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BREAKING

MARATHON REQUESTS 8,000 ROGO/BPAS UNITS, EVACUATION TIME INCREASE

By TIMOTHY O'HARA and RICHARD TAMBORRINO Keys Citizen
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Garrett

Marathon City Manager George Garrett has proposed the state give the entire Florida Keys 8,000 more building allocations and increase the allowable hurricane evacuation time from 24 hours to 31 hours.

Garrett sent the request to state Rep. Jim Mooney on Thursday, Jan. 11. Garrett, who referred to the proposal as the start of "essential dialogue" on the issue, did not provide a copy of the proposal or discuss the request with any other local government officials prior to sending it.

The Marathon City Council passed a resolution on Tuesday, Jan. 9, entitled "relating to the state of Florida's 2023 hurricane evacuation clearance times summary, the building permit allocation system and necessary actions of the Legislature during the 2024 legislative session."

The item was passed in bulk on Tuesday night with no discussion by the council and without comment from the public. Garrett contended the resolution was on the agenda and any of the commissioners or the public could have pulled it off the consent agenda and spoke to it.

Garrett sent the resolution, not the specific request for 8,000 units, to Mooney, the governor's office, the state Senate president, the Speaker of the House of Representative and Keys state Sen. Ana Marie Rodriguez. Garrett only sent the request for more building allocations and change in hurricane evacuation time to Mooney and Keys officials, he said.

The request comes a month after the Monroe County Commission and Mooney agreed to not make any request for new building allocations called ROGO (Rate of Growth Ordinance) or BPAS (Building Permit Allocation System) units until at least the legislative session starting in 2025, after a "robust" discussion with "the municipalities and the community" in the next year, Monroe County Mayor Holly Raschein said.

"This is not what we talked about," Raschein said. "None of us talked about this. It's unnecessary. This is already complicated enough. We need to be strategic. We are still running the numbers. We are still doing our homework."

Monroe County Administrator Roman Gastesi was "blindsided" by the request, he said, adding the county has given ROGO units to Marathon in the past. The county gave Marathon 142 ROGO units in the 2002-03 fiscal year and 273 between 2015 and 2017, according to Gastesi.

Gastesi and Raschein questioned why Marathon would make a request that extends beyond its own borders and encompasses the entire Keys.

Mooney called it "disturbing" and said the request was "not vetted with him first" before it was sent out on Thursday.

Mooney does not support any ROGO/BPAS request this legislative session, which started Tuesday, Jan. 9. The deadline to file new bills has passed, and Mooney does not support attaching it to any existing legislation, he said.

Information about exactly how many buildable lots in the Keys there are and the impact on existing infrastructure is needed before any requests are made, Mooney said.

If another legislator from another part of the state tries to attach Marathon's request to an existing bill, "it will get ugly," Mooney said.

"I took it and I stored it," Mooney said of Marathon's request. "It's way too late this session. This is very frustrating. ... We have spent 40 years protecting the environment, and this will destroy everything."

Marathon and the county needed to get started on the request for units "this year and this legislative session," Garrett said. Garrett asked for a countywide change in hurricane evacuation time and more units Keys-wide because the evacuation time is county-wide, he said.

Marathon City Council members Luis Gonzalez and Kenny Matlock did not know Garrett made a request for a specific amount of units, they told The Keys Citizen. Councilman Jeff Smith was aware Garrett would be requesting the additional BPAS units, but assumed Garrett would only be asking for Marathon's respective share, Smith said.

The generic resolution that passed Jan. 9 did not mention a specific request of 8,000 units Keys-wide or increasing hurricane evacuation time, but stated "the City of Marathon has a clear 'takings' liability as BPAS comes to an end with the BPAS Semester ending July 13, 2024."

"The city holds applications for 81 market rate BPAS allocations and 40 affordable BPAS allocations; and among the 121 applications for BPAS allocations, 48 have reached a point at which they could potentially request Administrative Relief BPAS allocations of which there are only 12;" the resolution stated. "Recent estimates of remaining vacant parcels in Marathon, as provided in Exhibit B, indicate that there are approximately 7,026 vacant parcels within the city, 556 of which are estimated as buildable, 215 of which are waterfront properties; and the city is committed to working with the county and each of the other municipalities to develop a positive future scenario for BPAS (ROGO); and, such scenario should seek a minimum 20 to 30 year BPAS (ROGO) horizon and operate within any current and future Level Of Service (LOS) and environmental constraints."

Marathon's request comes about a month after FloridaCommerce, formerly known as the Florida Department of Economic Opportunity, unveiled the findings of the recently conducted hurricane evacuation model for the Keys and presented possible scenarios on issuing future building allocations to the chain of islands.

FloridaCommerce regulates development in the Keys and issues a certain number of ROGO and BPAS units to Keys governments every 10 years following the U.S. Census.

County commissioners and members of the public who spoke during last month's Board of County Commissioners meeting called for more time to gather information about how more building allocations would impact the Keys' carrying capacity, water and electric utilities and traffic on an already crowded U.S. 1.

The Monroe County Commission agreed to wait at least a year before making a decision on accepting ROGO/BPAS units. At that meeting, Garrett and Marathon City Attorney Steve Williams told county officials the city needed more building allocations, saying the city would run out of allocations in 2025.

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