie, William	17-Sep-10	10:40 AM	Big Pine	metes and bounds			00111880.000205	N/A	N/A	0	-10	0	0	0	0	0	0	0	3	N/A	13
28		05103835	Stevenson, W.P.	23-Sep-05	11:15 AM	Big Pine	Port Pine Heights 2nd Add.	3 & 4	76	00296960.000000	N/A	N/A	0	0	0	3	0	0	0	0	-4	4	8	11
29		12100011	Peterson, Mark	9-Apr-12	12:37 PM	Big Pine	Doctors Arm Subd 3rd Add. Sec A	14		00312571.001500	N/A	N/A	0	0	0	0	0	0	0	0	0	1	N/A	11
30		05105438	Derovanesian, Jack	13-Jan-06	10:14 AM	Big Pine	Whispering Pines	15	N/A	00285660.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	6	10
31		05104831	Menge, Robert	20-Jan-06	11:00 AM	Big Pine	Port Pine Heights 2nd Add.	7	59	00295360.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	4	6	10
32		09102784	Pereira, Carlos	22-Oct-09	10:44 AM	Big Pine	Port Pine Heights	9	8	00290190.000000	N/A	N/A	0	0	0	0	0	0	0	0	0	3	N/A	3

* Indicates a ranking sufficient to receive an allocation award which is subject to mitigation availability at the time of permitting.
 *D Indicates a ranking deferred due to pending ongoing litigation with the County (see Galleon Bay v. Monroe County and State of Florida, Circuit Court Case NO. CA-K-02-595) and until ownership issues are resolved.
 @ Indicates a ranking subject to Growth Management Division Director approval.
 Point evaluation criteria pursuant to Monroe County Code Section 138.28.
 Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007.
 Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.
 c Indicates application received a scoring change pursuant to Board of County Commissioners Adm. Relief determination.

New development is subject to the Habitat Conservation Plan and Incidental Take Permit (ITP) TE083411-0.
 The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

**RESIDENTIAL DWELLING UNIT ALLOCATION RANKING,
AS PROPOSED BY THE SR. PLANNING AND ENVIRONMENTAL RESOURCES DIRECTOR
AFFORDABLE HOUSING - BIG PINE KEY AND NO NAME KEY YEAR 22, QUARTER 1
(JULY 13, 2013 TO OCTOBER 15, 2013)**

Rank	Permit #	Name	Date and Time of Application		Key	Subdivision	Lot	Block	RE#	Tier Designation	Tier Pts 138-28(1)	Wetlands: Tier III adj to Tier I with > 50%	Wetlands: Tier III adj to Tier I with < 50%	Located on No Name	Marsch Rabbit/ Buffer	Key Deer Corridor	Lot Agg Pts. Sec. 138-23(4)	Land Ded Sec. 138-23(5)	Payment to Acq. Fund	Mkt in Emp./AFH project Sec. 138-	BAT/AWT	Flood Zone 'V'	First Four Years	Each Add. Years Sec. 138-	Total
												-3	-5	-10	-10	-10	3	2	up to 2	6	4	-4	1	2	Total
<p>AFFORDABLE DWELLING UNITS Very Low, Low, Median Income</p> <p>No applicants under Very Low, Low, Median Income</p> <p>AFFORDABLE DWELLING UNITS Moderate Income</p>																									
<p>* Indicates a ranking sufficient to receive an allocation award which is subject to mitigation availability at the time of permitting. @ Indicates a ranking subject to Growth Management Division Director approval. Point evaluation criteria pursuant to Monroe County Code Section 138.28. Applicants who have a ROGO application date of Oct. 29, 2007, or earlier are grandfathered for perseverance points pursuant to vesting provision of Ordinance 009.2007. Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.</p>																									
<p>New development is subject to the Habitat Conservation Plan and Incidental Take Permit (ITP) TE083411-0. The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.</p>																									



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Monroe County Planning Commission
Through: Townsley Schwab, Sr Director of Planning & Environmental Resources *TS*
From: Cassi Scanlon, Planning Technician *CS*
Date: December 3, 2013
Subject: NROGO Year 22 Quarter 1 (July 13, 2013-October 15, 2013), Non-Residential Floor Area Evaluation Report

Meeting Date: December 18, 2013

1 I BACKGROUND:
2

3 Monroe County Code, Chapter 138, Article III (Sections 138-47 through 138-55) establishes the
4 Nonresidential Rate of Growth Ordinance (NROGO) and the procedure for allocating the non-
5 residential floor area.
6

7 On June 9, 2006, the Federal Fish and Wildlife Service Incidental Take Permit (ITP)
8 #TE083411-0 was issued to 1) Monroe County, Growth Management Division, 2) Florida
9 Department of Transportation, and 3) Florida Department of Community Affairs for the
10 Threatened and Endangered Species Incidental Take Permit (ITP) since the permittees have
11 defined the geographic area covered by their Habitat Conservation Plan (HCP) on Big Pine/No
12 Name Key. The ITP requires the Permittees to ensure that the take of the covered species is
13 minimized and mitigated. The Permittees are responsible for meeting the terms and conditions
14 of the ITP and implementing the HCP.
15

16 On March 15, 2006, the Board of County Commissioners adopted Ordinance 011-2006 to
17 implement the Tier System, and subsequently, it was challenged by Florida Keys Citizens
18 Coalition, Inc. and Protect Key West and the Florida Keys, Inc., d/b/a Last Stand. Thomas G.
19 Pelham, Secretary, Department of Community Affairs signed the final order (Final Order
20 DCA07-GM166 for DOAH Case No. 06-2449GM) deciding the challenge on September 26,
21 2007.
22

23 The Tier System made changes such as separate districts for allocation distribution, basis of
24 scoring applications, and administrative relief. The districts were: A) Lower/Upper Keys and B)
25 Big Pine/No Name Key for NROGO.
26

1 On September 21, 2012, the BOCC adopted Ordinance #021-2012, revising the NROGO
 2 allocation scoring system regarding land dedications and Tier III properties containing wetlands
 3 adjacent to Tier 1 properties. The ordinance became effective on December 31, 2012.
 4

5 On April 17, 2013, the BOCC adopted Ordinance #019-2013, and Ordinance #020-2013,
 6 revising the NROGO allocation system. The ordinance became effective on July 13, 2013. The
 7 amendments adopted in April 2013, simplified the NROGO permit allocation system process by:

- 8 • allowing applicants to acquire NROGO awards in less time (up to 4 x a year vs. up to 2 x a
 9 year);
- 10 • increasing the maximum amount of de minimis expansion from 100 sq. ft. to 1,000 sq. ft.
 11 for new and existing nonresidential developments with an allocation awarded by building
 12 permit (no competition);
- 13 • commencing NROGO Year 22 (July 13, 2013), distributing the annual NROGO allocation
 14 proportionately to each of the three ROGO subareas: Upper (239 sq. ft. X 96 DU = 22,944
 15 sq. ft.); Lower (239 sq. ft. X 91 DU = 21,749 sq. ft.); and Big Pine/No Name (239 sq. ft. X
 16 10 DU = 2,390 sq. ft.);
- 17 • increasing the maximum amount of a NROGO allocation from 2,500 sq. ft. to 10,000 sq. ft.
 18 per allocation period; and
- 19 • creating NROGO bank accounts to establish a codified mechanism to allocate nonresidential
 20 floor area that went unused or unallocated in previous years or has been reclaimed.

21
 22 **II. AMOUNT OF FLOOR AREA AVAILABLE**

23
 24 Pursuant to Monroe County Code Section 138-53(e)(14), the Planning and Environmental
 25 Resources Department is providing a notification of the NROGO account balances.
 26

27 The balances are as follows:

28
 29 **NROGO YEAR 22 Balances (July 13, 2013)**

NROGO Year 22	ANNUAL NROGO	NROGO BANK		
	Year 22 Annual Allocation Amount (Ord. 019-2013)	Year 22 (opening balance)	Year 21 Rollover	Year 22 Bank Total (SF available)
Big Pine Key and No Name Key subarea	2,390 SF	0 (Reso. 330-2012)	0	0
Upper Keys subarea (Ord. 019-2013 and Ord. 020-2013)	22,944 SF	200,221 SF	39,700 SF	220,603 SF *
Lower Keys subarea (Ord. 019-2013 and Ord. 020-2013)	21,749 SF	189,770 SF		209,088 SF *
Totals	47,083 SF	389,991 SF (Ord. 020-2013)	39,700 SF	429,691 SF

30 *The YR 22 Bank Totals includes 20,000 SF in reserves each for the Upper and Lower Keys (for a total
 31 of 40,000 SF in reserves). (Ord. 020-2013)

1
2 Please note, square footage for de-minimis applications, which can be awarded through issuance
3 of a building permit (no public hearing required) will be deducted from the annual NROGO
4 allocation or the NROGO bank.

5
6 **III. AMOUNT OF FLOOR AREA REQUESTED:**

7
8 There are three applicants requesting commercial floor area for the Year 22 Quarter 1 allocation.
9 There are two (2) applicants in the Lower Keys subarea, and one (1) applicant in the Big Pine/No
10 Name Key subarea.
11

NROGO YEAR 22 ANNUAL SQUARE FOOTAGE			
	Lower Keys Subarea	Upper Keys Subarea	Big Pine/No Name Keys Subarea
Quarter 1: Square Feet Allocation Available	21,749 SF	22,944 SF	2,390 SF
Quarter 1: Square Feet requested	2,600 SF	0 SF	1,011SF
Square Feet to rollover to Quarter 2	19,149 SF	22,944 SF	1,379 SF
Number of applications to Rollover to Quarter 2 because insufficient SF available	0	0	0

12
13

NROGO YEAR 22 BANK SQUARE FOOTAGE				
Lower Keys Subarea	Upper Keys Subarea	Big Pine/No Name Keys Subarea	Joint Account (end of Year 22)	Reserves*
209,088 SF*	220,603 SF*	0 SF	TBD	40,000 SF * (included in bank)*

14
15
16 **IV. EVALUATION AND RANKING:**

17
18 For the annual NROGO allocation, there were applicants in the Lower Keys subarea and the Big
19 Pine/No Name Key subarea with requests within the SF available for the period (Quarter 1).
20 There were no applicants in the Upper Keys subarea. For the NROGO bank, there were no
21 applicants for the period (Quarter 1).
22

23 Per Section 138-53 and 138-55 of the Monroe County Code, the rankings indicate which
24 applications receive an allocation award in relation to SF available (see Exhibit 1 through 3). The
25 applicant's score is broken down by scoring criteria (see Exhibit 1 through 3).

1
2 V. RECOMMENDATION:
3

4 Based on the proceeding, the Sr. Director Planning & Environmental Resources recommends the
5 following NROGO allocations of Year 22 Quarter 1 be awarded to all of the three (3) applicants:
6

7 **NROGO YEAR 22 ANNUAL SQUARE FOOTAGE**

8 Lower Keys Subarea

- 9
- 10 • Permit number 12102696 for Refreshment Services, ranked number one (1),
11 requesting a total of 2,400 square feet of floor area.
 - 12 • Permit number 13103699 for Lynn Bell (Square Grouper), ranked number two (2),
13 requesting a total of 200 square feet of floor area.

14 Upper Keys Subarea

- 15 • None

16 Big Pine Key and No Name Key Subarea

- 17 • Permit number 11105559 for Fletcher, ranked one (1), requesting a total of 1,011
18 square feet of floor area based on the mitigation available from Monroe County.

19 **NROGO YEAR 22 BANK SQUARE FOOTAGE**

20 Lower Keys Subarea

- 21 • None

22 Upper Keys Subarea

- 23 • None

24 Big Pine Key and No Name Key Subarea

- 25 • None
- 26
27
28

NON-RESIDENTIAL (NROGO) ALLOCATION RANKING
 PROPOSED TO PLANNING COMMISSION
 LOWER KEYS SUBAREA YEAR 22 QUARTER 1 (JULY 13, 2013-OCTOBER 15, 2013)

EXHIBIT 1

Rank	Permit No.	Name	Date	Time	Tier	Tier Pts	Wetlands: Tier III adj to Tier 1 with > 50%	Wetlands: Tier III adj to Tier 1 with < 50%	Intensity Reduct.	Land Ded.	Flood Zone V	First 4 Years	Each Add. Years	Hwy Access	200% Native w/in bufferyard & parking	25% above native	landscaping water conservation	25% Plants T/E	BAT /AW T	Emp.	Payment fund	Overall Total Score	Key	Subdivision	Lot cck	RE No.	SF
1	*	12102696 Refreshment Services Inc	13-Dec-12	2:30 PM	3	20	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	20	Stock Island	Maloney	1-Sect 36	00124940.000000	2400
2	*	13103699 Lynn Bell	15-Dec-13	2:00PM	3	20			0	0	0	0	0	0	0	0	0	0	0	0	0	20	Cudjoe Key	Cutthroat Harbor Estates	21,22,23 8	00178490.000000; 00178500.000000	200
3																											
4																											
5																											
6																											
																								Total Sq. Footage Requested		2,800	
* Indicates a ranking sufficient to receive an allocation award. @ Indicates a ranking subject to Growth Management Division Director approval. Point evaluation criteria pursuant to Monroe County Code Section 138.55. Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013. The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.																								Total Square Footage available for NROGO YEAR 22 pursuant to Board of County Commissioners Ordinance 019-2013		21,749	
																								Total Square Footage remaining		19,149	

NON-RESIDENTIAL (NROGO) ALLOCATION RANKING
 PROPOSED TO PLANNING COMMISSION
 UPPER KEYS SUBAREA YEAR 22 QUARTER 1 (JULY 13, 2013-OCTOBER 15, 2013)

Rank	Permit No.	Name	Date	Time	Tier	Tier Pts	Wetlands: Tier III adj to Tier 1 with > 50%	Wetlands: Tier III adj to Tier 1 with < 50%	Intensity Reduct.	Flood Land Ded.	Zone V	First 4 Years	Each Add. Years	Hwy Access	200% Native w/in bufferyard & parking & above native	25% landscapi ng water conservati on	25% Plants T/E	BAT/AWT	Emp.	Payment fund	Overall Total Score	Key	Subdivisor	Lot	Block	RE No.	SF
1	No Applicants																										
2																											
3																											
4																											
5																											
6																											
																					Total Sq. Footage Requested		0				
																					Total Square Footage available for NROGO YEAR 22 pursuant to Board of County Commissioners Ordinance 019-2013		0				
																					Total Square Footage remaining		0				

* Indicates a ranking sufficient to receive an allocation award.
 @ Indicates a ranking subject to Growth Management Division Director approval.
 Point evaluation criteria pursuant to Monroe County Code Section 138.55.
 Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013.
 The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.

NON-RESIDENTIAL (NROGO) ALLOCATION RANKING
 PROPOSED TO PLANNING COMMISSION
 BIG PINE AND NO NAME KEYS SUBAREA YEAR 22 QUARTER 1 (JULY 13, 2013-OCTOBER 15, 2013)

Rank	Permit No.	Name	Date	Time	Tier	Tier Pts	Wetlands: Tier III adj to Tier 1 with > 50%	Wetlands: Tier III adj to Tier 1 with < 50%	Intensity Reduct	Land Ded.	Flood Zone V	First 4 Years	Each Add. Years	Hwy Access	200% Native w/in bufferyard & parking	25% above native	landscaping water conservation	25% Plants T/E	BAT/AWT	Emp.	Payment fund	Overall Total Score	Key	Subdivisor	Lot	Block	RE No.	SF			
1	-	1105569 Fletcher	12-Jan-12	3:38 PM	3	20	N/A	N/A	0	0	0	0	0	0	0	0	0	0	0	0	0	0	20	Big Pine Key	Metes and	22	0	00111420.000100	1011		
2																															
3																															
4																															
5																															
6																															
<p>* Indicates a ranking sufficient to receive an allocation award. @ Indicates a ranking subject to Growth Management Division Director approval. Point evaluation criteria pursuant to Monroe County Code Section 138.55. Pursuant to Ordinance 021-2012 wetland point section applies to new applications entering the permit allocation system after Jan. 13, 2013. The Board of County Commissioners on August 15, 2012 adopted Ordinance amending Sections 139-19, 138-25, 138-47 and 138-52 of the Monroe County Code to require the submittal of updated building plans meeting the current Florida Building Code and other life safety codes prior to the issuance of a building permit, but after a ROGO or NROGO allocation is awarded.</p>																															
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">Total Sq. Footage Requested</td> <td style="text-align: right;">1,011</td> </tr> <tr> <td style="text-align: right;">Total Square Footage available for NROGO YEAR 22 pursuant to Board of County Commissioners Ordinance 019-2013</td> <td style="text-align: right;">2,390</td> </tr> <tr> <td style="text-align: right;">Total Square Footage remaining</td> <td style="text-align: right;">1,379</td> </tr> </table>																										Total Sq. Footage Requested	1,011	Total Square Footage available for NROGO YEAR 22 pursuant to Board of County Commissioners Ordinance 019-2013	2,390	Total Square Footage remaining	1,379
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Total Square Footage available for NROGO YEAR 22 pursuant to Board of County Commissioners Ordinance 019-2013	2,390																														
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