

# **RIVERGRASS VILLAGE SRA DEVELOPMENT DOCUMENT**

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## EXHIBITS

Exhibit A – Sheet 1:	SRA Master Plan (Color)
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Exhibit A – Sheet 3:	SRA Mobility Plan
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<u>Exhibit A – Sheet 6:</u>	<u>Typical Local Street Cross Section</u>
Exhibit B – Sheets 1- <del>35</del> :	Sketch and Legal Description Tract 1
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## I. OVERVIEW/VILLAGE DESIGN AND PROJECT DEVELOPMENT

Rivergrass Village Stewardship Receiving Area (SRA) is located in eastern Collier County in Sections 10, 14, 15, 22, 23, and 27, Township 48 South, and Range 28 East. Rivergrass Village SRA (“Village”) contains a total of 999.96 ± acres. Approximately 45%+/- of the Village acreage is located north of Oil Well Road, with the remaining 55% ± located south of Oil Well Road. A large perimeter lake system runs along the eastern boundary of the Village, both north and south of Oil Well Road, serving both as part of the Village stormwater system and as a deterrent to wildlife. Lands to the east are zoned A-Agriculture and are designated Stewardship Sending Area (SSA 17) under the Rural Lands Stewardship Area (RLSA) Overlay, with active agricultural operations to the east of SSA 17, and north and south of the Village. To the west, the Village abuts a proposed future ROW (Big Cypress Parkway). The land within the Village has been in active agricultural production for many years.

In accordance with the RLSA Overlay definition, the Village is primarily a residential community which includes a diversity of housing types and a maximum of 2,500 dwelling units. The Village includes a 20.78± acre mixed-use Village Center providing for the required neighborhood-scaled retail, office, civic, and community uses. The SRA is designed to encourage pedestrian/bicycle circulation via an interconnected sidewalk and pathway system serving the entire Village and with an interconnected system of streets, dispersing and reducing both the number and length of vehicle trips. The Village also includes an 18-hole golf course.

## II. SRA STATEMENT OF SUITABILITY CRITERIA PER LDC SECTION 4.08.07., PARAGRAPHS A., B, and C. AND RLSA OVERLAY ATTACHMENT C.

1. The SRA contains 999.96 ± acres.
2. The SRA does not include any lands with a Natural Resource Index (NRI) greater than 1.2.
3. The Village SRA does not include, nor is it adjacent to, any lands designated Flowway Stewardship Area (FSA) or Habitat Stewardship Area (HSA). The Village does not include any lands designated Water Retention Area (WRA); however, within SSA 17, along the eastern boundary of the Village, there is perimeter lake system, designed for stormwater management purposes, and as a deterrent to wildlife. Portions of that lake system, outside of the Village boundary, are designated WRA.
4. The SRA does not include any lands within the Area of Critical State Concern (ACSC) Overlay.
5. The required minimum Open Space (35%) is 349.99 acres. The SRA master plan provides for 615.27 ± acres of Open Space (61.5 ± percent), 265.28 acres above the RLSA 35% requirement.
6. The SRA is designed to encourage pedestrian and bicycle circulation by including an interconnected sidewalk and pathway system serving all residential neighborhoods. The SRA provides parks within and accessible by neighborhoods. The SRA also includes one 18-hole golf course. ~~After 2,000 units are built, the golf course will be restricted to Rivergrass residents and their guests.~~
7. The SRA contains two Context Zones (as required for the Village form of SRA): Neighborhood General and ~~Mixed-Use~~mixed-use Village Center.
8. Within the Village Center Context Zone, The SRA includes neighborhood scaled retail and office uses, consistent with the ratios set forth in LDC Section provided in Section 4.08.07 J.1. within the ~~Mixed-Use~~mixed-use Village Center, which is a minimum of 62,500 square feet and a maximum of 80,000 square feet. A minimum of 25,000 square feet of civic, government, and institutional uses is required.

9. The SRA allows for up to 2,500 dwelling units (2.5 dwelling units per gross acre), of which a minimum of 250 units will be multi-family units, based upon the Land Development Code (LDC) definition of Multifamily Dwelling (a group of 3 or more dwelling units within a single building).
10. A minimum of 1 percent of the SRA gross acreage, (~~409.99~~ acres), will be provided in the form of Parks & Community Green Space.
11. The SRA has direct access to Oil Well Road, which is classified as an arterial road.
12. The SRA is consistent with the standards set forth in the RLSA Overlay Attachment C, applicable to Villages.
13. The total acreage requiring stewardship credits is 734.68 acres (total SRA acreage excluding open space exceeding 35%) acres. At the required 8 Stewardship Credits per acre, 5,877.44 Stewardship Credits are required to entitle the SRA.
14. The Village will be served by the Collier County Water and Sewer District.
15. The proposed schedule of development within the Village SRA, is as follows:
  - a. Anticipated timeframe for receipt of required jurisdictional agency permits (or permit modifications) and date of commencement of residential development: two years from approval of this SRA.
  - b. Anticipated sequence of residential development: 250 units per year commencing after receipt of jurisdictional permits.
  - c. Anticipated timeframe for commencement of minimum required neighborhood retail and office uses: 8 years from date of approval of this SRA.
  - d. Anticipated project completion date: twelve (12) years from date of approval of this SRA.

### III. REQUIRED PERIMETER BUFFERS<sup>1</sup>

Adjacent to Oil Well Road	Minimum 25' wide Type D Buffer per LDC Section 4.06.02.C.4.
<b>All other Perimeter Buffers</b>	
Adjacent to Preserve or -SSA	No Buffer Required
Adjacent to A – Agriculture	Minimum 10' wide Type “A” buffer per LDC Section 4.06.02.C.1.
Adjacent to Roadway Along SRA Western Boundary	Minimum 25' wide Type “D” Buffer per LDC Section 4.06.02.C.4.

**Table 1: Village Perimeter Buffer Requirements**

<sup>1</sup> At the developer's discretion, a 10-foot wide pathway may be located within required perimeter landscape buffers 25' or greater in width, provided the required plantings are located between the property line and the pathway. A 10-foot wide pathway may also be located within perimeter buffers that are less than 25' in width, however, in such cases, the buffer width shall be increased in width by 10 feet above the minimum required width.

### IV. MAXIMUM ALLOWABLE DENSITY AND INTENSITY

The maximum total number of dwelling units in the Village shall not exceed 2,500 dwelling units. The minimum number of multi-family dwelling units shall be 250 dwelling units. Multi-family dwelling units may be located within both the Village Center and the Neighborhood General Context Zones. The minimum required amount of neighborhood commercial development within the Village Center is 62,500 square feet and the maximum shall not exceed 80,000 square feet. A minimum of 25,000 square feet of civic, governmental and institutional uses is required.

## V. CONTEXT ZONES

The village contains two distinct Context Zones: Neighborhood General and Village Center.

### 5.1 Neighborhood General Context Zone

The Neighborhood General Context Zone includes approximately 979.18± acres of land, including one 156.66 acre 18-hole golf course located on the portion of the Village south of Oil Well Road.

#### 5.1.1 Allowable Uses and Structures

##### 5.1.1. A. Permitted Uses and Structures<sup>2</sup>:

- 1) Single-Family dwelling units.
- 2) Multi-family dwelling units.
- 3) Senior/Group Housing, including but not limited to Adult Living Facilities (ALF) and Continuing Care Retirement Communities (CCRC), subject to Florida statutes and the applicable provisions of LDC Section 5.05.04 - Group Housing.
- 4) One 18-hole Golf Course
- 5) Utility pump/tank station for water/sewer, subject to the applicable standards set forth in Section 5.05.12 of the LDC.

##### 5.1.1. B. Accessory Uses and Structures:

- 1) Typical accessory uses and structures incidental to residential development including walls, fences, ~~gazebo~~s, ~~swimming pools~~, screen enclosures, utility buildings (subject to the applicable standards set forth in Section 5.05.12 of the LDC), chickee huts, air conditioning units, satellite antennas, ~~and similar~~ uses and structures.
- 2) Model homes, sales centers, and temporary uses are permitted throughout Neighborhood General in accordance with LDC Section 5.04.00, and as provided for in this SRA Document.
- 3) Clubhouses and ~~recreational and fitness facilities~~ amenity centers for residents and guests.
- 4) Neighborhood recreation areas, limited to a maximum of 2.0 acres and a maximum of 10,000 square feet of building area. Neighborhood recreation areas may include swimming pools, tennis courts, pickle ball courts, and similar neighborhood recreation facilities.
- 5) Passive parks, limited to landscaped or natural areas and may include hardscape pathways or seating areas, benches, shade structures such as gazebos or pavilions, docks or piers.

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<sup>2</sup> Note: Existing agricultural operations may continue on an interim basis until a Site Development Plan or Subdivision Plat, as the case may be, is approved for a particular parcel.

## 5.1.2. Neighborhood General Development and Design Standards

### 5.1.2.A. Required Minimum Yards & Maximum Building Heights:

DEVELOPMENT STANDARDS	SINGLE AND TWO FAMILY		MULTI-FAMILY		CLUBHOUSES/RECREATION AND FITNESS FACILITIES PER 5.1.1. B.(3); NEIGHBORHOOD RECREATION AREAS PER 5.1.1.B.(4)
	SINGLE FAMILY DETACHED	SINGLE FAMILY ATTACHED & TWO-FAMILY	ZERO LOT LINE & TOWNHOME <sup>4</sup>	ALF, CCRC & OTHER MULTI-FAMILY <sup>5</sup>	
PRINCIPAL STRUCTURES					
MIN. LOT AREA	5,000 S.F. / UNIT	3,000 S.F. / UNIT	2,500 S.F./UNIT	20,000 S.F./LOT	N/A
MIN. LOT WIDTH	40’	30’	20’/UNIT	N/A100’	N/A
MIN. FLOOR AREA	1,200 S.F	1,200 S.F./ UNIT	1,200 S.F./UNIT	700 S.F./UNIT	N/A
FLOOR AREA RATIO	N/A	N/A	N/A	0.45 (only applies to ALF/CCRC)	N/A
MIN. FRONT YARD <sup>1</sup>	20’	20’	20’	20’	10’
MIN. SIDE YARD <sup>2</sup>	5’	0 OR 5’	0 or 5’	10’	10’
MIN. REAR YARD <sup>6</sup>	10’	10’	10’	20’	10’
MIN. LAKE SETBACK <sup>3</sup>	20’	20’	20’	20’	20’
MIN. DISTANCE BETWEEN STRUCTURES	10’	10’	10’	15’ OR ½ SUM of BH for Structures Exceeding 35’ BH	10’
MAX. BUILDING HEIGHT - ZONED	42’	42’	42’	3.5 Stories NTE 50’	3.5 Stories NTE 50’
MAX. BUILDING HEIGHT - ACTUAL	50’	50’	50’	62’	62’
ACCESSORY STRUCTURES					
MIN. FRONT YARD	SPS	SPS	SPS	SPS	SPS
MIN. SIDE YARD	SPS	SPS	SPA	SPS	10’
MIN. REAR YARD <sup>6</sup>	5’	5’	5’	5’	5’
MIN. LAKE SETBACK <sup>3</sup>	10’	10’	5’	5’	5’
MAX. HEIGHT ZONED & ACTUAL	SPS	SPS	SPS	42’	SPS

**Table 1: Neighborhood General - Required Minimum Yards Maximum Building Height**

S.P.S. = same as for principal structure; NTE = not to exceed; S.F. = square feet; BH = building height; N/A = not applicable

Footnotes:

- Front yards shall be measured as follows:
  - Setback is measured from the back of curb (if curbed) or edge of pavement (if not curbed).
  - If the parcel has frontage on two streets (corner lot), the frontage providing vehicular access to the unit shall be considered the front yard. The setback along the other frontage shall be a minimum of 10'.
  - In no case shall the setback be less than 23 feet from the edge of an adjacent sidewalk, except in the case of side-loaded garages where the garage is designed in such a way that a vehicle can be parked in the driveway without conflicting with, or encroaching upon, the adjacent sidewalk.
- 5' minimum side setbacks for single-family attached, two-family, must be accompanied by another 5' minimum side setback on adjoining lot to achieve minimum 10' separation.
- The required 20' lake maintenance easement shall be provided in a separate platted tract and the setback for both principal and accessory structures may be reduced to 0'.
- Zero Lot Line and Townhome Development means 3 or more attached units, typically one or 2 stories in height.
- Other Multi-family means 3 or more units other than Zero Lot Line or Townhome Development, typically more than 2 stories in height.
- Rear Setback for lots abutting Golf Course is ~~0-0'~~ 0' for both Principal and Accessory Structures.

### **5.1.2.B. Required Development Standards for Utility Sites and Structures:**

The required Development Standards for Utility Sites and Structures shall be as required by LDC Section 5.05.12, as applicable.

## **5.2 Village Center Context Zone**

The Village Center Context Zone includes 20.78± acres of land.

### **5.2.1. Allowable Uses and Structures**

The Village Center is mixed use in nature, allowing multi-family development, and neighborhood-scale commercial and office uses, and civic, governmental, and institutional uses. A minimum of 62,500 square feet and maximum of 80,000 square feet of neighborhood-scale commercial and office uses shall be provided. A minimum of 25,000 square feet of civic, governmental, and institutional uses shall be provided.

#### **5.2.1.A. Permitted Uses**

- Multi-Family Dwelling Units subject to the applicable development standards set forth in Paragraph 5.1.2.A, Table 1.; and,
- The following neighborhood-scale commercial and office uses, and civic, governmental, and institutional uses, as identified with a number from the Standard Industrial Classification Manual (1987), or as otherwise provided for within this section, are permitted by right, or as accessory uses within the Village Center.
  - 1) Accounting and Bookkeeping services (8721).
  - 2) Amusements and recreation services (7999 – limited to bicycle sales and rental).
  - 3) Apparel and accessory stores (5611 - 5699).
  - 4) Auto and home supply stores (5531).
  - 5) Banks, credit unions and trusts (6011 - 6099).
  - 6) Barber shops (7241, except for barber schools).
  - 7) Beauty shops (7231, except for beauty schools).
  - 8) Child day care services (8351).
  - 9) Churches.
  - 10) Civic, social and fraternal associations (8641).
  - 11) Computer and computer software stores (5734).
  - 12) Dry cleaning plants (7216, nonindustrial dry cleaning only).
  - 13) Drug stores (5912).
  - 14) Eating places (5812 only). All establishments engaged in the retail sale of alcoholic beverages for on-premise consumption are subject to locational requirements of section 5.05.01.
  - 15) Engineering, Architectural and Surveying Services (8711-8713)
  - 16) Essential services, subject to Section 2.01.03.
  - 17) Federal and federally-sponsored credit agencies (6111).
  - 18) Food stores (groups 5411 - 5499).
  - 19) Garment pressing, and agents for laundries and drycleaners (7212).

- 20) Gasoline service stations (5541, subject to [LDC](#) Section 5.05.05).
- 21) General merchandise stores (5331 - 5399).
- 22) Group care facilities (category I and II, except for homeless shelters); care units, except for homeless shelters; nursing homes; assisted living facilities pursuant to F.S. §400.402 and ch.58A-5 F.A.C.; and continuing care retirement communities pursuant to F.S. §651 and ch. 4-193 F.A.C.; all subject to Section 5.05.04 of the LDC.
- 23) Hardware stores (5251).
- 24) Health services, offices and clinics (8011 - 8049, 8071, 8082, 8092, and 8099).
- 25) Household appliance stores (5722).
- 26) Insurance carriers, agents and brokers (6311 - 6399, 6411).
- 27) Legal services (8111).
- 28) Libraries (8231).
- 29) Mortgage bankers and loan correspondents (6162).
- 30) Paint stores (5231).
- 31) Passenger Car Rental (7514)
- 32) Physical fitness facilities (7991; 7911, except discotheques).
- 33) Public Safety Facilities and other governmental services including, but not limited to, fire, emergency management and law enforcement facilities, and public libraries (8231, 9221, 9222, 9224, 9229, 9111, 9121, 9131, 9199).
- 34) Real Estate (6531 - 6552).
- 35) Retail Nurseries, Lawn and Garden Supply -Stores (5261).
- 36) Retail services - miscellaneous (5921 - 5963 except pawnshops and building materials, 5992-5999, except auction rooms, awning shops, gravestones, hot tubs, monuments, swimming pools, tombstones and whirlpool baths).
- 37) Elementary and Secondary Schools, Colleges, Universities, Professional Schools and Technical Institutes, public or private (8211, 8221-8222)
- 38) Tax return preparation services (7291).
- 39) Travel agencies (4724, no other transportation services).
- 40) United State Postal Service (4311, except major distribution center).
- 41) Veterinary services (0742, excluding outdoor kenneling).
- 42) Any other use which is comparable and compatible in nature with foregoing list of permitted uses, is considered to be a neighborhood scale commercial, office, or civic, governmental, or institutional uses, as determined by the Board of Zoning Appeals or the Hearing Examiner, pursuant to the applicable procedures set forth in LDC Section 10.08.00.

#### **5.2.1.B. Accessory Uses**

- 1) Accessory uses to residential multi-family development subject to the applicable development standards set forth in Paragraph 5.1.2.A, Table 1.
- 2) Uses and structures that are accessory and incidental to the permitted neighborhood-scale commercial and office uses, and civic, governmental, and institutional uses above.
- 3) Parking structures detached or attached, not to exceed 35 feet in Actual height.



## 5.2.2. Village Center Development and Design Standards

### 5.42.2.A. Required Minimum Yards (Setbacks) and Maximum Building Heights:

DEVELOPMENT STANDARDS	ALF, CCRC & MULTI-FAMILY ONLY BUILDINGS	NON-RESIDENTIAL AND MIXED USE BUILDINGS
<b>PRINCIPAL STRUCTURES</b>		
MIN. LOT AREA	20,000 S.F.	10,000 S.F.
MIN. LOT WIDTH	100'	100'
MIN. FLOOR AREA	700 S.F. Per Unit	800 S.F. for Commercial Units 700 S.F. for Residential Units
MIN. SETBACK FROM OILWELL AND ENTRANCE ROAD <sup>1</sup>	20'	20'
FRONT YARDS <sup>2</sup>	0 to 10'	0 to 10'
MINIMUM SETBACK FROM A RESIDENTIAL TRACT	0'	20'
MINIMUM SETBACK FROM A NONRESIDENTIAL TRACT	15'	5'
MIN. LAKE SETBACK <sup>3</sup>	20'	20'
MIN. PRESERVE SETBACK	25'	25'
MIN. DISTANCE BETWEEN STRUCTURES	15 Feet or ½ Sum of BH, whichever is greater	15 Feet or ½ Sum of BH, whichever is greater
MAX. BUILDING HEIGHT - ZONED	4 Stories NTE 50'	4 Stories NTE 50'
MAX. BUILDING HEIGHT - ACTUAL	60'	60'
MAX FAR (APPLIES ONLY TO ALF/CCRC/)	0.45	N/A
<b>ACCESSORY STRUCTURES</b>		
MIN. FRONT YARD (ALL)	SPS	SPS
<del>MINIMUM</del> MIN. SETBACK FROM A RESIDENTIAL TRACT	SPS	SPS
<del>MINIMUM</del> MIN. SETBACK FROM A NONRESIDENTIAL TRACT	SPS	SPS
MIN. LAKE SETBACK <sup>3</sup>	20'	20'
MIN. PRESERVE SETBACK	10'	10'
MIN. DISTANCE BETWEEN STRUCTURES	10'	10'
MAX. HEIGHT - ZONED & ACTUAL	35'	35'

**Table 2: Village Center - Required Minimum Yards Maximum Building Height**

**Footnotes:**

1. Tracts ~~adjacent to~~ abutting the minimum required 25' wide landscape buffer (located in a separate platted tract adjacent to Oil Well Road) shall provide a front yard setback, measured from the ~~closest edge of the adjacent~~ abutting landscape buffer tract. Tracts ~~adjacent to~~ abutting the project entrance road shall provide a front yard setback measured from the ~~closest edge of the minimum required~~ 10 foot landscape buffer tract adjacent to the entry road ~~(which may or may not be a separate platted tract.)~~.
2. Except as described in footnote 1 above, front yards for parcels ~~abutting~~ a street or internal driveway shall be measured from the back of curb (if curbed) or edge of pavement (if not curbed). This excludes public roads.
3. The required 20' lake maintenance easement shall be provided in a separate platted tract and the setback for both principal and accessory structures may be reduced to 0'.

S.P.S. = same as for principal structure; NTE = not to exceed; S.F. = square feet; BH = building height; N/A = not applicable

### 5.2.3. Village Center Required Parking:

All required parking shall be consistent with the requirements of the LDC, unless reductions from those requirements are permitted through a shared parking analysis, as required below.

At the time of submittal of the first ~~SDP~~Site Development Plan (SDP) providing for commercial or other nonresidential uses within the Village Center, a Shared Parking Plan shall be submitted as required in LDC Section 4.08.07.J.3.d.ii.q). Parking shall be determined utilizing the modal splits and parking demands for various uses recognized by ITE, ULI or other sources or studies. The analysis shall demonstrate the number of parking spaces available to more than one use or function, recognizing the required parking will vary depending on the multiple functions or uses in close proximity which are unlikely to require the spaces at the same time. At the discretion of the County manager or designee, the shared parking plan may be deferred to a subsequent SDP or SDP Amendment in order to allow for a more comprehensive parking demand analysis based upon the additional mix of uses at the time of the subsequent SDP or SDP Amendment.

## VI. EXCAVATIONS

The following criteria shall apply to excavations within the Rivergrass SRA: (1) All excavation permit applications within the Rivergrass SRA and related ~~SSA(s)~~Stewardship Sending Areas (SSAs) shall be reviewed as Development Excavation Permit applications. Within the boundary of the Rivergrass SRA and related SSA(s), fill material may be hauled from one construction site to another. Crossing County roadways from one area within the Rivergrass SRA or related SSA to another area within the SRA or SSA shall be acceptable under the Development Excavation Permit. (2) Fill may be placed up to, but not within, the edge of all conservation easements, preserves, and Water Retention Area (WRA's-).

## VII. DEVIATIONS

### 7.1. Village Center Standards

- 1) A deviation from LDC Section 4.08.07.J.3.a.v.: “Village Design Criteria,” which requires that the Village Center be developed in a progressive rural to urban continuum with the greatest density, intensity and diversity occurring within the Village Center, to the least density intensity and diversity occurring within the Neighborhood General, to instead allow the Village Center to be located as depicted on the SRA Master Plan.
- 2) A deviation from LDC Section 4.08.07.J.3.d.ii.p)ii-),) “General Parking Criteria,” which states “The majority of parking spaces shall be provided off-street in the rear of buildings or along the side secondary streets-.” Parking is prohibited in front of buildings-.” to instead allow parking in front of buildings in the Village Center. Where parking areas are adjacent to a road, a double row hedge with 24” high shrubs spaced 3’ on-center will be provided in the buffer along the road, as part of the respective SDP, or as a separate LBE Tract. A Type ‘D’ buffer per LDC at time of permitting will be required when parking is adjacent to or abutting a road.
- 3) A deviation from LDC Section 4.08.07.J.3.d.ii.q), which requires that the majority of parking be located in the rear of buildings and prohibits parking in the front of buildings

except on street parking within the right-of-way to instead allow parking in the front, side and rear yards. Where parking areas are adjacent to a road, a double row hedge with 24" high shrubs spaced 3' on-center will be provided in the buffer along the road as part of the respective SDP, or as a separate LBE Tract. A Type 'D' buffer per LDC at time of permitting will be required when parking is adjacent to or abutting a road.

- 4) A deviation from LDC Section 4.08.07.J.3.d.ii.q), which requires that ~~"parking structures have fronting on a primary street shall include ground floor retail uses on the ground level,"~~ to instead require ground floor retail or office on the ground floor for parking structures supporting non-residential or mixed use buildings development only, and not in the case of parking structures supporting only residential development.
- 5) A deviation from LDC Section 4.08.07.J.2.d.iii.e.i) and LDC Section 4.08.07.J.3.d.iii, "Maximum Multi-family lot size," which requires that multi-family residential lots be limited to a maximum of 4 acres, to instead allow lot sizes for multi-family to exceed 4 acres.

## **7.2. Neighborhood General Standards (which apply per LDC Section 4.08.07.3.d.iii)**

- 1) A deviation from LDC Section 4.08.07.J.2.d.iii.a) "Neighborhood General" Context Zone, which requires the inclusion of "residential, neighborhood scale goods and services, civic, institutional, parks, schools and accessory uses" within the Neighborhood General Context Zone, to instead not require neighborhood scale goods and services or schools as permitted uses within the Neighborhood General Context Zone.
- 2) A deviation from LDC Section 4.08.07.J.2.d.iii.f)iv), "Non-residential uses," which states "the maximum square footage per [non-residential] use shall be 3,000 square feet and per location shall be 15,000 square feet," to instead allow the Community Golf Club and Amenity and Wellness Center sites and related uses to be a maximum of 50,000 square feet. ~~Such Amenity Centers may be located both north and south of Oil Well Road. each.~~
- 3) A Deviation from LDC Section 4.08.07.J.d.iii.e)ii), which states that in the case of "Multi-Family residential," "side yard setbacks shall be a minimum of 10 feet and rear yard setbacks shall be a minimum of 20 feet for the primary structure..." to instead allow for a side yard setback of 0 or 105 feet and a rear yard setback of 10 feet for zero lot line and townhome development, as set forth in Table 1: Neighborhood General - Required Minimum Yards and Maximum Building Height.
- 4) A deviation from LDC Section 4.08.07.J.2.d.iii.e)i) and LDC Section 4.08.07.J.3.d.iii, "Maximum Multi-family lot size," which requires that multi-family residential lots be limited to a maximum of 4 acres, to instead allow lot sizes for multi-family to exceed 4 acres.

## **7.3 Transportation Standards**

- 1) A deviation from LDC Section: 6.06.01.J, "Street System Requirements," which states that "Cul-de-sacs in excess of 1,000 feet shall not be permitted unless existing topographical

conditions or other natural features preclude a street layout to avoid longer cul-de-sacs,” to instead allow the maximum permanent cul-de-sac length to be 1,200 feet as measured along the center line of the right-of-way from the intersecting right-of-way center line to the end of the cul-de-sac right-of-way.

- 2) A deviation from LDC Section 4.08.07.J.1.b. “Figure(s) 5, 6, and 7, Local Street Neighborhood General” for cross-sections requiring 5-foot-wide sidewalks on both sides of a local ~~street, or 6-foot wide sidewalks on both sides of a collector~~ street, to instead allow for a 10-foot-wide sidewalk or multi-use pathway on only one side of such street only where residential development is located on only one side of the street.
- 3) A deviation from LDC Section 4.08.07.J.1.b(6), ~~“Figure~~Figures 5, 6, and 7, Local Street Neighborhood General,” which requires a 6-foot-wide planting area between the travel lane and the sidewalk, to instead allow for a 5-foot-wide planting area in the same location for local roads within the project in Neighborhood General. In such cases, either a root barrier or structural soil shall be utilized. If the option of structural soil is utilized, a minimum of 2 c.f. of structural soil per square feet of mature tree crown projection shall be provided.

#### **7.4 Sign Standards**

- 1) A deviation from LDC Section 5.06.02.B.5.a, “On-premises directional signs within residential districts,” which requires on-premise directional signs to be set back a minimum of 10 feet from the edge of the roadway, paved surface or back of the curb, to instead allow a minimum setback of 5 feet from the edge of the roadway, paved surface or back of the curb, limited to signs internal to the SRA only. This excludes signage along County owned roadways.
- 2) A deviation from LDC Section 5.06.02.B.6, “On-premises signs within residential districts,” which allows “two ground signs with a maximum height of 8 feet at each entrance to a multi-family or single-family development,” to instead allow a maximum height of 12 feet for such signs, limited to the two primary project entrances from Oil Well Road (not including access points to the Village Center Tract).

#### **7.5 Landscape Standards**

- 1) A deviation from LDC Section 4.06.02.C., Buffer Requirements, “Types of buffers,” Table 2.4 Information, Footnote (3) which requires “Buffer areas between commercial outparcels located within a shopping center, Business Park, or similar commercial development may have a shared buffer 15 feet wide with each abutting property contributing 7.5 feet”, to instead allow a shared buffer 10 feet wide with each abutting property contributing 5 feet.
- ~~2) A deviation from LDC Section 5.03.02.D.1, “Fences and Walls, Commercial or Industrial Zoning Districts which states that fences or walls in commercial or industrial areas are limited to a maximum height of 8 feet, to instead allow a maximum height of 10 feet.~~

#### **7.6 Other Deviations**

- 1) A deviation from LDC Section 4.05.04.G, “Parking Space Requirements,” which requires 1 parking space per 100 square feet for recreation facilities (indoor) sports, exercise, fitness, aerobics, or health clubs to instead allow for parking for the ~~Village Golf Club and~~ Amenity and Wellness-Center sites to be calculated at 1 space per 200 square feet of indoor square footage, excluding kitchen or storage space.
- ~~2)~~ 2) — A deviation from LDC Section 3.05.10.A.2. – “Location Criteria,” which requires that “LSPA [littoral shelf planting areas] shall be concentrated in one location of the lake(s), preferably adjacent to a preserve area;” to instead allow for required littoral shelf planting areas to be aggregated in certain specific development lakes, including the development lake and WRA system that runs along the eastern perimeter of the ~~Village-SRA.~~
- 3) A deviation from LDC Section 5.03.02.D.1, “Fences and Walls, Commercial or Industrial Zoning Districts,” which states that fences or walls in commercial or industrial areas are limited to a maximum height of 8 feet, to instead allow a maximum height of 10 feet.

## **VIII. DEVELOPER/OWNER COMMITMENTS**

### **8.1. Planning**

- A. One entity (hereinafter the Managing Entity) shall be responsible for monitoring of the SRA, as may be required by Collier County, and until no longer required by Collier County. The monitoring and report shall follow the same procedures and requirements set forth in LDC Section 10.02.02.F, PUD Monitoring Report requirements. This entity shall also be responsible for satisfying all commitments set forth in the SRA Document. At the time of this SRA approval, the Managing Entity is Collier Enterprises Management, Inc. Should the Managing Entity desire to transfer the monitoring and commitments to a successor entity, then it must provide a copy of a legally binding document, to be approved for legal sufficiency by the County Attorney. After such approval, the Managing Entity will be released of its obligations upon written approval of the transfer by County staff, and the successor entity shall become the Managing Entity. As Owner and Developer sell off tracts, the Managing Entity shall provide written notice to County that includes, if applicable, an acknowledgement of the commitments required by the SRA Document by the new owner and the new owner’s agreement to comply with the Commitments through the Managing Entity, but the Managing Entity will not be relieved of its responsibility under this Section. When the County determines that the SRA Document commitments have been fulfilled, the Managing Entity shall no longer be responsible for the monitoring of this SRA.
- B. Issuance of a development permit by a County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
- C. All other applicable state or federal permits must be obtained before commencement of the development.

- D. Owner shall provide an annual SRA monitoring report, in a form similar to a PUD monitoring report, identifying the number of residential units constructed by type within the SRA, and amount of retail, office, civic, government, and institution square footage constructed within the SRA. The Report shall also address whether or not or to what degree the Developer Commitments contained herein have been satisfied.

## **8.2. Environmental**

- A. The Developer shall adhere to the Florida Fish and Wildlife Conservation Commission Black Bear Management Plan, as applicable. The informational brochure created by the Florida Fish and Wildlife Conservation Commission (FWCC) and titled "A Guide to Living in Bear County" will be distributed to future homeowners and construction/maintenance personnel. Residents will be provided with information on how to secure their garbage containers to discourage bears from foraging in trash receptacles and the project will utilize bear-proof dumpsters in locations to be determined at the time of Site Development Plan (SDP) approval.

## **8.3. Transportation**

- A. Intensity of uses under any development scenario for the SRA is limited to a maximum of 1,978 two-way, unadjusted, average weekday pm peak hour total trips based on the use codes in the ITE Manual on trip generation rates in effect at the time of application for SDP/SDPA or subdivision plat approval.
- B. The Owner shall provide an easement in a form acceptable to Collier County to accommodate a transit stop and shelter within the SRA at a location agreed to by the Collier County Public Transit Division Director. As part of the site improvements authorized by the initial Site Development Plan within the SRA, the Owner shall, at its sole expense, install the shelter and related site improvements for the transit stop, utilizing a design consistent with established CAT architectural standards or consistent with project architectural standards if agreed to by CAT.
- C. No more than 1,750 dwelling units will be issued certificates of occupancy until a minimum of 30,000 sq. ft. of the neighborhood retail and office uses have been developed and issued certificate(s) of occupancy.

## **8.4 Parks and Recreation**

- A. The SRA shall include a minimum of one (1) children's playground that conforms to appropriate ASTM standards, which shall be a minimum of 2,500 square feet in size. The location of this playground shall be identified at the time of subdivision plat or SDP, as the case may be, for the development phase or area within which the playground is to be included.

## **8.5 Other**

- A. Street trees will be provided throughout the Village in locations required by LDC Section 4.08.07. Such street trees shall be spaced forty feet (40') on center and shall have a minimum average mature canopy spread of twenty feet (20') or alternatively, for species with an average mature spread less than 20', street trees shall be spaced a distance equal to twice the average mature spread.