



ORDINANCE NO. 07- 40

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, AMENDING ORDINANCE NUMBER 04-41, AS AMENDED, THE COLLIER COUNTY LAND DEVELOPMENT CODE, WHICH INCLUDES THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA, BY AMENDING THE APPROPRIATE ZONING ATLAS MAP OR MAPS BY CHANGING THE ZONING CLASSIFICATION OF THE HEREIN DESCRIBED REAL PROPERTY FROM PUD TO MPUD FOR THE GREY OAKS MPUD FOR PROPERTY LOCATED AT THE NORTHEAST, NORTHWEST AND SOUTHEAST QUADRANTS OF THE INTERSECTION OF AIRPORT ROAD (STATE ROAD 31) AND GOLDEN GATE PARKWAY (COUNTY ROAD 886), IN SECTIONS 24, 25, AND 26 TOWNSHIP 49 SOUTH, RANGE 25 EAST, COLLIER COUNTY, FLORIDA, CONSISTING OF 1,601± ACRES; PROVIDING FOR THE REPEAL OF ORDINANCE NUMBER 00-46, THE FORMER GREY OAKS PUD; AND BY PROVIDING AN EFFECTIVE DATE.

FILED  
MAY 1 2007  
COLLIER COUNTY  
FLORIDA

WHEREAS, Bruce Tyson, AICP, RLA, of WilsonMiller, Inc., representing Naples Grande Holdings LLC, petitioned the Board of County Commissioners to change the zoning classification of the herein described real property.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

SECTION ONE:

The zoning classification of the real property described in the MPUD Document located in Sections, 24, 25 and 26, Township 49 South, Range 25 East, Collier County, Florida, is changed from Planned Unit Development (PUD) to Mixed Use Planned Unit Development (MPUD) in accordance with the MPUD Document, attached hereto as Exhibit "A," which is incorporated herein and by reference made part hereof. The appropriate zoning atlas map or maps, as described in Ordinance Number 04-41, as amended, the Collier County Land Development Code, is/are hereby amended accordingly.

SECTION TWO:

Ordinance Number 00-46, known as the Grey Oaks PUD, adopted on June 27, 2000, by the Board of County Commissioners of Collier County, is hereby repealed in its entirety.

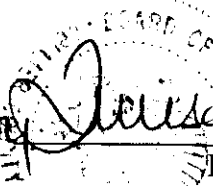
SECTION THREE:

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by supermajority vote of the Board of County Commissioners of Collier County, Florida, this 24 day of April, 2007.

ATTEST:  
DWIGHT E. BROCK, CLERK

BOARD OF COUNTY COMMISSIONERS  
COLLIER COUNTY, FLORIDA

  
*Dwight E. Brock*  
Deputy Clerk

BY:

*James Coletta*  
JAMES COLETTA, CHAIRMAN

Attest as to Chairman's  
signature.

Approved as to form and  
legal sufficiency:

*Marjorie M. Student-Stirling*  
Marjorie M. Student-Stirling  
Assistant County Attorney

PUDA-2006-AR-10157/KD/sp

This ordinance filed with the  
Secretary of State's Office the  
1st day of May, 2007  
and acknowledgement of that  
filing received this 7th day  
of May, 2007  
By *Dwight E. Brock*  
Deputy Clerk

**PLANNED UNIT DEVELOPMENT DOCUMENT**  
**FOR**  
**GREY OAKS**

PREPARED BY:

WILSONMILLER, INC.  
3200 BAILEY LANE, SUITE 200  
NAPLES, FLORIDA 34105

DATE FILED \_\_\_\_\_  
DATE APPROVED BY BCC 4-24-2007  
ORDINANCE NUMBER 90-48  
AMENDED BY ORDINANCE 97-45  
AMENDED BY ORDINANCE 98-94  
AMENDED BY ORDINANCE \_\_\_\_\_  
AMENDED BY ORDINANCE \_\_\_\_\_

" Exhibit A "

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## STATEMENT OF COMPLIANCE

It is the intent of the Halstatt Partnership, A Florida General Partnership to create a Mixed Use Planned Unit Development (MPUD) to be known as Grey Oaks Planned Unit Development, on 1,601.39 acres of land located in Section 24, and 25, Township 49 South, Range 25 East, Collier County, Florida, and Section 26, Township 49 South, Range 25 East, City of Naples, Florida.

The residential, recreational and commercial facilities of THE GREY OAKS DRI/PUD are consistent with the growth policies, land development regulations, and applicable comprehensive planning objectives of the City of Naples and Collier County for the following reasons:

- 1) The subject property is located within the City and County Urban service areas and there are adequate available community facilities and services to support the proposed residential density and commercial intensity.
- 2) The City of Naples made a determination that the part of Grey Oaks in the City is consistent with the goals, objectives and policies of the Comprehensive Plan and land development regulations adopted by the City.
- 3) With regard to that part of Grey Oaks within the County:
  - a) The project development is compatible and complementary to the surrounding land uses and future uses allowed by the Future Land Use Element.
  - b) Improvements are planned to be in compliance with applicable land development regulations as set forth in Objective 3 of the Future Land Use Element.
  - c) The project development will result in an efficient and economical extension of community facilities and services as required by Policies 3.1.H and 3.1.J. of the Future Land Use Element.
  - d) The project development is planned to incorporate natural systems for water management in accordance with their natural functions and capabilities as required by Objective 1.5 of the Drainage Sub-Element of the Public Facilities Element.
  - e) The projected density of less than two (2) dwelling units per acre is less than that allowed under the Future Land Use Element since the project includes three (3) quadrants of an Activity Center and a density band. This project

consists of 1,601.39 acres of land, with 1,775 dwelling units, which equals a density of 1.11 dwelling units per acre.

- f) The subject project occupies the northwest, southeast and northeast quadrants of the Activity Center located at the intersection of Airport and Golden Gate Parkway. This strategic location allows the site superior access for the placement of commercial activities.
- g) The project includes extensive open spaces in the form of golf courses and incorporates natural features to provide a high quality of life for its residents.

#### SHORT TITLE

This ordinance shall be known and cited as the "GREY OAKS Mixed Use Planned Unit Development Ordinance".

## SECTION I

### PROPERTY OWNERSHIP & LEGAL DESCRIPTION

#### 1.01 PROPERTY OWNERSHIP

The Northeast quadrant is currently owned by:

- a) Grey Oaks Country Club, Inc. 2600 Golden Gate Parkway, Naples, FL , 34105.
- b) LDG South LLC, 5692 Strand Court, Naples, FL, 34110.
- c) Individual Landowners.

The Southeast quadrant is currently owned by:

- a) Panthers Grey Oaks, Inc., c/o Naples Grande Golf Club, 475 Seagate Drive, Naples, FL, 34103.
- b) Naples Grande Holdings LLC, 404 Citation Pt., Naples, FL, 34104.
- c) Sea Investments LLC, 10350 Bren Road W., Minnetonka, MN, 55343.

The Northwest quadrant is currently owned by:

- a) Halstatt Partnership, 2600 Golden Gate Parkway, Naples, FL, 34105.
- b) Estuary at Grey Oaks LTD, 4200 Gulf Shore Blvd. N., Naples, FL, 34103.
- c) Grey Oaks Country Club, Inc., 2600 Golden Gate Parkway, Naples, FL, 34105.
- d) Individual Landowners.

#### 1.02 LEGAL DESCRIPTION

All that part of Section 24, Township 49 South, Range 25 East, Collier County, Florida, lying easterly of that 100 foot canal right-of-way as described in O.R. Book 154, page 6, Public Records of Collier County, Florida;

#### ALSO

All that part of Section 25, Township 49 South, Range 25 East, Collier County, Florida, lying easterly of that 100 foot canal right-of-way as described in O.R. Book 154, page 6, O.R. Book 873, page 1879 and O.R. Book 873, page 1882, all of the Public Records of Collier County, Florida;

LESS Golden Gate Parkway (C-886) as described in O.R. Book 465, page 275, and O. R. Book 465, page 278, Public Records of Collier County, Florida;

ALSO LESS those lands described in O.R. Book 194, page 603 and O.R. Book 640, page 229, Public Records of Collier County, Florida,



ALSO

All that part of Section 26, Township 49 South, Range 25 East, Collier County, Florida, lying westerly of Airport-Pulling Road (C-31) and northerly of Golden Gate Parkway (C-886) located within the City of Naples;

LESS that portion thereof as described in O.R. Book 539, page 370, Public Records of Collier County, Florida;

above property subject to easements and restrictions of record; containing 1,601.39 net acres more or less.

## SECTION II

### PROJECT DEVELOPMENT

#### 2.01 PURPOSE

The purpose of this Section is to generally describe the plan of the development and delineate the general conditions that will apply to the project.

#### 2.02 INTRODUCTION

Grey Oaks is a 1,601.39 acre mixed use residential development and golf course community with a "town center", and other retail and office development located in Collier County. The property is generally located in the northwest, northeast, and southeast quadrants of the intersection of Airport Road and Golden Gate Parkway. The property is bounded on the east by Livingston Road; on the south by the Golden Gate Canal; on the west by the Gordon River Watershed; and on the north by the Coach House Land Residential Properties in the west quadrant, and the World Tennis Center in the northeast quadrant. The northwest quadrant of the property is in the incorporated City of Naples and constitutes approximately 354 of the 1,601.39 acres. The remainder of the property is located in the unincorporated area of Collier County.

The project is of a size to be a Development of Regional Impact (DRI) and an Application for Development Approval (ADA) has been filed pursuant to Chapter 380.06, Florida Statutes (1988). Because the City and County recognize that the project has been planned and will be developed as a unified integrated community, the City and County have agreed that a single local government (Collier County) should have the responsibility for reviewing the planned development and issuing a Development Order pursuant to Section 380.06, Florida Statutes and for adopting the zoning (MPUD Ordinance) for the entire project, including that portion that lies with the City of Naples. In furtherance of the goal of having one entity review the proposed project and adopt a zoning ordinance (MPUD) and Development Order for the project, the developer and the City of Naples have entered into a DEVELOPMENT AGREEMENT and the City of Naples and Collier County have entered into an "INTERLOCAL GOVERNMENT AGREEMENT" with regard to the project.

The DEVELOPMENT AGREEMENT sets forth the maximum intensities of land uses for the property within the City and provides that the City agrees to accept and adopt (if appropriate) any Development Order and MPUD zoning issued by the County that does not exceed the intensities of land uses set forth in said DEVELOPMENT AGREEMENT. This DEVELOPMENT AGREEMENT allows the County to review the proposed project as a single integrated planned community and approve a single set of development standards for the entire project by adopting a single PUD Ordinance and Development Order for the project.

The INTERLOCAL GOVERNMENT AGREEMENT between the City of Naples and the County of Collier incorporates said DEVELOPMENT AGREEMENT and further provides that the City and County agree that the County shall conduct the rezoning and DRI review for the entire 1,601.39 acre project, including that portion of the project within the jurisdiction of the City of Naples.

A copy of the INTERLOCAL GOVERNMENT AGREEMENT and the DEVELOPMENT AGREEMENT are made a part of this MPUD by reference thereto.

The County, City and the Developer have all agreed that the 354 acres within the jurisdiction of the City is an integral part of the overall Grey Oaks DRI Community and it is therefore, essential to the viability of the planned community that the MPUD and DRI plan approved by Collier County be in effect and remain in effect for the entirety of the project and not just the portion of the project lying within the jurisdiction of the County of Collier.

## 2.03 LAND USES

Table I is a schedule of the intended land uses types, with total dwelling units, acreage, and total square feet commercial indicated. The arrangement of these land use types is shown on Map H-1, Planned Unit Development Master Plan. Changes and variations in design and acreages shall be permitted during each subdivision phase at final design to accommodate topography, vegetation, and other site conditions.

The final size of the recreation and open space lands will depend on the actual requirements for conservation areas, water management, golf course layout, roadway pattern, and dwelling unit size and configuration.

At the time of Subdivision review and approval for each subdivision phase, the location, size and configuration of land use tracts shall be identified, along with the assignment of permitted residential or commercial land use types. The assignment of maximum allowed residential density and/or commercial gross leasable floor area shall also occur at the time of subdivision review and approval. If the maximum allowed residential density or commercial gross leasable area is not fully used within that subdivision phase of the project the unused remainder may be assigned to another phase(s) of the project. Final determination of the total multi-family residential or commercial use shall be determined at time of site development plan approval.

For each succeeding subdivision and/or site development plan, a table shall be included which summarizes the total dwelling units and commercial floor area that has been previously assigned and total assigned for the pending approval, in order to facilitate the County's monitoring of the project.

## **2.04 PROJECT DENSITY**

The total acreage of Grey Oaks Mixed Use Planned Unit Development is approximately 1,601.39 acres. The maximum number of dwelling units to be built on the total acreage is 1,775. The number of dwelling units per gross acre is approximately 1.11. The density on individual parcels of land throughout the project will vary according to the type of housing placed on each parcel of land but shall comply with guidelines established in this document.

## **2.05 PERMITTED VARIATIONS OF DWELLING UNITS**

All properties designated for residential uses may be developed at the maximum number of dwelling units allocated, provided that the total number of dwelling units shall not exceed 1,775. Table I identifies the maximum units by project quadrant.

## **2.06 DEVELOPMENT SEQUENCE AND SCHEDULE**

The developer will commence the project within the northeast quadrant. Within each quadrant, the amount and location of each subsequent development area will be dictated by logical and economical development constraints and by market demand. Table II indicates, by project year, the estimated absorption of units, and commercial square footage. The absorption schedule is an estimate and not guaranteed. Actual absorption rates are governed by market demand.

## **2.07 EASEMENTS FOR UTILITIES**

All necessary easements, dedications, or other instruments shall be granted to insure the continued operation and maintenance of all service utilities in compliance with applicable regulations in effect at the time of development.

## **2.08 COLLIER COUNTY AND CITY OF NAPLES SUBDIVISION APPROVAL**

The review and approval of subdivision master plans and construction plans shall follow the design and development standards of the Collier County Ordinances regulating subdivisions in effect at the time of development; and shall be reviewed and approved in accordance with the procedures set forth by Collier County for that portion of the project under County jurisdiction. The intent and effect of this Section is to have a single set of substantive standards apply to subdivision master plans to the location of the particular property in question, but to allow each local government to apply its procedural process for approval of said plans. The developer reserves the right to request exceptions and modifications to the standards set forth in applicable regulations. Where this document makes reference to a specific type of subdivision approval (e.g. Subdivision Master Plan Approval or platting) this reference shall be construed to mean the applicable Collier County procedure or approval in effect at the time of development.

## 2.09 LAKE SITING

As depicted on the MPUD Master Plan, lakes and natural retention areas have been sited adjacent to existing and planned roadways, property lines, and throughout the golf course. The goal is to achieve an overall aesthetic character for the project, to permit optimum use of the land, provide buffering to uses within and surrounding the project, protect native vegetation, and to increase the efficiency of the water management network. Accordingly, the requirements described in applicable County ordinances, may be reduced subject to the approval of the County Engineer at the time of Subdivision and/or excavation permit approval. Fill material from lakes is planned to be utilized within the project, however excess fill material, not to exceed 10% or maximum 20,000 cubic yards may be utilized off-site, subject to the provisions of the Collier County excavation ordinance in effect at the time of development. Removal of fill material in excess of 10% of total or 20,000 cubic yards shall meet the requirements of a commercial excavation per applicable County ordinances. Final lake area determination shall be in accordance with the South Florida Water Management District stormwater criteria and applicable County ordinances.

## 2.10 DEDICATION AND MAINTENANCE OF FACILITIES

Roads and other infrastructure may be either public or private, depending on location, capacity, and design. The developer shall create appropriate homeowner and/or condominium associations or identify other entities which will be responsible for maintaining the roads, streets, drainage, water and sewer improvements where such systems are not dedicated to the County or City. Standards for roads shall be in compliance with the applicable provisions of Collier County ordinances regulating subdivisions, unless otherwise approved as an exception during subdivision approval.

## 2.11 SITE DEVELOPMENT PLAN APPROVAL

The provisions of the LDC shall apply to the development of platted tracts or parcels of land as provided in the LDC prior to the issuance of a building permit or other development order. Approval of commercial tracts in the City of Naples jurisdiction shall follow the General Development and Site Plan (GDSP) process.

## 2.12 MODEL HOMES AND MODEL UNITS

Model Homes and units shall be permitted within this project subject to the following provisions:

- a) Models may be constructed prior to approval of a plat.
- b) Models may be permitted as "dry models" and shall obtain a conditional certificate of occupancy for model purposes only. Models may not be permanently occupied until a permanent certificate of occupancy is issued.

- c) Models may not be utilized as "sales offices" without approval by and through the site development plan process. The site development plan process shall not be required for dry models pursuant to this Section.
- d) Prior to recording of any plat, metes and bounds legal descriptions shall be provided to and accepted by Collier County as sufficient for building permit issuance. Said metes and bounds legal descriptions shall meet proposed plat configurations and all models constructed pursuant hereto shall conform to applicable minimum square footages, setbacks, and the like as set forth herein.
- e) Temporary access and utility easements may be provided in lieu of dedicated rights-of-way for temporary service to model homes or units.
- f) Sales, marketing, and administrative functions shall be permitted to occur in designated model homes or units within the project only as provided herein.

## 2.13 CONSTRUCTION DEVELOPMENT STANDARDS

The standards for the construction of all project infrastructure, such as, but not limited to roads, utilities, wastewater treatment, water management facilities, and other site improvements such as but not limited to clearing, grading, excavation, landscaping and all similar types of site improvements, except for habitable buildings and structures, shall meet the minimum standards set forth by Collier County in the applicable ordinance or regulation in effect at time of development. City of Naples construction standards shall be used for water and sewer systems under City jurisdiction.

The procedures for the review and approval of project infrastructure and site improvements shall be that process in effect at the time of review and approval in accordance with the City of Naples regulations for that part of the project within City jurisdiction, and Collier County regulations for that part of the project within County jurisdiction.

The standards and development permit procedures for all habitable structures shall be in accordance with the appropriate City or County jurisdiction's requirements in effect at the time of building permit application.

## 2.14 SALES CENTERS

- a) "Sales Centers" may be constructed prior to recording of a plat. "Sales Centers" may be serviced by a temporary utility system (i.e. dry well and septic tank/drainfield) prior to availability of central utility systems at which time connection to the central system will be made. Interim fire protection facilities, in accordance with NFPA requirements or as approved by the appropriate fire district shall be required unless a permanent water system is available to serve the Center.

- b) Review and approval of "Sales Centers" shall follow the requirements of the site development plan process of the LDC or whatever approval procedure is in effect at that time. A metes and bounds legal description shall be provided as part of the application. Access to the "Sales Center" shall be provided by a paved road or temporary driveway which meets applicable County standards as determined by the County Engineer. A water management plan shall be provided which accommodates the runoff from the "Sales Center", the required parking and access road/driveway and any other impervious surfaces. The system shall be designed to fit in with the master water management system for the entire development.
- c) At the time of building permit application for a "Sales Center" a temporary use permit shall be obtained. "Sales Centers" may not be occupied until a certificate of occupancy is issued. Models shall obtain a conditional certificate of occupancy for model purposes only. Models may not be occupied until a permanent certificate of occupancy is issued.

## 2.15 IMPACT FEES

Development within the project shall be subject to all lawfully adopted impact fees in effect at the time of development.

## 2.16 DEVIATIONS\*

- A. Deviation from LDC Section 4.02.24 A.2. and 3. – Corridor Management Overlay District which requires a front yard setback of 100 feet for the first floor of residential dwelling units and a 25-foot setback for each additional floor.

Deviation: Residential structures within the Grey Oaks MPUD shall comply with Section 4.02.24, Corridor Management Overlay District unless an enhanced Type D Buffer, 20 feet in width, containing a wall and landscaping is placed along Golden Gate Parkway between residential development and the Parkway. Residential structures shall be set back a minimum of 2 feet horizontally for every 1-foot of building height measured from the property line to any point on the building, but in no case shall any residential structure be closer than 100 feet to Golden Gate Parkway. Sections, drawn to scale, shall demonstrate that sight lines from passing passenger cars (4 feet in height) in the center lane of the eastbound lanes of Golden Gate Parkway will break the views to the top of residential buildings within the southeast quadrant of the Grey Oaks MPUD. These tree heights shall be shown on the perimeter buffer landscape site development plan drawings. Trees and shrubs may be planted and maintained by the developer within the Golden Gate Parkway right-of-way provided that a landscape maintenance agreement is executed between the County and developer.

- B. Deviation to 5.03.02.C.1 of the LDC, Wall Height, which states that fences or walls in residential districts shall be maximum of six (6) feet tall.

Within the Grey Oaks MPUD, walls, not to exceed ten feet (10') in height, shall be permitted along both sides of Golden Gate Parkway and along Livingston Road in the northeast and southeast quadrants. The walls shall be located to allow a minimum of five feet (5') of landscaping between the property/right-of-way line and the walls. The intent is to provide consistency within the Grey Oaks project so that existing and proposed walls are of similar height.

- C. Deviation from Section 6.06.01 J. of the LDC, Dead-end Streets, which states that dead-end streets shall be prohibited except when designed as a cul-de-sac. Culs-de-sac in excess of 1,000 feet shall not be permitted unless topographical conditions or other natural features preclude a street layout to avoid longer culs-de-sac.

Within the southeast quadrant, a deviation is requested to allow for cul-de-sac streets to be 2,300 feet in length providing that roadway and cul-de-sac lengths do not conflict with the County Fire Protection Ordinance.

- D. Deviation from Section 6.06.02 A.3 of the LDC, Sidewalks and Bike Lane Requirements, which states that sidewalks five (5) feet in width must be provided on both sides of local streets.

In the Grey Oaks MPUD, local streets that only provide access to residential units placed on one side of a cul-de-sac street shall be required to be served by a 6-foot sidewalk on the side of the street serving the residential units. No sidewalk shall be required on the side of the street without residential units.

\* Deviations apply to Southeast Quadrant only.

## 2.17 GENERAL

Development of Grey Oaks shall proceed in accordance with the contents of this Document, MPUD-Mixed Use Planned Unit Development District, applicable sections of the Growth Management Plan and the regulations in the Collier County Land Development Code in effect at the time of issuance of any development orders to which said regulations relate governing the permitting and construction of improvements, such as but not limited to final subdivision plat, final site development plan, excavation permit and preliminary work authorization. Where these regulations fail to provide development standards then the provisions of the most similar district in the County Land Development Code shall apply.



## THE GREY OAKS PUD

TABLE I  
LAND USE SUMMARY

### Northeast and Southeast Quadrants (Collier County)

	AMOUNT	ACREAGE
Residential units	1,311 D.U.	332.06 Ac.
Commercial (Total)	1,203,091 S.F.	70.4 +/- Ac.
Office (gross floor area)	593,453 S.F.	
Retail (gross leasable area)	609,638 S.F.	
Hotel	0 Rooms	0 Ac.
Golf Course/Recreation/ Park/Right of Way	54 Holes	614.31 Ac.
Lake/ Water Management		225.41 Ac.
Conservation		5.32 Ac.
<b>Sub-Total</b>		<b>1,247.45 Ac.</b>

Note: Native Vegetation Preserve in Northeast and Southeast Quadrants totals 79.36 acres.  
(See attached Drawings E-1 through E-4 for locations).

### Northwest Quadrant (City of Naples)

	AMOUNT	ACREAGE
Residential units	464 d.u.	100.71 +/- Ac.
Commercial (Total)	100,000 S.F.	14.4 +/- Ac.
Office (gross floor area)	60,000 S.F.	
Retail (gross leasable area)	40,000 S.F.	
Golf Course/Recreation/ Park/Right-of- Way	18 Holes	107.4 +/- Ac.
Lake/ Water Management		76.04 +/- Ac.
Conservation		55.34 +/- Ac.
<b>Sub-Total</b>		<b>353.89 Ac.</b>

Note: Native Vegetation Preserve in Northwest Quadrant totals 58.63 acres.  
(See attached Drawings E- 1 through E-4 for locations).

Note: All acreages are digitized approximate acreages and are subject to change and variation.

Note: The Northeast Quadrant shall have a total commercial/office square footage of 1,203,091 S.F.

# THE GREY OAKS PUD

TABLE II  
PROJECT ABSORPTION SCHEDULE ESTIMATE

## PROJECT YEAR 1-6 (1989-1995)

Land Use Designation	No. Units	Hotel Rooms	Square Feet
Residential	94		
Commercial (GLA) and Office (GFA)			0
Hotel		0	
Golf Course*	1		

\* Golf Course = 18 holes with phased club facilities

## PROJECT YEAR 7-13 (1996-2001) CUMULATIVE

Land Use Designation	No. Units	Hotel Rooms	Square Feet
Residential	963		
Commercial (GLA) and Office (GFA)			500,000
Golf Course*	3		

\* Gold Course = 54 holes with phased club facilities  
(Second golf course may be constructed prior to project year 7, and may be built in 9-hole increments, club facilities may be built in phases to coincide with the golf course construction).

TABLE II (Continued)  
PROJECT ABSORPTION SCHEDULE ESTIMATES

PROJECT YEAR 14-20 CUMULATIVE			
Land Use Designation	No. Units	Hotel Rooms	Square Feet (GLA)
Residential	1775		
Commercial (GLA) and Office (GFA)			1,303,091
Golf Course*	4		

\* Golf Course = 72 holes with full club facilities

(3<sup>rd</sup> golf course may be constructed after year 14, and may be built in 9-hole increments, club facilities may be built in phases to coincide with the golf course construction).

Project years shall be adjusted to correspond with the commencement of development.

The above development program outlines multi-use categories which will be assigned to the various development pods shown on Map H-1.

These land use categories will allow for a true mixed use development to occur and allow the "developer" to respond to an ever changing market over the next 20 years with an anticipated buildout at year 2010.

The absorption schedule assumes that build-out of the residential, town center and majority of the office and commercial uses may occur in the first 12 years.

## SECTION III

### RESIDENTIAL LAND USE

#### 3.01 PURPOSE

The purpose of this Section is to set forth the regulations for the areas designated on Map H-1, Planned Unit Development Master Plan, as "R" or Residential.

#### 3.02 MAXIMUM DWELLING UNITS

A maximum number of 1,775 dwelling units may be constructed on lands designated as "R" or Residential. The 25 +/- acre parcel designated "R" on the MPUD Master Plan located on Livingston Road, south of Golden Gate Parkway may be devoted to Assisted Living Facilities at a floor-to-area ratio not to exceed .45.

#### 3.03 GENERAL DESCRIPTION

Areas designated as "R" or Residential on the Master Land Use Plan are designed to accommodate a full range of residential dwelling unit types.

Approximate configurations of land use tracts have been indicated on the MPUD Master Plan, in order to indicate relative size and distribution of the residential uses. These acreages are based on conceptual designs and must be considered to be approximate. Actual acreages of all development tracts will be provided at the time of platting. Residential tracts are designed to accommodate internal roadways.

#### 3.04 PERMITTED PRINCIPAL USES AND STRUCTURES

- 1) Detached and attached single family homes, cluster homes, zero lot line homes, patio homes, townhomes, multi-family dwellings, neighborhood recreational facilities, churches and other places of worship, and assisted living facilities.
- 2) Water management facilities; essential services (in accordance with the LDC). Lakes, including lakes with seawall and other types of architectural bank treatment.
- 3) Open space recreational activities, community parks, and similar uses, including but not limited to shuffleboard courts, tennis courts, swimming pools, boat docks and ramp, canoe launches, fishing piers, boat storage, beach gazebos, concession stands, health trails, bike paths and nature trails, observation platforms, boardwalks, playground, picnic areas and other types of facilities intended for outdoor recreation.
- 4) Any other use which is comparable in nature with the foregoing uses and which the Board of Zoning Appeals or the City Community Development Director determines to be compatible in the district.

### 3.05 PERMITTED ACCESSORY USES AND STRUCTURES

- 1) Accessory uses and structures customarily associated with uses permitted in this District.
- 2) Essential services and facilities, as defined in the LDC.
- 3) Recreational facilities accessory to a residential structure.
- 4) Any other accessory uses or structures which are comparable in nature with the foregoing uses and which the Board of Zoning Appeals or the City Community Development Director determines to be compatible in the district.

### 3.06 DEVELOPMENT STANDARDS

Table III sets forth the development standards for land uses within the "R" Residential District.

Site development standards for categories 1, 2, and 3, uses apply to individual lot boundaries; standards for category 4 uses apply to platted development parcel boundaries.

Front yard setbacks shall be measured as follows:

- 1) If the parcel is served by a City or County dedicated public right-of-way, setback is measured from the existing right-of-way line.
- 2) If the parcel is served by a private drive, setback is measured from back of curb or edge of pavement, whichever is closer to the structure.
- 3) Single family detached (Category 1 only) front setbacks shall be measured from the public or private road right-of-way line.

Standards for parking, landscaping, signs, guard houses, entrance gates and other land uses not specified herein shall be in accordance with the LDC Code regulations in effect at the time permits are requested unless otherwise specified herein. Unless otherwise indicated, setback, heights, and floor area standards apply to principal structures.

Development standards for residential uses not specifically set forth in Table III shall be established during subdivision master plan or site development plan approval as set forth under Sections 2.03 and 2.11 of this Document.

Setbacks and other buffer requirements from and along the north property line within the northwest quadrant adjacent to lots on Coach House Lane shall be as follows:

- a) One story single family structure:

Principal – 25'  
Accessory – 15'

- b) One story multi-family or two story structure:

Principal – 50'  
Accessory – 50'

- c) Two story structure greater than 30' in height:

Principal – 75'  
Accessory – 75'

- d) Three story structure:

Principal – 175'  
Accessory – 175'

- e) Four story structure:

Principal – 400'  
Accessory – 400'

- f) Vehicular use areas, including garages and carports – 50' (measured to the structure or edge of pavement).
- g) A 15' wide, as measured perpendicular to said north border, and 25 foot high landscaped buffer shall be provided and maintained which is 80% opaque as measured in every and any 25 by 25 foot section. The buffer shall be installed prior to construction of homes.
- h) The number of dwelling units per acre shall not exceed 7 units per net acre measured within a band of land 175 feet wide parallel to said north boundary.
- i) Principal building structures shall not include more than 4 dwelling units within 175 feet of said north boundary.

\*Two story setback is measured to the second story portion of the structure. One story portion is to be measured as a one story structure, if it is a single family structure.

**DEVELOPMENT STANDARDS**  
**"R" Residential Areas**

**TABLE III**

**PATIO,  
ZLL, OR**

	<b>SINGLE FAMILY DETACHED</b>	<b>SINGLE FAMILY DETACHED</b>	<b>TWO FAMILY ATTACHED/ OR DUPLEX</b>	<b>CLUSTER MULTI-FAMILY TOWN HOUSE</b>	<b>VILLAS</b>
<b>CATEGORY</b>	<b>1 *4</b>	<b>2 *4</b>	<b>3 *4</b>	<b>4 *4</b>	<b>5 *4 *5</b>
<b>MINIMUM SITE AREA</b>	<b>9000 SF/Lot</b>	<b>5000 SF/Lot</b>	<b>35000 SF/Lot</b>	<b>1 AC</b>	<b>2500 SF/Lot</b>
<b>SITE WIDTH MIN.AVG.</b>	<b>75'</b>	<b>50'</b>	<b>35'</b>	<b>150'</b>	<b>16'</b>
<b>SITE DEPTH MIN. AVG.</b>	<b>120'</b>	<b>100'</b>	<b>100'</b>	<b>150'</b>	<b>N/A</b>
<b>FRONT YARD SETBACK</b>	<b>25'</b>	<b>20'</b>	<b>20'*1</b>	<b>20'P</b>	<b>0'</b>
<b>SIDE YARD SETBACK</b>	<b>7.5'</b>	<b>5'</b>	<b>0 or a *6 minimum of 5'</b>	<b>20' P 0' GC</b>	<b>0'</b>
<b>REAR YARD SETBK PRINCIPAL</b>	<b>20' P 10' GC</b>	<b>15' P 10' GC</b>	<b>15' P 10' GC</b>	<b>20' P 0' GC</b>	<b>10' P 0' GC</b>
<b>REAR YARD SETBACK ACSRY.</b>	<b>10'P 0' GC</b>	<b>10' P 0' GC</b>	<b>10' P 0' GC</b>	<b>10' P 0' GC</b>	<b>10' P 0' GC</b>
<b>MAX. BUILDING HEIGHT STORIES ABOVE PARKING</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>6 *2</b>	<b>2</b>
<b>DIST.BETWEEN PRINCIPAL STR.</b>	<b>15'</b>	<b>10'</b>	<b>0' or 5' *6</b>	<b>15' *3 -1 story 25' *3- 2-3 story 30' *3- 4 stories &amp; higher</b>	<b>7'</b>
<b>FLOOR AREA MINIMUM (S.F.)</b>	<b>1200</b>	<b>1000</b>	<b>900</b>	<b>750</b>	<b>900</b>

**SITE DEPTH AVERAGE:** Determined by dividing the site area by the site width.

**SITE WIDTH:** The average distance between straight lines connecting front and rear parcel lines at each side of the site, measured as straight lines between the foremost points of the side parcel lines in the front (at the point of the intersection with the front parcel line) and the rearmost point of the parcel lines at the rear (point of intersection with the rear parcel line). May be reduced on cul-de-sac lots.

P. Perimeter of Internal Sites

GC = Golf Course, or Lake Front Sites

- \*1 This setback may be reduced to 10' for side entry garage
- \*2 Three story maximum within the City of Naples for less than 8 units per acre. Four story maximum within the City of Naples for 8 units per acre or greater.
- \*3 or ½ the sum of the adjacent buildings, whichever is greater. The following sentence applies to the Southeast Quadrant only. Where adjacent multi-family buildings are clustered about a common access to garage parking or courtyards, and share a common architectural theme and are a minimum of 2 stories in height, the minimum distance between the buildings shall be 40% of the sum to the heights of the two multi-family buildings.
- \*4 During the County approval process, tracts shall be designated and approved as a specific category. The approved specific category shall not be changed unless the entire tract is consistent with the new category. Any change from an approved category to another shall be accomplished per the LDC.
- \*5 In the context here used, the term "villas" means development that occurs on a platted lot where the lots tend to form a clustered home siting scheme accessed by an irregularly shaped private roadway system.
- \*6 For patio homes with less than a 5 foot side yard setback, the opposite side setback shall be sufficient so that the combined setbacks equal 10 feet. Once the first building, on the side of a street utilizing this product type is permitted, all subsequent buildings shall follow the pattern established by the first unit. For example, a 3 foot setback on one lot must be followed by a 7 foot setback on the next lot or vice versa.



## SECTION IV

### GOLF COURSE/RECREATION/PARK/RIGHT-OF-WAY

#### 4.01 PURPOSE

The purpose of this Section is to set forth the regulations for the areas designated on Map H-1 Planned Unit Development Master Plan as, golf course, clubhouse, driving range, right-of-ways; dedicated easements and utility corridors.

#### 4.02 PERMITTED USES AND STRUCTURES

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part for other than the following:

##### A. Permitted Principal Uses and Structures

- 1) Golf Course(s)
- 2) Tennis Club and facilities
- 3) Water management facilities; essential services (in accordance with the LDC). Lakes, including lakes with seawall and other types of architectural bank treatment.
- 4) Open space recreational activities, community parks, and similar uses, including but not limited to shuffleboard courts, tennis courts, swimming pools, boat docks and ramp, canoe launches, fishing piers, boat storage, beach gazebos, concession stands, health trails, bike paths and nature trails, observation platforms, boardwalks, playground, picnic areas and other types of facilities intended for outdoor recreation.
- 5) Community center/clubhouse(s).
- 6) Storage, maintenance yards, and landscaping nurseries within FP&L easements, rights-of-way, and open space. Subject to approval of the persons or entities in whose favor the easement or right-of-way runs.
- 7) Project Information and Sales Center.
- 8) Any other use which is comparable in nature with the foregoing uses and which the Board of Zoning Appeals or the City Community Development Director determines to be compatible in the district.

B. Permitted Accessory Uses and Standards

Accessory uses customarily associated with the principal uses permitted in this district including but not limited to:

- 1) Pro-shop, practice driving range, cart barn and other customary accessory uses of golf courses, or other recreational facilities, including maintenance area, and pump houses, golf courses rain shelters, restrooms, and snack bars.
- 2) Small commercial establishments, including gift shops, golf and tennis equipment sales, restaurants, cocktail lounges, and similar uses intended to serve patrons of the golf course or other permitted recreational facilities, subject to the provisions of the applicable supplementary district regulations of the Land Development Code of Collier County.
- 3) Vehicle wash facility.

4.03 DEVELOPMENT STANDARDS

- 1) Overall site design shall be harmonious in terms of landscaping, enclosure of structures, location of access streets and parking areas and location and treatment of buffer areas.
- 2) Buildings shall be set back a minimum of ten (10') feet from parcel boundaries, except for common boundaries between golf course, recreation and park uses, and water management facilities, in which case the setback is zero (0') feet.
- 3) Maximum height of structures:  
  
Fifty (50') feet, unless abutting a residentially zoned parcel, then thirty five (35') feet.
- 4) Minimum distance between principal buildings:  
  
Five (5') feet – 1 and 2 story buildings that are a part of an architecturally unified grouping of structures.  
  
Ten (10') feet – 1 story.  
  
Twenty (20') feet – 2 story.
- 5) Setback for structures from parcel boundaries abutting residential areas:  
  
Twenty (20') feet – principal structures.

Ten (10') feet – accessory structures.

- 6) Parking for the community center/clubhouse shall be one space per every two hundred (200) square feet of gross floor area, which shall be considered inclusive of required golf course parking.
- 7) Standards for parking, landscaping, signs, guard houses, entrance gates and other land uses not specified herein are to be in accordance with Collier County Land Development Code regulations in effect at the time permits are requested unless otherwise specified herein. Unless otherwise indicated, setback, heights, and floor area standards apply to principal structures.
- 8) A 10-foot wide combination berm, landscaping, and wall buffer shall be provided along the south side of the FPL easement paralleling Golden Gate Parkway within the northwest quadrant adjacent to golf course and residential uses. The berm shall be no higher than 2 feet and the wall no higher than 8 feet. Landscaping shall be placed in front of the wall screening a minimum of 50% of the wall. An additional 10-foot landscape buffer shall be placed along the north edge of the FPL easement where said easement abuts golf course or residential uses. Golf course is allowed within the 10-foot wide buffer.

## SECTION V

### CONSERVATION AND OPEN SPACE AREAS

#### 5.01 PURPOSE

The purpose of this Section is to set forth the regulations for areas designated on Map H-1 as conservation and open space.

#### 5.02A PERMITTED USES AND STRUCTURES – CONSERVATION AREAS

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

- 1) Passive recreational areas, boardwalks, observation platforms.
- 2) Biking, hiking, health and nature trails, canoe launches, golf cart paths.
- 3) Water management facilities, roadway crossings and utility crossings.
- 4) Lighting and signage.
- 5) Any other activity or use which is comparable in nature with the foregoing uses and which the Board of Zoning Appeals or the City Community Development Director determines to be compatible with the intent of this district.

#### 5.02B PERMITTED USES AND STRUCTURES – OPEN SPACE AREAS

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

- 1) Parks, passive recreational areas, boardwalks, observation platforms.
- 2) Biking, hiking, health and nature trails, boat docks, fishing piers, canoe launches, boat storage, golf cart paths.
- 3) Equestrian paths.
- 4) Water management facilities and lakes, as approved by the South Florida Water Management District, roadway crossings and utility crossings.
- 5) Recreational shelters, active park facilities, and restrooms, off street parking, lighting and signage.

- 6) Any other activity or use which is comparable in nature with the foregoing uses and which the Board of Zoning Appeals or the City Community Development Director determines to be compatible with the intent of this district.

#### 5.03 DEVELOPMENT STANDARDS

- 1) Overall site design shall be harmonious with the area's natural characteristics.
- 2) All work proposed in wetland areas designated on the Master Plan shall be reviewed and approved by the Collier County Environmental Staff and appropriate county, state or federal regulatory or jurisdictional agency prior to the commencement of any such activity.
- 3) The County may request copies of permits from all appropriate regulatory agencies or jurisdictional agency prior to construction plan approval. Conservation areas shall be subject to jurisdictional agencies review and listed uses do not guarantee that those uses will be approved.
- 4) Standards for parking, landscaping, signs, guard houses, entrance gates and other land uses not specified herein are to be in accordance with Collier County Land Development Code regulations in effect at the time permits are requested unless otherwise specified herein.

## SECTION VI

### COMMERCIAL

#### 6.01 PURPOSE

The purpose of this section is to set forth the regulation for the area designated on Map H-1 MPUD Master Plan, as "C" Commercial "O/C" Office Commercial, "O" Office, and "Town Center". These are areas located within a designated activity center, therefore permitted uses for these tracts are intended to be inclusive of all types allowed by the City of Naples and the Collier County LDC.

#### 6.02 PERMITTED USES AND STRUCTURES

No building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

1) Permitted Principal Uses and Structures for C, O/C, and Town Center Tracts:

- (a) Antique shops; appliance stores; art studios; art supply shops; automobile parts stores; automobile service stations without repairs\*1; awning shops.
- (b) Bakery shops including baking; bait and tackle shops\*2; banks and financial institutions, including drive-in windows; barber and beauty shops; bath supply stores; bicycle sales and services; blueprint shops; bookbinder; book stores; business machine services; business offices, building maintenance services and building supplies.
- (c) Cabinet shops, canteen services, building maintenance services, building supplies, carpet and floor covering sales – which may include storage and installation; car wash; child care centers; churches and other places of worship \*1; clothing stores; cocktail lounges\*1; commercial schools; confectionery and candy stores, concessions and vendors; civic and cultural facilities colleges, universities and schools; convalescent centers and nursing homes; computer sales and services\*2.
- (d) Delicatessens; department stores; drug stores; dry cleaning, collecting and delivery; dry goods stores; drapery shops; department stores.
- (e) Electrical supply stores; express office; employment agencies; equipment rentals repair and sales including lawn mowers and power saws.
- (f) Farmers market\*2, fish stores – retail only; florist shops; fraternal and social clubs\*1; food markets; furniture stores; furrier shops.
- (g) Garden supply stores – outside display in side and rear yards\*2; gift shops; glass and mirror sales – including storage and installation; gourmet shops; gunsmiths.

- (h) Hardware stores; health food store; homes for the aged; hospitals and hospices; hobby supply stores.
- (i) Ice cream stores, indoor commercial recreation, interior decorating showrooms.
- (j) Jewelry stores.
- (k) Laundries; laboratories, film research and testing; leather goods; luggage stores; linen supply shops; lithograph; laboratories; liquor stores; locksmiths; lakes and water bodies with seawalls and architectural bank treatments, or conventional lake banks.
- (l) Markets – food; markets – meat; medical offices and clinics; millinery shops; motion picture theaters; museums; music stores; mortgage brokers.
- (m) New car dealerships – outside display permitted; news stores; night clubs\*2\*1.
- (n) Office – general – business, and professional; office supply stores.
- (o) Paint and wall paper stores; post offices; pet shops; photographic equipment stores; pottery stores\*2; printing\*2; publishing and mimeograph service shops\*2; private clubs\*2\*1; plumbing shops and supplies.
- (p) Radio, television and appliance sales and services; radio stations (offices and studios), and auxiliary transmitters and receiving equipments, but not principal transmission tower; research design and development; real estate offices; rest homes; restaurants – including drive-in or fast food restaurants and full service \*1; retail sales of used goods; all uses permitted in Section III and IV of this Document – subject to development standards identified in those Sections.
- (q) Small scale retail sales other than shopping centers; shoe sales and repair; shopping centers\*1; souvenir stores; stationery stores; supermarkets; sanatoriums.
- (r) Tailor shops; taxidermists; tile sales – ceramic tile; tobacco shops; toy shops; tropical fish stores; telephone exchange shops; transportation, communication and utility offices.
- (s) Variety stores; vehicle rentals, veterinarian offices and clinics – no outside kennels.
- (t) Watch and precision instrument sales and repair shops.

- (u) Any other commercial use or professional service which is comparable in nature with the foregoing uses and which the Board of Zoning Appeals or the City Community Development Director determines to be compatible in the district.
  - (v) Any other commercial uses set forth in the City of Naples Development Agreement.
- 2) Permitted Uses and Structures for "O" (Office) Tracts:
- (a) Art studios
  - (b) Banks and financial institutions, including drive-in windows; book stores; business offices.
  - (c) Child care centers; churches and other places of worship; commercial schools; civic and cultural facilities; colleges, universities and schools.
  - (d) Express office; employment agencies.
  - (e) Fraternal and social clubs\*1.
  - (f) Homes for the aged; hospitals and hospices.
  - (g) Laboratories; lakes and water bodies with seawalls and architectural bank treatments, or conventional lake banks.
  - (h) Medical offices and clinics; mortgage brokers.
  - (i) Office – general – business, and professional; office supply stores.
  - (j) Private clubs\*2.
  - (k) Radio stations (offices and studios, and auxiliary transmitters and receiving equipment, but not principal transmission tower); research design and development; real estate offices; all uses permitted in Section III and IV of this document – subject to development standards identified in those Sections.
  - (l) Transportation, communication and utility offices.
  - (m) Veterinarian offices and clinics – no outside kennels.
  - (n) Any other commercial use or professional service which is comparable in nature with the foregoing uses and which the Collier County Planning Services Manager or the City Community Development Director determines to be compatible in the district.



- 3) Permitted Accessory Uses and Structures; Accessory uses and structures customarily associated with the uses permitted in this district.

(a) Caretaker's residence\*1.

#### 6.03 Development Standards

- 1) Minimum Lot Area: Ten thousand (10,000) square feet.
- 2) Minimum Lot Width: One hundred feet (100')
- 3) Minimum Setback Requirements (Internal):
  - (a) Front setback – Twenty feet (20').
  - (b) Side setback – None, or a minimum of five feet (5') with unobstructed passage from front to rear yard.
  - (c) Rear setback – Fifteen feet (15').
  - (d) Waterfront setback – Zero feet (0') to seawall, bulkhead, or rip rap, otherwise fifteen feet (15').
  - (e) Parcels with two frontages may reduce one front setback by ten feet (10').
- 4) Minimum setbacks and buffer from external rights-of-way:
  - (a) Golden Gate Parkway – Fifty foot (50') setback, Twenty foot (20') landscape buffer.
  - (b) Airport Road and Livingston Road – Twenty foot (20') plus two feet (2') for every one foot (1') of building height; twenty foot (20') landscape buffer.
- 5) Maximum Height: Fifty (50) feet.
- 6) Minimum Floor Area of Structures: One thousand (1,000 square feet per building) on the ground floor. Kiosk vendors, concessions, and temporary or mobile sales structures are permitted to have a minimum structure of twenty-five (25) square feet, and are not bound by setback requirements.
- 7) Maximum Floor Area Ratios (FAR) for Commercial Uses:  
Based on gross leaseable floor area (GLFA) and acreage.

Retail:	.30	Project total 649,638 GLFA
Office:	.35	Project total 653,453 Gross Floor Area

- 8) Distance Between Structures: Same as for side yard setback.
- 9) Standards for parking, landscaping, signs, guard houses, entrance gates and other land uses not specified herein are to be in accordance with Collier County Land Development Code regulations in effect at the time permits are requested unless otherwise specified herein. Unless otherwise indicated, setback, heights, and floor area standards apply to principal structures.
- 10) A twenty-five (25) foot landscape strip of land shall be provided along all arterial road commercial frontages.
- 11) The public internal loop road in the Northeast quadrant shall be constructed in accordance with Collier County standards.
- 12) An 8-foot high wall may be installed on grade, on a landscape berm, on golf course mounding, or on driving range mounding, within a residential, golf course, club, golf facility or commercial parcel to buffer the commercial uses from the residential and other uses.

\*1 In accordance with LDC requirements for this type of use.

\*2 Northeast and Southeast quadrants only.

## SECTION VII

### GENERAL DEVELOPMENT COMMITMENTS

#### 7.01 PURPOSE

The purpose of this Section is to set forth the development commitments of the project.

#### 7.02 MPUD MASTER PLAN

- 1) The P.U.D. Master Plan – Map H-1 is an illustrative preliminary development plan. The design criteria and layout illustrated on the Master Plan shall be understood to be flexible, so that, the final design may satisfy project criteria and comply with all applicable requirements of this Ordinance.
- 2) All necessary easements, dedications, or other instruments shall be granted to insure the continued operation and maintenance of all service utilities.
- 3) Site design changes shall be permitted subject to Collier County and/or City of Naples staff administrative approval, where such changes are consistent with the intent of this MPUD and do not cause significant impact to surrounding properties abutting the Grey Oaks MPUD.

#### 7.03 ENVIRONMENTAL

- 1) The developer shall be subject to Collier County Growth Management Plan Conservation and Coastal Management Element and applicable County ordinances. The 25% shall be monitored at each site clearing plan submittal. The developer shall receive credit from any phase where the 25% amount is exceeded to be applied to a phase where it is not. In any phase of development where credit toward the 25% is needed the developer shall delineate on the site clearing plan the percentage of viable naturally functioning native vegetation retained and/or areas of landscaping and open space which are planted with native species. The developer shall show the calculations on each site clearing plan which totals the overall 25% for the project build-out.

The entire MPUD has been evaluated for native/viable vegetation at the time of platting or site development plan approval and such vegetated area has been determined to be 551.94 acres. This includes 13.31 acres of native vegetation within the Golden Gate Parkway right-of-way. The total assumes that the eastern-most parcel in the southeast quadrant contains 15.03 acres of native vegetation. [Preserving 25% requires 137.99 acres while 137.10 acres of native vegetation has been preserved.] The eastern-most parcel in the southeast quadrant shall provide .89 acres of native vegetation preserve to satisfy the 25% preservation requirement stipulated in Paragraph 7.03.1 above. See Drawings

E-1 through E-4 locations of native vegetation. The required retained native vegetation shown on the preserve drawings, Exhibits E-1 through E-4 may be modified administratively by the Environmental Review Staff, providing that an equal area of existing native vegetation of equal or greater habitat value is provided in a preserve area that meets the requirements of the LDC in effect at the time of any such modification. To accomplish this, the property owner shall apply to the County and obtain approval for an amendment to the underlying SDP or plat and construction plans.

- 2) The developer shall obtain all necessary local, state and federal permits. Copies of appropriate jurisdictional delineations are required at the time of subdivision master plan per the County Engineer.
- 3) Protected plant species (butterfly orchid) and those which may be observed during each construction phase shall be protected from injury or relocated on site. The existing locations as well as the transplantation locations, if warranted, shall be identified on the site clearing plan for each phase of construction.
- 4) The developer must receive all appropriate state approvals for storing and handling hazardous materials prior to construction of the golf maintenance facilities. All hazardous materials will be stored in a central location, removed from the Gordon River headwaters or Golden Gate Canal. There will be no storage of hazardous materials that is in excess of two (2) days supply, at the satellite facilities. However, petroleum storage at these facilities shall be allowed, but only in above ground storage facilities constructed and maintained in accordance with EPA and FDER standards. The developer shall submit any required contingency plans approved by appropriate state and federal agencies for clean up and mitigation of unauthorized release of hazardous materials.
- 5) Buffers around protected wetlands shall comply with South Florida Water Management District criteria.
- 6) Environmental permitting shall be in accordance with the State of Florida Environmental Resource Permit (ERP) Rules and Regulations, as well as the U.S. Army Corps of Engineers Section 404 permitting program. Removal of exotic vegetation shall not be the sole means of mitigation for impacts to Collier County jurisdictional wetlands.
- 7) All conservation areas shall be recorded on the plat with protective covenants per or similar to Section 704.06 of the Florida Statutes. Conservation areas shall be dedicated on the plat to the project's homeowners' association, or like entity, for ownership and maintenance responsibilities, and to Collier County with no responsibility for maintenance.

- 8) An exotic vegetation eradication, monitoring, and maintenance (exotic free) plan for the site, with emphasis on conservation/preservation areas, shall be submitted to the Environmental Staff for review and approval prior to final site plan/construction plan approval.
- 9) The developer shall coordinate protected wildlife species issues through the ERP and Corps Section 404 permit review process and comply with the guidelines and recommendations of the U.S. Fish and Wildlife Service (FWS) and Florida Game and Fresh Water Fish Commission (FGFWFC) made part of any ERP or Section 404 permit issuance. Where protected species occur on site, a Habitat Management Plan for those protected species shall be submitted to Current Planning Environmental Staff for review and approval prior to final site plan/construction plan approval.

#### 7.04 WATER MANAGEMENT

- 1) Detailed, paving, grading and site drainage plans shall be submitted to Engineering Review Services for review. No construction permits shall be issued unless and until approval of the proposed construction in accordance with the submitted plans is granted by Engineering Review Services.
- 2) In accordance with the Rules of the South Florida Water Management District, (SFWMD) Chapters 40E-4 and 40E-40, this project shall be designed for a storm event of 3-day duration and 25-year return frequency.
- 3) An excavation permit shall be required for the proposed lake(s) in accordance with applicable County ordinances and SFWMD Rules. Several of the lakes proposed do not meet the minimum setback requirements of County ordinances. The Master Plan shall be revised to meet the minimum setback requirements or documentation shall be provided during the subdivision master plan process to allow a reduction in the setback with appropriate barriers provided.
- 4) The lake and swale typical cross-sections shall conform to all applicable County ordinances.
- 5) Detailed site drainage plans of each drainage sub-basin shall be submitted to the Environmental Advisory Board, or its successor, for review. No construction permits shall be issued unless and until approval of each individual drainage sub-basin is granted by the Engineering Review Services.
- 6) An executed agreement between the applicant, Big Cypress Basin and the South Florida Water Management District, detailed plans and associated documentation relating to the installation of the new control structure and the relocation of the existing amil gate structure including back pump facilities shall be submitted to Engineering Review Services for review prior to construction plan approval.

- 7) A copy of the South Florida Water Management District Conceptual Permit or favorable staff report shall be required prior to subdivision master plan approval.
- 8) A copy of South Florida Water Management District Permit or Early Work Permit is required prior to construction plan approval.
- 9) Documentation from Florida Power and Light allowing use of their right-of-way for the purposes of water management shall be provided prior to subdivision master plan approval.
- 10) This approval does not constitute agreement by the County to any control elevation or discharge rate. All agreements shall be made with South Florida Water Management District/Big Cypress Basin.

#### 7.05 TRANSPORTATION

- 1) The developer shall provide appropriate left and/or right turn lanes on Airport Road, Golden Gate Parkway and Livingston Road at all project accesses. This provision shall be permitted and implemented along with a corresponding site development plan or plat.
- 2) The developer shall provide arterial level street lighting at all project accesses. This provision shall be permitted and implemented along with a corresponding site development plan or plat.
- 3) The developer shall provide a fair share contribution toward the capital cost of traffic signals, including interconnection where applicable, at any project access when deemed warranted by the County. The signals will be owned, operated and maintained by Collier County.
- 4) Livingston Road Right of Way Dedication:
  - a) The developer shall dedicate sufficient right of way north of Golden Gate Parkway to establish a right-of-way corridor 120 feet in width along the entire length of the developer's property, taking into consideration the existing Livingston Road right-of-way easement. Additional right-of-way within the Florida Power and Light easement may be required subject to approval and releases by Florida Power and Light. The developer shall pay, or may utilize reduction of existing impact fee credits in the amount of \$30,000 in full satisfaction of the developer's obligation to reimburse the County for the County's costs in negotiating and obtaining any approval and releases by Florida Power and Light necessary to fulfill the 120 foot right-of-way width requirements.
  - b) The developer shall dedicate 50' feet or road right of way south of Golden Gate Parkway along the length of the developer's property. In addition, for a

distance of 200 feet south of Golden Gate Parkway, the developer shall dedicate an additional 50 feet in width immediately west of the aforementioned right-of-way. Said additional 50 feet in width may be in the form of a 25 foot wide road right-of-way dedication and 25 foot wide easement for drainage, water management, landscaping, and bikepath use. For the next 800 feet south of Golden Gate Parkway, the developer shall dedicate a strip of land tapering from 50 feet in width in the north to 0 feet in width in the south, in a diminishing line immediately west of the aforementioned right-of-way. Said additional property shall, to the extent it exceeds 25 feet, be in the form of an easement for drainage, water management, landscaping, and bikepath use. The "easements" (as opposed to the dedications) specified herein may be used to satisfy all or part of the setback, and buffer requirements for the adjacent property. The land to be dedicated by the developer, as described above, consists of a total of 3.891 acres, and is identical to parcels 137 and 937 which are the subject of a Stipulated Order of Taking, dated July 24, 1998, entered in Collier County Circuit Court Case No. 98-1635 CA. The developer and County agree that the developer shall be entitled to impact fee credits for the 3.891 acres comprising parcels 137 and 937 at the rate of \$85,000 per acre for a total credit of \$330,735 for this additional land dedication.

- c) The requirement in Grey Oaks DRI Development Order 90-3 at paragraph 5.c. (iv) that the applicant build Livingston Road from Golden Gate Parkway south to the beginning of the northern approach to the bridge over the Golden Gate Canal (based upon the cost of a two lane rural roadway) shall be fully satisfied by the reduction of existing or future impact fee credits, in the amount of One Hundred Eighty-Five Thousand Dollars (\$185,000).
- 5) The developer shall dedicate 40 feet of right-of-way along the north side of Golden Gate Parkway west of Airport Road along the entire length of the developer's property, shall incorporate the Golden Gateway Parkway drainage into the water management system of the developer's project, and shall accept all drainage from both a quality and quantity standpoint.
- 6) The developer shall dedicate 40 feet for right of way on each side of Golden Gate Parkway between Airport Road and Livingston Road within four (4) months of a written request from the County.
- 7) Collier County reserves the right to expand the lanes on Airport Road by adjusting the cross section of the existing canal to incorporate road run off in the lake system.
- 8) The developer shall dedicate sufficient right-of-way at the intersection of Airport Road and Golden Gate Parkway to allow a grade separated urban interchange with Golden Gateway Parkway being the grade separated roadway.

- 9) All traffic control devices used, excluding street name signs, shall conform with the Manual on Uniform Traffic Control Devices as required by Chapter 316.0747, Florida Statutes.
- 10) If Collier County adopts a proportionate share or area-wide transportation assessment program, or modifies its Impact Fee Ordinance, to provide additional credit for right-of-way dedication, the developer shall be entitled to such a credit towards the 25 acres more or less of dedication. It is understood that the total amount of land involved in these dedications is equal to 25 acres more or less.
- 11) The number, type, and location of, and allowable changes to project access intersections with County roads shall be as set forth in Exhibit D-1 to the Grey Oaks DRI/Grey Oaks Development Order.
- 12) Impact fee payments shall be made to Collier County pursuant to the Impact Fee Ordinance in effect at the time of relevant permit application.
- 13) The County and the developer shall explore whether it would be in their individual best interests and mutual advantage for the developer to incorporate some of the storm water discharge from Golden Gate Parkway into the water management system for the southeastern quadrant of Grey Oaks. In the event the parties agree that it is in their respective best interest, cost sharing or impact fee credits may be used to recompense the developer for costs associated with said conveyance or storage.

#### 7.06 UTILITIES

- 1) The water distribution system and appurtenant facilities to serve the project shall be designed, constructed, conveyed, owned and maintained pursuant to the requirements of the City of Naples.
- 2) The sewage collection, transmission and treatment and disposal facilities to serve the portions of the project on the west side of Airport Road shall be designed, construction, conveyed, owned, and maintained pursuant to the requirements of the City of Naples.
- 3) Provisions for sewer service to those portions of the project lying on the east side of Airport Road shall be as follows, unless a service area modification is approved between the City of Naples and the Collier County Water-Sewer District prior to the submissions of subdivision master plan applications to Collier County for the project.
  - a) The sewage collection and transmission and interim sewage treatment facilities to serve the portions of the project on the east side of Airport



Road are to be designed, constructed, conveyed, owned and maintained in accordance with applicable county ordinances and regulations.

- b) All customers connecting to the sewage collection facilities to be constructed will be customers of the County and will be billed by the County in accordance with the County's established rates. Should the County not be in a position to provide sewer service to the project, the sewer customers shall be customers of the interim utility established to serve the project until the County's off-site water and/or sewer facilities are available to serve the project.
- c) It is anticipated that the County Utilities Division will ultimately receive and treat the sewage generated by this project. Should the County system not be in a position to receive the project's wastewater, at the time development commences (that generates wastewater), the developer, at its expense will install and operate interim on-site sewage treatment and disposal facilities adequate to meet all requirements of the appropriate regulatory agencies. An agreement shall be entered into between the County and the developer, its assigns or successors, regarding any interim treatment facilities to be utilized. The agreement must be legally sufficient to the County, prior to the approval of construction documents for the project and be in conformance with applicable County ordinances.
- d) The utility construction documents for the project's sewerage system shall be prepared to contain the design and construction of the on-site force main, which will ultimately connect the project to the future central sewerage facilities of the District in the Airport Road rights-of-way. The force main must be extended from the main on-site pump station site to the east right-of-way line of Airport Road and capped. It shall be interconnected to the pump station with appropriately located valves to permit for simple redirection of the project's sewage when connection to the County's central sewer facilities becomes available.
- e) Prior to the approval of construction documents that provide for development that generates wastewater by the County, the developer shall present verification pursuant to Chapter 367, Florida Statutes, that the Florida Public Service Commission has granted territorial rights to the developer to provide the service through its sewer facilities.
- f) The project's developer(s), their assigns or successors shall negotiate an Agreement with the Collier County Water-Sewer District for the use of treated sewage effluent within the project limits for irrigation purposes. The developer shall be responsible for providing all on-site piping and pumping facilities from the County's point of delivery to the project and negotiate with the County to provide full or partial on-site storage facilities,

as required by the DEP, consistent with the volume of treated wastewater to be utilized.

- g) All subdivision master plans shall identify the location of interim wastewater treatment facilities required. In addition, documentation shall be provided to verify that the site is of adequate size for the facility intended.

## 7.07 SIGNAGE

### 1) General

- a) All County sign regulations shall apply unless such regulations are in conflict with the conditions set forth in this section.
- b) For the purpose of this MPUD Document/Ordinance, each platted parcel shall be considered a separate parcel of land and shall be entitled to any sign as permitted herein.
- c) Should any of the signs be requested be placed within the public right-of-way, a right-of-way permit shall be applied for and approved.
- d) All signs shall be located so as not to cause sight distance problems.

### 2) Entrance Signs

- a) Two (2) signs with a maximum area of 60 square feet each or one (1) sign with a maximum area of 100 square feet shall be permitted at each entrance of the development.
- b) Entrance signs shall not exceed a height of fifteen (15) feet above the finished ground level of the sign site.
- c) Entrance signs may be lighted provided all lights are shielded.

### 3) Project Signs

- a) Project signs, designed to promote the project, or any major use within the project shall be permitted along the east and west sides of Airport Road, the north and south side of Golden Gate Parkway, and the west side of Livingston Road, and on all tracts within the Grey Oaks MPUD limits subject to the following conditions:

- i. Project signs shall not exceed a height of twenty (20) feet above the finished ground level of the sign site nor shall the overall area of the sign face exceed one hundred (100) square feet.
- ii. A maximum of fourteen (14) project signs shall be permitted. Six (6) located along Airport Road frontage, four (4) each located along Golden Gate Parkway and Livingston Road frontage. The location of such signs shall generally be limited to a one-quarter mile spacing requirement unless existing vegetation requires a closer spacing. An additional 5 intersection signs shall be permitted at the intersections of Golden Gate Parkway with Airport Road and Livingston Road.
- iii. Project signs may be lighted provided all lights are shielded.

#### 7.08 ENGINEERING

- 1) Detailed paving, grading, site drainage and utility plans shall be submitted to Engineering Review Services for review. No construction permits shall be issued unless and until approval of the proposed construction in accordance with the submitted plans is granted by Engineering Review Services.
- 2) Design and construction of all improvements shall be subject to compliance with the appropriate provisions of the Collier County Ordinances regulating subdivisions, unless otherwise approved as an exception to said regulations during subdivision approval.
- 3) Platting shall be accomplished when required by Collier County Ordinances regulating subdivisions.
- 4) Work within Collier County right-of-way shall meet the requirements of the applicable County ordinance.
- 5) Internal access into tracts as shown on the MPUD Master Plan is informational only. Exact locations shall be determined during subdivision or site development plan approval.

#### 7.09 EXCEPTIONS TO SUBDIVISION REGULATIONS

Exceptions to subdivision regulations shall be requested at the time of application for subdivision approval in accordance with applicable subdivision regulations in effect at the time of development.

#### 7.10 SCHOOL DISTRICT

The applicant shall dedicate a fifteen (15) acre school site to the Collier County School District at a location (off-site) agreed upon between the developer and the School District.

#### 7.11 FIRE STATION/EMS SITE

The developer has conveyed a 1.5 acre site for use by the North Naples and the East Naples Fire Districts, together with Collier County Emergency Medical Services Department. The site was conveyed in fee simple, subject to the following conditions:

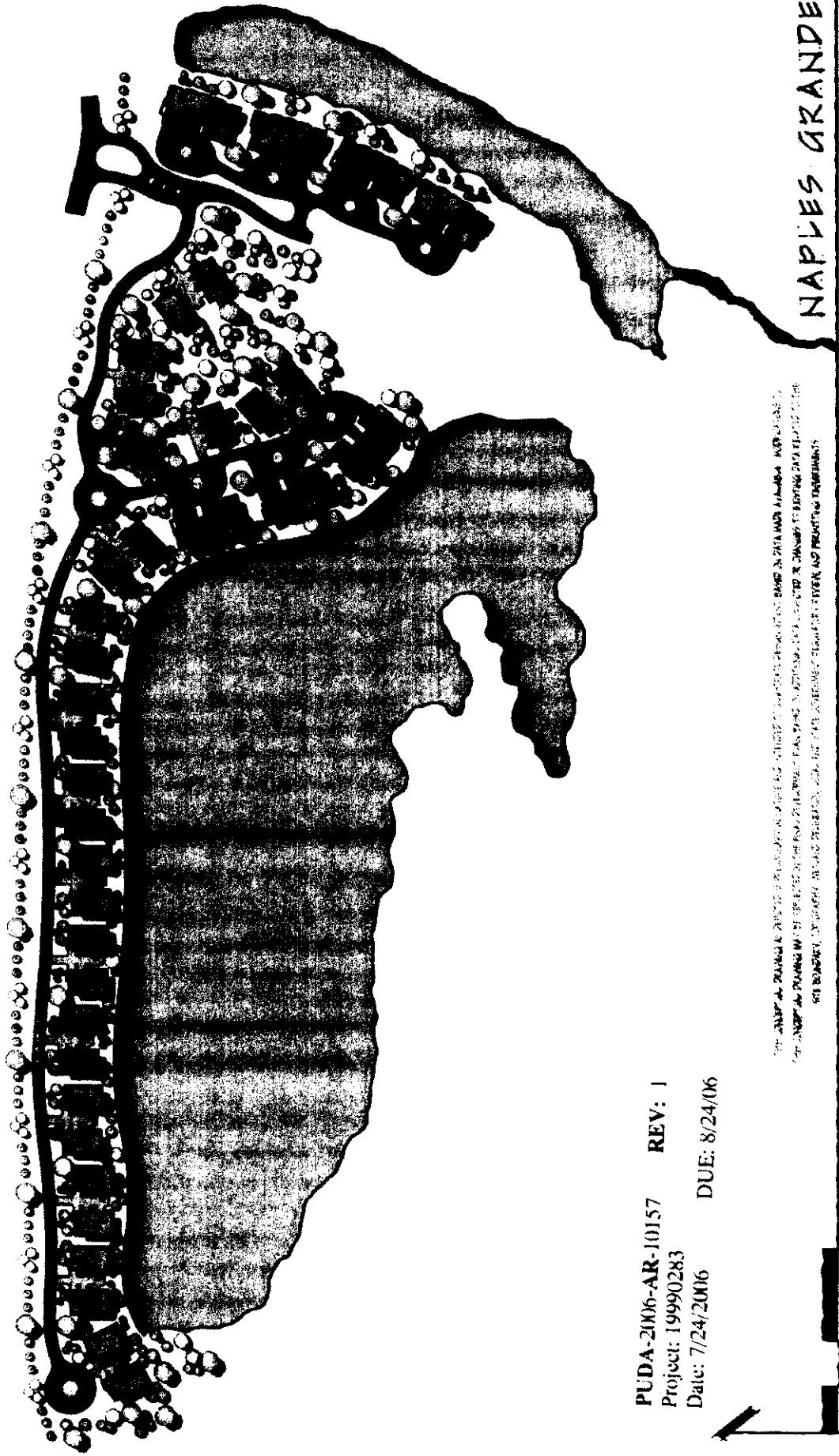
- 1) The site shall revert to the owner, or subsequent owner, if it is not utilized for a fire and rescue facility for at least five (5) years.
- 2) If either fire district or the Emergency Medical Services Department adopts impact fees the developer shall be entitled to impact fee credit for the dedicated site based on the fair market value on the date of dedication.

#### 7.12 AFFORDABLE HOUSING

Naples Grande Holdings, LLC shall commit to providing \$1,000 per approved residential dwelling unit located within property controlled by Naples Grande Holdings, LLC. Payment shall be made to the Collier County Affordable Housing Trust Fund at the time issuance of the certificate of occupancy. This \$1,000 shall be credited toward any additional affordable housing linkage fees that may be in effect at the time of site development plan approval.

#### 7.13 DEVELOPMENT OF REGIONAL IMPACT

The developer, its successors in interest, and all future assigns or designees, shall adhere to all commitments made in the Development of Regional Impact (DRI) Application for Development Approvals (ADA), sufficiency responses, and attachments for this amendment and all previously adopted DRI Development Order (DO) actions for this project.



PUDA-2006-AR-10157 REV: 1  
 Project: 19990283  
 Date: 7/24/2006 DUE: 8/24/06

THE LANDS OF NAPLES GRANDE ARE SHOWN AS A SINGLE UNIT, BUT ARE NOT NECESSARILY BOUND BY A COMMON BOUNDARY. THE LANDS ARE NOT NECESSARILY BOUND BY A COMMON BOUNDARY. THE LANDS ARE NOT NECESSARILY BOUND BY A COMMON BOUNDARY. THE LANDS ARE NOT NECESSARILY BOUND BY A COMMON BOUNDARY.

Wilson Miller Design

NAPLES GRANDE

CONCEPTUAL LAND PLAN



**Wilson Miller**  
Planners • Engineers • Ecologists • Surveyors  
Landscape Architects • Transportation Consultants

**Wilson Miller, Inc.**  
Haupt • Far Mays • Sarantis • Swartzendruber • Tappert  
2200 Bailey Lane Suite 200 • Naperville, Illinois 60563-8587  
Phone 312-640-0542 • Fax 312-623-6271

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true and correct copy of:

**ORDINANCE 2007-40**

Which was adopted by the Board of County Commissioners on the 24th day of April, 2007, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 30th day of April, 2007.

DWIGHT E. BROCK  
Clerk of Courts and Clerk  
Ex-officio to Board of  
County Commissioners

*Ann Jennejohn D.C.*

By: Ann Jennejohn,  
Deputy Clerk



## FLORIDA DEPARTMENT of STATE

**CHARLIE CRIST**  
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

**KURT S. BROWNING**  
Secretary of State



June 15, 2007

Honorable Dwight E. Brock  
Clerk of the Circuit Court  
Collier County  
Post Office Box 413044  
Naples, Florida 34101-3044

Attention: Martha Vergara, Deputy Clerk

Dear Mr. Brock:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated June 13, 2007, and copies of Exhibits E-1 through E-4 of Collier County Ordinance No. 2007-40 which was filed in this office on May 1, 2007 and Exhibit "A" of Collier County Ordinance No. 2007-41, which was filed in this office on April 27, 2007.

As requested, one date stamped copy of each is being returned for your records.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/lbh  
Enclosure

### DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250  
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

COMMUNITY DEVELOPMENT  
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA  
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA  
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE  
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES  
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY  
850.245.6270 • FAX: 850.245.6282



County of Collier  
CLERK OF THE CIRCUIT COURT

Dwight E. Brock  
Clerk of Courts

COLLIER COUNTY COURTHOUSE  
3301 TAMIAMI TRAIL EAST  
P.O. BOX 413044  
NAPLES, FLORIDA 34101-3044

Clerk of Courts  
Accountant  
Auditor  
Custodian of County Funds

June 13, 2007



Ms. Karlyn Solis  
Department of State  
Bureau of Administrative Code  
RA Gray Building Room 101  
500 S. Bronough Street  
Tallahassee, Florida 32399-0250

**Re: Ordinance Number: 2007-40**

Dear Ms. Solis:

Transmitted herewith for the record are Exhibits E-1 thru E-4 that were inadvertently omitted from Collier County Ordinance 2007-40. The ordinance with the enclosed exhibits, were adopted by the Board of County Commissioners of Collier County, Florida, on Tuesday, April 24, 2007, during Regular Session. Please place these exhibits with the Ordinance 2007-40 that was filed with you office on May 1, 2007.

Thank you.

Very truly yours,

DWIGHT E. BROCK, CLERK

Martha Vergara,  
Deputy Clerk

Enclosure(s)

This ordinance filed with the  
Secretary of State's Office the  
14<sup>th</sup> day of June, 2007  
and acknowledgement of that  
filing received this 19<sup>th</sup> day  
of June, 2007  
By Martha Vergara  
Deputy Clerk

MEMORANDUM  
(VIA E-MAIL)

DATE: May 30, 2007  
TO: Trish Morgan, Board Minutes and Records Manager  
FROM: Kay Deselem, Principal Planner  
SUBJECT: Grey Oaks MPUD  
Ordinance No. 07-40

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On April 24, 2007, the Board approved Grey Oaks MPUD (Ordinance No. 07-40) and the ordinance was filed with the Secretary of State on May 1, 2007. It has come to my attention that Exhibits E-1 through E-4, which were presented and approved by the Board, were inadvertently left out of the package that was delivered to the Clerk's Office for filing with the Secretary of State's Office.

Therefore, I am requesting that the attached Exhibits E-1 through E-4 be filed with the Secretary of State. Should you require any additional information, please do not hesitate to call. Thank you.

c: Marjorie M. Student-Stirling, Assistant County Attorney

07-CPS-00574/21

LEGEND	
-	BOUNDARY
-	NATIVE VEGETATION
-	NATIVE VEGETATION WITHIN CONSERVATION EASEMENT
-	NATIVE VEGETATION REMOVED DURING GOLDEN GATEWAY IMPROVEMENTS

NORTH OF SELDON DATE HWY1	98.65 AC	45.89 AC
VEST OF AIRPORT ROAD	299.49 AC	29.85 AC
SOUTH OF SELDON DATE HWY1	304.53 AC	98.38 AC
TOTAL	593.64 AC	137.99 AC

THE SOURCES FOR DETERMINING THE QUANTITY OF NATIVE VEGETATION ON GREY DAKS THREE QUADRANTS IS AS FOLLOWS:

**NORTHEAST -** A PLAN PREPARED FOR HALSTATT PARTNERSHIP, GREY DAKS PARCELS FOR DEVELOPMENT - 225 CLEARED AND 225 PRESERVED BY VILSON MOLLER, BARTON, ROLL, & PECK INC., DATED OCT. 1990 - COPY INCLUDED.

**WEST OF AIRPORT -** INFORMATION FOR NATIVE VEGETATION TAKEN FROM SOUTH-EASTERN PART OF THE MAPLES GOLF COURSE HOLDINGS LTD. FOR DAKS WEST, DATED FEB. 2000, PREPARED BY VILSON MOLLER, SPVAND ISSUED PERMIT 11-00066-S ON OCT. 12, 2000. A COPY OF THE VESTED TO INFORMATION RELATING TO NATIVE VEGETATION IS ENCLOSED.

**SOUTHEAST -** COLLIER COUNTY SMP# 98-163, APPROVED FEB. 1, 1999 AS SHOWN ON "CONSTRUCTION PLANS FOR NATIVE VEGETATION PRESERVATION, A DEVELOPMENT BY VILSON MOLLER, BARTON, ROLL, & PECK INC., DATED JAN. 13, 1999.

SEE NOTES ON EASTERN-MOST PARCEL SOUTHEAST QUADRANT FOR QUANTITY ASSUMPTIONS.

# NOTES:

- THIS PLAN AND THE FOLLOWING PLANS REPRESENT THE LOCATIONS WHERE NATIVE VEGETATION HAS BEEN PRESERVED WITHIN THE GREY DAKS TRIPUD.
- THE ABOVE CHART INDICATES THE BASIS FOR THE CALCULATIONS WITHIN EACH QUADRANT AND THE QUANTITY OF NATIVE VEGETATION THAT IS NEEDED TO BE PRESERVED. THE TOTAL TRIPUD IS REQUIRED TO PRESERVE 137.99 AC OF NATIVE VEGETATION.
- THESE CALCULATIONS INDICATE THAT THE NATIVE VEGETATION REQUIREMENTS HAVE BEEN MET FOR THE ENTIRE GREY DAKS TRIPUD.
- THESE CALCULATIONS ANTICIPATE THAT THE VACANT PARCEL, WILSONVILLE LIVINGSTON ROAD IN THE EAST PORTION OF THE SOUTHEAST QUADRANT EASTERN MOST PARCEL CONTAINS 18.0 ACRES OF NATIVE VEGETATION WITHIN ITS BOUNDARY. SINCE ALL PARCELS WITHIN GREY DAKS HAVE RECEIVED FINAL DEVELOPMENT ORDERS TIMES THAT THE EASTERN MOST PARCEL AND SINCE IT IS BELIEVED THAT THE NATIVE VEGETATION WITHIN THE GREY DAKS TRIPUD IS SATISFIED, IT IS ANTICIPATED THAT ANY SHORT FALL OF NATIVE VEGETATION PRESERVATION WILL BE GENERATED FROM THIS EASTERN MOST PARCEL.
- THE EASTERN MOST PARCEL IS DEVELOPER HAS SUBMITTED PLANS TO THE COUNTY INDICATING AN AREA GREATER THAN 18.0 ACRES OF NATIVE VEGETATION WILL BE PRESERVED. THIS QUANTITY IS INCLUDED IN THE "NATIVE VEGETATION SAVED" CATEGORY.



<b>Wiscapalmer</b> Project: Naples Grande Holdings - Vegetation Analysis Date: 11/26/03 Prepared by: [Signature]		CLIENT: NAPLES GRANDE HOLDINGS, LLC PROJECT: GREY DAKS	TITLE: NATIVE VEGETATION WITHIN GREY DAKS DATE: 11/26/03 DRAWN BY: [Signature]	E-1 1 of 4
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