

ORDINANCE 82- 121

AN ORDINANCE AMENDING ORDINANCE 82-2 THE COMPREHENSIVE ZONING REGULATIONS FOR THE UNINCORPORATED AREA OF COLLIER COUNTY, FLORIDA BY AMENDING THE ZONING ATLAS MAP NUMBER 48-25-5 BY CHANGING THE ZONING CLASSIFICATION OF THE HEREIN DESCRIBED REAL PROPERTY FROM C-3, RMF-12, RMF-6, RMF-12 ST, RMF-6 ST, RSF-3 ST, A-2 ST TO "PUD" PLANNED UNIT DEVELOPMENT FOR PROPERTY LOCATED IN SECTION 16, TOWNSHIP 48 SOUTH, RANGE 25 EAST, ON THE SE CORNER AT WIGGINS PASS ROAD & VANDERBILT DRIVE, AND PROVIDING AN EFFECTIVE DATE:

WHEREAS, William R. Vines, 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:

SECTION ONE:

The Zoning Classification of the herein described real property located in Section 16, Township 48 S, Range 25 E, Collier County, Florida is changed from C-3, RMF-12, RMF-6, RMF-12 ST, RMF-6 ST, RSF-3 ST, A-2 ST to "PUD" Planned Unit Development in accordance with the PUD document attached hereto as Exhibit "A" which is incorporated herein and by reference made part hereof. The Official Zoning Atlas Map Number, Number 48-25-5, as described in Ordinance 82-2, is hereby amended accordingly.

SECRETARY OF STATE

JAN 6 2 56 PM '83

FILED

SECTION TWO:

WILLIAM J. REAGAN

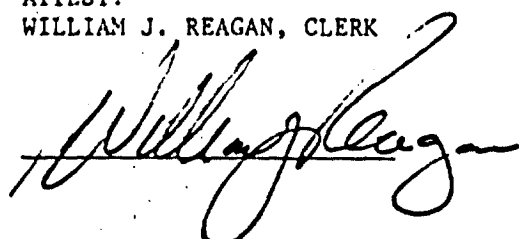
This Ordinance shall become effective upon receipt of notice that is has been filed with the Secretary of State.

DATE: December 28, 1982

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

ATTEST:
WILLIAM J. REAGAN, CLERK

BY: Mary Frances Kruse
MARY-FRANCES KRUSE, CHAIRMAN


PUD Ordinance

R-82-33C

STATE OF FLORIDA)

COUNTY OF COLLIER)

I, WILLIAM J. REAGAN, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true original of:

ORDINANCE NO. 82-121

which was adopted by the Board of County Commissioners during Regular Session on December 28, 1982.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 28th day of December, 1982.

WILLIAM J. REAGAN
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners

By: Blissie Maggi
Deputy Clerk

This ordinance filed with the Secretary of State's Office the 6th day of January, 1983 and acknowledgement of that filing received this 10th day of January, 1983.

By: Louise Chesonis
Deputy Clerk

WIGGINS SAY
PLANNED UNIT DEVELOPMENT DOCUMENT

DISTRICT ZONE: PUD

PERMITTED USES:

Multi-family dwellings; commercial uses on the tract designated for such use; recreational lands and facilities which may include walkways, pools, tennis courts, docks, a pier and/or a club which offers food, beverage, social, recreational and related services. Some or all of the recreational lands and/or facilities may be owned in common by project dwelling unit owners, or may be owned and operated as a commercial recreation service by the developer or his successor in title.

PERMITTED ACCESSORY USES AND STRUCTURES:

Accessory uses and structures which are customary in multi-family residential communities and in recreational land and water areas within such communities; administrative and sales offices, which offices may be located in temporary or permanent structures, and may be located within a residential or recreational structure; temporary sewage treatment and disposal facilities.

MAXIMUM GROSS PROJECT DENSITY:

4.67 units per gross acre buildable on site; total dwelling unit count not to exceed 693 units.

DEVELOPMENT STANDARDS:

LOWRISE MULTI-FAMILY SITES:

(Sites surrounding lake number two and the two story- 8 unit site at the east end of the spreader waterway)

Minimum building setback from street: 50 ft. from back of curb for multi-family structures; 30 ft. from back of curb for accessory structures (a carport or garage is an accessory structure, regardless of whether or not it is attached to a principal structure.)

Minimum setback from the pool site: 15 ft.

Minimum setback from top of lake or spreader waterway bank: 30 ft.

Minimum separation between adjoining buildings: $1/2$ the sum of the building heights, but not less than 15 ft.

Maximum building height: three living floors.

Minimum dwelling unit floor area: 750 sq. ft.

Minimum offstreet parking spaces: two spaces per dwelling unit, $1\frac{1}{2}$ of which shall be improved, $1/2$ of which may be improved or unimproved and landscaped. Planned, but unimproved spaces shall be improved at a future date should actual parking demands dictate that necessity.

HIGHRISE MULTI-FAMILY SITES: (Sites 1 through 11)

Minimum setback from back of street curb: $1/2$ the height of principal structures but not less than 50 ft.; accessory structures: 25 ft.

Minimum setback from a recreational site boundary: 25 ft.

Minimum setback from spreader waterway top of bank: 25 ft.

Minimum separation between adjoining buildings: $1/2$ the sum of the building heights.

Minimum setback from a property line adjacent a wetland preserve: 15 ft.

Maximum building height: 15 living floors.

Minimum dwelling unit floor area: 750 sq. ft.

COMMERCIAL SITE:

Development of the commercial site shall comply with the standards of the C-2 Commercial Convenience District as existing on the date of approval of this PUD document.

RECREATION FACILITIES:

Minimum separation between a club, recreation building, tennis court fencing, or other recreation structure taller than 5 ft. and the boundary of the tract on which the structure occurs: 15 ft.

Docks and other over water recreational structures may, subject to applicable state and federal permit requirements, extend out to but not beyond the dock limit line indicated on the Master Plan.

ENTRANCE DRIVE STRUCTURES:

Setbacks for ornamental entry features and for an entry gate-house structure: none.

MULTI-FAMILY DWELLING UNIT DISTRIBUTION:

Multi-family dwelling unit distribution shall occur generally as indicated on the approved Master Plan. Two or more adjoining multi-family sites may be joined to become a single development site. With the approval of the Director, side lot lines and the distribution of multi-family dwelling units indicated on the approved Master Plan may be modified, so long as the total multi-family dwelling unit count does not exceed 693.

MASTER PLAN:

The approved Master Plan shall also constitute the approved Subdivision Master Plan.

STREETS:

Streets within the project shall be privately owned and maintained. All streets within the project shall be classified as local.

ENTRANCE LIGHTING:

The developer shall provide street lighting at all street entry points to the project. Entrance lighting intensity shall accommodate safe vehicular movements and shall be acceptable to the County Engineering Department.

EXCEPTIONS TO COUNTY SUBDIVISION REGULATIONS:

Article X, Section 16: The requirement for locating internal sidewalks in street right of way shall be waived. Sidewalks shall be installed as indicated on the approved Master Plan within the recreational open space lands which abut each development site, and along the south side of Wiggins Pass Road.

Article X, Section 19: Street name signs shall be approved by the County Engineer, but need not meet the U.S.D.O.T.F.H. W.A. Manual of Uniform Traffic Control Devices. Street pavement painting, striping, and reflective edging requirements shall be waived except as required at the project entry drive intersection with Wiggins Pass Road.

Article XI, Section 10: The requirement to place permanent reference monuments and permanent control points in a typical water valve cover where such monuments occur within street pavement areas shall be waived.

Article XI, Section 17 F. & G.: Street right of way and cross section shall be as follows: (See page 9)

Article XI, Section 17 H.: The 1,000 ft. maximum dead end street requirement shall be waived.

Article XI, Section 17 I.: The requirement for curbs at internal street intersections shall be waived and concrete valley gutters shall be permitted as a substitute. Edge of pavement radii at internal street intersections shall be 30 ft.. Curbs, radii, and related design requirements at the intersection of the project

entrance drive with Wiggins Pass Road shall be as approved by the County Engineer.

Article XI, Section 17 K.: The requirement for 100 ft. tangent sections between reverse curves of streets shall be waived.

TRAFFIC IMPROVEMENTS:

The developer shall provide left and right turn storage lanes on Wiggins Pass Road and Vanderbilt Drive at all project access points, commercial or residential. The developer or his successor in title shall provide fair share contributions toward the capital cost of traffic signals at points of access to the project when deemed warranted by the County Engineer. Fair share contributions shall be in proportion to the amount of minor street traffic contributed to the intersection by the project at time of installation of the signal. The traffic signal shall be owned and operated and maintained by Collier County.

NATURAL VEGETATION PRESERVATION:

Selective preservation of hardwood hammock and related environmentally valuable wooded areas within the Wiggins Bay development area shall occur. The precise boundaries of the areas to be preserved shall be established with the advice and concurrence of the County Environmentalist, and incorporated on the Subdivision Construction Plans when such plans are submitted for County approval.

UTILITIES:

1. All construction plans and technical specifications for the proposed Utility Facilities must be reviewed and approved by the Utility Division prior to commencement of construction.

2. All on-site and off-site Utility Facilities constructed by the Developer in connection with the Development shall be constructed to County Standards at no cost to the County and all permanent improvements shall be deeded to the County Water-Sewer District, in accordance with applicable County Ordinances and Regulations.
3. All customers connecting to the sanitary sewer and water distribution facilities will be customers of the County Water-Sewer District and will be billed in accordance with a rate structure approved by the County. Review of the proposed rates and subsequent approval by the Board of County Commissioners must be completed prior to activation of the collection/ transmission system and wastewater treatment facility servicing the project. Rate reviews must be in full compliance with County Ordinance No. 76-71 as amended, revised or superseded.
4. All construction on the proposed sanitary sewer system shall utilize proper methods and materials to insure water tight conditions.
5. Appropriate Utility Easements dedicated to the County Water-Sewer District must be provided for the proposed Water and Sewer facilities to be constructed, when they do not lie within public rights-of-way or Utility Easements.
6. Data required under County Ordinance No. 80-112 must be submitted and approval granted prior to approval of the construction documents for the project. Submit a copy of the approved DER permit application for the sewage collection and transmission system and a copy of the approved DER permit application and construction permit for the wastewater treatment facility to be utilized.
7. Data pertaining to percolation rates for the proposed sewage disposal ponds shall be submitted with the construction plans to aid in evaluating the capacity of the site to handle the proposed waste water flow.

8. Potable Water- In the North Naples Area, adequate pressure is and will remain the limiting factor to providing adequate water service (including fire flows) to the area. The 4 MGD which will be available to the area from the City of Naples after the County's Regional Water Plant is completed in late 1983, should be sufficient to meet the projected demands of the North Naples area. However, additional storage and transmission facilities will be needed to meet the pressure requirements.

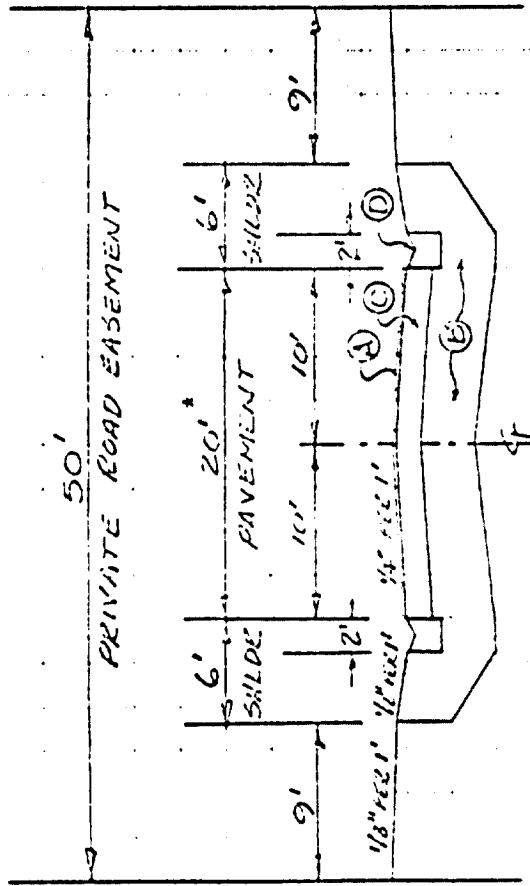
Based on the conditions stated above, the Utilities Manager recommends that approval of the subject petition be conditioned by the following stipulations:

- a. The petitioner and/or his assigns acknowledges that adequate water supply and pressure may not be available from the County's Regional Water System, to the project, when construction is ready to commence.
- b. If both adequate supply and pressure are not available at the time construction is to start, building permits will not be issued until the petitioner or his assigns presents plans, specifications, and cost estimates prepared by a Florida registered engineer to the Fire Control District and Utility Division for their approval. These documents must show that the petitioner is able and committed to provide on-site water supply or storage facilities adequate and capable of meeting the water demands of the proposed development. These on-site facilities must not adversely affect the operation and safety of the existing water supply and service area.
- c. If interim on-site facilities are required, the Developer is strongly encouraged to coordinate his planning efforts with the Utilities Division. A joint financial cooperation and effort on the part of the Developer and other Developers in similar circumstances, may permit the construction of

permanent facilities, in advance of the Districts schedule and financial abilities.

9. We require a written Agreement with the Developer of the Project, legally acceptable to the County Water-Sewer District, stating that:
 - a. The proposed on-site wastewater treatment facilities to be constructed as part of the proposed project must be regarded as interim; and must be operated and maintained by the Developer, his assigns or successors in compliance with all Local, State and Federal codes, until such time as connection can be made to the County's Central Sewer Facilities.
 - b. Connection to the County's Central Sewer facilities will be made by the owners, their assigns or successors at no cost to the County or to the County Water-Sewer District within 90 days after such facilities become available.
 - c. The design and construction of the on-site transmission facilities up to the project limits for the sanitary sewage shall be performed as part of the initial utilities construction. These facilities shall be designed to provide a means of transmitting sewage to the County's Central Sewage System from the proposed wastewater treatment facility site or other appropriate central collection point within the project.
 - d. All construction plans and technical specifications related to connections to the County's Central Sewer facilities will be submitted for review and approval prior to commencement of construction.
 - e. The owners, their assigns or successors shall agree to pay all system development charges at the time that Building Permits are required, pursuant to appropriate County Ordinances and Regulations in effect at the time of Permit request.

*Note: Pavement width of the main entry drive between the entry circle and the intersection adjacent lots 9 & 10 shall have 24' pavement.



- Ⓐ 1" TYPE II ASPHALTIC CONCRETE
- Ⓑ 12" STABILIZED SUBGRADE
- Ⓒ 6" LIME/ROCK EMBSE
- Ⓓ CONCRETE "Y" CURB/CH

TYPICAL ROAD SECTION

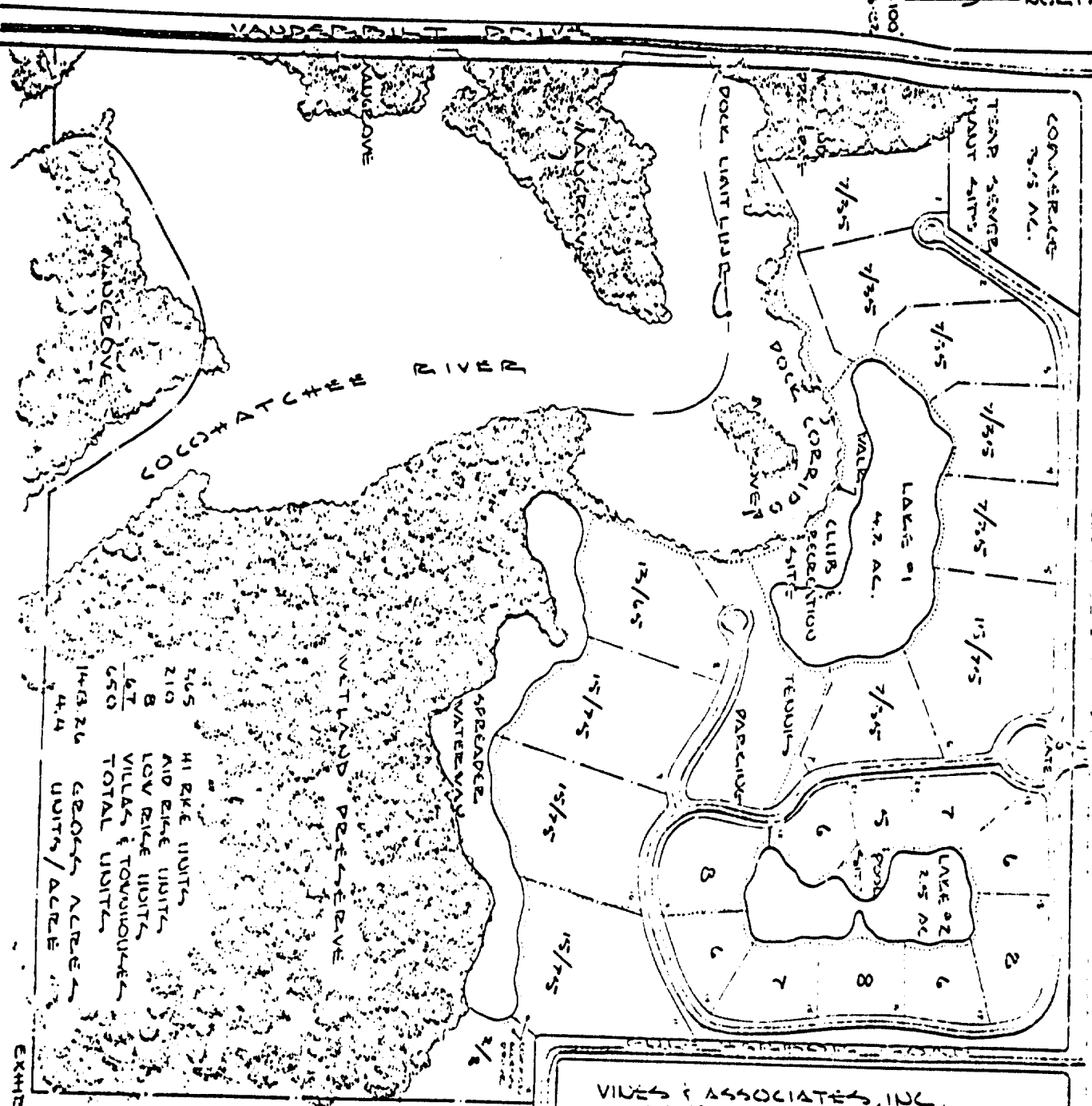
FOR

WIGGINS BAY P.U.D.

SCALE: HORIZ 1"=10'
 VERT 1"=4'

WILKINS BAY MARINE PLAN

1"=100'
1/2"=25'
NORTH



265	H1 RKE UNITS
210	AID RKE UNITS
8	LOW RKE UNITS
67	VILLAS & TOWNHOMES
650	TOTAL UNITS
143.26	GROSS ACRES
4.4	UNITS/ACRE

VINES & ASSOCIATES, INC.
LAND PLANNER
COASTAL ENGINEERING CONSULTANTS, INC.
ENGINEER
APPLIED ENVIRONMENTAL SERVICES
ENVIRONMENTAL CONSULTANT

EXHIBIT 1