

CITY OF NAPLES
AMENDED POLICY AND PROCEDURE
For
Conversion of Green Space within the R/W to Hard Surface Parking
(Reference: City Council Resolution 99-8455)
June 2003

POLICY

Consistent with the intent of Resolution 99-8455, the City shall not permit the conversion of grassed R/W ~~for use in~~ **to** hard surfaced parking without City Council review and approval with the following exceptions:

1. Construction of driveways consistent with the Naples Code and/or City Council approval (Ref: The Naples Code controls driveway connections to the public R/W; such controls shall continue to be administratively administered by City staff in accordance with public R/W permitting criteria. An example of such restrictions involves multi-family access via only alley driveway connection; such criteria shall eliminate the removal of landscaping for multi-family driveways on street frontages).
2. Construction of parking consistent with City Council approved projects (Ref: North Fifth Avenue Project as approved involved removal of green space for parking in R/W).

STANDARD R/W PETITION PROCEDURE

Where the City Code of Ordinances sets forth parking in the public right-of-way (Reference: special district provisions) or when a '**condition**' exists as defined below, a property owner has the option of submitting a petition to the City Council for consideration of approval. Any such petition shall be submitted to the City's Development Services Department Director, as the City Manager's designee, for initial review and processing. The procedures in processing a petition for creating parking in the public right-of-way are outlined as follows:

1. The Petition shall be submitted to the City's Development Services Department for preliminary review, determination of conformance with minimum petition information and determination of 'special district' compliance or '**condition**', as applicable. The definition of '**condition**' is generally as follows: A '**condition**' relative to processing a R/W petition for parking within the public R/W is considered when the following ~~conditions~~ exist: a) lot size is equal or less than 10890 square feet (1/4 of an acre); b) lot frontage is restricted to a single street; c) lot coverage does not exceed zoning provisions for maximum building area as defined in the applicable zoning classification;

STANDARD R/W PETITION PROCEDURE - continued

d) existing landscaping on the lot is unique and worthy of preservation; e) on-site alternatives for development of parking are restricted; ~~and~~ f) use of existing street pavement within the R/W for parking is not recommended due to physical and/or safety constraints; **and g) right-of-way width is such as to create less adverse 'hardscape' impact with right-of-way parking than by driveway construction. Regardless of City staff determination of 'special district' compliance and/or 'hardship' conditions, the petition shall be submitted to the City Council for final legislative action unless the petitioner terminates the process.**

2. Petition submittal shall include as-built survey of the property, proposed development plan, proposed plan of conformance to City's minimum 'Construction Standard', the 'Permit Form' and sufficient additional information to verify location and/or the 'hardship' condition.
3. The recommended 'Construction Standard' is as follows:
 - a) Acceptance of general conditions on the Permit Form.
 - b) Landscape enhancement plan of public right-of-way.
 - c) 'Hard surface' being a concrete material which allows a minimum of 25% grass coverage and a minimum of 25% storage and/or infiltration area for rainfall-runoff.
4. Petition Processing Steps: A summary of the petition review/approval processing steps is as follows:
 - a. Receipt of petition submittal and processing fee of \$300.00.
 - b. Review of petition for 'special district' or 'hardship' determination.
 - c. ~~Where the petition qualifies for consideration of permitting and the petition conforms to the 'Construction Standard', t~~**The** City staff shall prepare a City Council Agenda Item, submit the agenda item and upon scheduling on a City Council agenda advise the petitioner.
 - d. The legislative step ~~is~~ **of** review; approval or denial **shall be** by City Council.
 - e. Upon City Council approval, the staff will issue a permit and inspect construction and maintenance for compliance with the terms established by the City Council.