



City of Naples

CITY COUNCIL MINUTES

Workshop Meeting 10-21-91

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-

PAGE

OVERVIEW OF IMPACT FEES

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DISCUSSION OF THE WEED ORDINANCE

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ROLL CALL

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			Y E S	N O	

impacts. Impact fees generally can be used for the cost of capital facilities including design and construction plans, permitting, land acquisition, construction of buildings, drainage facilities, landscaping, surveying, and acquisition of equipment. Ms. McKim reported that impact fees are levied based on the number of units for residential projects and square footage for commercial projects. Ms. McKim said further that impact fees collected by the City are due at the time of issuance of the building permits. No deferred method of payment is provided by ordinance though the County ordinances provide a method of collection after issuance of a building permit, if that should be necessary.

Ms. McKim told Council that a definite communications problem existed between the City and the County with respect to impact fees. City Manager Woodruff emphasized the importance of working with the County staff, and said that the City needs to revisit all of the interlocal agreements.

Dr. Woodruff pointed out that Coconut Grove had paid almost \$100,000 in road impact fees. He said that the City needs road impact fees to expand existing streets, and Coconut Grove may require the widening of 10th Street. However, the County's impact fees were devised strictly for development, he said, and not redevelopment. Dr. Woodruff reported that between the City and County there were probably four or five different formulas for calculating impact fees.

Staff was requested to provide the following information with regard to impact fees: the dollar amounts of impact fees collected yearly by the County; copies of all interlocal agreements pertaining to impact fees; and information relating to proposed changes to the County's Unified Development Code.

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Ms. McKim told Council that if fees were not physically collected in the City, the County would collect them. The City would require proof of payment before issuing a permit. She recommended that someone from the County staff be included in future discussions regarding impact fees. Mayor Anderson and Council Member Barnett agreed, and suggested that one of the County's impact fee "experts" be scheduled to meet with Council.

Next, Ms. McKim itemized the various impact fees which were charged several projects, including Gateway, the Collonade Condominiums, and a typical single-family home. Council Member Herms requested that staff supply Council with a copy of the Gateway development agreement in order to determine how square footage credit had been given. Council Member Muenzer requested that staff research impact fees charged in other cities in the area. He also asked staff to determine the impact fees for "building X" in Naples, as compared to the same "building X" in those other cities.

Discussion followed with respect to EMS (Emergency Medical Service) impact fees, and Ms. McKim noted that the City had not yet formally set levels of service for fire and law enforcement.

Council Member Herms suggested that an analysis be done in order to understand how impact fees worked out with regard to the cost for the small business person. City Manager Woodruff said that could be accomplished. Staff will report on how impact fees are recouped, for instance through higher rentals, in developments such as Coconut Grove.

Mayor Anderson called attention to the fact that the County bases its impact fees on thousands of feet, while the City uses hundred of feet. She suggested a unified effort in order to have continuity. Mayor Anderson said, "We need to take into consideration the correlation between

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the City and County with regard to impact fees. It is important that we don't have overlapping. Impact fees should be based upon what the needs are." Levels of service provided should also be reviewed, added Ms. McKim.

Council Member Herms noted that water and sewer assessments reflect substantial amounts of money and should be included in the impact fees.

City Manager Woodruff concluded discussion of this item by stating, "This opens all of our eyes to see that impact fees are an important way to offset ad valorem taxes. It does add a substantial amount of dollars."

BREAK: 10:05 a.m. - 10:15 a.m.

NOTE: Council Member Barnett left the meeting at 10:05 a.m.

ITEM 2

DISCUSSION OF THE WEED ORDINANCE

City Manager Woodruff informed Council that staff was recommending some changes to the weed ordinance that would make its application more uniform, adding that the previous Code did not actually set a standard. Community Development Director McKim said that attempts had been made to establish some criteria. Council discussed the 12-inch limit as well as the 50% criteria as defined in the ordinance: "Excessive growth shall be defined as grasses, weeds, and/or noxious plants exceeding 12 inches in height for more than 50% of the area in grasses, weeds and/or noxious plants."

Ms. McKim explained that 12 inch height limit for growth of grass and weeds was appropriate because Naples is an urban area. She said further that the Community Services Department would mow vacant lots, after notifying the property owners,

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and would require reimbursement. Developed property goes before the Code Enforcement Board when weed ordinance violations occur.

It was the consensus of Council to amend the language of Subsection (B) of the weed ordinance to read: "Excessive growth shall be defined as grasses, weeds, and/or noxious plants exceeding 12 inches in height." (Deleting the 50% criteria.) City Manager Woodruff told Council that before citations are issued, residents will be given a letter asking them to comply with City regulations, adding "We know you are proud of your neighborhood," or some similar language. If the problem is not corrected within ten days after receipt of the letter, a citation will be issued. Council Member Herms acknowledged that notice prior to citations would help the City's public relations.

Council Member Muenzer requested an update of the UTS (United Telephone Service) Building status.

Community Development Director McKim told Council that there had been a request from Mr. Roger Barry to rezone a portion of the Chef's Garden property which is currently zoned residential. Through the rezoning, she said, hopefully some criteria can be developed which will further protect residential areas from commercial areas.

Council Member Korest asked about the current status of the Stoneburner project (Harbourside). City Manager Woodruff informed Council that not much encouragement had been forthcoming from the State with respect to walkways in the

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development, and that Mr. Stoneburner would be requesting a meeting with City staff to resolve some of the project's problems.

Council Member Herms inquired about the River Park Apartments issue. The City Manager told Council that Mr. Herms would be meeting with staff on October 23rd, and based on the physical inspection of River Park, the next step was for the study team to meet and make recommendations. If the City needs to adopt the Standard Housing Code or come up with new regulations, it will do so, then begin issuing citations. Dr. Woodruff advised that realistically, any citations would have to be phased. He expects to present this issue to Council at its first meeting in November.

ADJOURN: 10:42 a.m.

Kim Anderson
KIM ANDERSON, MAYOR

JANET CASON
City Clerk

Marilyn McCord
Recording Secretary

These minutes of the Naples City Council were approved on November 6, 1991.

SUPPLEMENTAL ATTENDANCE LIST

City Council Workshop - October 21, 1991

Werner W. Haardt
Fred Tarrant

Charles Andrews
Dudley Goodlette

Other interested visitors and citizens.

NEWS MEDIA

Eric Staats, Naples Daily News
Tim Engstrom, Fort Myers News Press