ORDINANCE 08-12016

AN ORDINANCE AMENDING SECTIONS 54-3, 54-5, AND 54-63 OF CHAPTER 54 SUBDIVISION STANDARDS, OF THE CODE OF ORDINANCES, CITY OF NAPLES, FLORIDA, FOR THE PURPOSE OF ADDING A DEFINITION FOR FLAG LOTS AND LIMITING THE CREATION OF FLAG OR THROUGH LOTS; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

WHEREAS, at the October 1, 2007 workshop, City Council directed staff to move forward with limitations on the creation of flag and through lots; and

WHEREAS, the Planning Advisory Board at its meeting of February 13, 2008 voted to recommend approval of the proposed amendment;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That Section 54-3 Definitions, of the Code of Ordinances, City of Naples, Florida, is hereby amended as follows (with underlining indicating additions and strikeout indicating deletions):

Sec. 54-3. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * *

Lot, flag or landlocked, means a lot that does not directly and fully front a street or alley and where access is provided by a narrow drive, easement or extension of the lot or not provided at all.

* * *

Section 2. That Section 54-5 of the Code of Ordinances, City of Naples, Florida, is hereby amended as follows (with underlining indicating additions and strikeout indicating deletions):

Sec. 54-5. Splitting of single-family residential lots.

Notwithstanding the definition of subdivision as noted in section 54-3:

(1) The reinstating of lots in the same locations, of the same sizes, and with the same dimensions as platted lots previously approved by the city as part of a recorded subdivision plat is not deemed to be a subdivision and may be accomplished by furnishing a certified survey of the property to the city manager for notification.

(2) Lot splitting will be limited as follows:

a. In the R1-15A district, section 58-114 shall apply.
b. No single-family residentially zoned subdivision lot may be split or the lot line relocated to create any new lot that is not shown as a lot on an approved subdivision plat. However, in the case of a subdivision plat where the individual lots shown on the subdivision plat do not meet the dimensional requirements of the underlying zoning or in the case of unplatted lands, a single-family residentially zoned parcel may be split to create a new lot, provided that it meets the dimensional and performance standards of the underlying single-family zoning district.

c. Newly created property lines shall be straight lines parallel or similar in orientation to existing property lines, as determined by the city manager. Lots may not be split under this section to create flag lots.

(3) Single family lots may not be combined or split to create through lots unless the property fronts Gulf Street (according to Naples Plat) or the majority of properties in the same block are through lots.

(4) Newly created lots resulting from lawful lot splits must be acknowledged and approved by the city manager.

Section 3. That Section 54-63 of the Code of Ordinances, City of Naples, Florida, is hereby amended as follows (with underlining indicating additions and strikeout indicating deletions):

Sec. 54-63. Blocks.

(a) Block lengths shall not normally exceed 1,500 feet. Exceptions may be made when blocks border arterial streets or the waterfront, or in other unusual design situations.

(b) Corner lots shall be at least 15 percent wider at the front building lines than the minimum width permitted in the zoning district in which they are located.

(c) Through lots and flag lots shall be avoided except where essential to provide separation of residential development from major streets or to overcome specific development disadvantages.

(d) Side lot lines shall be substantially at right angles to or radial to street lines where practicable.

Section 4. That if any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 5. That all sections or parts of sections of the Code of Municipal Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 6. This ordinance shall take effect immediately upon adoption.
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APPROVED AT FIRST READING THIS 19TH DAY OF MARCH, 2008.


Attest:

Tara A. Norman, City Clerk

Approved as to form and legality:

Robert D. Pritt, City Attorney

Date filed with City Clerk: 4/28/08