

# Building Permit Allocation System Changes

## **Original Action Item as proposed by Sustainability Board Member Ric Lightner:**

Discussion and vote to propose compromise to changes in the ordinance approved by Planning Board of certain of the City of Key West's already enacted BPAS Green Sustainability Credits to promote allocation of building rights to affordable housing projects that also meet sustainability goals, requesting City Commission consider proposed changes when they act on the ordinance.

## **History:**

BPAS was written in 2013 by the city Planning Department with close consultation with the Sustainability Coordinator. Based on lessons learned from a graduate student study of Monroe County's ROGO system, substantial green aspects were highlighted.

From over 200 potential green actions within green certification programs provided by the USGBC and Florida Green Building Council, 9 actions were chosen for addition into BPAS because of the impact they could make. For the first time in ROGO-style building permit application, three prerequisites were included, based on the importance of these impacts. The three prerequisites, six additional points options, and their outcomes are recorded in Appendix A.

The City Commission and Planning Board charged the Planning department with increasing the weight of affordable housing for next year's BPAS Rankings. Unsubstantiated comments by a few people led to large changes in BPAS, which under pressure to be quick, went to the Planning Board without Sustainability input.

## **Facts Based Research on Green Building**

In the last decade, over 3 dozen studies have been conducted, comparing the cost of building a normal, "to code" building versus a green certified building. Overwhelmingly, the studies showed that not only are the capital costs nominal (currently 1-6.5%), but that the affordability and productivity gains are substantial. Energy usage in green certified buildings is cut by 25-35%, and water usage by 39%, resulting in monthly and annual savings for the inhabitants of the building. Often overlooked are the wellness factors of well-ventilated, outside-view buildings, which result in 10-25% better mental function and memory; and 20-26% faster learning. Lastly, of importance for the market rate units, green certified buildings have 23% higher occupancy rates and earn 30% higher prices than their traditional counterparts, providing a high ROI on the upfront costs.

Certification Level	Cost premium
LEED Bronze	Less than 1%
LEED Silver	2.1%
LEED Gold	1.8%
LEED Platinum	6.5%
FGBC Platinum: Big Pine Key	1.5%

## **Findings / Recommendations:**

Green buildings are affordable housing. Small upfront costs command higher sales prices of market rate units, which better underwrite the mandatory affordable units. They go hand in hand and should not be demoted.

The Sustainability Advisory Board wishes to advise the City Commission to accept friendly amendments to the Planning Board's proposed BPAS ordinance. Points allocations, instead of being almost halved (45% decrease) for "Green" alongside "Affordables" exponential increase (2500%), would instead reduce only 22%, still leaving affordable with 60% of total points possible.

Specific recommendations and points allocations can be found on the next page.

**Appendix A – Friendly Amendments to Planning Board BPAS Ordinance:**

Aside from the items mentioned below, the Sustainability Board is okay with all of the additions and strike throughs approved by the Planning Board.

**A-1: Prerequisites**

<b>Page # Item #</b>	<b>Is</b>	<b>Planning Board Proposed (Points difference)</b>	<b>Sustainability Board Proposed (Points difference)</b>	<b>Importance/Reasoning</b>
Page 8 Sec 108-997 (b)(2)	Prerequisite: New		All buildings with new units must meet compliance with Florida Green Building Coalition's Level 3 Green Home Retrofit standards.	When BPAS was first written, there was not a certification for existing homes. Achieving green certification tiers was very difficult and costly for existing homes. Now there is a minimum bar to achieve and measure to. This does not affect large developers.
Page 8 Sec 108-997 (b)(1) b	Prerequisite: First habitable floor 1.5 foot above BFE	NA  (0)	Prerequisite should be raised to 2.5' Points should be awarded for building higher. (0)	For each foot above BFE, up to 3 feet, flood insurance premiums are reduced. When the flood maps get changed, current code housing will be at BFE, costing homeowners more money to insure.
Page 9 Sec 108-997 (b)(1) c	Prerequisite: Cisterns with minimum of 1,000 gallons or 100% new roof area.	Strike from prerequisite. Move to Points system.  (0)	Leave as is.  (0)	BPAS Prerequisites have led to 187,240 gallons of cisterns slated for the island. Cisterns reduce use of brackish aquifer, which costs 7x/gallon more to use. Cisterns reduce water/sewer bills and add resiliency during hurricanes. Cisterns reduce stormwater runoff and improve nearshore water quality. Cisterns cost between \$1-\$3 per gallon to build.

**A-2: Points Allocations**

Page # Item #	Is	Planning Board Proposed (Points difference)	Sustainability Board Proposed (Points difference)	Importance/Reasoning
Page 9  Sec 108-997 (b)(2)(c)(1) b.	Exceed minimum required % of affordable housing (5pts)	Increased to 30 pts  (+30 Affordable)	Accepted  (+30 Affordable)	As a 5pt item, this item has been awarded 4 times over the past 4 rounds of BPAS,
Page 9  Sec 108-997 (b)(2)(c)(1) c-d.	New	Voluntary exceeding minimum required affordable at: Median income (+40) Low income (+60) (+100 Affordable)	Accepted  (+40) (+60) (+100 Affordable)	
Page 10  Sec 108-997 (b)(2)(c)(1) e-g.	Achieving Green Certification Upgrades: 1 (Silver): 30 pts 2 (Gold): 40 pts 3 (Platinum): 60 pts	1 (Silver): 10pts (-20) 2 (Gold): 20 pts (-20) 3 (Platinum): 30 pts (-30) (-70 Green)	Reduce by 33%: 1 (Silver): 20pts (-10) 2 (Gold): 27 pts (-13) 3 (Platinum): 40 pts (-20) (-43 Green)	The higher the certification, the higher the affordability. Since BPAS Year 1, the City has awarded: 85 Bronze 119 Silver 128 Gold 14 Platinum
Page 10  Sec 108-997 (b)(2)(c)(1) h.	Voluntary contribution of \$5,000 to AIPP or Tree Fund. 10 pts.	Reduce to \$2,500: 10 pts  (0)	\$2,500: 5 pts  (-5 Other)	Since BPAS Year 1, this item has garnered 63,000 for the AIPP and Tree Funds. As the only “pay cash for points” item, 10 points is a lot for \$2,500.
Page 10  Sec 108-997 (b)(2)(c)(1) g.	Design by LEED Architect. 10 pts.	Strike.  (-10 Green)	Early design consultation by LEED or FGBC certified professional. 5pts. (-5 Green)	Having someone on the team familiar with green design from the start reduces capital costs by 10%.

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Page 10 Sec 108-997 (b)(2)(c)(1) i.	Provide conduit for electric car charging: 5 pts	Strike  (- 5 Green)	Provide 1 charger for every 10 units: 5pts Max 15 points.  (+10 Green)	The cheapest time to run the proper electric is at build time. Electric vehicles (EV) are usually smaller and cheaper to operate. Golf cart style EV's are always so, and cheaper to purchase.
Page 10 Sec 108-997 (b)(2)(c)(1) j.	Light colored, high reflectivity of non-roof at least 29 SRI : 10pts	Reduce to 5 pts  (-5 Green)	Accepted  (-5 Green)	Although this does reduce heat islands, it doesn't contribute substantially to the inside energy efficiency, and therefore affordability of the building.
Page 10 Sec 108-997 (b)(2)(c)(1) k.	Providing additional on-site open space or on-site recreational facilities: 10 pts	Reduce to 5 pts  (-5 Other)	Accepted  (-5 Other)	
Page 10 Sec 108-997 (b)(2)(c)(1) <del>k.</del>	Designing with vegetated roof of at least 50%: 15pts	Strike  (-15 Green)	Accepted  (-15 Green)	
Page 11 Sec 108-997 (b)(2)(c)(1) l.	New, moved from Prerequisites	Cisterns with minimum of 1,000 gallons or 100% new roof area: 10pts  (+10 Green)	Keep in prerequisites.  (0)	Unfortunately, this necessity of our island history has been forgotten and misunderstood as an expensive and complex addition. Quite the opposite, it saves water costs, reduces stormwater, enhances nearshore water quality and makes occupants more resilient to hurricanes.
Page 11 Sec 108-997 (b)(2)(c)(1) m.	Light colored, high reflectivity of roof at least 29 SRI : 5pts	No change  (0)	No change  (0)	

Page # Item #	Is	Planning Board Proposed (Points difference)	Sustainability Board Proposed (Points difference)	Importance/Reasoning
Page 11 Sec 108-997 (b)(2)(c)(1) n.	New	New  (0)	Provide raised garden beds: 1 point per 32 square feet of raised garden bed (2-feet deep). Max 8 points.  (+8 Green)	Community gardens have been proven to reduce grocery bills, increase healthy food options and increase community well- being.
Page 11 Sec 108-997 (b)(2)(c)(2) <del>a-k</del>	Merged 1-2 unit rules with 3 or more unit rules.	Accepted  (0)	Accepted  (0)	

### A-3: Other Friendly Amendments

Page 8  Add below Sec 108-997 (a)	New, Under Application and Allocation Period		Applications for affordable units as minor renovations or accessory units for can be received at any time during the year, as long as their application meets the average application score from the year before. If score does not meet the average, the application will be held and ranked as part of the annual application cycle.	There are an abundance of affordable units available through accessory unit additions in the Single Family zone.  Ensuring that single units can go forward at anytime reduces a barrier to our residents.  This will not affect large developers.
Page 15 Sec 108-998 <del>a-</del>	Pedestrian and bicycle linkage	Strike	Change to Transportation Linkage. Change: provide <del>enclosed</del> (secure, lockable) bicycle storage area. Add: provide posted web address about transit options.	Walking and biking are more affordable methods of transportation than driving. Not providing smart/safe linkages does a disservice to our lower income residents.