



## City of Fort Myers Affordable Housing and Infill Development

### Frequently Asked Questions

#### 1. Who can obtain a lot from the City?

*Owner-Builders, Housing Developers and Buyers may obtain City-owned lots for Affordable Housing and Infill Development, subject to meeting the submission requirements according to the Invitation for Proposals.*

#### 2. How many properties can I choose at one point in time?

*Owner-Builders may choose up to three (3) lots for consideration; however, only one (1) lot will be conveyed to any Owner-Builder and its household since a future constructed home is to be used as a primary residence.*

*Owner-Builders and Housing Developers are required to sign a Development Agreement for any awarded lot(s) prior to consideration by the City Council at a public hearing.*

#### 3. What happens if more than one entity requests the same lot?

*Preference is given to: 1. Adjacent property owners, then 2. Owner-Builders, then 3. Housing Developers, then 4. Buyers. (Section 1.2.1)*

*However, a public drawing in City Council Chambers to determine who gets the lot may also be used in certain circumstances where two or more entities request the same lot, as outlined in Resolution No. 2020-36. (Section 1.2.2b)*

*Please note: the City Council reserves the right to convey the property to any entity who submits a timely proposal, regardless of priority order.*

#### 4. How does the property transfer to me?

*Awarded lot(s) will be transferred via Quit-Claim deed. A Development Agreement will be executed, and a Quit-Claim deed will be recorded with the Lee County Clerk's Office.*

*A fee of \$500.00 per lot is due at the time of deed recordation for all awarded infill lots. (Section 1.2.3)*

*For lots being sold in fee simple, the Buyer is responsible for the agreed upon purchase price in addition to any recording fees and associated closing costs at the time of deed recordation.*

*All conveyances, deeds and development agreements must be approved by the City Council at a scheduled public hearing.*

#### 5. Why are lots conveyed by Quit-Claim deed?

*The City does not warrant the title to any lot. For this reason, lots cannot be conveyed through a Warranty Deed or Special Warranty Deed. Proposers and Buyers should perform their own due diligence research prior to requesting any lot.*



**6. What can I build on the lot?**

*A single-family home for the area in which the lot is located and according to the construction standards listed in Exhibit B of Resolution No. 2020-36.*

*Duplex homes, multi-family buildings, and/or mobile homes are not permitted on infill lots.*

**7. How long do I have to build a home after deed recordation?**

*A Certificate of Occupancy is required within three (3) years of the date of the deed. (Section 1.2.5)*

*For Housing Developers, the house must be transferred/sold to a qualified\* homebuyer by (Special) Warranty Deed within two (2) years of the Certificate of Occupancy for lots conveyed to Housing Developers.*

*\*A qualified homebuyer is defined as one or more natural persons or family where the total household income is less than 150% of the Fort Myers/Cape Coral Metropolitan Statistical Area, as determined by the US Bureau of Labor Statistics. Please see Resolution No. 2020-36 for more information. (Section 1.2.6)*

**8. Can I build an affordable home and use it for a rental property?**

*No, the house must be transferred/sold by (Special) Warranty Deed within two (2) years of issuance of the Certificate of Occupancy.*

**9. Can an individual obtain a lot?**

*Individual Owner/Builders are eligible to obtain a lot to build a home for a primary residence within three (3) years of conveyance.*

*Infill lots are intended for those families who currently do not own a home or own vacant residential property. Those prospective Owner-Builders who submit a proposal for an infill lot who already own residential real estate will not likely be considered.*

**10. What happens if I cannot build within 3 years?**

*If a Certificate of Occupancy is not obtained within the timeframe, the lot will revert to the City through the reverter clause included on the Quit-Claim Deed; however, prior to the expiration of the reverter clause, you may contact the City in writing to request an extension. All extensions must be approved by the City Council. (Section 1.2.5)*

**11. Can I resell the lot if I cannot build?**

*No, the lot would revert back to the City through the reverter clause included on the Quit-Claim deed if you cannot build on the lot.*

**12. What type of construction is permitted on Infill Housing Lots?**

*Only traditionally constructed homes are permitted on Infill lots at this time. Modular, prefabricated, mobile, and/or container homes are not permitted. Homes should be concrete block or traditional stick-built homes with wood, brick or stucco exteriors. Please refer to the construction standards in Exhibit B of Resolution No. 2020-36 for more information.*



**13. Will the City waive any inspection fees?**

*The City Council may, at its discretion, waive up to 100% of all City levied building and inspection fees to the extent permitted by applicable law. (Section 1.2.7)*

**14. What is a Homebuyer Education Course?**

*The City requires all Owner-Builder proposers to submit a certificate of completion or proof of registration in a HUD approved Homebuyer Education Course for all proposal submissions. More information on HUD approved course providers may be found at: <https://apps.hud.gov/offices/hsg/sfh/hcc/hcs.cfm?webListAction=search&searchstate=FL>.*

*Education certificates obtained from a HUD approved course provider within the past year are acceptable.*

*Education Certificates are required for all adults who would be listed on the deed and the development agreement. (Section 1.1.2)*

*Affordable Housing Developers and Buyers do not have to submit Homebuyer Education certificates.*

**15. Who can construct a home on an infill lot?**

*Once you are awarded an infill lot, you may use the licensed homebuilder/contractor of your choice to construct your single-family home. Please refer to Exhibit B of Resolution No. 2020-36 for construction standards.*

**16. Where do we obtain a construction or mortgage loan?**

*You may obtain construction and mortgage financing from your preferred lender.*

**17. Recommendations after conveyance:**

*Once a property has been conveyed to you, please take note of the following points:*

- You are responsible for maintaining the lot (mowing the grass, pruning trees and shrubs, picking up garbage, citing illegally parked vehicles on the property, etc.).*
- Avoid City Code Enforcement liens for overgrown grass, litter, etc.*
- You should consider having a survey of the property conducted by a licensed surveyor, after conveyance.*
- You should consider obtaining a title report on the property in order to identify any outstanding liens or other concerns (easements, etc.), after conveyance.*
- Consider adding fencing to the property before construction.*
- Post “No Trespassing” signs on the property.*
- Contact your preferred insurance provider to obtain an insurance policy for the land.*
- Only permitted structures are permissible on infill lots after conveyance. Any non-permitted structures will be cited by City Code Enforcement.*
- Reach out to affordable housing organizations for help on financing options.*
- If you realize you cannot build on your lot for any reason and would like to return the land to the ownership of the City of Fort Myers, please contact the Community Development Department for more information at (239) 321-7900.*

**RESOLUTION NO. 2020-36**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, AMENDING THE PROCEDURES FOR CITY-OWNED PROPERTY FOR AFFORDABLE HOUSING BY RENAMING TO PROCEDURES FOR THE DISPOSITION OF CITY-OWNED PROPERTY FOR AFFORDABLE HOUSING AND INFILL DEVELOPMENT; RESCINDING RESOLUTION NO. 2017-20; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS:** City Council adopted Resolution No. 2017-20 on September 18, 2017, amending the Construction Standards for Procedures for City-Owned Property for Affordable Housing; and

**WHEREAS:** City Council adopted Resolution No. 2017-4 on February 6, 2017, allowing for individuals to purchase City-owned lots for use other than affordable housing and for creating a developer selection process; and

**WHEREAS:** City Council adopted Resolution No. 2016-18 on July 18, 2016, creating Procedures for Transferring City-Owned Property for Affordable Housing Development; and

**WHEREAS:** The City proposes to provide for a more equitable selection process for residential infill housing and affordable housing lots; and

**WHEREAS:** The City proposes to amend the priority order of the developer selection process to allow adjacent landowners of vacant City-

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owned lots, with a current assessed value of \$10,000.00 or less, to have priority to purchase the adjacent lots for the assessed value for the purpose of expanding an existing home or constructing a new home, over a City-owned lot made available for infill housing; and

**WHEREAS:** The City proposes to amend the procedures for administering a public drawing for those requested lots with multiple offers from Owner-Builders, and allowing for the drawing of additional names as alternates; and

**WHEREAS:** The City-owned Property for Affordable Housing Development procedures advances the goal of City Council to stabilize and revitalize targeted neighborhoods and redevelopment areas, in accordance with the City Code, Section 2-38 Conveyance of City property, and Section 2-39 Acquisition and disposal of real estate, and Florida Statute §163.380 Disposal of Properties in Community Redevelopment Areas.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, THAT:**

1. “The Procedures for the Disposition of City-Owned Property for Affordable Housing and Infill Development,” attached as Exhibit “A”, is hereby adopted to promote affordable housing, infill residential development, and neighborhood stabilization.

2. “Affordable Housing Construction Standards,” attached as

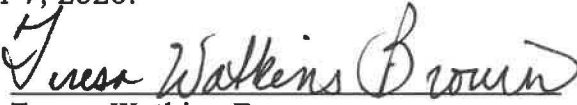
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Exhibit “B”, is hereby adopted to represent minimum criteria for single-family construction on lots conveyed to developers for affordable housing by the City.


3. This resolution shall become effective immediately upon adoption.

**RESOLUTION 2020-36**

**PASSED IN PUBLIC SESSION** of the City Council of the City of Fort Myers, Florida, on December 7, 2020.

Aye   
Teresa Watkins Brown

Aye   
Johnny W. Streets, Jr.


—   
Terolyn P. Watson

Aye   
Liston D. Bochette III


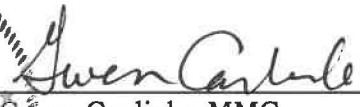
Aye   
Fred Burson

Aye   
Darla Bonk  
Councilpersons

**APPROVED** on December 7, 2020.

Aye   
Kevin B. Anderson  
Mayor

**FILED** in the Office of the City Clerk on December 7, 2020.

   
Gwen Carlisle, MMC  
City Clerk

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**Exhibit “A”**

**PROCEDURES FOR THE DISPOSITION OF CITY-OWNED  
PROPERTY FOR AFFORDABLE HOUSING DEVELOPMENT**

**PROCEDURES FOR DISPOSITION**

The City acquires residential lots through foreclosure, tax deed sales, and donation, among other means. Lots deemed surplus real property by City Council shall be conveyed to individual parties or developers. The policy for the disposition of City-owned surplus property for affordable housing includes buildable lots as well as unbuildable lots on a case-by-case basis. The process for the disposition of residential lots is in accordance with the City Code, Section 2-38 Conveyance of City property, and Section 2-39 Acquisition and disposal of real estate, and Florida Statute §163.380 Disposal of Properties in Community Redevelopment Areas.

**1. DISPOSITION OF BUILDABLE LOTS**

Residential buildable lots are parcels deemed as such and are listed on the “Inventory List of City-Owned Property for Affordable Housing” (Inventory List) approved by City Council every three (3) years, in accordance with §166.0451, Fla. Stat. “Affordable” is defined by Chapter 420.0004(3), Fla. Stat. The lots are available for disposition to qualified housing developers and individual Owner-Builders for the construction of affordable housing or for purchase by other persons interested in purchasing a lot for such uses other than affordable housing, as allowed by zoning. If a lot is purchased for an allowable use other than affordable housing development, all proceeds from the sale must be deposited in the Housing Trust Fund to be used to develop affordable housing.



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**1.1. The Invitation for Proposals for Infill Housing Lots**

**1.1.1** The Community Development Department (CDD), through the Procurement Services Division (Procurement), solicits for qualified affordable housing developers. Developers must have the mission or objective of creating low- or moderate-income affordable housing.

**1.1.2** All affordable housing developer proposals shall be logged by Procurement and reviewed by CDD. Upon the approval of the City Council for advertisement of the *Invitation for Proposals*, CDD will provide Procurement with a list of available lots and an official application for proposers to submit along with a list of required documentation, which may include the following: proposed housing plans; proposed construction schedules; and a certificate of completion or proof of registration for a HUD-approved first-time homebuyer course.

Further information on HUD Approved Housing Counseling Agency First-time homebuyer courses may be found at:

Lee County Neighborhood Stabilization Program

[www.leegov.com/dhs/housing/nsp](http://www.leegov.com/dhs/housing/nsp)

Lee County Housing Development Corporation

[www.leecountyhdc.org](http://www.leecountyhdc.org)

**1.1.3** When sufficient lots are available, CDD may create an *Invitation for Proposals* with groupings of lots, available

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only for Affordable Housing Developers, to construct single-family homes. CDD may select the most qualified Developer(s) based upon the merits of the proposal(s), unless otherwise approved by the City Council.

**1.2 Process for Selection and the Disposition of Lot(s)**

The following process describes how lot(s) will be disposed.

**1.2.1** Lot selection priority will be made in the following order, unless otherwise approved by the City Council.

- (1) Adjacent Property Owner Buyers requesting a vacant City-owned residential lot with a current assessed value of \$10,000.00 or less, (a) for the purposes of constructing affordable housing on an adjacent property; or (b) for the purposes of expansion of an existing homesteaded primary residence over a City-owned adjacent property; or (c) for parcel unification of an unbuildable City-owned property in order to construct housing as a homesteaded primary residence. The purchase price for the aforementioned Adjacent Property Owner Buyer will be the current assessed value of the land, according to the Lee County Property Appraiser; *then*
- (2) Owner-Builders constructing housing to be used as a homesteaded primary residence.

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Priority of awarding lots will be as follows:

- a. Residents of the City of Fort Myers; then
- b. Residents of Lee County, Florida; then
- c. Residents of Charlotte, Collier, Glades, and Hendry Counties, Florida; then
- d. Proposers residing elsewhere outside of the aforementioned a. – c. regions; *then*

(3) Affordable Housing Developers constructing housing to be sold to a qualified affordable family (See No. 1.2.6 for the definition of a qualified affordable family); *then*

(4) Buyers interested in purchasing lots for purposes other than affordable housing.

**1.2.2**

At any point in time, should two (2) or more proposers request the same lot, priority will be given based on the foregoing order. However, if two (2) or more proposers request the same lot for the same purpose, lots will be given according to the following methods, unless otherwise approved by the City Council:

- a. **Adjacent Property Owner Buyers:** The Adjacent Property Owner Buyer who proposes to create new housing on the City-owned property or to expand their

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existing home over the City-owned property will receive priority over any other land use. In the event two (2) or more Adjacent Property Owner proposers request the same lot, CDD may select the most qualified buyer based upon the merits of the proposal, unless otherwise approved by the City Council;

- b. **Owner-Builders:** In the event two (2) qualified Owner-Builders propose to build a home as a homesteaded primary residence on the same property, CDD will flip a coin to determine the recipient, unless otherwise approved by the City Council.

In the event three (3) or more qualified Owner-Builders propose to build a home as a homesteaded primary residence on the same property, the lot will be disposed of a) by placing the lot in a public drawing to be administered by CDD, and b) by selecting recipients from the aggregate of all multiple Owner-Builder proposers who have not received a lot through the active *Invitation for Proposals*. CDD will draw the number of names equivalent to the number of lots to be conveyed plus one half (1/2) the

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number of lots in order to establish alternate recipients, in cases of non-responsive or non-performing awarded Owner-Builders.

*Example: if there are 4 lots to be placed in a public drawing – CDD staff will draw 4 names plus 2 names as alternates for a total of 6 names.*

Lots receiving multiple proposals from both Owner-Builders and Affordable Housing Developers may be conveyed to Affordable Housing Developers over the priority of Owner-Builders on a case-by-case basis and with approval by the City Council;

- c. **Affordable Housing Developers:** In the event two (2) or more Affordable Housing Developers propose on the same lot, CDD will determine the recipient based upon the merits of the proposal, with approval by the City Council;
- d. **Buyers:** In the event two (2) or more buyers propose on the same lot, CDD will determine the recipient based upon the merits of the proposal, unless otherwise approved by the City Council.

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Any proposed use for the property must be in accordance with current zoning regulations.

**1.2.3** CDD will donate awarded residential lots on the Inventory List to non-profit organizations, actively registered with the State of Florida or another U.S. State as a not-for-profit organization. Owner-Builders and For-Profit Affordable Housing Developers will be required to pay a nominal fee of \$500.00 per individual lot, to meet the requirements of §166.0451, Fla. Stat. Lots for other allowable uses will be purchased for the current assessed value, according to the Lee County Property Appraiser, and proceeds will be deposited to the City Housing Trust Fund, unless otherwise directed by City Council. If the property is purchased for a use other than affordable housing, there is no reverter clause on the Quit-Claim deed; however, the deed is subject to certain covenants, conditions, restrictions, easements, limitations, and zoning ordinances of record, if any.

The City does not warrant title to any property conveyed via Quit-Claim deed. It is the responsibility of the infill lot developer or buyer to review the title history of any conveyed City-owned property, and to seek a Quiet Title Action, if necessary. All properties are conveyed in AS IS condition.

**1.2.4** All payments for the purchase of City-owned real property must be made in the form of certified funds

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(certified check, cashier's check, money order or wire transfer), made payable to City of Fort Myers.

Under no circumstances will the City record any Quit-Claim deed or any other instrument of conveyance in the public records prior to receipt of the full contractual purchase price due to the City.

- 1.2.5** All housing developers must enter into a Development Agreement (Agreement) with the City. The Agreement will list the allocated lot(s) and will be executed by the City Council along with the Quit-Claim deed, which will be recorded in the public records with a reverter clause. **The reverter clause requires a Certificate of Occupancy (CO) on the structure within three (3) years for Owner-Builders and Affordable Housing Developers.**

Extensions to the reverter clause may be approved by the City Council, on a case-by-case basis, for up to two (2) years if the developer makes a written request for an extension to CDD prior to the expiration of the reverter clause. Extensions granted after the expiration of a reverter clause are made on a case-by-case basis at the discretion of the City Council.

The City may also record an instrument along with the Quit-Claim deed in the public records for affordable housing restrictive covenants on any lot disposed of for affordable housing and infill development.

The City Council will authorize the Mayor and the City Manager to execute and to deliver all documents

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necessary to convey the property to housing developers or other such persons or entities purchasing the property. The City shall record the deed and forward via U.S. Mail or delivery-by-hand to the housing developers. For-Profit Affordable Housing Developers and buyers may be responsible for recordation costs.

- 1.2.6** Affordable Housing Developers must sell the property by Warranty deed to a qualified homebuyer within two (2) years of CO issuance.

A qualified homebuyer is defined as one or more natural persons or family where the total household income is less than One Hundred Fifty Percent (150%) of the Fort Myers/Cape Coral Metropolitan Statistical Area, as determined by the U.S. Bureau of Labor Statistics.

Further information on income requirements may be found at:

U.S. Bureau of Labor Statistics  
[www.bls.gov/cps/earnings.htm](http://www.bls.gov/cps/earnings.htm)

U.S. Department of Housing and Urban Development  
[www.hud.gov](http://www.hud.gov)

Florida Housing Finance Corporation  
[www.floridahousing.org](http://www.floridahousing.org)

- 1.2.7** The City Council may, at its discretion, waive up to One Hundred Percent (100%) of all City-levied building and inspection fees to the extent permitted by applicable law.



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**Exhibit “B”**

**AFFORDABLE HOUSING CONSTRUCTION STANDARDS**

**1. INTENT**

It is the intent of these housing standards to ensure a basis for providing safe, sanitary, cost-effective, energy efficient certification (including Energy Star®), and decent housing for residents. Unless otherwise stated, these standards represent minimum criteria for single-family construction on lots conveyed to developers by the City. All work to be done shall comply with the latest edition of the Florida Building Code (Residential) and all applicable codes in the jurisdiction. Developer and/or Developer’s contractor shall be responsible for obtaining all the required permits. Failure to comply with all applicable laws may result in fines or legal action at the Developer and/or Developer’s contractor’s responsibility.

**2. STANDARDS**

Developers shall satisfy all criteria for these standards prior to issuance of a Certificate of Occupancy (CO). The following standards along with Affordable Housing Construction Standards Energy Star®, Version 3.1 Requirements, or latest version, should qualify the homes for an Energy Star® rating. Builders shall work with an Energy Star® Partner to achieve certification.

**2.1 General**

1. Developers of single-family lots conveyed by the City shall follow the standards contained herein in addition to all applicable Fire and Building Codes and land use standards set forth in the Land Development Code.

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2. All work shall be performed under permit obtained by a licensed contractor.
3. The minimum square footage for each single-family house shall be:
  - a. 3 Bedroom/2 Bathroom: 1,200 square feet;
  - b. 4 Bedroom/2 Bathroom: 1,300 square feet.

**2.2 Exterior Standards**

1. Walls
  - a. Exterior wall materials and construction techniques shall conform to the latest edition of the Florida Building Code Residential. Approved exterior siding shall include stucco or Hardy plank siding or equivalent. The use of vinyl or aluminum or other similar siding is prohibited and shall not be considered as an alternative to concrete block.
2. Slab
  - a. Termite Pre-Treated Soil under Slab, according to the latest edition of the Florida Building Code Residential.
3. Roof
  - a. Two (2) foot overhang with minimum four (4) inch fascia;
  - b. Aluminum Drip Edge;
  - c. Aluminum Soffit and Fascia;
  - d. Pre-Engineered Trusses with HIP roof design;
  - e. Thirty (30) year, dimensional, Class A Fiberglass Fungus-Resistant Shingles;

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- f. Pre-finished seamless aluminum gutters. Gutters will be completed with properly located downspouts for water run off discharging at least thirty (30) inches away from the structure.
- 4. Ceiling insulation to value of R-30 (R-30 Kraft un-faced fiberglass batt insulation in knee wall and over living area ceilings. If faced, ensure it is pervious/perforated facing). **Blown-in type insulation is not permitted.**
- 5. Doors
  - a. Insulated Steel Front Door;
  - b. Locksets and Deadbolts keyed alike;
  - c. Fixed Lighting above Front and Rear Doors;
  - d. Operational Doorbell.
- 6. Aluminum Windows with Screens. Maximum U-Factor to .65 or lower in Climate Zone 1, Solar Heat Gain Coefficient  $\leq$  .25 or lower.
- 7. One-Car Enclosed Garage. Door between the garage and the house shall be solid and self-closing.
- 8. Sixteen (16) Foot-Wide Concrete Driveway.
- 9. Landscaping
  - a. Landscaping shall be provided along the front face of the house. At least one (1) shade tree shall be provided;
  - b. Landscaping shall be completely installed before final CO issuance.

### 2.3 Interior Standards

- 1. Lighting
  - a. Each living room and bedroom shall be provided

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with exterior windows and/or doors having a total glazed area of not less than five percent (5%) of the gross floor area;

- b. Kitchens, bathrooms, toilet compartments, laundry areas, and utility rooms may be provided with artificial light in place of windows.

2. Ventilation

- a. The ventilation system or a portion thereof may be integral with units' heating or cooling system. The ventilation system shall be capable of operating independently of the heating or cooling modes. A ventilation system that is integral with the heating or cooling system shall be listed as part of the heating and cooling system or listed as suitable for use therewith;
- b. Vent for dryer hook-up.

3. Bedrooms

- a. Three (3) bedrooms, at least, are required;
- b. Minimum of one hundred (100) square feet of floor area per bedroom;
- c. Ventilated Closet, twenty-two (22) inch depth, with Shelving and a clothing/closet bar.

4. Kitchen

- a. Double Bowl Sink;
- b. Icemaker waterline run to refrigerator;
- c. Cabinets;
- d. Laminated Countertops;
- e. Ceiling light.

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5. Bathrooms

- a. One (1) full bathroom (bathtub and shower, toilet, and sink) and one (1) three-quarter bathroom (shower, toilet, and sink);
- b. One (1) wall-mounted medicine cabinet per bathroom;
- c. Towel bar and toilet paper holder;
- d. Shower rods or shower doors for each bathroom;
- e. Reinforced walls at bathroom toilet, tub/shower walls for handicap accessibility.

6. Plumbing

- a. Copper lines are prohibited;
- b. Two (2) exterior water spigots;
- c. Plumbed for washing machine;
- d. Forty (40) gallon Electric Water Heater, EF=0.93 or better;
- e. All showerheads and faucets must be “Water Sense” rated (flow rate of 1.6 gpm or less);
- f. Toilets to be dual flush or low-flow “Water Sense” with a flow rate of 1.28 gpf.

7. Electrical

- a. Prewired for garbage disposal;
- b. Two (2) telephone outlets;
- c. Two (2) cable television outlets.

8. Heating and Air Conditioning

The homes must comply with Energy Star® 3.1 requirements or latest version (See Affordable Housing Construction Standards Energy Star® Version 3.1

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Requirements). An energy audit shall be conducted during construction at mid-point and testing at completion of work. Proper corrections shall be made after the audit and testing as directed by project manager following the guidelines per Energy Star® 3.1 requirements (seal all penetrations through interior and exterior walls to minimize air infiltration).

a. Central Air Conditioning with Heat Strip.

9. Appliances

Developers shall provide the following appliances:

- a. Minimum 16.4 cubic foot frost-free refrigerator with ice-maker;
- b. Self-cleaning range with four (4) burners;
- c. Dishwasher: Energy Star® CEE Tier 2, minimum energy factor of 0.68 or greater, water factor or less than 6.5 gallons per cycle, maximum annual energy use of 325 Kw/h or less;
- d. Washing machine: Energy Star®, CEE Tier 2 or higher, energy factor of 2.0 or greater, water factor of 6.0 or less;
- e. Clothes Dryer: Minimum of 7.0 cubic feet capacity, with moisture sensor dry system, and five (5) temperature levels.

**3. ENERGY STAR® REQUIREMENTS**

It should be noted that the Energy Star® certification is more rigorous than merely complying with the minimum standards in the Florida Residential Building Code. It is the desire of the City that

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developers are fully aware of all design elements necessary.

### **3.1 Certifications**

- a. Builder must enroll as an Energy Star® Partner;
- b. HVAC subcontractor must have H-Quito certification.

### **3.2 Building Envelope**

- a. Grade I insulation installation (minimal compression/voids/splice around obstructions like Romex and blocking). In an ICF house, this requirement is primarily directed at the ceiling batt insulation. While it is not required, it is recommended that the batts be face-stapled to the bottom chord of the trusses. Knee walls fully supported with six-sided air barrier to full R-38 (tape/straps are unacceptable);
- b. Sill gasket and caulk at wood frame exterior wall sill plate over masonry slab (i.e. wood frame garage wall in ICF building);
- c. Seal ceiling or wall gypsum board to top plate on all interior and exterior walls. In an ICF house, exterior walls should be sealed to stripper/nailer);
- d. Seal all ceiling penetrations including all supply drops, exhaust fan housings, electrical boxes, supply plenums, etc.;

This section will be part of the mid-point inspection needed for certification by Energy Rater.

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### **3.3 HVAC (Heating Ventilation Air Conditioning)**

- a. Properly sized HVAC equipment per Manual J & D room-by-room load and duct design calculations. Installed system must be within fifteen percent (15%) of Manual J. Manual J inputs (i.e. wall R-value, window SHGC, occupants, design conditions must be accurate). Manual J must be submitted to the Energy Rater prior to starting construction;
- b. Properly commissioned system at start-up (present refrigerant charging results, electrical measurements, TESP). Air flows will be measured by the Energy Rater;
- c. Install an outside air inlet in every HVAC system consisting of a dedicated duct from a roof, soffit or wall mounted screened air intake piped directly into the return plenum. This duct shall have a manual dampening control at the AHU and a secondary motorized control “Aprilaire” Model #FAVXXR6C2100-B01 “controller and damper kit” (or equivalent) between the air handler and the intake duct. Sheet metal is preferred, but flex duct is acceptable if insulated to R-6. The manual damper will be adjusted in a manner to insure the maximum allowable air flow (outside air) and shall not exceed eight percent (8%) of the nominal rated flow of the AHU. For example, a three (3) ton AHU has a nominal air flow of 1200 CFM and the maximum allowable ventilation is therefore:  $1200 \text{ CFM} \times 8\% = 96 \text{ CFM}$ . The duct work and associated dampers shall be sized in accordance with



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the calculated maximum allowable air flow of outside air. The motorized damper shall be set in a normally closed position and shall open whenever the AHU is energized to allow for the flow of outside air. However, the motorized damper shall close whenever the relative humidity within the conditioned space exceeds fifty-five percent (55%). The HVZ contractor is responsible for installing the manual and motorized dampers as specified herein, including the low voltage wiring (to a dedicated circuit). Upon completion, the system will be tested by a certified Energy Rater and, if required, the Contractor will make any adjustments necessary to comply with any Energy Star® program requirements;

- d. Pressure balance between bedrooms and main living area no greater than three (3) Pascals. Properly sized transfer grill/jump ducts (typically one (1) inch of free area per supply cfm). Undercut of doors can be included in calculation;
- e. Energy Star® labeled bathroom exhaust fans must meet fifty (50) cfm minimum when installed. The City has specified a minimum seventy-five (75) cfm fan to account for pressure drops;
- f. Kitchen fan need not be Energy Star® labeled but must exhaust to the exterior. Re-circulating fans are not permitted;
- g. Duct work fully supported every five (5) feet (straps). No sharp bends. All duct work joints sealed with mastic per the City's specification (this includes mixing

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boxes and all supply drops);

- h. A minimum MERV 6 filter installed in HVAC system;
- i. Several items will be reviewed, and tests performed by the Energy Rater before the home can achieve Energy Star® certification and turned over to the City. Some, but not all, of the metrics collected during the audit are listed below:
  - 1) Overall building envelope leakage (less than 5 ACH50);
  - 2) Accurate Manual J inputs;
  - 3) Supply flows within twenty percent (20%) of Manual J design;
  - 4) HVAC system will be tested for duct leakage at minimum (4 cfm leak to outside per 100 sq. ft. of conditioned space and 8 cfm total leak per 100 sq. ft. of conditioned space);
  - 5) Pressure differential between bedrooms and main living area when HVAC is energized (less than 3 Pascals);
  - 6) Proper amount of outside air ventilation per AHSRAE 62.2 and controls in working order;
  - 7) All exhaust fans exhausting properly (50 cfm bathrooms, 100 cfm kitchen). Sufficiently low TESP indicating good duct design and ample return;
  - 8) Air balance test will be performed by the Energy Rater.

This will be part of the final blower door test inspection by Energy

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Rater. To become familiar with the Energy Star® program, please review the “checklists” at the link below. All four (4) checklists must be completed. Two (2) will be completed by the Energy Rater (Thermal Enclosure and HVAC Rater), and two (2) will be completed by the Builder/HVAC subcontractor (HVAC Contractor & Water Management). The proper completion and timing of these checklists along with further information on the certification may be found at:

[www.energystar.gov](http://www.energystar.gov).

[https://www.energystar.gov/partner\\_resources/residential\\_new/homes\\_programs/florida/lee](https://www.energystar.gov/partner_resources/residential_new/homes_programs/florida/lee)

[https://www.energystar.gov/sites/default/files/Rater%20F%20v104%202018-07-10\\_Clean\\_fillable.pdf](https://www.energystar.gov/sites/default/files/Rater%20F%20v104%202018-07-10_Clean_fillable.pdf)

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