County of Monroe
Growth Management Division

Office of the Director
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We strive to be caring, professional and fair

Board of County Commissioners
Mayor Heather Carruthers, District 3
Mayor Pro Tem David Rice, District 4
Kim Wigington, Dist. 1
George Neugent, Dist. 2
Sylvia J. Murphy, District 5

AGENDA
CONSTRUCTION INDUSTRY INFORMAL GROUP
QUARTERLY MEETING

April 6, 2011 - 4 PM – 7 PM

Marathon Government Center, EOC Room, 2798 Overseas Highway, Marathon

1. Finalized Mission Statement:
   "To evaluate Growth Management Division Building, Flood Plain, Planning and Environmental Resources, Engineering, Fire, and other department operations related to permitting and development approvals, and recommend improvements for better service delivery to the Construction Industry and Monroe County residents. "

2. Distribution of 3/24/11 documents reflecting updates from the 1/29/11 Construction Industry Quarterly meeting and FKCA Recommendations from 3/24/11:

   a. 3/24/11 Master Recommended Improvements
   b. 3/24/11 Phase I Recommended Improvements

3. Staff Reports on Phase I Action Items:

   a. Permit Type and Review Stops Matrix – Master Item #s: 1.1, 2.1, 2.3
      1) Purpose: standardize discipline reviews across permit types and offices
      2) Future Tasks: configure computer changes, test changes, train staff
      3) Estimated Implementation date: August 2011

   b. Private Provider Fees – Master Item #s: 5.1,6.7,6.8,6.9
      1) Summary on Monroe County obligations under Private Provider Statute
      2) 2010 FL Statute 553.791 – Alternative Plans Review and Inspection
      3) Proposed Monroe County Fee Resolution 008-2008 to BOCC
      4) Examples of Private Provider fee changes proposed

c. Proposed Revised ROGO/NROGO Process– Master Item #s: 2.2 and 6.6
(See Working Draft Staff Report)
   1) Eliminates a full review/building permit application PRIOR to application for ROGO/NROGO. Proposed process:
      a) Step 1: Site Plan Application (NEW)
      b) Step 2: ROGO/NROGO Application
      c) Step 3: Building Permit Application
   2) Proposed fee charges for new Site Plan application process
   3) Timeline for processing ordinance amendment-
      a) Expected implementation January 13, 2012
      b) Committees that must review proposed changes: DRC, PC, BOCC

4. Proposed Future meeting date: June 28th – Key Largo
5. Contact for volunteer signup/email: Karen Pleasant

MASTER: Growth Management Recommended Improvements

Updated: ***3/24/2011***

					IMPACT						ESTIMATED DURATION TO		
											SHORT	MEDIUM	LONG
PROJECT	**ITEM**	***Goal (Comments)***	***Summit Comment #***	***Phase (I,II,III)***	***MC Ordinance Changes***	***County Commission Approval***	***New Business Procedures***	***Create / Update Documentation and/or Reports***	***Cost / Budget***	***System Changes to CommunityPLUS***	(0 - 3 Months)	(4 - 8 Months)	(8 - 12 Months)
Process Mapping	1.1	Intake-Permit types/data entered		I							X		
	1.2	Plan Review		I							X		
	1.3	Issuance		I							X		
	1.4	Inspections		I							X		
	1.5	CO/Closing Permit		III							X		
Process Analysis													
Intake Process	2.1	Consolidate/Remove permit types and affects on database		I			X			X	X		
	2.2	Reverse ROGO Process review: No Permitting/building plan review for ROGO applications;	33	I	X	X	X	X		X			X
	2.3	Document Requirements at time of application, at time of issuance, at time of inspection		I			X	X		X	X		
	2.4	Owner/Blder use Agents - quicker and accurate	53	II			X	X		X	X		
	2.5	Submit permit w/o contractor while job is being bid -can save time	26	I			X	X		X	X		

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	2.6	Plan submission for permit review without an assigned General Contractor on commercial projects: This significantly expedites a project by allowing bidding to occur on the completed design at the same time as it is being reviewed and processed for permitting. The current sequential process which requires a General Contractor to be assigned to the permit application after bidding, selection and contract signing adds at least 4 weeks to the development process by requiring this to e completed before the application is submitted; not by the time the permit is to be picked up. Alternately, the current process is to purchase a contractor's signature on the permit application and then have the successful bidding contractor actually pick up and be assigned to the permit. Concurrent review and bidding whereby the contractor is not required until the permit is ready for picking up is a significant time, and money, saver and in a trial with the previous ABO, proved successful.	55	I			X	X		X	X		
	2.7	Better communication between depts and consistency between Marathon and Key Largo's Procedures	48	I			X	X		X	X		
	2.8	Type and tab forms (work & PDF)	52	II			X	X		X		X	

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	2.9	All permits at one time due to group request /subs should or should not be due at time of application? Issuance?	27	I			X	X		X	X		
	2.10	Use of a library at the County Building Department of the Notices of Approval (NOA): The NOAs don't change for the numerous door, window, shutter, roofing, cladding and other items and can be maintained in a paper of electronic library at the Building Department. Currently policy however requires submission of three paper copies of NOAs for each item. Reference to the library (all NOAs and Florida Building Commission Product Approvals are maintained on-line by these organizations) with submission of just a single copy for the field use will drastically reduce paper submission and storage.	56	III			X	X		X		X	

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	2.11	Permit required by Code Compliance (After Building Starts) get thru process quicker than others	29	III			X	X		X	X		
	2.12	Create a "check" or some type of mechanism to prevent issuance without inspection floodplain	CH email 12/13/10	I			X	X		X	X		
	2.13	Eliminate Flood Inspection with permit	58	I	X	X	X	X		X			X
Contractor	3.1	Sub-Contractor letter of Intent/Contract submission prior to scope of work beginning and not at issuance	34	III			X	X			X		
	3.2	Contractor not required to be owner of company or covered by workman's comp	35	III			X	X			X		
	3.3	Email notifications of policy or code changes to contractors and agents	50	III			X		X	X			X
	3.4	improving the way we can find out or search who is and isn't licensed quickly and efficiently	57	III			X	X		X	X		
Lobby	4.1	2 bar stools at counter	49	I					X		X		
	4.2	Computer in Bldg dept w/ access to MCPA, Clerk, eGov, Sunbiz w/ print (charge .25) capability	45	I					X			X	
	4.3	Kiosk of forms in Lobby	47	II			X	X	X			X	
Fees	5.1	Eliminate Private Provider fees private providers: why is there a charge?	38	I	X	X	X	X		X			X

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	5.2	Pricing by component vs sq ft	17	I	X	X	X	X		X		X	
	5.3	Credit cards	18	I		X	X	X	X	X			X
	5.4	Prepaid permits	30	III			X	X		X		X	
	5.5	Post Card Permits by email	36	III			X	X		X		X	
	5.6	Stormwater fees: Stormwater review, inspecting and final process document and fee restructuring. The current fees include: Plan review, Site visits, Admin fee, Research		I									
	5.7	Increase permit exempt valuation from $1000 to $2500	Written Request	I	X	X	X	X					X
	5.8	Fence Fees	60	I									
Plan Review	6.1	Automate plan review - concurrently via reports		II			X	X	X	X	X		

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	6.2	sequential processing creates time delay	15	I			X	X		X	X		
	6.3	Standard procedures between Offices	41	I			X	X		X	X		
	6.4	time frame for nonbuilding disciplines	10	II			X	X			X		
	6.5	Better communication between depts and consistency between Marathon and Key Largo's Procedures	48	I			X	X		X	X		
	6.6	reverse ROGO - affect on plan review time/storage/resource	13	I	X		X	X		X			X
	6.7	Private Provider plan review and staff redundancy review	37	I			X	X		X			X
	6.8	private provide audit vs duplicating provider work	32	I									X
	6.9	Outsource Plan Reviews - ICC or Private Providers	39	I									X

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	6.10	PDF Plans on disc w/ signed&sealed letter	44	III			X	X	X	X			
	6.11	Electronic documentation submission. This facilitates the concurrent review of a project by all concerned reviewers rather than the current sequential system of review whereby the same set of paper plans is passed from one reviewer to the next, often spending several days on desks in transition. The time savings can be measured in weeks. Any revisions required during the review are quick, documented through e-mail and traceable electronic PDF documentation, and available to all reviewers at the same time eliminating the possibility of a revision that could affect an earlier sequential reviewer's approval. The county has the equipment and the monitors to review electronic documentation, and all CADD programs have the capability to do Adobe PDF conversions readable by all of your current computers so there is no need to purchase new software or equipment to do this. As an example, all of the files for the construction and permitting documents for the proposed remodeling of the approximately 6,000 SF restaurant at Sugarloaf Lodge comprise less than 12 MB. This has been successful in our trial runs under the previous Assistant Building Official in the Key Largo	54	III			X	X	X	X			
	6.12	Ability to handle digital plan submission	14				X	X	X	X			

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	6.13	one person one plan	3	II			X	X		X		X	
	6.14	change inspector/plan rev to require all licenses to get towards one person one plan	5	II			X	X		X		X	
	6.15	look at efficiency and resource load for staff, i.e. plans reviewers same as inspectors	8	II				X				X	
	6.16	produce reporting statistics for turnaround time by plan review and discipline	9	II			X	X			X		
	6.17	revision going back thru all reviewers	11	II			X	X		X	X		
	6.18	revision priority over new project - group consensus	12	II			X	X		X	X		

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	6.19	SF Only: requirement for plumbing, electrical and mechanical plans reviews/drawings	16	III			X	X		X	X		
	6.20	Retrain personnel to enter comments properly and notify contractor or Agent	46	I			X	X			X		
Inspections	7.1	Automate inspections via IVR/eGov request function	1/25/11 Summit	I			X	X		X	X		
	7.2	standard inspection codes	6	I			X	X		X	X		
	7.3	Inspections never done on some permits, i.e. fences	42	II				X		X	X		
	7.4	Cross train all inspectors to increase efficiency and productivity	1	II								X	
	7.5	inspector equipment for staff that out on road/vehicle	2	II					X			X	
	7.6	vehicle replace chk stimulus $	4									X	
	7.7	pc in cars expedite resulting as well reference materials for bldg code	7	II					X			X	
	7.8	how do monitor inspection efficiency/who/work day	19	III			X	X		X	X		
	7.9	gps in phones as idea monitor time/work efficiency	20					X	X	X		X	
	7.10	inspection scheduling w/in 2 hr time frame	21	III			X	X		X		X	
	7.11	prioritizing inspections	22	I			X	X		X		X	
	7.12	complaint that can't always get thru to inspection line/person or don't return call	23	II			X	X			X		

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	7.13	Inspectors do planning inspections	43	III			X	X	X	X	X		
	7.14	Multiple Inspections of one site - all performed at once and not in specific order	59	I									
Certificates/ Closing													
Expiration	8.1	Expired permits: review /clean-up of data conversion errors; research other communities statute of limitations; fences/slabs/boat lifts/AC? Close out		I									
Other	9.1	Staff Meetings for workload review - monthly	40	II				X			X		
	9.2	?? Ring toss on string or foose basketball in Lobby while I wait	51						X				
	9.3	Amend Section 6-55 under Building Official Authority: Implement internal policy changes, fee interpretations, or code interpretations only after 90 day notice to contractors in writing. Policy changes, fee interpretations, or code interpretations that create an unsafe situation or health safety welfare issue shall not require 90 day notice, but every effort shall be made to notify industry representatives as soon as possible.	61	I	X		X					x	
	9.4	Investigate Mitigation Bank within Keys to assure mitigation can be accommodated well into the future and assure options for Keys property owners for permitting requirements.	62	I									

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NOTES:	10.1	out of town engineers who don't know how Monroe county works	24	III									
	10.2	Increase knowledge of public so issues in permitting and development approval do not occur as frequesntly	25	I									
	10.3	real estate agents educate new buyers to know when making changes need permits	28	III									
Permit /Code Follow-up	11.1	606 lapaoa, key largo - non permitted work/non contractor	29	na									

PHASE I RECOMMENDED IMPROVEMENTS

from Construction Industry Summit

Updated: *3/24/11*

Phase (I,II,III)	*MASTER Item #*	*Originating Summit Comment #*	*Goal*	Task Summary	Status	Staff
I	*1.1*		Intake-Permit types/data entered Process Mapping	Map and document permit intake procedure for all offices to follow; identify system changes and implement; monitor consistency across locations	Working	Team: Paskalik,Schwab,Roberts,Zavaliney,Wilson,Pleasant
I	*2.1*		Consolidate/Remove permit types and affects on database	Review permit type selections and identify those to "remove" and those to study usage; Update business process as needed.	Working	
I	*2.3*		Document Requirements at time of application, at time of issuance, at time of inspection	Review and create/update documentation for all offices to follow	Working	
I	*1.2*		Plan Review Process Mapping	Reviewing Auto Review Stops; Review how reviewers process and signoff; Centralize permit files to reduce/minimize sequential PR waiting time; Correction Letter	Working	Team: Paskalik,Schwab,Roberts,Zavaliney,Wilson,Pleasant
I	*6.2*	*15*	sequential processing creates time delay	Process review and identify changes. Implement system changes for testing. Implement approved system changes;	Working	
I	*6.20*	*46*	*Retrain personnel to enter comments properly and notify contractor or Agent*	Document review process to follow in all offices and train all staff	Working	
I	*1.3*		Issuance Process Mapping			KP and Team
I	*2.2*	*33*	*Reverse ROGO Process review: No Permitting/building plan review for ROGO applications; just planning case*	Modify permitting process/documentation	Working	Hurley and Team
I	*6.6*	*13*	*reverse ROGO - affect on plan review time/storage/resource*	Create new process for site permit application and ROGO application	Working	

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from Construction Industry Summit

Phase (I,II,III)	*MASTER Item #*	*Originating Summit Comment #*	*Goal*	Task Summary	Status	Staff
I	*5.1*	*38*	*Eliminate Private Provider fees private providers: why is there a charge?*	Update Fee Resolution Ordinance	Working	Paskalik and Legal
I	*6.7*	*37*	*Private Provider plan review and staff redundancy review*	Refine process procedures and documents	Working	Team: Paskalik,Schwab,Roberts,Zavaliney,Wilson,Pleasant
I	*6.8*	*32*	*private provide audit vs duplicating provider work*			
I	*6.9*	*39*	*Outsource Plan Reviews - ICC or Private Providers*			
I	*5.2*	*17*	*Pricing by component vs sq ft*	Evaluate fee allotment	Working	Hurley and Team
i	*5.8*	*60*	*Fence Fees*	Evaluate fee allotment	Working	Hurley and Team
I	*5.3*	*18*	*Credit cards*	Over the Counter and Allow Authorization letter to Charge from Contractors	Working	KP, IT
				By Phone		
				eGov		
				Escrow		
I	*5.6*		*Stormwater fees: Stormwater review, inspecting and final process document and fee restructuring. The current fees include: Plan review, Site visits, Admin, Research*			Kevin Wilson
I	*5.7*	*Written Request*	*Increase permit exempt valuation from $1000 to $2500*	Review and update fee resolution	Working	Paskalik
I	*2.9*	*27*	*All permits at one time due to group request /subs should or should not be due at time of application? Issuance?*	APPLICATION: Currently, Monroe County has one permit number for an entire job including all sub disciplines, i.e. Electric. Monroe County accepts applications without all identified sub contractors, but prefers otherwise to expedite the review and resolution if needed of issues pertaining to sub contractors. ISSUANCE: Monroe County requires all sub contractors to be identified and reviewed for qualifications prior to issuance.	Working	Paskalik
I	*2.5*	*26*	*Submit permit w/o contractor while job is being bid -can save time*		Working	Paskalik and Legal

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from Construction Industry Summit

Phase (I,II,III)	*MASTER Item #*	*Originating Summit Comment #*	*Goal*	Task Summary	Status	Staff
I	*2.6*	*55*	*Plan submission for permit review without an assigned General Contractor on commercial projects.....*			
I	*2.12*	*CH email 12/13/10*	*Create a "check" or some type of mechanism to prevent issuance without inspection floodplain*	Update Permit Application to contain Staff Entry section on PA data regarding ground level; Require all applications to have this section completed upon intake of application.	Working	Mary Tucker
I	*2.13*	*58*	*Eliminate Flood Inspection with permit (6-107)*			BOCC
I	*4.1*	*49*	*2 bar stools at counter*		Completed 1/11/11	Laura Carroll
I	*4.2*	*45*	*Computer in Bldg dept w/ access to MCPA, Clerk, eGov, Sunbiz w/ print (charge .25) capability*	Submit Service Request for Computer Stations; Analysis for space, table, wiring/access to electric and network cabling, as well as equipment/software acquisition		Pleasant and IT
I	*1.4*		Inspections Process Mapping	Review inspection requesting, scheduling entry, inspection action and resulting process		Team: Paskalik,Schwab,Roberts,Zavaliney,Wilson,Pleasant
I	*7.2*	*6*	*standard inspection codes*	Review permit types and identify default inspection codes; implement and test in CommunityPLUS; permit board to print with inspection code list		Team: Paskalik,Schwab,Roberts,Zavaliney,Wilson,Pleasant
I	*7.1*	*1/25 Summit*	*Automate inspections via IVR/eGov request function*			
I	*7.11*	*22*	*prioritizing inspections*			
i	*7.14*	*59*	*Multiple Inspections of one site - all performed at once and not in specific order*			
I	*6.20*	*48*	*Better communication between depts. and consistency between Marathon and Key Largo's Procedures*			
I	*6.3*	*41*	*Standard procedures between Offices*			

PHASE I RECOMMENDED IMPROVEMENTS

from Construction Industry Summit

Phase (I,II,III)	*MASTER Item #*	*Originating Summit Comment #*	*Goal*	Task Summary	Status	Staff
I	*8.1*		*Expired permits: review /clean-up of data conversion errors; research other communities statute of limitations; fences/slabs/boat lifts/AC? Close out*			
I	*9.3*	*61*	*Amend Section 6-55 under Building Official Authority: Implement internal policy changes, fee interpretations, or code interpretations only after 90 day notice to contractors in writing. Policy changes, fee interpretations, or code interpretations that create an unsafe situation or health safety welfare issue shall not require 90 day notice, but every effort shall be made to notify industry representatives as soon as possible.*			
I	*9.4*	*62*	*Investigate Mitigation Bank within Keys to assure mitigation can be accommodated well into the future and assure options for Keys property owners for permitting requirements.*			
I	*10.2*	*25*	*Increase knowledge of public so issues in permitting and development approval do not occur as frequesntly*			

Default Review Stops by Permit Type

Proposed 3/22/11

LEGEND: LANG=Language for Planning instead of actual review
COM = Commercial

NOTE: * = Number of Permits Issued represents total since 1980's
** = These are automatic stops that the system will create when a permit si entered. However, review stops can be added manually or "NA" if not needed.

		REVIEW STOPS										Review Stops Summary **			Manually Add As Needed			
Code	Permit Type Description	BIO (Setback/ Use Water)	LDR / PLAN (Setback/Use Land)	STRUCT	ELECT	MECH (GAS)	PLUMB	BLDG OFFICIAL	FLOOD	ENG	FIRE	Current # of Automatic Review Stops	Proposed # of Automatic Review Stops	DIFF	STORM WATER (By BIO)	CODE (By CustSer Rep)	FLOOD(6-107) (By CustSer Rep)	ROGO/NROGO (By CustSer Rep)
113-ACCESS	ACCESSORY STRUCTURE (NOT GUEST HOUSE)	1	1	1	1	1	1	1	1	COM	COM	0	8	**8**	1		1	
05	ADDITION-COMMERCIAL	1	1	1	1	1	1	1	1	1	1	9	10	**1**	1		1	NROGO
49	ADDITION-RESIDENTIAL	1	1	1	1	1	1	1	1			6	8	**2**	1		1	
34	AIR CONDITIONING		by Mech		1	1		1	1			2	4	**2**			1	
34W	AIR CONDITIONING-WALK THRU		by Mech			1		1	1			1	3	**2**			1	
110	ALARMS-COMMERCIAL (BURGLAR/FIRE)		*LANG*		1			1			1	3	3	**0**			1	
109	ALARMS-RESIDENTIAL (BURGLAR/FIRE)		*LANG*		1			1				2	2	**0**			1	
01	ANTENNA/TOWERS/EQUIP BLDG	1	1	1	1	1		1		1	1	9	8	**-1**	1		1	NROGO
03	AWNINGS		1	1				1				2	3	**1**			1	
63	BIO MISCELLANEOUS	1						1				2	2	**0**			1	
67	BLASTING	1	*LANG*	1				1				4	3	**-1**			1	
37	BOAT DAVITS - ***LIFTS***	1		1	1			1				4	4	**0**			1	
59	BRIDGES	1		1				1		1		5	4	**-1**			1	
50W	BUILDING MISC WALK-THRU		*LANG*	1				1				2	2	**0**			1	
50	BUILDING MISCELLANEOUS	1	1	1				1	1			2	5	**3**			1	
06	CARPORT	1	1	1	1			1	1			3	6	**3**			1	
OCCUPANCY	CHANGE OF OCCUPANCY		1	1	1	1	1	1			1	7	7	**0**			1	NROGO
75	CHICKEE HUT	1		1	1			1	1		COM	3	5	**2**			1	
53	CISTERN	1		1	1		1	1	1			4	6	**2**	1		1	
04	COMMERCIAL BLDG-NEW	1	1	1	1	1	1	1	1	1	1	9	10	**1**	1		1	NROGO
04-NROGO	COMMERCIAL BLDG-NEW NROGO	1	1	1	1	1	1	1	1	1	1	0	10	**10**	1		1	NROGO
04R	COMMERCIAL BLDG-REPLACE	1	1	1	1	1	1	1	1	1	1	9	10	**1**	1		1	NROGO
88	COMMERCIAL MISC	1	1	1	1	1	1	1	1	1	1	3	10	**7**	1		1	NROGO
60	COMMERCIAL REMODEL	1	1	1	1	1	1	1	1	1	1	5	10	**5**	1		1	NROGO
54	COMMERCIAL STORAGE	1	1	1	1	1	1	1	1	1	1	9	10	**1**	1		1	NROGO
72	CONCRETE CAP	1		1				1				2	3	**1**			1	
42	CONCRETE SLAB	1		1				1				3	3	**0**	1		1	
62	CURBING	1		1				1				2	3	**1**			1	
36	DECK	1	1	1				1				3	4	**1**			1	
08	DEMO	1	*LANG*	1	1	1	1	1	1			2	7	**5**			1	
08W	DEMO WALK-THRU	1	*LANG*	1	1	1	1	1	1			0	7	**7**			1	
106	DEMO-FEMA COMPLIANCE	1	*LANG*	1	1		1	1				2	5	**3**			1	
09	DEMO-MOVING BLDG	1	1	1	1	1	1	1			COM	7	7	**0**			1	ROGO
11-A	DOCK/SEAWALL REPAIR	1	*LANG*	1				1				3	3	**0**			1	
11	DOCK**ING FACIALITY**	1		1				1				5	3	**-2**			1	
65	DREDGING	1	1	1				1				3	4	**1**			1	
74	DRIVEWAY	1	1	1				1				3	4	**1**	1		1	
51	ELECTRIC MISC		*LANG*		1			1				2	2	**0**			1	
51W	ELECTRIC MISC WALK THRU		*LANG*		1			1				2	2	**0**			1	

Default Review Stops by Permit Type

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47	ELECTRICAL - SINGLE FAMILY		*LANG*		1			1				2	2	**0**			1	
91	ELEVATOR/CHAIR LIFT/DUMB WAITER	1		1	1			1	1			3	5	**2**	1		1	
41	ENCLOSURE - OTHER **(FEMA)**			1	1			1	1			3	4	**1**			1	
40	ENCLOSURE-V-ZONE **(FEMA)**			1	1			1	1			3	4	**1**			1	
28	EXCAVATION	1		1				1				4	3	**-1**	1		1	
21-ET	EXISTING LP TANK TIE DOWN		1	1				1				0	3	**3**			1	
44-A	EXTERIOR CONCRETE REPAIRS		*LANG*	1				1				2	2	**0**			1	
44	EXTERIOR RENOVATIONS		1	1	1			1	1		1	2	6	**4**			1	
07-FEMA	FEMA FUNDED RESIDENCE	1	1	1	1	1	1	1	1	1	1	6	10	**4**			1	ROGO
999	FEMA INSP COMPLIANCE PROGRAM							1	1			1	2	**1**			1	
999P	FEMA INSP PRIVATE INSPECTOR								1			0	1	**1**			1	
999B	FEMA INSP SALE COUNTY INSPECTOR							1	1			0	2	**2**			1	
12W	FENCE/RETAIN WALLS-WALK THRU	1		1				1				4	3	**-1**			1	
12	FENCE/RETAINING WALLS	1		1				1				4	3	**-1**			1	
29	FILL	1		1				1				3	3	**0**			1	
14	FIRE PROTECTION SYSTEM		*LANG*					1			1	6	2	**-4**			1	
201	FLOOR COVERING		*LANG*	1				1				2	2	**0**			1	
15	FOUNDATION & PILING	1	1	1				1				2	4	**2**			1	
46	GARAGE/ENCLOSED CARPORT	1	1	1	1			1	1			4	6	**2**			1	
16-A	GAS TANKS - ABOVE GROUND	1		1		1		1	1			6	5	**-1**			1	
16	GAS TANKS - ***IN*** GROUND	1	1	1	1	1		1				6	6	**0**			1	
17	GAZEBO	1		1	1			1	1			3	5	**2**			1	
18A	GENERATOR AUXILIARY	1	1	1	1			1	1			3	6	**3**			1	
18	GENERATOR BUILDING	1	1	1	1	1		1	1	1	1	7	9	**2**			1	NROGO
07-GUEST	GUEST HOUSE TO SFR	1	1	1	1	1	1	1	1			6	8	**2**			1	
96	HANDICAP RAMP	1	1	1				1			COM	3	4	**1**			1	
83	HOTEL/MOTEL	1	1	1	1	1	1	1	1	1	1	9	10	**1**	1		1	NROGO
43	INTERIOR RENOVATIONS		*LANG*	1	1	1	1	1				2	5	**3**			1	
22-AW	LAND CLEAR/EXOTICS WALK-THRU	1						1				2	2	**0**			1	
22	LAND CLEARING	1						1				2	2	**0**			1	
22-A	LAND CLEARING / EXOTICS ONLY	1						1				2	2	**0**			1	
22B	LANDSCAPE MISC	1						1				3	2	**-1**			1	
68	LATTICE (WOOD) & SCREENING		1	1				1	1			2	4	**2**			1	
76	LAWN SPRINKLER SYSTEM	1	*LANG*		1		1	1				2	4	**2**			1	
21	LP GAS ~~TANKS~~	1	1	1		1		1				6	5	**-1**			1	
90	MARINA	1		1	1	1	1	1		1	1	9	8	**-1**	1		1	NROGO
102	MH REPLACED WITH SFR	1	1	1	1	1	1	1	1			6	8	**2**	1		1	ROGO
56	MOBILE HOME - NEW	1	1	1	1	1	1	1	1			6	8	**2**	1		1	ROGO
56-AFFORD	MOBILE HOME-NEW AFFORDABLE	1	1	1	1	1	1	1	1	1	1	7	10	**3**	1		1	ROGO
30	MOBILE HOME-REPLACEMENT	1	1	1	1	1	1	1	1			6	8	**2**	1		1	ROGO
23	MULTI-FAMILY	1	1	1	1	1	1	1	1	1	1	9	10	**1**	1		1	ROGO
23-AFFORD	MULTI-FAMILY - AFFORDABLE HOUSING	1	1	1	1	1	1	1	1	1	1	9	10	**1**	1		1	ROGO
23-FEMA/AF	MULTI-FAMILY - FEMA AFFORDABLE HOUSING	1	1	1	1	1	1	1	1	1	1	9	10	**1**	1		1	ROGO
11-O	OBSERVATION DECK/CANNOT BE USED FOR DOCK	1	1	1				1				0	4	**4**	1		1	
112	PAINTING		*LANG*	1				1			1	1	3	**2**			1	
116	PARK	1		1	1	1	1	1		1	1	0	8	**8**	1		1	NROGO

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24	PAVING	1	1	1				1		1		3	5	**2**	1		1	
92	PILINGS	1	*LANG*	1				1				3	3	**0**			1	
55	PLUMBING - MISCELLANEOUS		*LANG*				1	1				2	2	**0**			1	
55S	PLUMBING - SEWER TIE-IN		*LANG*				1	1				2	2	**0**			1	
25	POOL & SPA	1		1	1	1	1	1	1			5	7	**2**	1		1	
25-A	POOL & SPA MAINT. & REPAIR			1	1	1	1	1				4	5	**1**			1	
89	PORCH - ENCLOSE		1	1	1		1	1	1			3	6	**3**			1	
87	PORCH - OPEN	1		1	1			1	1			2	5	**3**	1		1	
26	PORCH-SCREEN			1	1			1	1			4	4	**0**			1	
34A	POST CARD A/C PERMIT		*LANG*									0	0	**0**				
86	REFRIGERATION		*LANG*			1		1				2	2	**0**			1	
77	REMODELING - RESIDENTIAL		*LANG*	1	1	1	1	1	1			2	6	**4**			1	
101	REPL. OF SINGLE FAMILY RESID.	1	1	1		1	1	1	1			6	7	**1**	1		1	
PRESALE	RESEARCH & INSPECTION PRIOR TO SALE											0		**0**				
52	RETAINING WALL	1		1				1				3	3	**0**	1		1	
113-CRW	RIGHT-OF-WAY ACCESSORY STRUCTURES	1			1			1			1	5	4	**-1**			1	
27	RIPRAP	1	*LANG*	1				1				3	3	**0**			1	
38W	ROOFING WALK-THRU		*LANG*	1				1	1			2	3	**1**			1	
93	ROOFING-COMMERCIAL		*LANG*	1				1	1		1	3	4	**1**			1	
38	ROOFING-RESIDENTIAL		*LANG*	1				1	1			2	3	**1**			1	
31	RV - REPLACEMENT ***(USE)***	1	1									4	2	**-2**			1	
31 WILMA	RV - TEMPORARY RV ***(EMERG HOUSING)***	1	1									0	2	**2**			1	
105	SATELLITE DISHES	1			1							3	2	**-1**	1		1	
20	SEAWALL **(Without Dock)**	1		1				1				3	3	**0**			1	
57	SEWAGE TREAT PLANT-COMMERCIAL	1	1	1	1	1	1	1		1	1	7	9	**2**	1		1	
35	SHED	1		1				1	1			3	4	**1**			1	
61	SHUTTERS		*LANG*	1				1				2	2	**0**			1	
61W	SHUTTERS WALK-THRU		*LANG*	1				1				2	2	**0**			1	
66	SIGNS	1		1	1			1			1	3	5	**2**	1		1	
07-AFFORD	SINGLE FAMILY RES. -AFFORDABLE HOUSING	1	1	1	1	1	1	1		1	1	6	9	**3**	1		1	ROGO
07-AFF-EXP	SINGLE FAMILY RES-AFFORD FEE EXEMPT	1	1	1	1	1	1	1	1	1	1	0	10	**10**	1		1	ROGO
07-AFF-INC	SINGLE FAMILY RES-AFFORD INCLUSIONARY	1	1	1	1	1	1	1	1	1	1	0	10	**10**	1		1	ROGO
07	SINGLE FAMILY RES-CONVENTIONAL	1	1	1	1	1	1	1	1	1	1	6	10	**4**	1		1	ROGO
07-EMP	SINGLE FAMILY RES-EMPLOYEE HOUSING	1	1	1	1	1	1	1	1	1	1	6	10	**4**	1		1	ROGO
07-SFRBOAT	SINGLE FAMILY RES-HOUSEBOAT	1	1	1	1	1	1	1		1	1	6	9	**3**	1		1	ROGO
07-MOD	SINGLE FAMILY RES-MODULAR	1	1	1	1	1	1	1	1	1	1	6	10	**4**	1		1	ROGO
07-MODEST	SINGLE FAMILY-MODEST HOUSING	1	1	1	1	1	1	1	1			7	8	**1**	1		1	ROGO
	SITE PLAN - ROGO	1	1	1						1		0	4	**4**				
	SITE PLAN - NROGO	1	1	1						1	1	0	5	**5**				
115	SITE WORK	1	1	1	1	1	1	1	1	1	1	0	10	**10**	1		1	
33	SOLAR UNITS	1	*LANG*	1	1		1	1				3	5	**2**			1	
100	STAIRS	1		1				1				2	3	**1**			1	
42S	STUCCO		*LANG*	1				1				2	2	**0**			1	
95	TENNIS COURT - COMMERCIAL	1		1	1			1		1	1	5	6	**1**	1		1	NROGO
94	TENNIS COURT - RESIDENTIAL	1		1	1			1				3	4	**1**	1		1	

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32	TIE DOWNS		1	1				1				2	3	**1**			1	
81	TRAILER-CONSTRUCT/SALES	1		1	1	1	1	1			1	3	7	**4**	1		1	
73	WAREHOUSE	1	1	1	1	1	1	1	1	1	1	9	10	**1**	1		1	NROGO
200	WINDOW REPLACEMENT		*LANG*	1				1				2	2	**0**			1	
PLANNING RELATED PERMIT TYPES:																		
AV	ADMINISTRATIVE VARIANCE		1						1				2			*Manually*	1	
USE CHANGE	CHANGE USE / ADD USE		1					1	1		1		4			*Manually*	1	
HO	HOME OCCUPATIONAL		1						1				2			*Manually*	1	
TEMP USE	TEMP USE/**STRUCT** PERMIT		1	1				1					3			*Manually*		
VR	VACATION RENTAL		1										1			*Manually*		
ELIMINATED PERMIT TYPES (WILL BE RENAMED W/ "X..." IN COMMUNITYPLUS)																		
02	APARTMENTS											13	0	**-13**				
07-COM	COMMERCIAL APPARTMENT												0	**0**		*Manually*		
78	COMPLETE COMMERCIAL	1		1	1	1	1	1	1	1	1	3	9	**6**	1		1	NROGO
69	COMPLETE SFR - PROJECT STARTED	1		1	1	1	1	1	1	1	1	2	9	**7**	1		1	NROGO
54-T	COMMERCIAL STORAGE-TEMP	1	1	1	1	1	1	1	1	1	1	6	10	**4**	1		1	NROGO
07-DORM	DORMITORY BLDG-EMP HOUSING	1		1	1	1	1	1	1	1	1		9	**9**	1	*Manually*	1	NROGO
80	DRAINFIELD											6	0	**-6**		*Manually*		
10	DUPLEX	1	1	1	1	1	1	1		1	1	6	9	**3**			1	NROGO
10-AFFORD	DUPLEX - AFFORDABLE	1	1	1	1	1	1	1		1	1	0	9	**9**	1		1	NROGO
13	FLAG POLE		1	1				1				2	3	**1**			1	
45	FLORIDA ROOM	1	1	1	1	1	1	1				3	7	**4**			1	
19	INDUSTRIAL											8	0	**-8**		*Manually*		
82	INSTALL SEPTIC TANK												0	**0**		*Manually*		
22-C	LAND CLEARING ATF	1						1				2	2	**0**			1	
103	LBF - LIMITED BATH FACILITY											3	0	**-3**		*Manually*		
104	PARK MODEL - REPLACEMENT	1	1	1	1	1	1	1	1		COM	0	8	**8**	1	*Manually*	1	
79	PEAROCK											6	0	**-6**		*Manually*		
48	PLUMBING - SINGLE FAMILY											5	0	**-5**		*Manually*		
99	RENEWAL OF BUILDING PERMIT	1	1					1	1			6	4	**-2**		*Manually*	1	
71	REVISED PLANS											5	0	**-5**		*Manually*		
70	SEAWALL CAP	1		1				1				3	3	**0**			1	
58	SEWAGE TREAT PLANT-RESIDENTIAL	1	1	1	1	1	1	1		1	1	5	9	**4**	1		1	
07-AFF/MR	SINGLE FAMILY AFFORDABLE TO MARKET RATE	1	1	1	1	1	1	1	1		1	0	9	**9**	1	*Manually*	1	1
98	SINGLE FAMILY RES. RE-PERMIT											12	0	**-12**		*Manually*		
125	TEMPORARY STRUCTURE MCC 6-31	1	1	1	1	1	1	1	1		1	0	9	**9**			1	
81-A	TRAILER - TEMPORARY	1	1	1	1	1	1	1	1		1	5	9	**4**	1		1	
84	TRANSFER											6	0	**-6**		*Manually*		
85	TRANSFER & TO COMPLETE											6	0	**-6**		*Manually*		
22-TRANS	TRANSPLANTATION OF PLANTS	1						1	1			0	3	**3**		*Manually*	1	
64	WELL											7	0	**-7**		*Manually*		

PRIVATE PROVIDER INFORMATION

BACKGROUND:

- **On March 1, 2002, the Florida Building Code became effective throughout the state of Florida.**
- **On May 30, 2002, the Governor signed House Bill 1307 into law. The primary focus of this bill was to allow a building owner to hire a private service ("provider") to provide plans review and inspection services.**
- **The "provider" would review the construction documents and certify them as being in compliance with the applicable building codes. In addition, the "provider" could perform code inspections during the construction of the building.**
- **The primary purpose for this alternate plan review and inspection process was to expedite the permitting and inspection process.**
- **House Bill 1307 (Private Providers) will go into effect on October 1, 2002.**

DEFINITIONS:

- **"Private Provider" means a person licensed as an engineer under Chapter 471 or as an architect under Chapter 481.**
- **For purposes of performing inspections for additions and alterations that are limited to 1,000 S.F. or less to residential buildings, the term "private provider" also includes a person who holds a standard certificate under part XII of Chapter 468.**
- **"Duly authorized representative" means an agent of the "private provider", identified in the permit application, who reviews plans or performs inspections, and who is licensed as an engineer under Chapter 471 or as an architect under Chapter 481 or who holds a standard certificate under part XII of Chapter 468.**
- **"Building code inspection services" means those services described in s.468.603(6) & (7) involving the review of building plans to determine compliance with applicable codes, and those inspections required by law of each phase of construction for which permitting by a local enforcement agency is required.**

PLAN REVIEW:

- **A "private provider" performing plans review shall review construction plans to determine compliance with the applicable codes (104.3.1.1 FBC). Upon determining that the plans reviewed comply with these codes, the "private provider" shall complete the attached affidavit.**
- **The building official may require the fee owner who desires to use a "private provider" to use them for both plans review and required building inspection services.**

INSPECTIONS:

- **A "private provider" and any duly authorized representative may only perform building code inspection services that are within the disciplines covered by that person's licensure or certification under Chapter 481, Chapter 471, or Chapter 468.**
- **A "private provider" may not provide building code inspection services upon any building designed or constructed by the "private provider" or the private provider's firm.**
- **A fee owner using a "private provider" to perform building code inspection services, shall notify the local building official at the time of permit application (Affidavit).**
- **If the fee owner makes any changes to the listed "private providers" or the services to be provided by those "private providers", the fee owner shall within 1 business day after any change, update the notice in writing to the building department. *Any changes will require a new, fully executed affidavit.***
- **A "private provider" performing required inspections shall provide notice to the local building official of the date and approximate time of any such inspection, no later than the prior business day by 2:00 p.m. *Method of notification will be to call the appropriate Inspection Line number as listed on the permit card and indicate that this is a "Private Provider" inspection.***
- **The local building official may visit the building site as often as necessary to verify that the "private provider" is performing all required inspections.**

- **Upon completing the required inspections at each applicable phase of construction, the "private provider" shall record such inspections on the Permit Card provided. These inspection records shall reflect those inspections required by the applicable codes of each phase of construction for which permitting by the building department is required *(see Minimum Required Building Inspections per *Section 105 FBC).***
- **The "private provider", before leaving the project site, shall post each completed inspection record, indicating pass or fail, at the site and <u>provide the record to the local building official within two (2) business days. The original certified inspection must be hand delivered or mailed, faxes are not acceptable.</u>**
- **Records of all required and completed inspections shall be maintained at the building site at all time and be made available for review by the local building official.**
- **The "private provider" shall be permitted to send a duly authorized representative to the building site to perform the required inspections, provided all required reports and certifications are prepared by and bear the signature of the "private provider".**
- **The contractor's contractual or legal obligations are not relieved by any action of the "private provider".**
- **The "private provider" shall report to the local enforcement agency any condition that poses an immediate threat to public safety and welfare.**
- **Upon completion of all required inspections, the "private provider" shall prepare a *certificate of compliance*, summarizing the inspections performed and including a written representation, under oath, that the stated inspections have been performed and that the building construction inspected complies with the approved plans and applicable codes (*see Certificate of Compliance form).***

BUILDING DEPARTMENT PERMITTING TIME FRAME:

- **Within thirty (30) business days after receipt of a completed* permit application, the local building official shall issue the requested permit, or provide a written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes, as well as the specific code chapters and sections.**

  NOTE: A completed application must include required approvals from all outside agencies when applicable (i.e. U.S. Fish & Wildlife, Army Corps, Dept. of Environmental Protection, as well as LDR Compliance Review approval from County Engineer, Fire Marshal, FEMA, Planning and Environmental Resources).
- **If the local building official does not provide a written notice of the plan deficiencies within 30 days, the permit application shall be deemed approved and the permit shall be issued on the next business day.**
- **If the local building official provides a written notice of plan deficiencies within the 30-day period, that 30-day period shall be tolled pending resolution of the matter.**
- **If the permit applicant submits revisions, the local building official has the remainder of the tolled 30-day period plus five (5) business days to issue the requested permit or to provide a second written notice identifying plan features that remain in noncompliance with the applicable codes.**
- **Upon receipt of all approvals, the permit will be reviewed and priced and the applicant will be notified that the permit is ready to be issued. All contractor and subcontractor information must be provided to the building department and all fees paid, prior to the issuance of the permit.**

PERMITTING TIME FRAME ACKNOWLEDGEMENT

I am applying for a Monroe County building permit under the "Private Provider" section *104.3.2* of the Florida Building Code.

I understand that my complete application package will be submitted at the building department along with a non-refundable application fee. At that time, my application will receive a tracking number so that concurrent plan review can be performed by Planning, Environmental Resources, Floodplain Management, Fire Marshal and County Engineer as applicable. Upon approval of the LDR Compliance Review, this application will be submitted to the Building Department for review.

I further understand that, under the Florida Building Code, the Building Department has thirty (30) days to complete their review and issue the requested permit.

Date_____ Print Name_____

Acknowledged_____
(Signature)

Select Year: 2010 Go

The 2010 Florida Statutes(including Special Session A)

Title XXXIII REGULATION OF TRADE, COMMERCE, INVESTMENTS, AND SOLICITATIONS	Chapter 553 BUILDING CONSTRUCTION STANDARDS	View Entire Chapter

553.791 Alternative plans review and inspection.—

(1) As used in this section, the term:

(a) "Applicable codes" means the Florida Building Code and any local technical amendments to the Florida Building Code but does not include the applicable minimum fire prevention and firesafety codes adopted pursuant to chapter 633.

(b) "Audit" means the process to confirm that the building code inspection services have been performed by the private provider, including ensuring that the required affidavit for the plan review has been properly completed and affixed to the permit documents and that the minimum mandatory inspections required under the building code have been performed and properly recorded. The term does not mean that the local building official is required to replicate the plan review or inspection being performed by the private provider.

(c) "Building" means any construction, erection, alteration, demolition, or improvement of, or addition to, any structure for which permitting by a local enforcement agency is required.

(d) "Building code inspection services" means those services described in s. 468.603(6) and (7) involving the review of building plans to determine compliance with applicable codes and those inspections required by law of each phase of construction for which permitting by a local enforcement agency is required to determine compliance with applicable codes.

(e) "Duly authorized representative" means an agent of the private provider identified in the permit application who reviews plans or performs inspections as provided by this section and who is licensed as an engineer under chapter 471 or as an architect under chapter 481 or who holds a standard certificate under part XII of chapter 468.

(f) "Immediate threat to public safety and welfare" means a building code violation that, if allowed to persist, constitutes an immediate hazard that could result in death, serious bodily injury, or significant property damage. This paragraph does not limit the authority of the local building official to issue a Notice of Corrective Action at any time during the construction of a building project or any portion of such project if the official determines that a condition of the building or portion thereof may constitute a hazard when the building is put into use following completion as long as the condition cited is shown to be in violation of the building code or approved plans.

(g) "Local building official" means the individual within the governing jurisdiction responsible for direct regulatory administration or supervision of plans review, enforcement, and inspection of any construction, erection, alteration, demolition, or substantial improvement of, or addition to, any structure for which permitting is required to indicate compliance with applicable codes and includes any duly authorized designee of such person.

(h) "Permit application" means a properly completed and submitted application for the requested building or construction permit, including:

1. The plans reviewed by the private provider.
2. The affidavit from the private provider required under subsection (6).
3. Any applicable fees.
4. Any documents required by the local building official to determine that the fee owner has secured all other government approvals required by law.

(i) "Private provider" means a person licensed as an engineer under chapter 471 or as an architect under chapter 481. For purposes of performing inspections under this section for additions and alterations that are limited to 1,000 square feet or less to residential buildings, the term "private provider" also includes a person who holds a standard certificate under part XII of chapter 468.

(j) "Request for certificate of occupancy or certificate of completion" means a properly completed and executed application for:

1. A certificate of occupancy or certificate of completion.
2. A certificate of compliance from the private provider required under subsection (11).
3. Any applicable fees.
4. Any documents required by the local building official to determine that the fee owner has secured all other government approvals required by law.

(k) "Stop-work order" means the issuance of any written statement, written directive, or written order which states the reason for the order and the conditions under which the cited work will be permitted to resume.

(2) Notwithstanding any other law or local government ordinance or local policy, the fee owner of a building or structure, or the fee owner's contractor upon written authorization from the fee owner, may choose to use a private provider to provide building code inspection services with regard to such building or structure and may make payment directly to the private provider for the provision of such services. All such services shall be the subject of a written contract between the private provider, or the private provider's firm, and the fee owner or the fee owner's contractor, upon written authorization of the fee owner. The fee owner may elect to use a private provider to provide plans review or required building inspections, or both. However, if the fee owner or the fee owner's contractor uses a private provider to provide plans review, the local building official, in his or her discretion and pursuant to duly adopted policies of the local enforcement agency, may require the fee owner or the fee owner's contractor to use a private provider to also provide required building inspections.

(3) A private provider and any duly authorized representative may only perform building code inspection services that are within the disciplines covered by that person's licensure or certification under chapter 468, chapter 471, or chapter 481. A private provider may not provide building code inspection services pursuant to this section upon any building designed or constructed by the private provider or the private provider's firm.

(4) A fee owner or the fee owner's contractor using a private provider to provide building code inspection services shall notify the local building official at the time of permit application, or no less than 7 business days prior to the first scheduled inspection by the local building official or building code enforcement agency for a private provider performing required inspections of construction under this section, on a form to be adopted by the commission. This notice shall include the following information:

(a) The services to be performed by the private provider.

(b) The name, firm, address, telephone number, and facsimile number of each private provider who is performing or will perform such services, his or her professional license or certification number,

qualification statements or resumes, and, if required by the local building official, a certificate of insurance demonstrating that professional liability insurance coverage is in place for the private provider's firm, the private provider, and any duly authorized representative in the amounts required by this section.

(c) An acknowledgment from the fee owner in substantially the following form:

I have elected to use one or more private providers to provide building code plans review and/or inspection services on the building or structure that is the subject of the enclosed permit application, as authorized by s. 553.791, Florida Statutes. I understand that the local building official may not review the plans submitted or perform the required building inspections to determine compliance with the applicable codes, except to the extent specified in said law. Instead, plans review and/or required building inspections will be performed by licensed or certified personnel identified in the application. The law requires minimum insurance requirements for such personnel, but I understand that I may require more insurance to protect my interests. By executing this form, I acknowledge that I have made inquiry regarding the competence of the licensed or certified personnel and the level of their insurance and am satisfied that my interests are adequately protected. I agree to indemnify, defend, and hold harmless the local government, the local building official, and their building code enforcement personnel from any and all claims arising from my use of these licensed or certified personnel to perform building code inspection services with respect to the building or structure that is the subject of the enclosed permit application.

If the fee owner or the fee owner's contractor makes any changes to the listed private providers or the services to be provided by those private providers, the fee owner or the fee owner's contractor shall, within 1 business day after any change, update the notice to reflect such changes. A change of a duly authorized representative named in the permit application does not require a revision of the permit, and the building code enforcement agency shall not charge a fee for making the change. In addition, the fee owner or the fee owner's contractor shall post at the project site, prior to the commencement of construction and updated within 1 business day after any change, on a form to be adopted by the commission, the name, firm, address, telephone number, and facsimile number of each private provider who is performing or will perform building code inspection services, the type of service being performed, and similar information for the primary contact of the private provider on the project.

(5) After construction has commenced and if the local building official is unable to provide inspection services in a timely manner, the fee owner or the fee owner's contractor may elect to use a private provider to provide inspection services by notifying the local building official of the owner's or contractor's intention to do so no less than 7 business days prior to the next scheduled inspection using the notice provided for in paragraphs (4)(a)-(c).

(6) A private provider performing plans review under this section shall review construction plans to determine compliance with the applicable codes. Upon determining that the plans reviewed comply with the applicable codes, the private provider shall prepare an affidavit or affidavits on a form adopted by the commission certifying, under oath, that the following is true and correct to the best of the private provider's knowledge and belief:

(a) The plans were reviewed by the affiant, who is duly authorized to perform plans review pursuant to this section and holds the appropriate license or certificate.

(b) The plans comply with the applicable codes.

(7)(a) No more than 30 business days after receipt of a permit application and the affidavit from the private provider required pursuant to subsection (6), the local building official shall issue the requested

permit or provide a written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes, as well as the specific code chapters and sections. If the local building official does not provide a written notice of the plan deficiencies within the prescribed 30-day period, the permit application shall be deemed approved as a matter of law, and the permit shall be issued by the local building official on the next business day.

(b) If the local building official provides a written notice of plan deficiencies to the permit applicant within the prescribed 30-day period, the 30-day period shall be tolled pending resolution of the matter. To resolve the plan deficiencies, the permit applicant may elect to dispute the deficiencies pursuant to subsection (13) or to submit revisions to correct the deficiencies.

(c) If the permit applicant submits revisions, the local building official has the remainder of the tolled 30-day period plus 5 business days to issue the requested permit or to provide a second written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes, with specific reference to the relevant code chapters and sections. If the local building official does not provide the second written notice within the prescribed time period, the permit shall be issued by the local building official on the next business day.

(d) If the local building official provides a second written notice of plan deficiencies to the permit applicant within the prescribed time period, the permit applicant may elect to dispute the deficiencies pursuant to subsection (13) or to submit additional revisions to correct the deficiencies. For all revisions submitted after the first revision, the local building official has an additional 5 business days to issue the requested permit or to provide a written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes, with specific reference to the relevant code chapters and sections.

(8) A private provider performing required inspections under this section shall inspect each phase of construction as required by the applicable codes. The private provider shall be permitted to send a duly authorized representative to the building site to perform the required inspections, provided all required reports are prepared by and bear the signature of the private provider or the private provider's duly authorized representative. The duly authorized representative must be an employee of the private provider entitled to receive unemployment compensation benefits under chapter 443. The contractor's contractual or legal obligations are not relieved by any action of the private provider.

(9) A private provider performing required inspections under this section shall provide notice to the local building official of the date and approximate time of any such inspection no later than the prior business day by 2 p.m. local time or by any later time permitted by the local building official in that jurisdiction. The local building official may visit the building site as often as necessary to verify that the private provider is performing all required inspections. A deficiency notice must be posted at the job site by the private provider, the duly authorized representative of the private provider, or the building department whenever a noncomplying item related to the building code or the permitted documents is found. After corrections are made, the item must be reinspected by the private provider or representative before being concealed. Reinspection or reaudit fees shall not be charged by the local jurisdiction as a result of the local jurisdiction's audit inspection occurring before the performance of the private provider's inspection or for any other administrative matter not involving the detection of a violation of the building code or a permit requirement.

(10) Upon completing the required inspections at each applicable phase of construction, the private provider shall record such inspections on a form acceptable to the local building official. The form must be signed by the provider or the provider's duly authorized representative. These inspection records shall reflect those inspections required by the applicable codes of each phase of construction for which

permitting by a local enforcement agency is required. The private provider, before leaving the project site, shall post each completed inspection record, indicating pass or fail, at the site and provide the record to the local building official within 2 business days. The local building official may waive the requirement to provide a record of each inspection within 2 business days if the record is posted at the project site and all such inspection records are submitted with the certificate of compliance. Records of all required and completed inspections shall be maintained at the building site at all times and made available for review by the local building official. The private provider shall report to the local enforcement agency any condition that poses an immediate threat to public safety and welfare.

(11) Upon completion of all required inspections, the private provider shall prepare a certificate of compliance, on a form acceptable to the local building official, summarizing the inspections performed and including a written representation, under oath, that the stated inspections have been performed and that, to the best of the private provider's knowledge and belief, the building construction inspected complies with the approved plans and applicable codes. The statement required of the private provider shall be substantially in the following form and shall be signed and sealed by a private provider as established in subsection (1):

> To the best of my knowledge and belief, the building components and site improvements outlined herein and inspected under my authority have been completed in conformance with the approved plans and the applicable codes.

(12) No more than 2 business days after receipt of a request for a certificate of occupancy or certificate of completion and the applicant's presentation of a certificate of compliance and approval of all other government approvals required by law, the local building official shall issue the certificate of occupancy or certificate of completion or provide a notice to the applicant identifying the specific deficiencies, as well as the specific code chapters and sections. If the local building official does not provide notice of the deficiencies within the prescribed 2-day period, the request for a certificate of occupancy or certificate of completion shall be deemed granted and the certificate of occupancy or certificate of completion shall be issued by the local building official on the next business day. To resolve any identified deficiencies, the applicant may elect to dispute the deficiencies pursuant to subsection (13) or to submit a corrected request for a certificate of occupancy or certificate of completion.

(13) If the local building official determines that the building construction or plans do not comply with the applicable codes, the official may deny the permit or request for a certificate of occupancy or certificate of completion, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law, if the official determines that the noncompliance poses an immediate threat to public safety and welfare, subject to the following:

(a) The local building official shall be available to meet with the private provider within 2 business days to resolve any dispute after issuing a stop-work order or providing notice to the applicant denying a permit or request for a certificate of occupancy or certificate of completion.

(b) If the local building official and private provider are unable to resolve the dispute, the matter shall be referred to the local enforcement agency's board of appeals, if one exists, which shall consider the matter at its next scheduled meeting or sooner. Any decisions by the local enforcement agency's board of appeals, or local building official if there is no board of appeals, may be appealed to the commission as provided by this chapter.

(c) Notwithstanding any provision of this section, any decisions regarding the issuance of a building permit, certificate of occupancy, or certificate of completion may be reviewed by the local

enforcement agency's board of appeals, if one exists. Any decision by the local enforcement agency's board of appeals, or local building official if there is no board of appeals, may be appealed to the commission as provided by this chapter, which shall consider the matter at the commission's next scheduled meeting.

(14) For the purposes of this section, any notice to be provided by the local building official shall be deemed to be provided to the person or entity when successfully transmitted to the facsimile number listed for that person or entity in the permit application or revised permit application, or, if no facsimile number is stated, when actually received by that person or entity.

(15)(a) A local enforcement agency, local building official, or local government may not adopt or enforce any laws, rules, procedures, policies, qualifications, or standards more stringent than those prescribed by this section.

(b) A local enforcement agency, local building official, or local government may establish, for private providers and duly authorized representatives working within that jurisdiction, a system of registration to verify compliance with the licensure requirements of paragraph (1)(i) and the insurance requirements of subsection (16).

(c) This section does not limit the authority of the local building official to issue a stop-work order for a building project or any portion of the project, as provided by law, if the official determines that a condition on the building site constitutes an immediate threat to public safety and welfare.

(16) A private provider may perform building code inspection services on a building project under this section only if the private provider maintains insurance for professional liability covering all services performed as a private provider. Such insurance shall have minimum policy limits of $1 million per occurrence and $2 million in the aggregate for any project with a construction cost of $5 million or less and $2 million per occurrence and $4 million in the aggregate for any project with a construction cost of over $5 million. Nothing in this section limits the ability of a fee owner to require additional insurance or higher policy limits. For these purposes, the term "construction cost" means the total cost of building construction as stated in the building permit application. If the private provider chooses to secure claims-made coverage to fulfill this requirement, the private provider must also maintain coverage for a minimum of 5 years subsequent to the performance of building code inspection services. The insurance required under this subsection shall be written only by insurers authorized to do business in this state with a minimum A.M. Best's rating of A. Before providing building code inspection services within a local building official's jurisdiction, a private provider must provide to the local building official a certificate of insurance evidencing that the coverages required under this subsection are in force.

(17) When performing building code inspection services, a private provider is subject to the disciplinary guidelines of the applicable professional board with jurisdiction over his or her license or certification under chapter 468, chapter 471, or chapter 481. All private providers shall be subject to the disciplinary guidelines of s. 468.621(1)(c)-(h). Any complaint processing, investigation, and discipline that arise out of a private provider's performance of building code inspection services shall be conducted by the applicable professional board.

(18) Each local building code enforcement agency may audit the performance of building code inspection services by private providers operating within the local jurisdiction. Work on a building or structure may proceed after inspection and approval by a private provider if the provider has given notice of the inspection pursuant to subsection (9) and, subsequent to such inspection and approval, the work shall not be delayed for completion of an inspection audit by the local building code enforcement agency.

(19) The local government, the local building official, and their building code enforcement personnel shall be immune from liability to any person or party for any action or inaction by a fee owner of a building, or by a private provider or its duly authorized representative, in connection with building code inspection services as authorized in this act.

History.—s. 17, ch. 2002-293; s. 106, ch. 2005-2; s. 11, ch. 2005-147; s. 1, ch. 2005-216; s. 6, ch. 2006-65; s. 6, ch. 2007-187; s. 141, ch. 2008-4.

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RESOLUTION NO. _____-2011

A RESOLUTION RESCINDING RESOLUTION NO. 080-2008 PERTAINING TO THE BUILDING DEPARTMENT FEE SCHEDULE TO CLARIFY PRIVATE PROVIDER FEES AND MORE EFFECTIVELY IMPLEMENT THE TRUE COSTS OF PROVIDING THE SERVICES ASSOCIATED WITH THE PRIVATE PROVIDER SERVICES WITHIN THE BUILDING PERMITTING AND INSPECTION SYSTEM.

WHEREAS, the Monroe County Board of County Commissioners wish to provide the citizens of the County with the best possible service in the most cost effective and reasonable manner; and

WHEREAS, it is in the best interests of the public to charge the true cost for such services, thereby placing the burden of such costs directly upon those persons deriving the benefit from the services; and

WHEREAS, Florida Statutes 553.791 established an alternative plan review and inspection process whereby citizens may utilize private providers to have their plans reviewed and construction projects inspected for building code compliance; and

WHEREAS, Florida Statutes 553.791 requires fee owners who elect to use private providers to have their plans reviewed and construction projects inspected for building compliance are required to acknowledge in writing that they indemnify, defend, and hold harmless the local government whose services replace those typically performed by a local government building department; and

WHEREAS, Florida Statutes 553.791 does not provide for review by planning and environmental resources, flood plain, fire, or engineering; and

WHEREAS, Florida Statutes 553.791 does still provide that local government building departments may review plans and revisions to assure compliance with building codes within 30 days, otherwise the permit shall be deemed issued; and

WHEREAS, Florida Statutes 553.791 provides that local government building departments may audit building code inspections; and

WHEREAS, the Director of Growth Management is proposing a revised fee schedule (with newly proposed fees shown in underline and with existing fees maintained within this resolution) does reflect the true cost of providing the private provider services to the persons requesting the

PROPOSED

Building Department services, as well as the planning and environmental, flood plain, fire, and engineering services for private providers; and

WHEREAS, the Board heard testimony and evidence presented as to the appropriate fee schedule; and

WHEREAS, the Board concurs with the conclusions and findings of the Growth Management Director;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. Pursuant to Monroe County Code, the following building permit fees are hereby established:

(A) Building Application Fees:

1. New commercial buildings_____1500.00
2. New duplex or multi-family buildings_____1500.00
3. New conventional single family home_____ 750.00
4. New modular single family home_____ 500.00
5. New replacement mobile home_____ 52.00
6. All over the counter permits and signs_____ 52.00
7. Residential repairs/remodel (less than $10,000)_____ 52.00
8. Residential repairs/remodel ($10,000 or more)_____ 100.00
9. Commercial repairs/remodel (less than $10,000)_____ 52.00
10. Commercial repairs/remodel ($10,000 or more)_____ 200.00
11. Construction of seawall, riprap, dredge and fill, dock, or any combination thereof _____ 80.00
12. After the fact permits _____ 502.00

[If the application is approved, the fee shall be deducted from any other amount which may be due and owing under the other terms of this subsection.]

(B) Building Permit Fees:

1. Minimum Fee _____ 50.00

2. Buildings (including balconies, additions, garages, enclosures and accessory buildings):
   a. For each 100 square feet of enclosed area or fractional part thereof____ 30.00

3. Structures other than buildings & misc. construction (Unless specified herein):
   a. For each $1000.00 of cost or fractional parts thereof_____ 30.00
   b. Seal coating/painting (for each $1000.00 of cost or fraction part thereof) 20.00
   c. Cabinets & Vanities_____ 50.00

PROPOSED

4.Sewer Treatment Plants (physical plant with lift station):_____see (B) 3a above
[For all additional items refer to applicable sections herein]

5. All flat work and decks on grade outdoor & indoor (concrete, asphalt, wood, tile, carpet etc.):
   a. For each 1000 square feet or fractional part thereof_____ 25.00

6.Fences and retaining walls:
   a. For each 100 lineal feet or fractional part thereof _____ 50.00

7.Roofing (including repairs and new roofs):
   a. For each 100 square feet or fractional part thereof_____ 5.00
   b. Waterproofing _____ 50.00

8.Swimming pools:
   a. Residential_____ 150.00
   b. Commercial_____ 250.00
   c. Spas/hot tub (up to 12' diameter)_____ 75.00
   [For all additional items refer to applicable sections herein]

9.Cisterns:
   a. Residential_____ 100.00
   b. Commercial (non-potable water only):
      i. For each 1000-gallon capacity or fractional part thereof_____ 10.00
   c. Minimum Fee_____ 150.00

10. Mobile Home Installation:
   a. Tie downs, blocking, sewer connection, water connection, and electrical
   b. Connection_____ 150.00
   c. Tie downs, inspection for insurance purposes only_____ 75.00
   [For all additional items refer to applicable sections herein]

11. Temporary Trailer (Construction and/or Sales):
   a. Annual Fee (each)_____ 200.00

12. Temporary Tents_____ 50.00

13. Tanks:
   a. For each 1000-gallon capacity or fractional part thereof_____ 7.00
   b. Minimum Fee (each tank)_____ 75.00
   [For all additional items refer to applicable sections herein]

14. Moving building_____ 200.00

15. Demolition:
   a. For each 1000 square feet or fractional part thereof_____ 50.00

PROPOSED

16. Seawalls and riprap:
   a. For each 50 lineal feet or fractional part thereof_____ 25.00
   b. Inspection _____ 80.00

17. Docks:
   a. For each 100 square feet of flat area or fractional part thereof_____ 25.00
   b. Inspection_____ 80.00
   c. With piling (each pile)_____ 15.00
   d. With boat davit (each davit)_____ 20.00
   e. With retaining wall_____priced as fence

18. Excavation:
   a. Borrow pits, canals, etc:
      i. Annual Fee:_____ 500.00
      ii. Inspection_____ 80.00
      iii. Boat slips, ramps, miscellaneous minor excavations:
         (a) For first 100 cubic yards or fractional part thereof_____ 50.00
         (b) For each additional 100 cubic yards or fractional part thereof___ 15.00
         (c) Inspection _____ 80.00

19. Filling (On land and/or water):
   a. For each 100 cubic yards or fractional part thereof_____ 15.00
   b. Inspection Fee _____ 80.00

20. Land Clearing:
   a. Removal or trimming of invasive exotics_____ No Fee
   b. Major pruning or removal of non-invasive exotics and natives:
   i. Inspection fee, when necessary_____ 35.00
   ii. First acre or fractional part thereof_____ 35.00
   iii. For each additional acre_____ 6.00

21. Awnings and removable canopies:
   a. For each 100 square feet or fractional part thereof_____ 25.00

22. Hurricane Shutters:
   a. Retrofit or New Construction_____ No Fee

23. Wood lattice and screening:
   a. For each 100 square feet or fractional part thereof_____ 15.00

24. Commercial kitchen vent hoods:
   a. For each $1000 of cost or fractional part thereof_____ 30.00
   [For all additional items refer to applicable sections herein]

PROPOSED

25. Signage:
    a. Signs (New):
        i. For each 50 square feet of sign face or fractional part thereof_____ 30.00
        ii. Annual Re-inspection Fee (when applicable)_____ 25.00
    b. Signs (Modify, Repair, Repaint):
        i. For each 50 square feet of sign face or fractional part thereof_____ 20.00
        ii. Highway Billboards (Repair/Maintenance Only):_____ 40.00
        iii. For each 50 square feet of sign face or fractional part thereof_____ 35.00
        iv. Annual Re-inspection Fee (when applicable)_____ 35.00

    [For all additional items refer to applicable sections herein]

(C) Electrical Permit Fees:

1.Minimum Fee_____ 50.00

2.Site work: (Commercial)
    a. For each $1000 of cost or fractional part thereof_____ 30.00

3.Outlets:
    a. General (receptacles, switches, lights, telephones, TV, etc.):
    b. For each 100 square feet of enclosed area or fractional part thereof_____ 10.00
    c. Appliance outlets, each (including ceiling fans)_____ 10.00
    d. Exterior Area Lighting, each_____ 10.00

4.Services:
    a. Temporary:_____ 50.00
    b. Single Phase
        i. 0 to 300 amp_____ 50.00
        ii. Over 300 amp to 400 amp_____ 75.00
        iii. Over 400 amp to 600 amp_____ 100.00
        iv. Over 600 amp _____ 125.00
    c. Three Phase
        i. 0 to 300 amp_____ 75.00
        ii. Over 300 to 400 amp_____ 100.00
        iii. Over 400 to 600 amp_____ 125.00
        iv. Over 600 amp_____ 200.00

        [Sub Feeds to be charged by amps at the same rate as Service]

5.Motors:
    a. 0 to 10 HP_____ 50.00
    b. Over 10 HP to 25 HP_____ 100.00
    c. Over 25 HP_____ 125.00

PROPOSED

6.Generators, Transformers, and Transfer Switches (each):

a. 0 to 25 KW_____ 50.00
b. Over 25 KW to 50 KW_____ 100.00
c. Over 50 KW_____ 125.00

7.X-ray Machines (each):_____ 150.00

8.Welding Machines (each):

a. 0 to 25 amps (primary)_____ 50.00
b. Over 25 amps to 50 amps_____ 65.00
c. Over 50 amps_____ 75.00

9.A/C (each):

a. Window or wall (If New Service Required)_____ 20.00
b. Central System:
   i. Up to 20 tons_____ 50.00
   ii. Over 20 tons_____ 3.00/ton

c. Refrigeration:
   i. Up to 20 tons_____ 50.00
   ii. Over 20 tons_____3.00/ton
   iii. Heat Pump (per unit)_____ 50.00

10. Elevators, Commercial (each)_____ 200.00

a. Elevators, Residential (each)_____ 75.00
b. Dumbwaiters, wheelchair lifts or stair lifts (each)_____ 75.00

11. Signage:

a. 1st sign connection_____ 50.00
b. Each additional sign connection_____ 15.00

12. Plug Mold and Track Lighting:

a. For each 100 lineal feet or fractional part thereof_____ 50.00

13. Alarm Systems:

a. Low Voltage Systems Residential (each)_____ 50.00
b. Commercial
   i. For each $1000 of cost or fractional part thereof_____ 20.00

14. Commercial kitchen vent hood motors_____see (C) 5 above

15. Repairs/ Remodeling (same as new work):

a. Minimum Fee_____ 50.00

16. Swimming Pools & Hot Tubs:_____see (C) 4 & 5 above

PROPOSED

17. Home Automation System:
    a. For each $1000 of cost or fractional part thereof_____ 20.00

18. Fiber Optic System:
    a. For each $1000 of cost or fractional part thereof_____ 20.00

19. Carnivals, Circuses, Road Shows and similar temporary installations:
    a. Generators_____ see (C) 6 above
    b. Minimum Fee_____ 200.00

20. Miscellaneous:
    a. For each $1000.00 of cost or fractional part thereof_____ 20.00

(D) Plumbing Permit Fees:

1.Minimum Fee_____ 50.00

2.Fixtures (each):
    a. Roughed in and set_____15.00

3.Sewer:
    a. Building interior lines and connection_____ 50.00
    b. Outside sanitary and storm lines (site work):
        (a) For each $1000 of cost or fractional part thereof_____ 50.00

4.Manholes (each):_____ 50.00

5.Sewage Treatment Plant:
    a. For each $1000 of cost or fractional part thereof for:
    b. Collection System and Disposal Well _____ 65.00

6.Water Piping:
    a. Connection to supply system (each)_____ 20.00
        i. Connection (each) to any appliance or fixture_____ 15.00
    b. Irrigation system:
        i. For each $1000 of cost or fractional part thereof_____ 12.00
    c. Fire protection system:
        i. For each $1000 of cost or fractional part thereof_____ 12.00

7.Water Mains and Distribution Lines:
    a. For each $1000 of cost or fractional parts thereof_____ 50.00

PROPOSED

8.Swimming Pool:

a. Hook-up and site work (Residential)_____ 50.00

b. Commercial_____ 100.00

9.Wells (where applicable) each_____ 25.00

10. Repairs/Remodeling:

a. Same as New Work…Minimum Fee_____ 50.00

11. Commercial kitchen vent hood (if plumbing required)_____ 50.00

12. Miscellaneous:

a. For each $1000.00 of cost or fractional part thereof_____ 25.00

(E) Mechanical Permit Fees:

1.Minimum Fee_____ 50.00

2.A/C Systems (excluding windows units) and refrigeration:

a. Under 2 Ton_____ 50.00

b. Over 2 Ton to less than 5 Ton_____ 65.00

c. Over 5 Ton to less than 10 Ton_____ 85.00

d. Over 10 Ton to less than 25 Ton _____ 115.00

e. Over 25 Ton to less than 50 Ton_____ 155.00

f. Over 50 Ton to less than 100 Ton_____ 250.00

g. Over 100 Ton_____ 300.00

3.Duct Work:

a. Per each drop (opening)_____ 10.00

4.Commercial Kitchen Vent Hood_____ 50.00

5.Heat Pump (per unit)_____ 65.00

6.Miscellaneous:

a. For each $1000.00 of cost or fractional part thereof_____ 20.00

(F) Fuel Gas Fees:

1.Service fee:_____ 50.00

2.Fixtures, i.e.; range, dryer, water heater etc. (each)_____ 15.00

PROPOSED

(G) Building Plans Review Fees:
Used for Building, Electric, Plumbing, Mechanical, and Fuel individually, as applicable

1.New, single family residential (per discipline) 100.00
2.Remodeling plans review single family residential (per discipline) 50.00
3.New, commercial and/or remodeling plans review (per discipline) 150.00
4.Revisions (after permit is issued) - lump sum fee includes all disciplines (building, electric, plumbing, mechanical, and fuel (charged for each major revision):
a. Major revision (complete re-design) 1000.00
b. Minor revisions (per discipline) 50.00
[Above fee increases 50.00 with each submission, not to exceed 500.00]
5.Lost plans re-review per page 5.00
a. Minimum fee 50.00

(H) Re-inspection Fees:
a. First re-inspection 50.00
b. Subsequent 100.00

(I) LDR and Non-building code site and plans review fees
1.Planning and/or Environmental review:
a. Education fee 10.00
b. Biologist Review:
i. Compliance review for new development
(a) Single family and mobile homes 75.00
(b) Duplex, multi- family and commercial 150.00
(c) Other (accessory or clearing) 60.00
(d) Habitat Evaluation Index (HEI) evaluation 260.00
(e) Site Visit (other than final inspection) 130.00
ii. Compliance review for revision, remodel or expansion
(a) Single family and mobile homes 75.00
(b) Duplex, multi- family and commercial 150.00
(c) Other (accessory or clearing) 60.00
(d) Habitat Evaluation Index (HEI) evaluation 260.00
(e) Site Visit (other than final inspection) 130.00
(f) Miscellaneous per hour fee (research) 60.00
c. Planer Review:
i. Compliance review for new development
(a) Single family and mobile homes 75.00
(b) Duplex, multi- family and commercial 150.00
(c) Other (accessory or clearing) 60.00
(d) Site Visit (other than final inspection) 130.00
ii. Compliance review for revision, remodel or expansion
(a) Single family and mobile homes 75.00
(b) Duplex, multi- family and commercial 150.00

PROPOSED

(c) Other (accessory or clearing) _____ 60.00
(d) Site Visit (other than final inspection) _____ 130.00
d. Miscellaneous per hour fee (research) _____ 60.00

2. Flood Plain Management Review:
a. Flood Plain Manger Review _____ 140.00

3. Engineering Division Review:
a. County Engineer Review
i. Compliance Review _____ 375.00
(a) Administrative Fee _____ 229.00
(b) Site Inspection _____ 375.00
b. Miscellaneous per hour fee (research) _____ 94.00

4. Fire Safety Division
a. Fire Marshal Review
i. Compliance Review
(a) Structural & Site Plan _____ 229.00
(i) Administrative Fee _____ 52.00
(b) Inspections
(i) Structural & Site Plan _____ 172.00
(ii) Sprinkler Systems & Fire Alarms _____ 304.00
(iii) Administrative Fee _____ 26.00

5. Code Compliance Department
a. . Code Compliance Fee _____ 11.00
(applies to all permits)

(J) ROGO/NROGO ~~and privatized plans compliance review~~ application fees See Planning and Environmental Resources Fees:
~~1. Single family residential, mobile home _____ 200.00~~
~~2. Attached residential and commercial _____ 400.00~~

(K) Miscellaneous Fees:
1. Transfer of a building permit upon change of ownership _____ 200.00
2. Extension of permit fee (One per permit) _____ 250.00
3. Education Fee _____ $2.00 per permit issued
a. New Residential and/or Commercial _____ 25.00
4. Flood Insurance Inspection and Compliance:
a. Program administration fee _____ 210.00
b. Inspection Fee (Code Enforcement) _____ 90.00
c. Inspection upon Sale _____ 170.00

5. Blasting Fees:

PROPOSED

a. Monthly fee _____ 50.00
b. Yearly fee:
i. User _____ 600.00
ii. Blaster _____ 100.00

6.Charge for copies priced per Section 119.07(1)(a), F.S.

7.Replacement permit card_____25.00

8.Permit Renewal:
a. Minimum fee _____ 500.00
[Fee is prorated to last approved inspection]

9.Change of contractor (After Permit Has Been Issued) _____ 75.00

10. Technology & Document Processing Fee:
a. Total permit fee less than 500.00 _____ 3.00
b. Total permit fee greater than 500.00 _____ 20.00

11. Certificates of Occupancy/Certificates of Completion
a. Residential _____ 100.00
b. Commercial _____200.00
c. Emergency C.O.(without 24 hrs. processing) additional fee _____ 75.00
d. Certificate of Completion _____ 100.00

12. Post card permits _____min. 70.00

13. Contractor registration (Initial)_____ 50.00

14. Review of shutter insurance affidavit _____50.00

(L) **Private Provider Fees:**
NOTE: Private Provider requests *must* be either at application or after permit issuance. Also, if Private Provider services are terminated at any time during construction, full fees must be paid for County services or another private provider must be added to the permit. Additional documentation ("As-Built" certifications, etc.) may be required.

1. ***Plan Review and Inspection*** – the following fees are to be charged when a private provider is performing both services and the Department *is notified at time of permit application*:
a. Non-refundable Administrative Fee _____ $125.00
b. Building Application Fee – See all fees in Section (A)(1) through (12) – which shall be deducted from any other amount which may be due and owing under the terms of this subsection if the application is approved.
c. Planning – See all fees in Section (I)(1)
d. Environmental – See all fees in Section (I)(1)

PROPOSED

e. Flood Plain – See all fees in Section (I)(2)
f. Engineering – See all fees in Section (I)(3)
g. Fire Safety – See all fees in Section (I)(4)
h. Code Compliance – See all fees in Section (I) (5)
i. Audit Inspection Fees – 50% of the following fees (i) through (v) shall be added if applicable
   i. Building – See all fees in Section (B)(1) through (25)
   ii. Electrical – See all fees in Section (C) (1) through (20)
   iii. Plumbing – See all fees in Section (D) (1) through (12)
   iv. Mechanical – See all fees in Section (E) (1) through (6)
   v. Fuel Gas – See all fees in Section (F) (1) through (2)
j. Miscellaneous Fees applicable – See all fees in Section (K) including change of contractor fee

2. ***Plan Review (no inspections)*** – the following fees are to be charged when a private provider is performing Plan Review, but not performing inspections and the Department *is notified at time of permit application*.
   a. Non-refundable Administrative Fee $125.00
   b. Building Application Fee – See all fees in Section (A)(1) through (12) – which shall be deducted from any other amount which may be due and owing under the terms of this subsection if the application is approved.
   c. Planning – See all fees in Section (I)(1)
   d. Environmental – See all fees in Section (I)(1)
   e. Flood Plain – See all fees in Section (I)(2)
   f. Engineering – See all fees in Section (I)(3)
   g. Fire Safety – See all fees in Section (I)(4)
   h. Code Compliance – See all fees in Section (I) (5)
   i. Permit Fees – 100% of the following fees (i) through (v) shall be added if applicable
      i. Building – See all fees in Section (B)(1) through (25)
      ii. Electrical – See all fees in Section (C) (1) through (20)
      iii. Plumbing – See all fees in Section (D) (1) through (12)
      iv. Mechanical – See all fees in Section (E) (1) through (6)
      v. Fuel Gas – See all fees in Section (F) (1) through (2)
   j. Miscellaneous Fees applicable – See all fees in Section (K) including change of contractor fee

3. ***Inspections (by private provider) Only*** – the following fees are to be charged when only a private provider (not County) is performing Inspection services and the Department is notified *of private provider status at the time of the permit application* – all permitting and plan review fees remain the same.
   a. Non-refundable Administrative Fee $125.00
   b. Building Application Fee – See all fees in Section (A)(1) through (12) – which shall be deducted from any other amount which may be due and owing under the terms of this subsection if the application is approved.
   c. Plan Review – See all fees in Section (G)(1) through (5)

PROPOSED

d. Planning – See all fees in Section (I)(1)
e. Environmental – See all fees in Section (I)(1)
f. Flood Plain – See all fees in Section (I)(2)
g. Engineering – See all fees in Section (I)(3)
h. Fire Safety – See all fees in Section (I)(4)
i. Code Compliance – See all fees in Section (I) (5)
j. Audit Inspection Fees – 50% of the following fees (i) through (v) shall be added if applicable
   i. Building – See all fees in Section (B)(1) through (25)
   ii. Electrical – See all fees in Section (C) (1) through (20)
   iii. Plumbing – See all fees in Section (D) (1) through (12)
   iv. Mechanical – See all fees in Section (E) (1) through (6)
   v. Fuel Gas – See all fees in Section (F) (1) through (2)
k. Miscellaneous Fees applicable – See all fees in Section (K) including change of contractor fee

4. ***Inspections (by private provider) Only*** – the following fees are to be charged when only a private provider (not County) is performing Inspection services and the Department is notified *after permit issuance (whether the private provider notified County 7 days prior to first scheduled inspection OR whether private provider notifies County after construction has commenced but no less than 7 days prior to the next inspection)* – all permitting and plan review fees remain the same.
a. Non-refundable Administrative Fee _____ $125.00
b. Building Application Fee – See all fees in Section (A)(1) through (12) – which shall be deducted from any other amount which may be due and owing under the terms of this subsection if the application is approved.
c. Plan Review – See all fees in Section (G)(1) through (5)
d. Planning – See all fees in Section (I)(1)
e. Environmental – See all fees in Section (I)(1)
f. Flood Plain – See all fees in Section (I)(2)
g. Engineering – See all fees in Section (I)(3)
h. Fire Safety – See all fees in Section (I)(4)
i. Code Compliance – See all fees in Section (I) (5)
j. Permit Fees – 100% of the following fees (i) through (v) shall be added if applicable
   i. Building – See all fees in Section (B)(1) through (25)
   ii. Electrical – See all fees in Section (C) (1) through (20)
   iii. Plumbing – See all fees in Section (D) (1) through (12)
   iv. Mechanical – See all fees in Section (E) (1) through (6)
   v. Fuel Gas – See all fees in Section (F) (1) through (2)
k. Miscellaneous Fees applicable – See all fees in Section (K) including change of contractor fee

Section 2. Resolution no. 080-2008 is hereby rescinded.

PROPOSED

Section 3. The staff is hereby directed to implement these fees beginning August 1, 2011.

Section 4 The Clerk of the Court is hereby directed to forward one (1) certified copy of this Resolution to the Division of Growth Management.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

PASSED and ADOPTED at a regular meeting of the Board of County Commissioners of Monroe County, Florida, held on the 15th day of June, 2011.

Mayor Heather Carruthers _____
Mayor pro tem David Rice _____
Commissioner Kim Wigington _____
Commissioner George Neugent _____
Commissioner Sylvia J. Murphy _____

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

BY _____
Mayor Heather Carruthers

ATTEST: DANNY L. KOLHAGE, CLERK

By:_____
DEPUTY CLERK

PROPOSED

PRIVATE PROVIDER PERMIT EXAMPLES SUMMARIZED

3/17/2011

Permit #	(1) Private Provider Plan Review and Inspections		(2) Private Provider Plan Review Only (No Inspections)		(3) Private Provider Inspections Only (Notify At Time of Application)		(4) Private Provider Inspections Only (Notify At Application or After Permit Issuance)	
	Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
10305972	10,514.52	5,634.52	10,514.52	10,139.52	10,589.52	6,134.52	10,589.52	10,714.52
10305345	2,806.80	1,626.80	2,806.80	2,531.80	2,806.80	2,026.80	2,881.80	3,006.80

PRIVATE PROVIDER FEE EXAMPLE #1

Permit number	(1) Private Provider Plan Review and Inspections	Existing Fees	Proposed Fees	(2) Private Provider Plan Review Only (No Inspections)	Existing Fee	Proposed Fee	(3) Private Provider Inspections Only (Notify At Time of Application)	Existing Fee	Proposed Fee	(4) Private Provider Inspections Only (Notify At Application or After Permit Issuance)	Existing Fee	Proposed Fee
10305972	Example #1			Example #1			Example #1			Example #1		
	B- O Educ	25.00	25.00	B- O Educ	25.00	25.00	B- O Educ	25.00	25.00	B- O Educ	25.00	25.00
	B- 2B APPL	-	-	B- 2B APPL	-	-	B- 2B APPL	-	-	B- 2B APPL	-	-
	B- 3 BLDG	2,490.00	1,245.00	B- 3 BLDG	2,490.00	2,490.00	B- 3 BLDG	2,490.00	1,245.00	B- 3 BLDG	2,490.00	2,490.00
	B- 7 FLATW	125.00	62.50	B- 7 FLATW	125.00	125.00	B- 7 FLATW	125.00	62.50	B- 7 FLATW	125.00	125.00
	B- A PLAN	100.00	0.00	B- A PLAN	100.00	0.00	B- A PLAN	100.00	100.00	B- A PLAN	100.00	100.00
	B- BIO EDU	10.00	10.00	B- BIO EDU	10.00	10.00	B- BIO EDU	10.00	10.00	B- BIO EDU	10.00	10.00
	B-10A POOL	150.00	75.00	B-10A POOL	150.00	150.00	B-10A POOL	150.00	75.00	B-10A POOL	150.00	150.00
	B-10C SPAS	75.00	37.50	B-10C SPAS	75.00	75.00	B-10C SPAS	75.00	37.50	B-10C SPAS	75.00	75.00
	B-15B TANK	75.00	37.50	B-15B TANK	75.00	75.00	B-15B TANK	75.00	37.50	B-15B TANK	75.00	75.00
	B-21A FILL	60.00	30.00	B-21A FILL	60.00	60.00	B-21A FILL	60.00	30.00	B-21A FILL	60.00	60.00
	BI -SITE	280.00	280.00	BI -SITE	280.00	280.00	BI -SITE	280.00	280.00	BI -SITE	280.00	280.00
	CONT-INVES	11.00	11.00	CONT-INVES	11.00	11.00	CONT-INVES	11.00	11.00	CONT-INVES	11.00	11.00
	CO-RES	100.00	100.00	CO-RES	100.00	100.00	CO-RES	100.00	100.00	CO-RES	100.00	100.00
	DBPR	120.83	120.83	DBPR	120.83	120.83	DBPR	120.83	120.83	DBPR	120.83	120.83
	DBPR RE ED	13.43	13.43	DBPR RE ED	13.43	13.43	DBPR RE ED	13.43	13.43	DBPR RE ED	13.43	13.43
	DCA	120.83	120.83	DCA	120.83	120.83	DCA	120.83	120.83	DCA	120.83	120.83
	DCA RE ED	13.43	13.43	DCA RE ED	13.43	13.43	DCA RE ED	13.43	13.43	DCA RE ED	13.43	13.43
	E- 1 MIN	50.00	25.00	E- 1 MIN	50.00	50.00	E- 1 MIN	50.00	25.00	E- 1 MIN	50.00	50.00
	E- 3A OUT	990.00	495.00	E- 3A OUT	990.00	990.00	E- 3A OUT	990.00	495.00	E- 3A OUT	990.00	990.00
	E- 3B OUT	420.00	210.00	E- 3B OUT	420.00	420.00	E- 3B OUT	420.00	210.00	E- 3B OUT	420.00	420.00
	E- 3C OUT	380.00	190.00	E- 3C OUT	380.00	380.00	E- 3C OUT	380.00	190.00	E- 3C OUT	380.00	380.00
	E- 4A SERV	50.00	25.00	E- 4A SERV	50.00	50.00	E- 4A SERV	50.00	25.00	E- 4A SERV	50.00	50.00
	E-4 C SERV	75.00	37.50	E-4 C SERV	75.00	75.00	E-4 C SERV	75.00	37.50	E-4 C SERV	75.00	75.00
	E- 4J SUB	200.00	100.00	E- 4J SUB	200.00	200.00	E- 4J SUB	200.00	100.00	E- 4J SUB	200.00	200.00
	E- 5A MOTO	300.00	150.00	E- 5A MOTO	300.00	300.00	E- 5A MOTO	300.00	150.00	E- 5A MOTO	300.00	300.00
	E- 6B GEN	200.00	100.00	E- 6B GEN	200.00	200.00	E- 6B GEN	200.00	100.00	E- 6B GEN	200.00	200.00
	E- 9B A/C	200.00	100.00	E- 9B A/C	200.00	200.00	E- 9B A/C	200.00	100.00	E- 9B A/C	200.00	200.00
	E-10B RES	75.00	37.50	E-10B RES	75.00	75.00	E-10B RES	75.00	37.50	E-10B RES	75.00	75.00
	E-13 LOW R	100.00	50.00	E-13 LOW R	100.00	100.00	E-13 LOW R	100.00	50.00	E-13 LOW R	100.00	100.00
	E-16 POOL	225.00	112.50	E-16 POOL	225.00	225.00	E-16 POOL	225.00	112.50	E-16 POOL	225.00	225.00
	E- E PLAN	100.00	0.00	E- E PLAN	100.00	0.00	E- E PLAN	100.00	100.00	E- E PLAN	100.00	100.00
	G- PLAN	100.00	0.00	G- PLAN	100.00	0.00	G- PLAN	100.00	100.00	G- PLAN	100.00	100.00
	G- 1 MIN	50.00	25.00	G- 1 MIN	50.00	50.00	G- 1 MIN	50.00	25.00	G- 1 MIN	50.00	50.00
	G- 1A SERV	50.00	25.00	G- 1A SERV	50.00	50.00	G- 1A SERV	50.00	25.00	G- 1A SERV	50.00	50.00
	G- 2 FIXTU	60.00	30.00	G- 2 FIXTU	60.00	60.00	G- 2 FIXTU	60.00	30.00	G- 2 FIXTU	60.00	60.00
	LDR 1-SFR	75.00	75.00	LDR 1-SFR	75.00	75.00	LDR 1-SFR	75.00	75.00	LDR 1-SFR	75.00	75.00
	LDR FEMA	140.00	140.00	LDR FEMA	140.00	140.00	LDR FEMA	140.00	140.00	LDR FEMA	140.00	140.00
	LDR 1P SFR	75.00	75.00	LDR 1P SFR	75.00	75.00	LDR 1P SFR	75.00	75.00	LDR 1P SFR	75.00	75.00
	M- 1 MIN	50.00	25.00	M- 1 MIN	50.00	50.00	M- 1 MIN	50.00	25.00	M- 1 MIN	50.00	50.00
	M- 2 2A/C	260.00	130.00	M- 2 2A/C	260.00	260.00	M- 2 2A/C	260.00	130.00	M- 2 2A/C	260.00	260.00
	M- 3 DUCTW	820.00	410.00	M- 3 DUCTW	820.00	820.00	M- 3 DUCTW	820.00	410.00	M- 3 DUCTW	820.00	820.00
	M- 5 HEATP	130.00	65.00	M- 5 HEATP	130.00	130.00	M- 5 HEATP	130.00	65.00	M- 5 HEATP	130.00	130.00

PRIVATE PROVIDER FEE EXAMPLE #1

Permit number	(1) Private Provider Plan Review and Inspections	Existing Fees	Proposed Fees	(2) Private Provider Plan Review Only (No Inspections)	Existing Fee	Proposed Fee	(3) Private Provider Inspections Only (Notify At Time of Application)	Existing Fee	Proposed Fee	(4) Private Provider Inspections Only (Notify At Application or After Permit Issuance)	Existing Fee	Proposed Fee
	M- M PLAN	100.00	0.00	M- M PLAN	100.00	0.00	M- M PLAN	100.00	100.00	M- M PLAN	100.00	100.00
	P- 1 MIN	50.00	25.00	P- 1 MIN	50.00	50.00	P- 1 MIN	50.00	25.00	P- 1 MIN	50.00	50.00
	P- 2 FIXTU	690.00	345.00	P- 2 FIXTU	690.00	690.00	P- 2 FIXTU	690.00	345.00	P- 2 FIXTU	690.00	690.00
	P- 3A SEWE	50.00	25.00	P- 3A SEWE	50.00	50.00	P- 3A SEWE	50.00	25.00	P- 3A SEWE	50.00	50.00
	P- 6 APIPE	20.00	10.00	P- 6 APIPE	20.00	20.00	P- 6 APIPE	20.00	10.00	P- 6 APIPE	20.00	20.00
	P- 6 CPIPE	30.00	15.00	P- 6 CPIPE	30.00	30.00	P- 6 CPIPE	30.00	15.00	P- 6 CPIPE	30.00	30.00
	P- 8 POOL	100.00	50.00	P- 8 POOL	100.00	100.00	P- 8 POOL	100.00	50.00	P- 8 POOL	100.00	100.00
	P- P PLAN	100.00	0.00	P- P PLAN	100.00	0.00	P- P PLAN	100.00	100.00	P- P PLAN	100.00	100.00
	R- 9A ROOF	410.00	205.00	R- 9A ROOF	410.00	410.00	R- 9A ROOF	410.00	205.00	R- 9A ROOF	410.00	410.00
	T- 2	20.00	20.00	T- 2	20.00	20.00	T- 2	20.00	20.00	T- 2	20.00	20.00
	Private Provider Adm	0.00	125.00	Private Provider Admin	0.00	125.00	Private Provider Adm	0.00	125.00	Private Provider Admin.	0.00	125.00
	Change of Contractor	0.00	0.00	Change of Contractor f	0.00	0.00	Change of Contractor	0.00	0.00	Change of Contractor fee	75.00	75.00
	Total	10,514.52	5,634.52	Total	10,514.52	10,139.52	Total	10,514.52	6,134.52	Total	10,589.52	10,714.52
	Fee SHOULD Have been charged			Fee SHOULD Have been charged			Fee SHOULD Have been charged			Fee SHOULD Have been charged		
	No Plan Rev Fees			No Plan Rev Fees			Plan Rev Fees			Plan Rev Fees		
	Audit Insp Fee 50%			Permit Fee 100%			Audit Insp Fee 50%			Permit Fee 100%		

PRIVATE PROVIDER FEE EXAMPLE #2

Permit number	(1) Private Provider Plan Review and Inspections	Existing Fees	Proposed Fees	(2) Private Provider Plan Review Only (No Inspections)	Existing Fee	Proposed Fee	(3) Private Provider Inspections Only (Notify At Time of Application)	Existing Fee	Proposed Fee	(4) Private Provider Inspections Only (Notify At Application or After Permit Issuance)	Existing Fee	Proposed Fee
10305345	Example #2			Example #2			Example #2			Example #2		
	B- A PLAN	100.00	0.00	B- A PLAN	100.00	0.00	B- A PLAN	100.00	100.00	B- A PLAN	100.00	100.00
	B- 2B APPL	-	-	B- 2B APPL	-	-	B- 2B APPL	-	-	B- 2B APPL	-	-
	B- 3 BLDG	480.00	240.00	B- 3 BLDG	480.00	480.00	B- 3 BLDG	480.00	240.00	B- 3 BLDG	480.00	480.00
	B- 7 FLATW	25.00	12.50	B- 7 FLATW	25.00	25.00	B- 7 FLATW	25.00	12.50	B- 7 FLATW	25.00	25.00
	B-BIO EDU	10.00	10.00	B-BIO EDU	10.00	10.00	B-BIO EDU	10.00	10.00	B-BIO EDU	10.00	10.00
	BI- SITE	260.00	260.00	BI- SITE	260.00	260.00	BI- SITE	260.00	260.00	BI- SITE	260.00	260.00
	CONT CHG	0.00	0.00	CONT CHG	0.00	0.00	CONT CHG	0.00	0.00	CONT CHG	75.00	75.00
	CONT-INVES	11.00	11.00	CONT-INVES	11.00	11.00	CONT-INVES	11.00	11.00	CONT-INVES	11.00	11.00
	DBPR	25.11	25.11	DBPR	25.11	25.11	DBPR	25.11	25.11	DBPR	25.11	25.11
	DBPR RE ED	2.79	2.79	DBPR RE ED	2.79	2.79	DBPR RE ED	2.79	2.79	DBPR RE ED	2.79	2.79
	DCA	25.11	25.11	DCA	25.11	25.11	DCA	25.11	25.11	DCA	25.11	25.11
	DCA RE ED	2.79	2.79	DCA RE ED	2.79	2.79	DCA RE ED	2.79	2.79	DCA RE ED	2.79	2.79
	E- 1 MIN	50.00	25.00	E- 1 MIN	50.00	50.00	E- 1 MIN	50.00	25.00	E- 1 MIN	50.00	50.00
	E- 3A OUT	100.00	50.00	E- 3A OUT	100.00	100.00	E- 3A OUT	100.00	50.00	E- 3A OUT	100.00	100.00
	E- 3B OUT	30.00	15.00	E- 3B OUT	30.00	30.00	E- 3B OUT	30.00	15.00	E- 3B OUT	30.00	30.00
	E- 3C OUT	60.00	30.00	E- 3C OUT	60.00	60.00	E- 3C OUT	60.00	30.00	E- 3C OUT	60.00	60.00
	E- 4A SERV	50.00	25.00	E- 4A SERV	50.00	50.00	E- 4A SERV	50.00	25.00	E- 4A SERV	50.00	50.00
	E- 4B SERV	50.00	25.00	E- 4B SERV	50.00	50.00	E- 4B SERV	50.00	25.00	E- 4B SERV	50.00	50.00
	E- 4J SUB	50.00	25.00	E- 4J SUB	50.00	50.00	E- 4J SUB	50.00	25.00	E- 4J SUB	50.00	50.00
	E- 5A MOTO	50.00	25.00	E- 5A MOTO	50.00	50.00	E- 5A MOTO	50.00	25.00	E- 5A MOTO	50.00	50.00
	E- 9B A/C	50.00	25.00	E- 9B A/C	50.00	50.00	E- 9B A/C	50.00	25.00	E- 9B A/C	50.00	50.00
	E- 13 LOW R	100.00	50.00	E- 13 LOW R	100.00	100.00	E- 13 LOW R	100.00	50.00	E- 13 LOW R	100.00	100.00
	E- 20 MISC	50.00	25.00	E- 20 MISC	50.00	50.00	E- 20 MISC	50.00	25.00	E- 20 MISC	50.00	50.00
	E- E PLAN	100.00	0.00	E- E PLAN	100.00	0.00	E- E PLAN	100.00	100.00	E- E PLAN	100.00	100.00
	EDUCATION	25.00	25.00	EDUCATION	25.00	25.00	EDUCATION	25.00	25.00	EDUCATION	25.00	25.00
	LDR 1-SFR	75.00	75.00	LDR 1-SFR	75.00	75.00	LDR 1-SFR	75.00	75.00	LDR 1-SFR	75.00	75.00
	LDR FEMA	140.00	140.00	LDR FEMA	140.00	140.00	LDR FEMA	140.00	140.00	LDR FEMA	140.00	140.00
	M- 1 MIN	50.00	25.00	M- 1 MIN	50.00	50.00	M- 1 MIN	50.00	25.00	M- 1 MIN	50.00	50.00
	M- 2A/C	65.00	32.50	M- 2A/C	65.00	65.00	M- 2A/C	65.00	32.50	M- 2A/C	65.00	65.00
	M- 3 DUCTW	150.00	75.00	M- 3 DUCTW	150.00	150.00	M- 3 DUCTW	150.00	75.00	M- 3 DUCTW	150.00	150.00
	M- M PLAN	100.00	0.00	M- M PLAN	100.00	0.00	M- M PLAN	100.00	100.00	M- M PLAN	100.00	100.00
	P- 1 MIN	50.00	25.00	P- 1 MIN	50.00	50.00	P- 1 MIN	50.00	25.00	P- 1 MIN	50.00	50.00
	P- 2 FIXTU	195.00	97.50	P- 2 FIXTU	195.00	195.00	P- 2 FIXTU	195.00	97.50	P- 2 FIXTU	195.00	195.00
	P- 3A SEWE	50.00	25.00	P- 3A SEWE	50.00	50.00	P- 3A SEWE	50.00	25.00	P- 3A SEWE	50.00	50.00
	P- 6 APIPE	20.00	10.00	P- 6 APIPE	20.00	20.00	P- 6 APIPE	20.00	10.00	P- 6 APIPE	20.00	20.00
	P- 6 CPIPE	15.00	7.50	P- 6 CPIPE	15.00	15.00	P- 6 CPIPE	15.00	7.50	P- 6 CPIPE	15.00	15.00
	P- P PLAN	100.00	0.00	P- P PLAN	100.00	0.00	P- P PLAN	100.00	100.00	P- P PLAN	100.00	100.00
	R- 9A ROOF	70.00	35.00	R- 9A ROOF	70.00	70.00	R- 9A ROOF	70.00	35.00	R- 9A ROOF	70.00	70.00
	T- 2	20.00	20.00	T- 2	20.00	20.00	T- 2	20.00	20.00	T- 2	20.00	20.00
	Private Provider Adm	0.00	125.00	Private Provider Admin. Fee	0.00	125.00	Private Provider Admin.	0.00	125.00	Private Provider Admin. Fee	0.00	125.00
	Total	2,806.80	1,626.80	Total	2,806.80	2,531.80	Total	2,806.80	2,026.80	Total	2,881.80	3,006.80
	Fee SHOULD Have been charged			Fee SHOULD Have been charged			Fee SHOULD Have been charged			Fee SHOULD Have been charged		
	No Plan Rev Fees			No Plan Rev Fees			Plan Rev Fees			Plan Rev Fees		
	Audit Insp Fee 50%			Permit Fee 100%			Audit Insp Fee 50%			Permit Fee 100%		

MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: Monroe County Board of County Commissioners

Through: Christine Hurley, AICP, Director of Growth Management
Townsley Schwab, Senior Director of Planning & Environmental Resources

From: Joseph Haberman, AICP, Principal Planner

Date: , 201

Subject: *Proposed Ordinance to the Board of County Commissioners to amend Section 13xxx of the Monroe County Code, Rate of Growth Ordinance and Nonresidential Rate of Growth Ordinance and Section 110*

Meeting: June 29, 2010

Working Draft

I REQUEST

The Planning & Environmental Resources Department is proposing an amendment to the text of §13XXXX of the Monroe County Code, which concerns the County's Rate of Growth Ordinance (ROGO) and Nonresidential Rate of Growth Ordinance (NROGO) to eliminate the requirement that a building permit be "approved" prior to entering ROGO or NROGO and replace that requirement with a requirement that applicants seeking ROGO or NROGO allocations obtain a ROGO site plan approval and NROGO site plan approval prior to entering ROGO.

II RELEVANT PRIOR COUNTY ACTIONS AND BACKGROUND INFORMATION:

In XXXX, Monroe County approved the ROGO and NROGO system as a way to award limited permits for residential development and limited square footage for commercial/industrial development.

The Monroe County Planning Commission reviewed the proposed amendment and recommended approval to the BOCC at a public hearing on May 26, 2010.

III REVIEW

Since the adoption of ROGO and NROGO, Monroe County has required applicants for allocations to obtain an approved building permit prior to applying for an allocation. Building permit approval includes:

- Full plan set design and submittal
- Application fees for building permit and plan review

- Approval by the following departments for residential and/or commercial/industrial of the building permit application is required:
    - Planning
    - Fire
    - Building
    - Plumbing
    - Mechanical
    - Electrical
    - Engineering

A building permit is required to be issued according to the most current codes in place at time of issuance. Because applicants are required to seek building permits prior to application in ROGO or NROGO, the reviews by various disciplines occur at the beginning of a process that may take 4-5 years; thereby causing a permit application that was reviewed under the codes at time of application to become outdated and may even be against the most current code requirements prior to issuance. Further, the expense to an applicant to prepare plans and pay building permit applications is extensive. And, staff has observed that applicants submit plans for homes they do not intend to build so they can enter ROGO or NROGO and then revise the plans once an allocation is awarded. Finally, the administrative staff time it takes to review full building permit applications is extensive.

To alleviate these issues, staff is proposing to create a ROGO Site Plan Approval process and an NROGO Site Plan Approval process to alleviate the requirement to have an approved building permit prior to application for ROGO or NROGO.

Staff is also proposing this new requirement be effective on a certain date, so that applicants who have already entered the process (building permit required) may complete that process, but applicants that apply after the effective date may apply for a site plan approval instead of a building permit.

The site plan approval process should determine whether the site being proposed for an allocation is "buildable" or "developable", without the full requirement for a building permit.

Therefore, staff recommends the following changes (deletions are ~~stricken through~~ and additions are <u>underlined</u>):

Insert final underline strikethrough

Please review.

NON-RESIDENTIAL RATE OF GROWTH ORDINANCE PROPOSED CHANGES:

<u>Sec. 138-47.</u> - Nonresidential rate of growth ordinance.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

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Allocation date means the specific date and time by which applications for the NROGO allocation will be accepted and processed.

Annual allocation period means the 12-month period beginning on July 14, 2001, and subsequent one-year periods that is used to determine the amount of nonresidential floor area to be allocated based on the number of ROGO allocations to be issued in the upcoming ROGO year.

Annual nonresidential ROGO allocation means the maximum floor area for which building permits may be issued during an annual allocation period.

Buildable lot or parcel means the lot or parcel which must contain a minimum of 2,000 square feet of uplands, including any disturbed wetlands that can be filled pursuant to this chapter.

Community master plan means a plan adopted by the board of county commissioners as part of the Monroe County Livable CommuniKeys Program.

Controlling date means the same as defined in section 138-19(a), except it shall apply to NROGO applications under this article.

Covered walkways means a covered area of any length but no wider than five feet that is used for providing weather protected pedestrian access from one part of a property to another part of the same property.

Historic resources means a building, structure, site, or object listed or eligible for listing individually or as a contributing resource in a district in the National Register of Historic Places, the state inventory of historic resources or the county register of designated historic properties.

Infill means the development or redevelopment of land that has been bypassed, remained vacant, and/or underused in otherwise built up areas which are serviced by existing infrastructure.

Nonresidential floor area means the sum of the gross floor area for a nonresidential building or structure, as defined in section 101-1, any areas used for the provision of food and beverage services and seating, whether covered or uncovered, and all covered, unenclosed areas. Walkways, stairways, entryways, parking, and loading areas are not considered floor area. Additionally, boat barns, covered and unenclosed boat racks with three or fewer sides not associated with retail sales of boats which do not exceed 50 percent of the net buildable area of the lot/parcel are not considered nonresidential floor area. The term "nonresidential floor area" does not include space occupied by transient residential and institutional residential principal uses.

Nonresidential Rate of Growth Ordinance - Site Plan means an official document that demonstrates proposed development required to be approved prior to an applicant entering NROGO.

Nonresidential ROGO allocation means the maximum amount of nonresidential floor area for which building permits may be issued in a given time period.

Nonresidential ROGO allocation award means the approval of a nonresidential ROGO application for the issuance of a building permit to authorize construction of new nonresidential floor area.

Site means the parcels of land required to be aggregated under section 130-130 to be developed or from which existing nonresidential floor area is to be transferred or received.

Storage area means the outside storage of vehicles, recreational vehicles, boats, campers, equipment, goods and materials for more than 24 hours. The term "storage area" includes a contractor's equipment storage, but does not include outdoor retail sales. This is considered a light industrial use and does not include waste transfer stations, junkyards, yards or other heavy industrial uses.

Sunshade means an unenclosed structure used as protection from the weather.

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Sec. 138-52. - Application procedures for NROGO.

(a) Application for allocation.

The planning department shall accept applications to enter the NROGO system on forms provided by the planning director. The NROGO application form must be accompanied by an approved ~~building permit~~ Nonresidential Rate of Growth Ordinance – Site Plan application in order to be considered in the current annual allocation period. The application must state for which allocation category an award is being sought, either 2,500 square feet or less, or more than 2,500 square feet. The planning director shall review the NROGO application for completeness. If the application is determined to be incomplete, the planning director shall reject the NROGO application and notify the applicant of such rejection, and the reasons therefor, within ten working days. If determined to be complete, the application shall be assigned a controlling date.

(b) Fee for review of application.

Each NROGO application shall be accompanied by a nonrefundable processing fee as may be established by resolution of the board of county commissioners. Additional fees are not required for successive review of the same NROGO application unless the application is withdrawn and resubmitted.

(c) Compliance with other requirements.

The NROGO applications shall not constitute an indication of ~~indicate~~ whether the applicant for the nonresidential floor area allocation has satisfied and complied with all county, state, and federal requirements otherwise imposed by the county regarding conditions precedent to issuance of a building permit ~~and shall require that the applicant certify to such compliance.~~ Those requirements shall be examined after an allocation is awarded during the building permit process.

(d) Time of review.

Notwithstanding the time periods set forth in section 110-142, the director of planning may retain the allocation application and its associated building permit application for review pursuant to the evaluation procedures and criteria set forth in section 138-53 and section 138-55.

(e) Noncounty time periods.

The county shall develop necessary administrative procedures and, if necessary, enter into agreements with other jurisdictional entities which impose requirements as a condition precedent to development in the county, to ensure that such noncounty approvals, certifications and/or permits are not lost due to the increased time requirements necessary for the county to process and evaluate residential dwelling unit applications and issue allocation awards. The county may permit evidence of compliance with the requirements of other jurisdictional entities to be demonstrated by coordination letters in lieu of approvals or permits.

(f) Limitation on number of applications.

(1) An individual entity or organization may have only one active NROGO application per site in the annual allocation period.

(2) There shall be no limit on the number of separate projects for which NROGO applications may be submitted by an individual, entity or organization.

(g) Expiration of allocation award.

An allocation award shall expire when its corresponding building permit is deemed to expire pursuant to chapter 102, article VII or after 60 days of mailing of notification for the award of the allocation of nonresidential floor area. This time frame may be extended by resolution of the Board of County Commissioners.

(h) Withdrawal of NROGO application.

An applicant may elect to withdraw a NROGO application without prejudice at any time up to finalization of the evaluation rankings by the planning commission. Revision and resubmission of the withdrawn application must be in accordance with subsection (i) of this section.

(i) Revisions to applications and awards.

(1) Upon submission of a NROGO application, an applicant may revise the application if it is withdrawn and resubmitted prior to the allocation date for the allocation period in which the applicant wishes to compete. Resubmitted applications shall be considered new, requiring payment of appropriate fees and receiving a new controlling date.

(2) After receipt of an allocation award, and either before or after receipt of a building permit being obtained, but prior to receipt of a certificate of occupancy or final inspection, no revisions shall be made to any aspect of the proposed nonresidential development which formed the basis for the

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evaluation review, determination of points and allocation rankings, unless such revision would have the effect of increasing the points awarded.

(3) After the receipt of an allocation award, a building permit and a certificate of occupancy or final inspection, no revision shall be made to any aspect of the completed nonresidential development which formed the basis for the evaluation, review, determination of points and allocation rankings, unless such revisions are accomplished pursuant to a new building permit and unless such revisions would have the net effect of either maintaining or increasing the number of points originally awarded.

(j) Clarification of application data.

(1) At any time during the NROGO allocation review and approval process, the applicant may be requested by the director of planning or the planning commission, to submit additional information to clarify the relationship of the allocation application, or any elements thereof, to the evaluation criteria. If such a request is made, the director of planning shall identify the specific evaluation criterion at issue and the specific information needed and shall communicate such request to the applicant.

(2) Upon receiving a request from the director of planning for such additional information, the applicant may provide such information; or the applicant may decline to provide such information and allow the allocation application to be evaluated as submitted.

Sec. 138-55. - Evaluation criteria (NROGO).

(a) Evaluation point values.

The following point values established are to be applied cumulatively except where otherwise specified:

(1) Tier designation.

The following points are intended to discourage nonresidential development in environmentally sensitive areas and areas without sufficient infrastructure and to direct and encourage nonresidential development in appropriate infill areas, while recognizing that any development has affects on the carrying capacity of the Florida Keys:

Point Assignment	*Criteria*
0	**An application which proposes nonresidential development within an area designated tier I (natural area), except for the expansion of existing, lawfully established nonresidential floor area provided under the exception below.**
+10	**An application which proposes nonresidential development within an area designated tier II (transition and sprawl reduction area) on Big Pine and No Name Key.**
+10	**An application which proposes nonresidential development within an area designated tier III-A (special protection area) that proposes to clear any portion of an upland native habitat patch of one acre or greater in size.**
+20	**An application which proposes nonresidential development within an area designated tier III (infill area).**
Exception:	
Any application for the expansion of existing, lawfully established nonresidential floor area shall be assigned +20 points contingent upon no further clearing of upland native habitat and no addition to and/or expansion of the existing lot or parcel upon which the existing use is located.	

(2) Intensity reduction.

The following points are intended to encourage the voluntary reduction of intensity:

Point assignment	*Criteria*
+ 4	**An application proposes development that reduces the permitted floor area ratio (FAR) to 23 percent or less.**

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Additional requirements:
A legally binding restrictive covenant running in favor of the county that restricts the floor area ratio of the property to a maximum of 23 percent for a period of ten years shall be approved by the growth management director and county attorney and recorded in the office of the county clerk prior to the issuance of any building permit pursuant to an allocation award.

(3) Land dedication.

The following points are intended to encourage the voluntary dedication of vacant, buildable land within tier I and tier II (Big Pine Key and No Name Key) areas for the purposes of conservation, resource protection, restoration or density reduction, and, if located within tier III, for the purpose of providing land for affordable housing where appropriate:

Point assignment	*Criteria*
+4	**An application which includes the dedication to the county of one vacant, legally platted, buildable lot, zoned SC, IS, IS-D, IS-M, URM, URM-L, or CFV or a legally platted, buildable lot within any CFSD that authorizes dwelling units. Each additional vacant, legally platted, buildable lot which is dedicated that meets the above requirements will earn the application the additional points as specified.**
+2	**On Big Pine Key and No Name Key, an application which includes the dedication to the county of one vacant, legally platted, buildable lot, zoned SC, IS, IS-D, IS-M, URM, URM-L, or CFV, or a legally platted, buildable lot within any CFSD that authorizes dwelling units. Each additional vacant, legally platted, buildable lot which is dedicated that meets the above requirements will earn the application the additional points as specified.**
+1 per 5,000 square feet of lot area	**An application which includes the dedication to the county of a vacant, legally platted, buildable lot of 5,000 square feet or more within a suburban residential district (SR) or suburban residential-limited district (SR-L) in a designated tier I area. Each additional vacant, legally platted, buildable lot of 5,000 square feet or more that meets the above requirements will earn points as specified.**
+0.5	**An application which includes the dedication to the county of one vacant, legally platted lot of 5,000 square feet or more within a native area district (NA) or sparsely settled district (SS) within a designated tier I area. Each additional vacant, legally platted, buildable lot that meets the above requirements will earn the half-point as specified.**
+4	**An application which includes the dedication to the county of at least one acre of vacant, unplatted, buildable land located within a designated tier I area. Each additional one acre of vacant, unplatted, buildable land that meets the above requirements will earn the points as specified.**
+2	**On Big Pine Key and No Name Key, an application which includes the dedication to the county of at least one acre of vacant, unplatted, buildable land located within a designated tier I area. Each additional one acre of vacant, unplatted, buildable land that meets the above requirements will earn the points as specified.**
Additional requirements:	
1. The application shall include, but not be limited to, the following:	
(a) An affidavit of ownership of all affected lots, parcels, acreage or land; and	
(b) A statutory warranty deed that conveys the dedicated property to the county, which shall be approved by the growth management director and county attorney and recorded in the office of the clerk of the county prior to the issuance of any building permit pursuant to an allocation award.	

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2. Lots or parcels dedicated for positive points under this subsection shall not be eligible for meeting the mitigation requirements of the Big Pine Key and No Name Key Overlay Zone.
3. Only lots or parcels on Big Pine Key and No Name Key dedicated for positive points under this subsection will allow for positive points for applications on Big Pine Key and No Name Key.

(4) Special flood hazard area.

The following points are intended to discourage development within high risk special flood hazard zones:

Point Assignment	*Criteria*
- 4	**An application which proposes development within a V zone on the FEMA flood insurance rate map.**

(5) Perseverance points.

The following points are intended to reward an application based upon the number of years spent in the nonresidential ROGO system without receiving an allocation award.

Point assignment	*Criteria*
+1	**A point shall be awarded on the anniversary of the controlling date for each year that the application remains in the NROGO system, up to four years.**
+2	**Points shall be awarded on the anniversary of the controlling date for each year over four that the application remains in the NROGO system.**

(6) Highway access.

The following points are intended to encourage connections between commercial uses and reduction of the need for trips and access onto U.S. Highway 1:

Point assignment	*Criteria*
+3	**The project eliminates an existing driveway or accessway to U.S. Highway 1.**
+2	**The projects does not provide for a new driveway or accessway to U.S. Highway 1.**

(7) Landscaping and water conservation.

The following points are intended to encourage the planting of native vegetation and promote water conservation:

Point assignment	*Criteria*
+3	**The project provides a total of 200 percent of the number of native landscape plants on its property than the number of native landscape plants required by this chapter within landscaped bufferyards and parking areas.**
+1	**25 percent of the native plants provided to achieve the three point award above or provided to meet the landscaped bufferyard and parking area requirements of this chapter are listed as threatened or endangered plants native to the Florida Keys.**
+2	**Project landscaping is designed for water conservation such as use of 100 percent native plants for vegetation, collection and direction of rainfall to landscaped areas, or application of reused wastewater or treated seawater for watering landscaped plants.**
Additional requirements:	
Prior to the issuance of a certificate of occupancy for the building permit authorized by an allocation award, the applicant shall:	
(a) Post a two-year performance bond in accordance with this chapter to ensure maintenance of the native plants; and,	

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(b) Sign an affidavit acknowledging that he is subject to code enforcement action should the native plants not be maintained.

(8) Central wastewater treatment system availability.

The following points shall be assigned to encourage development in areas served by central wastewater treatment systems:

Point Assignment	*Criteria*
+ 4	**An application for which development is required to be connected to a central wastewater treatment system that meets BAT/AWT standards established by the state legislature.**

(9) Employee housing.

The following points, up to a maximum of four, shall be assigned to allocation applications that make provisions for employee housing units:

Point Assignment	*Criteria*
+ 2 per unit	**Proposes an employee housing unit which is located on the parcel with the nonresidential floor space requested in the allocation application. Up to a maximum of four points may be awarded.**
Additional Requirements:	
1. The employee housing unit shall be required to meet the applicable provisions of section 130-161.	
2. The proposed employee housing unit shall be included in the development approval for the nonresidential development proposed in the allocation application.	
3. A certificate of occupancy shall be granted for the nonresidential development authorized by the allocation award, but shall not be issued prior to the certificate of occupancy for the employee housing units.	

(10) Payment to land acquisition fund.

Up to two points shall be awarded for a monetary payment to the county's land acquisition fund for the purchase by the county of lands for conservation and retirement of development rights. Points for payment to this fund shall be assigned as follows:

Point Assignment	*Criteria*
+1 to +2	**Proposes payment to the county's land acquisition fund in an amount equal to the monetary value of a ROGO dedication point times the number of points to be purchased, up to a maximum of two points.**
Additional Requirements:	
1. The monetary value of each point shall be established annually by resolution of the board of county commissioners.	
2. The monetary value of each point shall be based upon the average market value of privately-owned, buildable, vacant, IS/URM, platted lots in tier I, divided by four.	
3. Payment to the county's land acquisition fund shall be prior to the issuance of any building permit pursuant to the allocation award.	

(b) Rescoring of applications not receiving allocations.

All applications in the NROGO system on the effective date of the ordinance from which this article is derived that do not receive an allocation award in quarter 4, ROGO year 14, ending July 13, 2006, shall be rescored in quarter 1, ROGO year 15, pursuant to the provisions of subsection (a) of this section, as modified by the vesting provisions of subsection (c) of this section.

(c) Retroactive vesting provisions.

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Notwithstanding the provisions of subsection (a) of this section, upon the effective date of the ordinance from which this article is derived, the following vesting provision shall apply to the scoring of applications in the ROGO system prior to the effective date of the ordinance from which this article is derived:

(1) All applicants in the NROGO system upon the effective date of the ordinance from which this article is derived shall be notified by regular mail within 30 days from the effective date of the ordinance from which this article is derived by the county planning and environmental resources department of the new NROGO scoring system.

(2) In such notification, applicants shall be informed that they have 30 days from the date of the notification, if they so chose, to submit a revision to their NROGO application to receive positive points through aggregation, land dedication, or payment of fees to the land acquisition fund.

(3) Within this one-time, 30-day time period, applicants shall be able to revise their applications without payment of fees or a change in their controlling date, upon condition that their approved building permit application is not revised to involve any further clearing of upland native habitat.

ADD NEW SECTION AND NEW PROCESS – REPLACING A REQUIRED APPROVED BUILDING PERMIT WITH AN NROGO SITE PLAN APPROVAL REQUIRED PRIOR TO ENTERING NROGO

Section 138-56. Nonresidential Rate of Growth Ordinance - Site Plan Approval Process.

1. Any application for nonresidential rate of growth allocation within unincorporated Monroe County subject to this chapter shall require site plan approval in accordance with this section:

a. NROGO Site plan application requirements. The site plan shall be prepared by a professional architect, engineer, certified planner, contractor, or landscape architect. The application shall be received by the building department 30 days prior to the end of an allocation period, along with the fee required (as established by resolution). Then it shall be routed to the Planning and Environmental resources Department, Building Department, Engineering Department, and/or Fire Department who shall initiate review of a site plan upon receipt of a complete application. Data furnished in the application shall be to scale (1" = 20') and shall include the following information, unless waived in writing by the Planning and Environmental Resource Director:

1) Name and address of the record owners, the applicant, and the person preparing the site plan.

2) Location map.

3) Legal description and survey of the proposed site boundaries made and certified by a state registered land surveyor or engineer. The survey shall reflect any:

i. existing structures, easements,

ii. existing encroachments or paved areas,

iii. existing habitat types delineated to demonstrate buildable area on the site including any heritage trees identified and including any potential species that may use the site (certified by an approved biologist, based on the most current professionally recognized mapping done by the Federal Fish and Wildlife Agency),

iv. Tier Designation of site

v. Maximum clearing limits allowed by the County Code,

vi. Future Land Use district of site

vii. Land Use District (Zoning) of site

4) The site plan shall reflect:

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i. Proposed land use, with indication of size, location and height of structures with approximate dimensions, setbacks, driveways, pool locations, deck locations, seawall locations (if waterfront), and landscaped yards.

ii. The location of existing public utilities, including location of closest available water supply system or collection lines and fire hydrants; closest available wastewater collection system or collection lines (with proposed wastewater system provider) or on-site system proposed to meet AWWT; and existing provisions for the collection and discharge of surface drainage.

iii. Gross acreage of uplands.

iv. Number of dwelling units for residential uses in a mixed use project.

v. Square footage of ground covered by buildings or structures, pervious and impervious areas, and square footage and percentage of site for each.

vi. Required and provided number of parking spaces.

vii. Proposed location of sidewalks, curbs, gutters, water mains, sanitary sewers, storm drains, manholes, inlets, underground conduits, seawalls, and the size and shapes and types thereof; and the character, width and depth of pavement in sub-base of any roadways, access points or paths located within the proposed development

viii. Location and width of any proposed permanent utility easements.

ix. Building separations and setbacks.

x. Location of all paved drives and parking areas.

xi. Building height from natural grade to peak of roof.

xii. Any additional information as may be reasonably required by the director.

5. The Planning Director shall request a review of the completed application from city departments as the director deems appropriate, including but not limited to planning and environmental resources, Building department, Engineering and Fire Department. Marine Resources may review if proposed development is located on the water. Each department that reviews the application shall respond with written comments and recommendations based upon the standards in the land development code to the planning director. The applicant shall be advised by mail of any deficiencies or additionally needed information. Comments shall be posted in e-gov, The applicant shall have an opportunity to satisfy any requirement by filing a written revision within 60 days. If the applicant does not revise the site plan, then the staff recommendations shall be forwarded to the director for determination, which shall be made within 60 days from the end of the aforesaid 60-day period. The director shall approve, approve with conditions or deny the site plan application.
6. Once the site plan has been approved or approved with conditions, the applicant may apply for a rate of growth allocation.

RESIDENTIAL RATE OF GROWTH ORDINANCE PROPOSED CHANGES:

Sec. 138-19. - Residential rate of growth ordinance (ROGO).

(a) Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

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Allocation period means a defined period of time within which applications for the residential ROGO allocation will be accepted and processed.

Annual allocation period means the 12-month period beginning on July 13, 1992, (the effective date of the original dwelling unit allocation ordinance), and subsequent one-year periods.

Annual residential ROGO allocation means the maximum number of dwelling units for which building permits may be issued during an annual allocation period.

Buildable lot or parcel means a lot or parcel which must contain a minimum of 2,000 square feet of upland, including any disturbed wetlands that can be filled pursuant to this chapter.

Controlling date means the date and time a ROGO application is submitted. This date shall be used to determine the annual anniversary date for receipt of a perseverance point and shall determine precedence when ROGO applications receive identical ranking scores. A new controlling date shall be established based upon the resubmittal date and time of any withdrawn or revised application, except pursuant to section 138-25(h).

Lawfully established for ROGO/NROGO exemption means a unit or floor area that has received a permit or other official approval from the division of growth management for the units and/or floor area.

Quarterly allocation period means the three-month period beginning on July 13, 1992, or such other date as the board may specify, and successive three-month periods.

Quarterly residential ROGO allocation means the maximum number of dwelling units for which building permits may be issued in a quarterly allocation period.

Residential dwelling unit means a dwelling unit as defined in section 101-1, and expressly includes the following other terms also specifically defined in section 101-1: lawfully established hotel rooms, campground spaces, mobile homes, transient residential units, institutional residential units (except hospital rooms) and live-aboards.

Residential ROGO allocation means the maximum number of dwelling units for which building permits may be issued in a given time period.

Residential ROGO allocation award means the approval of a residential ROGO application for the issuance of a building permit.

Residential Rate of Growth Ordinance - Site Plan means an official document that demonstrates proposed development required to be approved prior to an applicant entering ROGO.

ROGO application means the residential ROGO application submitted by applicants seeking allocation awards.

Sec. 138-25. - Application procedures for residential ROGO.

(a) Application for allocation.

In each quarterly allocation period, the department of planning and environmental resources shall accept applications to enter the residential ROGO system on forms prescribed by the planning director. Except for allocations to be reserved and awarded under section 138-24(b), the ROGO application form must be accompanied by an approved ~~building permit~~ **Rate of Growth Ordinance - Site Plan** application and a nonrefundable processing fee in order to be considered in the current allocation period. The planning director shall review the ROGO application for completeness. If the

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application is determined to be incomplete, the planning director shall reject the ROGO application and notify the applicant of such rejection, and the reasons therefore, within ten working days. The application shall be assigned a controlling date that reflects the time and date of its submittal unless the application is determined to be incomplete. If the application is rejected, then the new controlling date shall be assigned when a complete application is submitted.

(b) Fee for review of application.

Each ROGO application shall be accompanied by a nonrefundable processing fee as may be established by resolution of the board. Additional fees are not required for successive review of the same ROGO application unless the application is withdrawn and resubmitted.

(c) Compliance with other requirements.

The ROGO application shall not constitute and indication of ~~indicate~~ whether the applicant for a residential dwelling unit allocation has satisfied and complied with all county, state and federal requirements otherwise imposed by the county regarding conditions precedent to issuance of a building permit. ~~and shall require that the applicant certify to such compliance.~~ Those requirements shall be examined after an allocation is awarded during the building permit process.

(d) Noncounty time periods.

The county shall develop necessary administrative procedures and, if necessary, enter into agreements with other jurisdictional entities which impose requirements as a condition precedent to development in the county, to ensure that such noncounty approvals, certifications and/or permits are not lost due to the increased time requirements necessary for the county to process and evaluate residential dwelling unit applications and issue allocation awards. The county may permit evidence of compliance with the requirements of other jurisdictional entities to be demonstrated by "coordinating letters" in lieu of approvals or permits.

(e) Limitation on number of applications.

(1) An individual entity or organization may submit only one ROGO application per unit in each quarterly allocation period.

(2) There shall be no limit on the number of separate parcels for which ROGO applications may be submitted by an individual, entity or organization.

(3) A ROGO application for a given parcel shall not be for more dwelling units than are permitted by applicable zoning or land use regulations or the comprehensive plan.

(f) Expiration of allocation award.

Except as provided for in this article, an allocation award shall expire when its corresponding building permit is not picked up after 60 days of notification by certified mail of the award or after issuance of the building permit, upon expiration of the permit. This time frame may be extended by resolution of the Board of County Commissioners.

(g) Borrowing from future housing allocations.

(1) The planning commission may award additional units from future annual dwelling unit allocations to fully grant an application for residential units in a project if such an application receives an allocation award for some, but not all, of the units requested.

(2) The board of county commissioners, in approving affordable housing allocations pursuant to section 138-24(b), may reserve and award additional units from future annual dwelling unit allocations if the number of available allocations is insufficient to meet specific project needs.

(3) The planning commission shall not reduce any future market rate quarterly allocation by more than 20 percent and shall not apply these reductions to more than the next five annual allocations or 20 quarterly allocations.

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(4) The board of county commissioners, upon recommendation of the planning commission, may make available for award up to 100 percent of the affordable housing allocations available over the next five annual allocations or 20 quarterly allocations.

(h) Revisions of ROGO applications and awards.

(1) An applicant may elect to revise a ROGO application to increase the competitive points in the application without prejudice or change in the controlling date if a revision is submitted on a form approved by the planning director to the planning and environmental resources department no later than 30 days following the planning commission approval of the previous ROGO rankings. Any such revision shall not involve changes to the approved ~~building permit~~ Rate of Growth Ordinance - Site Plan **application. All other applications that are withdrawn and resubmitted that do not increase the competitive points or involve revisions to the approved ~~building permit~~** Rate of Growth Ordinance - Site Plan **application shall be considered new, requiring payment of appropriate fees and receiving a new controlling date.**

(2) After receipt of an allocation award, and either before or after receipt of a building permit, but prior to receipt of a certificate of occupancy, no revisions shall be made to any aspect of the proposed residential development which formed the basis for the evaluation review, determination of points and allocation rankings, unless such revision would have the effect of increasing the points awarded.

(i) Clarification of application data.

(1) At any time during the dwelling unit allocation review and approval process, the applicant may be requested by the director of planning or the planning commission to submit additional information to clarify the relationship of the allocation application, or any elements thereof, to the evaluation criteria. If such a request is made, the director of planning shall identify the specific evaluation criterion at issue and the specific information needed and shall communicate such request to the applicant.

(2) Upon receiving a request from the director of planning for such additional information, the applicant may provide such information, or the applicant may decline to provide such information and allow the allocation application to be evaluated as submitted.

Sec. 138-28. - Evaluation criteria.

The point values established on the following pages are to be applied cumulatively:

(1) Tier designation.

The following points are intended to discourage development in environmentally sensitive areas and to direct and encourage development in appropriate infill areas, while recognizing that any development has an impact on the carrying capacity of the Florida Keys:

Point Assignment	*Criteria*
+0	**An application which proposes a dwelling unit within an area designated tier I on Big Pine Key or No Name Key.**
+10	**An application which proposes a dwelling unit within an area designated tier I (natural area).**
+10	**An application which proposes development within an area designated tier II (transition and sprawl reduction area) on Big Pine Key or No Name Key.**

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+20	**An application which proposes development within an area designated tier III (infill area) on Big Pine Key or No Name Key.**
+20	**An application which proposes the clearing of any upland native habitat vegetation that is part of a one acre or larger upland native habitat within an area designated tier III-A (special protection area).**
+30	**An application which proposes development within an area designated tier III (infill area) outside of Big Pine Key or No Name Key.**

(2) Big Pine Key and No Name Key only.

The following additional negative points shall be cumulatively assigned to allocation applications and are intended to implement the Habitat Conservation Plan and the Livable CommuniKeys Community Master Plan for Big Pine Key and No Name Key.

Point Assignment	***Criteria***
- 10	**An application which proposes a dwelling unit on No Name Key.**
- 10	**An application which proposes development in designated Lower Keys Marsh Rabbit habitat or buffer areas as designated in the community master plan.**
- 10	**An application which proposes development in Key Deer Corridor as designated in the community master plan.**

(3) Lot aggregation.

The following points are intended to encourage the voluntary reduction of density through aggregation of vacant, legally platted, buildable lots with density allocation by lot.

Point Assignment*	***Criteria****
+4	**An application which aggregates a contiguous vacant, legally platted, vacant, buildable lot, zoned IS, IS-D, URM, URM-L, or CFV, located within a tier III designated area together with the parcel proposed for development. Each additional vacant, legally platted, buildable lot which is aggregated that meets the above requirements will earn the application the additional points as specified.**
+3	**On Big Pine Key and No Name Key. An application which aggregates a contiguous vacant, legally platted, vacant, buildable lot, zoned IS, IS-D, URM, URM-L, or CFV, located within a tier II or tier III designated area together with the parcel proposed for development. Each additional vacant, legally platted, buildable lot which is aggregated that meets the above requirements will earn the application the additional points as specified.**
Additional requirements	
	1. The proposed development shall not involve the clearing of upland native vegetation of more than 5,000 square feet of upland native vegetation or the open space requirements of section 118-9, whichever is less.
	2. The application shall include, but not be limited to, the following:
	(a) An affidavit of ownership of all affected parcels, acreage or land; and
	(b) A legally binding, restrictive covenant limiting the number of dwelling units on the aggregated lot, running in favor of the county and enforceable by the county, subject to the approval of the growth management director and county attorney and recorded in the office of the clerk of the county prior to the issuance of any building permit pursuant to an allocation award.

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*Exception:
No points for aggregation shall be awarded for any application that proposes the clearing of any native upland habitat in a tier III-A (Special Protection Area) area. No aggregation of lots will be permitted in tier I.

(4) Land dedication.

The following points are intended to encourage the voluntary dedication of vacant, buildable land within tier I and tier II (Big Pine Key and No Name Key) areas for the purposes of conservation, resource protection, restoration or density reduction, and, if located within tier III, for the purpose of providing land for affordable housing, where appropriate.

Point Assignment	*Criteria*
+4	An application which includes the dedication to the county of one vacant, legally platted buildable lot, zoned SC, IS, IS-D, URM, URM-L, or CFV, or a legally platted, buildable lot within any CFSD that authorizes dwelling units. Each additional vacant, legally platted, buildable lot which is dedicated that meets the above requirements will earn the application the additional points as specified.
+2	On Big Pine Key and No Name Key, An application which includes the dedication to the county of one vacant, legally platted buildable lot, zoned SC, IS, IS-D, URM, URM-L, or CFV, or a legally platted, buildable lot within any CFSD that authorizes dwelling units. Each additional vacant, legally platted, buildable lot which is dedicated that meets the above requirements will earn the applicantion the additional points as specified.
+1 for each 5,000 square feet of lot area	An application which includes the dedication to the county of a vacant, legally platted, buildable lot of 5,000 square feet or more within a suburban residential district (SR) or suburban residential-limited district (SR-L) within a designated tier I area. Each additional vacant, legally platted, buildable lot of 5,000 square feet or more that meets the above requirements will earn points as specified.
+0.5	An application which includes the dedication to the county of one vacant, legally platted, buildable lot of 5,000 square feet or more within a native area district (NA) or sparsely settled district (SS) in a designated tier I area. Each additional vacant, legally platted, buildable lot that meets the above requirements will earn the half-point as specified.
+4	An application which includes the dedication to the county of at least one acre of vacant, unplatted, buildable land located within a designated tier I area. Each additional one acre of vacant, unplatted, buildable land that meets the above requirements will earn the points as specified.
+2	On Big Pine Key and No Name Key, an application which includes the dedication to the county of at least one acre of vacant, unplatted, buildable land located within a designated tier I area. Each additional one acre of vacant, unplatted, buildable land that meets the above requirements will earn the points as specified.
Additional requirements:	
	1. The application shall include, but not be limited to, the following:
	(a) An affidavit of ownership of all affected lots, parcels, acreage or land; and
	(b) A statutory warranty deed that conveys the dedicated property to the county shall be approved by the growth management director and county attorney and recorded in the office of the clerk of the county prior to the issuance of any building permit pursuant to an allocation award.

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	2. Lots or parcels dedicated for positive points under this paragraph shall not be eligible for meeting the mitigation requirements of the Big Pine Key and No Name Key Overlay Zone.
	3. Lots or parcels donated for points in Big Pine Key or No Name Key must be located within tier I or tier II lands in Big Pine Key or No Name Key.

(5) Market rate housing in employee or affordable housing project.

The following points are intended to provide further incentives for provision of market rate housing within employee housing projects:

Point Assignment	*Criteria*
+6	**An application for market rate housing unit which is part of employee or affordable housing project.**
Additional Requirements:	
	The market rate dwelling unit must be part of an approved employee or affordable housing project and meet all the requirements and conditions pursuant to section 130-161(a) and (f) and this ordinance.

(6) Special flood hazard area.

The following points are intended to discourage development within high risk special flood hazard zones:

Point Assignment	*Criteria*
- 4	**An application which proposes development within a "V" zone on the FEMA flood insurance rate map.**

(7) Central wastewater treatment system availability.

The following points shall be assigned to encourage development in areas served by central wastewater treatment systems:

Point Assignment	*Criteria*
+4	**An application for which development is required to be connected to a central wastewater treatment system that meets BAT/AWT standards established by the state legislature.**

(8) Perseverance points.

The following points are intended to reward an application based upon the number of years spent in the residential ROGO system without receiving an allocation award:

Point Assignment	*Criteria*
+1	**A point shall be awarded on the anniversary controlling date for each year that the application remains in the ROGO system up to a maximum of four years.**

(9) Payment to land acquisition fund.

Up to two points shall be awarded for a monetary payment to the county's land acquisition fund for the purchase by the county of lands for conservation and retirement of development rights. Points for payment to this fund shall be assigned as follows:

Point Assignment	*Criteria*
+ 1 to + 2	**Proposes payment to the county's land acquisition fund in an amount equal to the**

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	monetary value of a ROGO dedication point times the number of points to be purchased, up to a maximum of two points.
Additional Requirements:	
	1. The monetary value of each point shall be established annually by resolution of the board of county commissioners.
	2. The monetary value of each point shall be based upon the average fair market value of privately-owned, buildable, vacant, IS/URM, platted lots in tier I divided by four.
	3. Payment to the county's land acquisition fund shall be prior to the issuance of any building permit pursuant to the allocation award.

(10) Rescoring of applications not receiving allocations.

All applications in the ROGO system on the effective date of the ordinance from which this article is derived that do not receive an allocation award in quarter 4, ROGO year 14, ending July 13, 2006, shall be rescored in quarter 1, ROGO year 15, pursuant to the above provisions as modified by the vesting provisions of subsubsection (11) of this section.

(11) Retroactive vesting provisions.

Notwithstanding the provisions of this article, upon the effective date of the ordinance from which this article is derived, the following vesting provisions shall apply to the scoring of applications in the ROGO system prior to the effective date of the ordinance from which this article is derived:

1. All applications shall be eligible to continue to receive perseverance points beyond the first four years in the system, at an annual rate of +2 points for each year that the application remains in the ROGO system.

2. If any application, prior to the effective date of the ordinance from which this article is derived, had been withdrawn and reentered the ROGO system and the application had been revised solely to increase its point total through lot aggregation or land dedication without revising the approved ~~building permit~~ **Rate of Growth Ordinance - Site Plan** application, the controlling date of the application shall be restored to the controlling date of the application prior to the application's withdrawal. The application shall also be entitled to any perseverance points lost due to the withdrawal.

3. If any application received points for aggregation, which would not be authorized under the new aggregation provisions of subsection (3) of this section, the applicant shall receive +4 points for each aggregated lot, except that all applications received after September 27, 2005 that are on file with the county must be rescored prior to receiving an allocation pursuant to the mandate by the Florida Administrative Commission by Rule Nos. 28-20.110 and 28-20.120, effective September 27, 2005.

4. All applicants in the ROGO system upon the effective date of the ordinance from which this article is derived shall be notified by regular mail within 30 days from the effective date of the ordinance from which this article is derived by the county planning and environmental resources department of the new ROGO scoring system. In this notification, applicants shall be informed that they have 30 days from the date of the notification, if they so chose, to submit a revision to their ROGO application to receive positive points through aggregation, land dedication, or payment of fees to the land acquisition fund. Within this one-time, 30-day time period, applicants shall be able to revise their applications without payment of fees or a change in their controlling date upon condition that their approved ~~building permit~~ **Rate of Growth Ordinance - Site Plan** application is not revised.

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ADD NEW SECTION AND NEW PROCESS – REPLACING A REQUIRED APPROVED BUILDING PERMIT WITH A SITE PLAN APPROVAL REQUIRED PRIOR TO ENTERING ROGO

Section 138-29. Rate of Growth Ordinance - Site Plan Approval Process.

1. Any application for residential rate of growth allocation within unincorporated Monroe County subject to this chapter shall require site plan approval in accordance with this section:

a. Site plan application requirements. The site plan shall be prepared by a professional architect, engineer, certified planner, contractor, or landscape architect. The application shall be received by the building department 30 days prior to the end of an allocation period, along with the fee required (as established by resolution). Then it shall be routed to the Planning and Environmental resources Department who shall initiate review of a site plan upon receipt of a complete application. Data furnished in the application shall be to scale (1" = 20') and shall include the following information, unless waived in writing by the Planning and Environmental Resource Director:

1) Name and address of the record owners, the applicant, and the person preparing the site plan.

2) Location map.

3) Legal description and survey of the proposed site boundaries made and certified by a state registered land surveyor or engineer. The survey shall reflect any:

i. existing structures, easements,

ii. existing encroachments or paved areas,

iii. existing habitat types delineated to demonstrate buildable area on the site including any heritage trees identified and including any potential species that may use the site (certified by an approved biologist, based on the most current professionally recognized mapping done by the Federal Fish and Wildlife Agency),

iv. Tier Designation of site

v. Maximum clearing limits allowed by the County Code,

vi. Future Land Use district of site

vii. Land Use District (Zoning) of site

4) The site plan shall reflect:

i. Proposed land use, with indication of size, location and height of structures with approximate dimensions, setbacks, driveways, pool locations, deck locations, seawall locations (if waterfront), and landscaped yards.

ii. The location of existing public utilities, including location of closest available water supply system or collection lines and fire hydrants; closest available wastewater collection system or collection lines (with proposed wastewater system provider) or on-site system proposed to meet AWWT; and existing provisions for the collection and discharge of surface drainage.

iii. Gross acreage of uplands.

iv. Number of dwelling units for residential uses only.

v. Square footage of ground covered by buildings or structures, pervious and impervious areas, and square footage and percentage of site for each.

vi. Required and provided number of parking spaces.

vii. Proposed location of sidewalks, curbs, gutters, water mains, sanitary sewers, storm drains, manholes, inlets, underground conduits, seawalls, and the size and shapes and types

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thereof; and the character, width and depth of pavement in sub-base of any roadways, access points or paths located within the proposed development

viii. Location and width of any proposed permanent utility easements.

ix. Building separations and setbacks.

x. Location of all paved drives and parking areas.

xi. Building height from natural grade to peak of roof.

xii. Any additional information as may be reasonably required by the director.

5. The Planning Director shall request a review of the completed application from city departments as the director deems appropriate, including but not limited to planning and environmental resources. Marine Resources may review if proposed residential unit is located on the water. Each department that reviews the application shall respond with written comments and recommendations based upon the standards in the land development code to the director. The applicant shall be advised by mail of any deficiencies or additionally needed information. Comments shall be posed in e-gov, The applicant shall have an opportunity to satisfy any requirement by filing a written revision within 60 days. If the applicant does not revise the site plan, then the staff recommendations shall be forwarded to the director for determination, which shall be made within 60 days from the end of the aforesaid 60-day period. The director shall approve, approve with conditions or deny the site plan application.
6. Once the site plan has been approved or approved with conditions, the applicant may apply for a rate of growth allocation.

Secs. 138-30—138-46. - Reserved

Additionally, we need to eliminate the following amendments to Section 110.

~~Sec. 110-142. - Compliance requirements for building permit applications requiring a ROGO or NROGO allocation award or submitted under privatized plan review.~~

Comment [ch1]: We don't do this. So we need to just delete it.

~~Prior to submittal of an application for a building permit requiring a ROGO or NROGO allocation award under this chapter or submitted under the provisions of F.S. ch. 553 or privatized plan review, the building permit application shall be first submitted to the planning director for compliance review with the requirements of this chapter, the comprehensive plan, and chapter 13. The planning director shall determine within 15 working days if the building permit application is in compliance and can be processed by the building department or needs to be revised before it can be accepted and processed. If an evaluation of an HEI and site plan visit is required, the number of working days to complete the review may be more than 15 working days. The compliance determination of the planning director shall be in writing.~~

~~Sec. 110-143. - Deadlines for submission of building permit applications to be entered into the residential and nonresidential permit allocation systems.~~

~~No approved building permit application requiring a ROGO or NROGO allocation award, including applications submitted under privatized plan review as provided for by F.S. ch. 553 shall be accepted for entry into the ROGO or NROGO systems under this chapter, unless the building permit application is submitted to the building department 30 days prior to the end of the allocation period appropriate for that application.~~

IV RECOMMENDATION

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Staff recommends that the Board of County Commissioners amend the Monroe County Code as stated in the text of this staff report.

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