

SHADOWWOOD
PLANNED UNIT DEVELOPMENT
Located in Section 16
Township 50 South, Range 26 East

PREPARED BY:

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**SECTION ONE: AMENDMENTS TO COVER PAGE OF ORDINANCE 08-43,
SHADOWWOOD PLANNED UNIT DEVELOPMENT**

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**SECTION TWO: AMENDMENTS TO TABLE OF CONTENTS PAGE OF ORDINANCE
08-43, SHADOWWOOD PLANNED UNIT DEVELOPMENT**

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SECTION I

STATEMENT OF COMPLIANCE

The purpose of this section is to express the intent of The Rookery, Ltd., 706 5th Avenue South, Naples, Florida to develop ±168,1 acres of land located in Section 16, Township 50 South, Range 26 East, Collier County, Florida. The name of this proposal development shall hence forth be known as ShadowWood,

The development of ShadowWood as a Planned Unit Development will be in compliance with the planning goals and objectives of Collier County as set forth in the Comprehensive Plan. The residential development with associated recreational and private aviaional facilities will be consistent with the growth policies and land development regulations of the Comprehensive Plan Land Use Element and other applicable documents for the following reasons.

1. The subject property has the necessary rating points to determine availability of adequate community facilities and services.
2. The project development is compatible with and complimentary to the surrounding land uses.
3. The subject property will provide a vegetative buffer between the property and Rattlesnake Hammock Road, the surrounding vacant lands, and the single family residential units to the west.
4. The development shall consist primarily of multi-family residential clusters and shall thereby provide more common open space.
5. The development shall utilize natural systems for water management such as the cypress, willow, lower wetland areas, and natural drainage courses.
6. The development shall promote the maintenance of the residential neighborhood and be aesthetically pleasing and functionally efficient.

7. The number of egress and ingress points shall be limited to minimize the impact upon the traffic flow along Rattlesnake Hammock Road.
8. The development is complimentary to and consistent with the Collier County Comprehensive Plan Land Use Element.
9. The land may be used more efficiently, and made more desirable resulting in a smaller network of utilities and streets with consequent lower construction and future maintenance costs.
10. Through proper planning and good uniform development control, the development shall protect property values and meet the general public welfare and safety of the citizens of Collier County.
11. The project will enable and encourage compatibility with the natural amenities of the environmental as well as preserve and enhance present advantages.
12. The application of the development plan will permit flexibility and feature amenities and excellence in the form of variations in siting, mixed land uses and varied dwelling types, as well as adaptation to and conservation of the topography and other natural characteristics of the land.
13. With proper uniform quality large scale development, the project may best serve the public interest with alternate mixed land uses.

SECTION II

STATEMENT OF INTENT

It is the property owner's intention to continue the development of a single and multi-family residential project with recreational, commercial, and aviatational facilities, and other support facilities required of a development surrounding a private air park community. The project was initiated in the early 1970's with the development of single family residential condominium lots with common facilities.

As part of the same property, it is the intent of The Rookery, Ltd. to continue to develop a condominium complex consisting of cluster villages; multi-family residential units; single family residential lots; and varied dwelling unit types. The units shall be centered around major points such as the air park, lakes, pine and cypress trees, common open space, and areas of unique vegetation. There may be recreational benefits consisting of jogging trails, para courses, private swimming pools, neighborhood parks, tennis courts, and the unique feature of a private airpark.

Residents of this project shall be afforded the opportunity to own private airplanes and a single family residential or condominium unit with the conveniences of aviatational, recreational, and commercial services among a natural scenic environmental setting.

The residential development of low-rise multi-family and single family units shall demonstrate a quality way of life for its residents that will be eminently desirable, esthetically pleasing, and environmentally sound.

SECTION III

PROPERTY OWNERSHIP AND LEGAL DESCRIPTION

3.1. **PROPERTY OWNERSHIP:**

The subject property is currently under the control of The Rookery, Ltd. 706 5th Avenue South, Naples, Florida 33940.

3.2. **LEGAL DESCRIPTION:**

The subject property is described as follows:

The east 1/2 of the east 1/2 and; the north 1/2 of the northwest 1/4 of the northeast 1/4; the southeast 1/4 of the northwest 1/4 of the northeast 1/4 and; all being in Section 16, Township 50 South, Range 26 East, Collier County, Florida.

ALSO LESS the south fifty (50) feet for road right-of-way and any easement right-of-way of public record.

LESS WING SOUTH AIR PARK PRIVATE VILLAS UNIT 1, a Condominium, according to the Declaration of Condominium recorded in Official Record Book 476, pages 304 to 350, inclusive, Public Records of Collier County, Florida, as amended.

SECTION IV

GENERAL DEVELOPMENT REGULATIONS

4.1. PURPOSE:

The purpose of this Section is to set forth the regulations for development of the property identified on the Master Development Plan. It is the intent of the project sponsor to develop multi-family and single family residences in a low profile silhouette with ample common open space associated with the conveniences of aviaational, recreational, and commercial services.

SECTION THREE: AMENDMENTS TO SECTION 4.2., ENTITLED “PROJECT PLAN AND LAND USE TRACTS” OF ORDINANCE 08-43, SHADOWWOOD PLANNED UNIT DEVELOPMENT

4.2. PROJECT PLAN AND LAND USE TRACTS:

For the purposes of gross residential land use area, the subject property is ±168.1 acres. The project plan including street layout and land uses is illustrated in Exhibit "B", PUD Master Plan. The project shall consist of ~~five~~ four land use tracts of general area and configuration as shown in Exhibit "B".

Tracts A & E- Multi-family Residential	±113.3 <u>117.65</u> Acres
Tracts B - Single Family Residential	± 5.68 Acres
Tract C - Private Air Park District	± 46.1 <u>41.78</u> Acres
Entrance Drive	<u>± 3.0</u> Acres
Total Area	± 168. 08 <u>1</u> Acres

Assuming favorable economic and market conditions, it is the project sponsor’s intent to complete development of the property within six years.

The total maximum residential units will be 574 units at a maximum density of 3.4 units per gross acre.

SECTION FOUR: AMENDMENTS TO SECTION 4.3., ENTITLED “TRACTS A & E MULTI-FAMILY RESIDENTIAL” OF ORDINANCE 08-43, SHADOWWOOD PLANNED UNIT DEVELOPMENT

4.3 TRACTS A & E ~~SINGLE-FAMILY~~ RESIDENTIAL

A. Purpose:

The purpose of this section is to indicate the land regulations for the areas designated on PUD Master Plan as Tracts A and E, ~~Multi-Family~~ Residential.

B. Tract A - Permitted Uses and Structures:

No buildings or structures, or part thereof, shall be erected, altered or used, or land used, in whole or part, for other than the following:

1. Permitted Principal Uses and Structures:

- a. Multi-Family Residences.
- b. Common open space, recreational facilities and water management facilities.
- c. Nine hole golf course with the typical facilities of a private country club.

2. Permitted Accessory Uses and Structures:

- a. Customary accessory uses and structures.
- b. Signs as permitted at time of permit application.
- c. Airplane hangers and tie downs.
- d. Private road, pedestrian and bicycle paths, boardwalks and crosswalks, jogging and nature appreciation trails, or other similar facilities constructed for purposes of access to or passage through the common areas.
- e. Lawn or golf course maintenance shop and equipment storage.

C. Tract E – Permitted Uses and Structures:

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

1. Permitted Principal Uses and Structures:

- a. Single family detached dwellings;
- b. Zero lot line, detached dwellings;
- c. Two-family and duplex dwellings;
- d. Single family attached dwellings, (including townhouses intended for fee simple conveyance including the platted lot associated with the residence;
- e. Multi-family dwellings;
- f. Any other principal use which is comparable in nature with the foregoing list of permitted principal uses, as determined by the BZA, by the process outlined in the LDC.

2. Accessory Uses:

Accessory uses and structures customarily associated with the permitted principal uses and structures, including, but not limited to:

- a. Accessory uses and structures customarily associated with principal uses permitted in this land use tract, including swimming pools, spas, docks, boat houses, and screen enclosures, recreational facilities designed to serve the development;
- c. Model homes and model home centers including offices for project administration, construction, sales and marketing;
- d. Recreational facilities and structures to serve the PUD, including clubhouses, health and fitness facilities, pools, meeting rooms, community buildings, boardwalks, playgrounds, playfields, tennis courts, and similar uses intended to exclusively serve the residents of the PUD and their guests.

ED. Maximum Dwelling Units:

A maximum of 558 residential dwelling units.

DE. Tract A – Minimum Yard Requirements for Principal Structures:

1. Depth from property boundary line (35) feet.
2. Depth from edge of all private paved roads (25) feet.
3. Minimum distance between any two (2) principal structures on the same parcel shall be fifteen (15) feet.
4. Minimum distance between a development phase, or condominium tract line and any principal structure shall be seven and one-half (7.5) feet.

EF. Tract A – Minimum Yard Requirements for Accessory Structures:

As required by the Collier County zoning Ordinance.

EG. Tract A – Minimum Floor Area of Principal Structures:

900 Square feet for each dwelling unit.

EH. Tract A – Maximum Height of Principal Structure:

Three (3) living stories above one story of parking with a maximum height of forty-five (45) feet.

In order to comply with the minimum flood elevation requirements, the maximum height of a structure shall be measured from the minimum base flood elevation required by the Flood Elevation Ordinance.

I. Tract E Development Standards:

**TABLE I – TRACT E
RESIDENTIAL DEVELOPMENT STANDARDS**

	<u>SINGLE-FAMILY DETACHED</u>	<u>SINGLE-FAMILY ATTACHED & SINGLE-FAMILY ZERO LOT LINE</u>	<u>TOWNHOMES</u>	<u>MULTI-FAMILY DWELLING</u>	<u>RECREATION AREAS</u>
<u>PRINCIPAL STRUCTURES</u>					
<u>Min. Lot Area</u>	<u>1,600 sf</u>	<u>1,600 sf</u>	<u>1,100 SF</u>	<u>1 acre</u>	<u>N/A</u>
<u>Min. Lot Width</u>	<u>32'</u>	<u>32'</u>	<u>18'</u>	<u>150'</u>	<u>N/A</u>
<u>Min. Front Yard</u>	<u>12' (1)</u>	<u>12'(1)</u>	<u>12'(1)</u>	<u>20', or ½ BH, whichever is greater.</u>	<u>15'</u>
<u>Min. Side Yard</u>	<u>5' (2)</u>	<u>0' or 10' (2)</u>	<u>0' or 5 (2)(4)</u>	<u>1/2/ BH (4)</u>	<u>5', or ½ BH, whichever is greater.</u>
<u>Min. Rear Yard</u>	<u>5', or 20' from alley (3)</u>	<u>5', or 20' from alley (3)</u>	<u>5', or 20' from alley (3)</u>	<u>15' or ½ BH, whichever is greater.</u>	<u>5', or ½ BH, whichever is greater.</u>
<u>Min. Distance between structures</u>	<u>10'</u>	<u>10'</u>	<u>10'</u>	<u>½ SBH</u>	<u>½ SBH</u>
<u>Max. Zoned Bldg. Height</u>	<u>35'</u>	<u>35'</u>	<u>35'</u>	<u>35'</u>	<u>35'</u>
<u>Min. Floor Area</u>	<u>1000 sf</u>	<u>1000 sf</u>	<u>900 sf</u>	<u>900 sf</u>	<u>N/A</u>
<u>Max. Actual Bldg. Height</u>	<u>40'</u>	<u>40'</u>	<u>40'</u>	<u>40'</u>	<u>40'</u>
<u>ACCESSORY STRUCTURES</u>					
<u>Min. Front Yard</u>	<u>SPS</u>	<u>SPS</u>	<u>SPS</u>	<u>SPS</u>	<u>10'</u>
<u>Min. Side Yard</u>	<u>SPS</u>	<u>SPS</u>	<u>SPS</u>	<u>SPS</u>	<u>SPS</u>
<u>Min. Rear Yard</u>	<u>5'</u>	<u>SPS</u>	<u>SPS</u>	<u>5'</u>	<u>SPS</u>
<u>Max. Zoned Bldg. Height</u>	<u>SPS</u>	<u>SPS</u>	<u>SPS</u>	<u>SPS</u>	<u>SPS</u>
<u>Max. Actual Bldg. Height</u>	<u>SPS</u>	<u>SPS</u>	<u>SPS</u>	<u>SPS</u>	<u>SPS</u>

SPS: Same as Principal Structure

BH: Building Height

SBH: Sum of Building Heights

N/A: Not Applicable

Notes:

- (1): Front yard setbacks shall be measured from Right-Of-Way line and shall allow a 2-foot separation from the structure to the Public Utility Easement.
- (2): If side yard setback is 0 feet on one side, the other side yard shall be 10 feet for a total building separation of 10 feet.
- (3): Alley setbacks shall be measured from the easement line. Parking may be access from alleys at the rear of the property provided there is a 5-foot clearance from the vehicle to the edge of pavement.
- (4): Multi-family structures may have terraced setbacks. Terraced setbacks shall be measured from the ground floor exterior wall, as long as a minimum 15-foot building wall setback is provided as depicted in Figure 1, below.

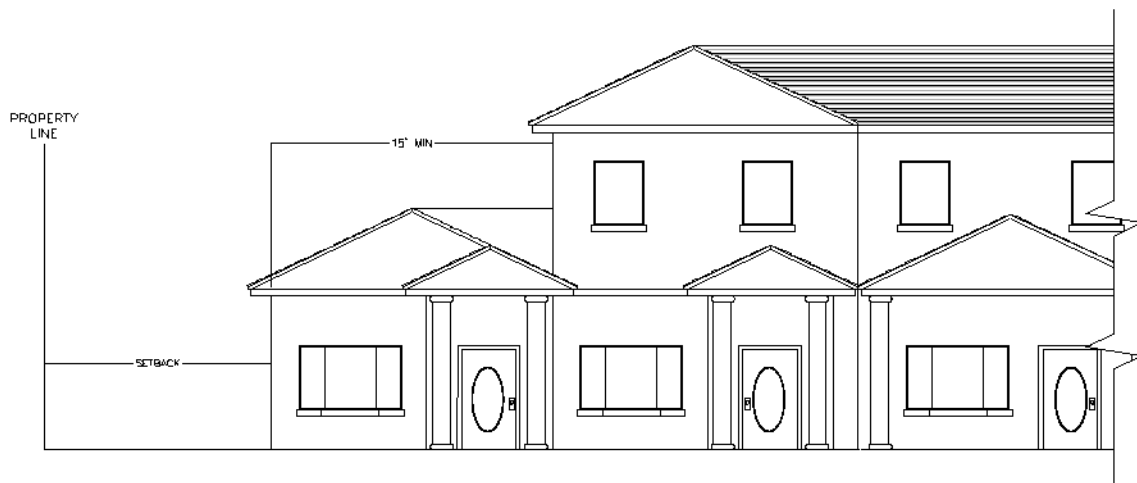


Figure 1
Terraced Setbacks

HJ. Minimum Off-Street Parking:

Two (2) parking spaces per residential unit with a minimum of 1.5 parking spaces/unit paved and .5 parking space/unit reserved for paving at a time deemed to be appropriate by the County.

HK. Limitation On Signs:

As permitted by the zoning ordinance in effect at time of application for building permit.

4.4. TRACT B: SINGLE FAMILY RESIDENTIAL

A. Purpose:

The purpose of this section is to set forth the development plan and land regulations for the areas designated on PUD Master Plan as Tract B, Single Family Residential.

B. Permitted Uses and Structures:

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

1. Permitted Principal Uses and Structures:
 - a. Single Family Residences.
 - b. Common open space & water management facilities.
2. Permitted Accessory Uses and Structures:
 - a. Customary accessory uses and structures.
 - b. Recreational uses and facilities.
 - c. Airplane hangars or tie downs.

C. Maximum Dwelling Units:

A maximum of 16 residential dwelling units may be constructed.

D. Minimum Yard Requirements:

1. Front Yard - 25 feet
2. Side Yard - 7.5 feet
3. Rear Yard - 25 feet
4. Accessory structure as required by current zoning ordinance.

- E. Minimum Lot Width: 100 feet.
- F. Minimum Lot Area: 12,000 square feet.
- G. Minimum floor Area of Principal Structure:
1,200 square feet exclusive of patio, garage, and/or airplane hanger.
- H. Maximum Height of Principal Structures:
Three (3) stories above the finish grade of lot or from the minimum base flood elevation required by the flood elevation ordinance.
- I. Off-Street Parking Requirements:
Two (2) spaces, at least one of which shall be located within the permitted building area.
- J. Landscaping and Buffer:
All buildings, enclosures, or other structures constructed for purposes of maintenance, shall have appropriate screening and landscaping.

4.5. TRACT C: PRIVATE AIR PARK DISTRICT:

- A. Purpose:
The purpose of this section is to indicate the development plan and land regulations for the areas designated on the PUD Master Plan as Tract "C", Private Air Park District.
- B. Development Plan:
 - 1. The primary purpose of this Tract will be to provide the necessary aviation support facilities to accommodate a private airport. These areas shall be utilized only in accordance with the provisions necessary to maintain and operate the private air park.
 - 2. Except in areas to be used for water impoundment and principal or accessory use areas, all natural trees and other vegetation as buffer shall be protected and preserved so long as such plant life shall not interfere with the control of airspace within 700 feet from the end of the primary runway surface.

C. Uses Permitted:

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

1. Permitted Principal Uses and Structures:

- a. Airport runway and administration building.
- b. Airport hangers, T-hangers, and Airplane tie downs.
- c. Aviatational fueling and service shop.
- d. Aviatational maintenance and service shop.
- e. Water management facilities.
- f. Any other similar aviatational support facilities that may be necessary or compatible with the operations of a private air park.

2. Permitted Accessory Uses and Structures:

- a. Accessory uses customarily associated with the uses permitted in this district.
- b. Lawn or golf course maintenance shop and equipment storage.
- c. Signs as permitted at time of permit application.

D. Minimum Yard Requirements:

1. Setback from edge of primary runway surface - 100 feet.
2. Other structures must conform with setbacks of the abutting properties land use regulations; however, they may not be placed within fifty (50) feet of the primary runway surface.

E. Control of Airspace:

The control of the airspace within 700 feet from the ends of the primary runway surface shall be adhered to by the project sponsor. The control shall be of such a nature as to prevent any airport hazards from being grown, erected, or otherwise placed within a glide path of 20:1 from the ends of the primary runway surface.

SECTION V

GENERAL DEVELOPMENT COMMITMENTS

5.1 PURPOSE:

The purpose of this Section is to set forth the standards for development of the project

SECTION FIVE: AMENDMENTS TO SECTION 5.2., ENTITLED “P.U.D. MASTER PLAN” OF ORDINANCE 82-49, SHADOWWOOD PLANNED UNIT DEVELOPMENT

5.2 P.U.D. MASTER PLAN:

- A. The PUD Master Plan is an illustrative preliminary development plan.
- B. The design criteria and layout illustrated on the Master Plan shall be understood as flexible so that, the final design may satisfy the project and comply with all applicable requirements.
- C. All necessary easement, dedications, or other instruments shall be granted to insure the continued operation and maintenance of all service utilities.
- D. Minor design changes shall be permitted subject to staff approval.
- E. Overall site design shall be harmonious in terms of landscaping, enclosure of structure, locations of all improved facilities, and location and treatment of buffer areas.
- ~~F. To protect the integrity of the Planned Unit Development, residential neighborhood, the only access road shall be the private road as shown on the Master Plan with an exception for temporary construction roads.~~
- GF. Areas illustrated as “lakes” shall be constructed lakes, or upon approval, parts thereof may be green areas in which as much natural foliage as practical shall be preserved. Such areas, lakes and/or natural green areas, shall be of general area and configuration as shown on the Master Plan.

HG. Wetland subzones "A-1, A-2, A-3, B-1, C-1, E-1 and E-2" (Wilson, Miller, Barton, Soll & Peek, Inc. Drawing File No. RZ-59, Sheet 2 of 2), are illustrative sub zones and will be conserved as much as practicable as storm water management/open space areas. These areas will be flagged for protection, prior to development.

5.4. WATER MANAGEMENT:

A. Detailed water management construction plans shall be submitted to and approved by the County Engineer prior to commencement of any construction. Appropriate easements to be granted to Collier County for maintenance of perimeter swale system.

5.5. SOLID WASTE DISPOSAL:

Such arrangement and agreements as necessary shall be made with an approved solid waste disposal service to provide for solid waste collection service to all areas of the project.

SECTION SIX: AMENDMENTS TO SECTION 5.6., ENTITLED "RECREATION FACILITIES" OF ORDINANCE 82-49, SHADOWWOOD PLANNED UNIT DEVELOPMENT

5.6 RECREATION FACILITIES

A minimum of ~~three~~ two swimming pools and ~~three~~ one tennis courts shall be constructed by the project sponsor.

Additional recreational facilities may be constructed by the future residents of this project,

5.7 TRAFFIC

A. The project sponsor will provide to the appropriate governmental agency, an additional right-of-way of 17.5 feet along the south property boundary line for future road widening of Rattlesnake Hammock Road.

B. The project sponsor agrees to construct a right and left turn storage land on Rattlesnake Hammock Road for traffic entering Shadowwood and to pay for his proportionate share of the costs of a traffic signal at the project entrance when required by the appropriate governmental agency.

C. A sidewalk shall be constructed on one side of the main entrance road into the project.

SECTION SEVEN: AMENDMENTS BY COUNTY STAFF TO SECTION 5.7. “TRAFFIC” TO ADD “D” TO ORDINANCE 82-49, SHADOWWOOD PLANNED UNIT DEVELOPMENT

- D. The development of Tract E shall be limited to no greater traffic impact than the PM Peak Hour Two-Way Trip Generation as calculated for 364 multi-family units. (ITE Land Use 220). Any combination of single-family and multi-family land uses proposed for development in Tract E shall be limited by that maximum trip generation.

5.8 UTILITIES

- A. A central water supply system shall be made available to all areas of the project. The water supply source for the project shall be the County system.
- B. All areas of the project shall be served by a central wastewater collection system and by an existing off-site wastewater treatment plant. The existing plant shall be expanded as may be needed to meet the anticipated demands.
- C. The project sponsor agrees to comply with all applicable County laws and ordinances governing utility provisions and facilities.
- D. Telephone, power and T.V. cable service shall be made available to all residential areas. All such utility lines shall be installed underground.

SECTION EIGHT: AMENDMENTS BY COUNTY STAFF TO SECTION 5.8. “UTILITIES” TO ADD “E” TO ORDINANCE 82-49, SHADOWWOOD PLANNED UNIT DEVELOPMENT

- E. The developer of Tract E shall provide water main stub-outs at any project vehicular connection to the public roadway system. The required stub-outs shall be a minimum size of 8 inches, and shall be located within the road right-of-way, and shall be established within a County Utility Easement (CUE) to be dedicated to the Collier County Water-Sewer District (District). The CUEs shall be shown on any final subdivision plat and shall be conveyed in accordance with the Collier County Utilities Standards and Procedures Ordinance (Ord. 04-31 as amended) at no cost to the County or District, free and clear of all liens and encumbrances, prior to or concurrent with preliminary acceptance of utilities.