

ROLL CALL

ITEM 1

Present: Kim Anderson, Mayor

John M. Passidomo, Vice Mayor

William E. Barnett

R. Joseph Herms

Alan R. Korest

Paul W. Muenzer

Fred L. Sullivan

Council Members

Also Present:

Dr. Richard L. Woodruff, City Manager

Norris C. Ijams, Asst. City Manager

David L. Rynders, City Attorney

Ann (Missy) McKim, Community Development Dir.

John Cole, Chief Planner

Ann Walker, Planner II

Susan Golden, Planner I

Steve Uman, Building Official

Carol Carlson, Planning Technician

George Henderson, Sergeant-At-Arms

Marilyn McCord, Recording Secretary

See Supplemental Attendance List - Attachment #1

ORDINANCE NO. 91-6519

ITEM 2-a

AN ORDINANCE AMENDING THE
COMPREHENSIVE DEVELOPMENT CODE BY THE
ADDITION OF SUBSECTION 7-4-2.1, "R1-
15A" RESIDENCE DISTRICT, A SINGLE
FAMILY RESIDENTIAL ZONING DISTRICT,
AND PROVIDING LAND USE AND DEVELOPMENT

STANDARDS WHICH WILL APPLY TO ALL CONSTRUCTION WITHIN SUCH GEOGRAPHIC AREAS AS MAY BE ZONED "R1-15A"; AND PROVIDING A MEANS AND TIME PERIOD FOR THE MONITORING AND REVIEW OF THE IMPACTS OF THIS AMENDMENT; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: TO AMEND THE COMPREHENSIVE DEVELOPMENT CODE THROUGH THE ADDITION OF A NEW RESIDENTIAL ZONING CLASSIFICATION "R1-15A" RESIDENCE DISTRICT WHICH WILL CONTAIN STANDARDS APPLICABLE TO SINGLE FAMILY RESIDENTIAL DEVELOPMENT, EMPHASIZE THE NATURAL SETTING TO A GREATER DEGREE THAN IS CURRENTLY CONTAINED IN THE "R1-15" RESIDENCE DISTRICT AND INCREASE THE NUMBER OF SINGLE FAMILY RESIDENTIAL ZONING DISTRICT OPTIONS AVAILABLE WITHIN THE COMPREHENSIVE DEVELOPMENT CODE.

ORDINANCE NO. 91-6520

ITEM 2-b

AN ORDINANCE REZONING PROPERTY LOCATED WITHIN THE PORT ROYAL SUBDIVISIONS, MORE PARTICULARLY DESCRIBED HEREIN, FROM "R1-15" SINGLE FAMILY RESIDENCE TO "R1-15A" SINGLE FAMILY RESIDENCE; AND PROVIDING AN EFFECTIVE DATE.

PURPOSE: TO REZONE THE PROPERTY DESCRIBED HEREIN AND THEREBY ENSURE THAT FUTURE DEVELOPMENT WITHIN THE PORT ROYAL SUBDIVISIONS WILL BE COMPATIBLE IN MASSING AND SETBACK CHARACTERISTICS WITH THE EXISTING

**DEVELOPMENT WITHIN THESE
NEIGHBORHOODS.**

Titles read by City Attorney Rynders.

Chief Planner John Cole announced that since the first reading of these Ordinances and text amendments, a few additional changes have been made based on Council discussions. One change, he noted, dealt with a grace period which would allow those property owners who had invested a significant amount of money on home designs a certain length of time to obtain a building permit. Mr. Cole said that the proposed ordinance would allow for one month from the date of adoption for those property owners who had been working on drawings to register those with the Building Official. Language in the ordinance would allow an additional five month period for those plans submitted by property owners during that first month, to actually obtain the building permit. Mr. Cole said that he felt that was a good approach and that the one-month period would allow completion of the design process.

Mr. Cole explained further that staff had added language to the ordinance establishing a review committee which would review any home built under the "R1-15A" zoning during the next year. He proposed that such a committee be comprised of contractors, representatives of the Port Royal Homeowners Association and perhaps representatives of the architectural community.

Using visual aids, Chief Planner Cole described how the revised legal description of the Port Royal area would be impacted and how zoning changes would have an impact on home design. He noted that staff would recognize the new regulations as setting a more conservative set of zoning regulations for Port Royal, but still allow an opportunity for people to build large homes. Mr. Cole said that he believed the new zoning restrictions would set a limit on building mass and size.

Staff would recommend approval of the rezoning, said Mr. Cole, recognizing it as a step toward addressing the Port Royal residents' concerns.

PUBLIC HEARING: Opened: 5:25 p.m.
Closed: 5:30 p.m.

Attorney Richard Aaron, representing Mr. and Mrs. Dennis Phillips of Port Royal, addressed Council and said that he had reviewed the proposed changes and was concerned about the vesting section of the ordinance. He noted that he had no problem with the grace period, however, was concerned with the time limit that was being proposed. Mr. Aaron requested that the Phillips' plans be vested for a possible eighteen month period.

Council Member Barnett asked if the Port Royal Architectural Review Committee had discovered others in the same situation. Mr. Robert Morris, Chairman of the Committee, said that there were a few plans outstanding but that the Committee believed staff had proposed an adequate amount of time. Chief Planner Cole said that when the City had adopted the spatial perception revisions, the Architectural Review Committee was concerned that staff would be barraged with a number of new plans during the three-month grace period. In fact, noted Mr. Cole, staff received only six plans.

Vice Mayor Passidomo pointed out that the purpose of vested interest was financial and the County now has a vesting provision allowing a two-year period to begin construction.

Council Member Herms stated that he did not believe the proposed restrictions would severely restrict any homes in the planning stage.

MOTION: To ADOPT both ordinances at

second reading subject to an amendment in Section 4, Item 2-b, to provide that the building plans so registered be subject to the existing "R1-15" zoning requirements for an additional one year, five month period, ending on June 18, 1993. In Section 2, Item 2-a, the language "appointment by City Council" shall be added, pertaining to a monitoring and review committee.

Council Member Herms emphasized that it was important to now publicly announce that anyone contemplating construction of a home in Port Royal had a thirty-day period of time in which to register building plans. It was the consensus of Council that every Port Royal property owner would be notified, by regular mail, of the zoning changes.

With regard to the monitoring and review committee, Mayor Anderson suggested selecting two opponents and two proponents of the rezoning and one staff member. Council discussed the formation of a committee and Council Member Herms proposed that the two sides choose a Council Member or staff person, to bring the committee's number to five. It was the consensus of Council that the review and monitoring committee shall consist of two proponents of the rezoning, two opponents, and a fifth independent member chosen by the two groups.

Mayor Anderson asked that anyone interested in serving on such a committee submit their names in writing to staff before January 6, 1992. City Manager Woodruff said that interested people would also be solicited in the notification sent to Port Royal property owners.

RESOLUTION NO. 91-6521

ITEM 3

A RESOLUTION OPENING A SIXTY (60) DAY
PUBLIC COMMENT TIME PERIOD ON THE
APPROVAL OF A FIVE-YEAR COMPREHENSIVE
HOUSING AFFORDABILITY STRATEGY (CHAS)
AS REQUIRED BY THE U.S. DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT (HUD);
AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

Community Development Director Missy McKim informed Council that staff would be presenting a brief overview of CHAS (Comprehensive Housing Affordability Strategy) and would be collecting public comment during the next sixty days, at which time this item would return to Council.

Planner Susan Golden explained that the sixty-day public comment time period was a requirement of HUD (Department of Housing and Urban Development) and that staff was also required to respond in writing to any written comment made by a citizen.

Ms. Golden said that CHAS was a five-year planning tool to be utilized by a community to address its affordable housing needs. It consists of three different sections: Community Profile; Five-Year Strategy; and One-Year Plan. She told Council that each year it would be asked to approve the One-Year Plan being submitted to HUD. Ms. Golden reminded Council that most of the data was from the 1980 Census, however, by the time the City's CHAS must be resubmitted to HUD in the fall, updated census information should be available.

Using visual aids, Ms. Golden described the process which staff had been involved in and listed all the agencies which had been contacted.

She briefly reviewed the rehabilitation program, land acquisition and the floating capital improvements revenue bond which had been issued.

"What is affordable housing?" asked Ms. Golden. One definition, she said, was that which states housing is affordable when a family pays no more than thirty percent of its gross annual income for housing purposes. Ms. Golden pointed out that Naples had a very high median income compared to some other areas and that the average price of a home sold within the City's limits was almost one-half million dollars. The Florida Association of Realtors had reported Naples to be the least affordable community in the Country.

Planner Golden next reviewed affordable housing needs and locations, noting that affordable housing in Naples tends to be in three or four locations: the River Park area, the Lake Park area, the area around Naples High School, and some of the area in the vicinity of Naples Community Hospital. Based on staff's best calculations, said Ms. Golden, the City will need 111 affordable housing units by the end of 1991, and will need approximately 377 additional units by 1998.

The homeless population must be addressed as well, said Ms. Golden. Since 284 homeless children had been identified by the Children's Advisory Committee, that issue must be dealt with.

Ms. Golden said that staff wanted to develop a strategy based on input from Council and the community. She also noted that staff had discussed the possibility of expanding the CDBG (Community Development Block Grant) Program.

In closing her presentation, Ms. Golden assured Council that staff would provide copies of any written comments received as well as staff's replies to those comments. Mayor Anderson directed all of Council to become familiar with this issue and to contact Planner Golden should they require additional information. Council will discuss this item further on February 4, 1991.

Council Member Muenzer asked whether staff had encountered any grants or other means in which funds could be raised for a renter's first and last month's rent and security deposit. Ms. Golden replied that there may be future options available including a possible housing trust fund.

PUBLIC HEARING: Opened: 6:20 p.m.
Closed: 7:00 p.m.

Mr. Roger Guarino of 4556 Lakewood Boulevard, representing Habitat for Humanity, told Council that the organization hoped to expand its operations from Immokalee to Naples and noted that he was pleased to see Habitat for Humanity acknowledged in the CHAS report drafted by staff.

As long as land is available and community acceptance exists, said Mr. Guarino, single family home construction is feasible anywhere. He asked that should the City have any inclination toward promoting affordable home ownership, to keep Habitat for Humanity in mind as a possible opportunity.

Attorney Gerald McKenzie, President of the Local Chapter of the NAACP, recommended strongly to Council that a Workshop Meeting be scheduled for the purpose of thoroughly discussing the affordable housing situation. He commented that the NAACP was extremely concerned about the status of affordable housing in Naples and was anxious and willing to help wherever possible. Attorney McKenzie said, "We look forward to the objective of this. We have to focus on the bottom line - getting more units."

Attorney McKenzie requested information pertaining to CDBG fund expenditures during the past several years, including who benefitted. City Manager Woodruff assured Attorney McKenzie that the data would be made available to him. Planner Golden will also provide Attorney

McKenzie with information pertaining to affordable housing programs in other cities. Staff will prepare a complete package of affordable housing information and options, making that package available to Council and to the public.

Attorney McKenzie told Council that he would be looking forward to the One-Year Plan and methods in which to make that plan measurable. He asked Council and staff that community involvement be solicited for any plan devised and that a committee be formed to deal with certain aspects of the issue. Minority businessmen should be included when developing affordable housing units, stressed Attorney McKenzie.

In conclusion, Attorney McKenzie suggested the formation of partnerships between local government and private groups. Banks can play a key role, he stated, noting that there was a Federal law requiring banks to reinvest in the area where they do business. However, Attorney McKenzie cautioned that some banks were becoming members of affordable housing groups without creating units and that aspect should be scrutinized closely. City Manager Woodruff told the assemblage that joint ventures for affordable housing had been discussed and was being investigated by staff.

Mr. Chuck Mohlke of 375 Second Avenue South told Council that in his opinion, a careful comparison of the CHAS Report and the Comprehensive Plan was essential. He pointed out that the CHAS Report contained policy statements which were different from the City's housing element adopted goals and policies and expressed the hope that Council would not have two documents in conflict with one another.

Mr. Mohlke encouraged Council to schedule two Workshop Meetings, one solely for the purpose of concentrating on the data and analysis of the CHAS Report. Some serious problems in terms of

definitions and vocabulary exist, he said, which need to be sorted out. Mr. Mohlke offered his assistance in helping with this aspect of the project. He added, "Susan Golden is a fine member of your staff and none of my comments suggest any lack of diligence on anyone involved.

I'm sensitive to research projects." Mr. Mohlke said that he would be happy to meet with Planner Golden before workshopping the issue further.

Mr. Mohlke referred to the fact that Florida Statutes require a variety of conditions to exist when designating affordable housing needs, including denoting an area as one of "slum or blight." He added, however, that a Community Redevelopment Agency would be entirely appropriate if it was determined there was a shortage of affordable housing, without respect to slum or blight.

An important opportunity for community redevelopment exists within the Safe Neighborhoods Act, said Mr. Mohlke, which contains an excellent outline of how to approach affordable housing problems. This Act includes a list of items which should be in a safe neighborhood improvement plan and would be a useful approach to instructing interested citizens. Mr. Mohlke complimented staff for their attempts to identify local affordable housing needs.

Mr. John Steinwand, 2650 Aft Avenue, who is with the Affordable Housing Commission of Southwest Florida, addressed Council. He told Council that the CHAS Report was a "nice document that fits the needs as required, however, it is lacking in a financial plan." Mr. Steinwand commented further, "If we think we can produce sixty units with Block Grant monies we are kidding ourselves." He emphasized that affordable housing was a community need similar to roads, etc., and, therefore, needed public support. Mr.

Steinwand also pointed out the need for a study of employment structure and wages. Many people who work in Naples spend their money outside the City he said, creating a severe drain on the economics of this community. As housing costs increase, Mr. Steinwand continued, there will be a direct correlation of less retail spending, and the City must address that financial obligation.

Mr. Scott Cameron, 690 Banyan Circle, complimented staff on the excellent report and said that Planner Golden should be recognized. He pointed out that the report was lacking in a financial plan, however. Some developers were currently willing to get involved in projects and several had pledged their support to affordable housing projects, he added.

Answering Council Member Muenzer's concerns with regard to the necessity of first and last month's rent plus security deposit, Mr. Cameron informed Council that Keller's Rentals on Airport Road had current vacancies at reasonable rents. Mr. Cameron went on to say that Keller's may be a possible choice for an affordable housing project.

MOTION: To APPROVE the resolution as presented.

City Manager Woodruff assured Council that staff would schedule a Workshop Meeting for the purpose of further discussing the affordable housing issue.

CORRESPONDENCE AND COMMUNICATIONS

City Manager Woodruff wished everyone present a Merry Christmas and reminded Council that there would be a brief Special Meeting on December 27th for the purpose of approving the ballot.

ADJOURN: 7:05 p.m.

KIM ANDERSON, MAYOR

JANET CASON
City Clerk

Marilyn McCord
Recording Secretary

These minutes of the Naples City Council were
approved on _____.

Attachment #1

SUPPLEMENTAL ATTENDANCE LIST

City Council Special Meeting - December 18, 1991

Gerald McKenzie
 Scott Cameron
John Steinwand
Chuck Mohlke
Roger Guarino
Richard Aaron
Robert Morris
John Remington

Other interested citizens and visitors.

NEWS MEDIA

Jerry Pugh, Palmer Cablevision
Eric Staats, Naples Daily News