

## EXHIBIT A LIST OF PERMITTED USES

Regulations for development of the Boat House CPUD shall be in accordance with the contents of this document and all applicable sections of the Growth Management Plan (GMP), the Land Development Code (LDC), and the Administrative Code in effect at the time of approval of the Site Development Plan (SDP) or Plat.

### **MAXIMUM INTENSITY:**

This CPUD shall be limited to a maximum of 32,500 square feet of gross floor area of permitted and conditional uses of the C-3, Commercial Intermediate, zoning district or 20,000 square feet of gross floor area of boat sales, boat/engine services and repairs. The uses are subject to a trip cap identified in Exhibit F of this CPUD. 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:

#### **A. PRINCIPAL USES**

1. Permitted and conditional uses of the Commercial Intermediate (C-3) District.
2. Boat dealers, subject to Item 5.A of Exhibit F (SIC 5551).
3. Boat and engine service and repairs, subject to Item 5.A of Exhibit F (SIC 3732 and 7699, limited to engine repairs only).
4. Any other principal use, which is comparable in nature with the foregoing list of permitted principal uses, as determined by the Board of Zoning Appeals (BZA) of the Hearing Examiner (HEX), as applicable, by the process outlined by the Land Development Code (LDC).

#### **B. ACCESSORY USES**

1. Customary accessory uses and structures that are incidental to the list of permitted principal uses.
2. Outdoor storage and display of new and used boats.

**EXHIBIT B**  
**LIST OF DEVELOPMENT STANDARDS**

The standards for land uses within the development shall be as stated in these development standards tables. Standards not specifically set forth herein shall be those specified in applicable sections of the LDC in effect as of the date of approval of the SDP or subdivision plat.

**TABLE I**  
**DEVELOPMENT STANDARDS**

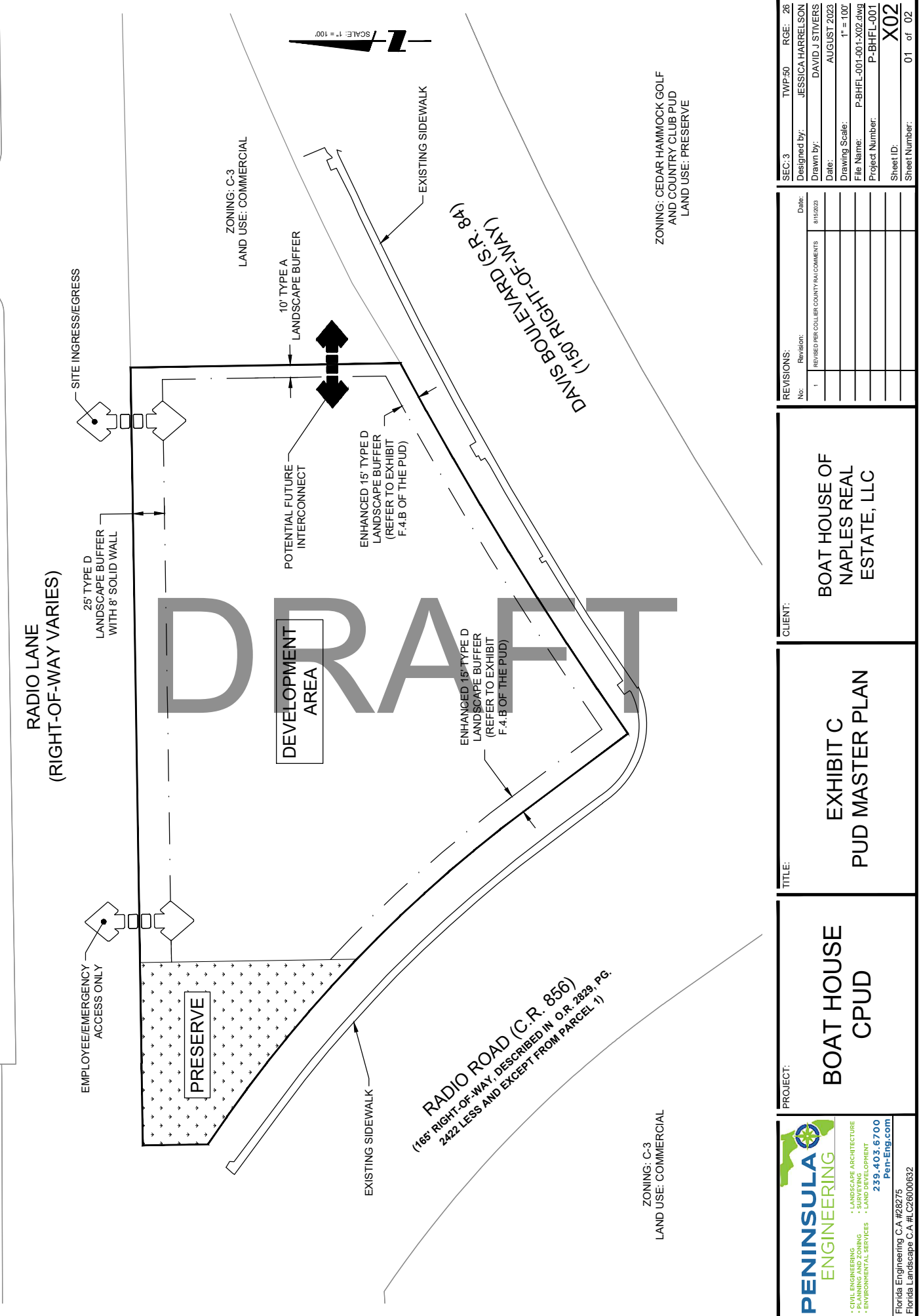
DEVELOPMENT STANDARDS	PRINCIPAL USES	ACCESSORY USES
<b>MINIMUM LOT AREA</b>	15,000 SF	N/A
<b>MINIMUM LOT WIDTH</b>	150 FEET	N/A
<b>MINIMUM SETBACKS (EXTERNAL)</b>		
FRONT YARD: (FROM SOUTHERN PUD BOUNDARY)	25 FEET	15 FEET
FRONT YARD: (FROM WESTERN PUD BOUNDARY)	25 FEET	SPS
FRONT YARD: (FROM NORTHERN PUD BOUNDARY)	25 FEET	SPS
SIDE YARD: (FROM EASTERN PUD BOUNDARY)	15 FEET	SPS
<b>MINIMUM SETBACKS (INTERNAL)</b>		
PRESERVE	25 FEET	10 FEET
<b>MAXIMUM BUILDING HEIGHT</b>		
ZONED	35 FEET	SPS
ACTUAL	35 FEET	SPS
<b>MINIMUM DISTANCE BETWEEN PRINCIPAL STRUCTURES</b>	½ the sum of the heights of the buildings, but not less than 15 FEET	10 FEET

SPS – Same as Principal Structure

Note: Nothing in this CPUD Document shall be deemed to approve a deviation from LDC unless it is expressly stated in the list of deviations.

EXHIBIT C  
PUD MASTER PLAN

DRAFT



SEC: 3 TWP: 50 RGE: 26  
 Designed by: JESSICA HARRELSON  
 Drawn by: DAVID J STIVERS  
 Date: AUGUST 2023  
 Drawing Scale: 1" = 100'  
 File Name: P-BHFL-001-001-X02.dwg  
 Project Number: P-BHFL-001  
 Sheet ID: X02  
 Sheet Number: 01 of 02

REVISIONS:  
 No. 1  
 Description: REVISED PER COLLIER COUNTY PAI COMMENTS  
 Date: 8/15/23

CLIENT:  
**BOAT HOUSE OF NAPLES REAL ESTATE, LLC**

TITLE:  
**EXHIBIT C PUD MASTER PLAN**

PROJECT:  
**BOAT HOUSE CPUD**

**PENINSULA ENGINEERING**  
 239.403.6700  
 pen-eng.com

Florida Engineering C.A. #28275  
 Florida Landscape C.A. #LC26000632

CIVIL ENGINEERING  
 LANDSCAPE ARCHITECTURE  
 PLANNING AND ZONING  
 ENVIRONMENTAL SERVICES  
 SURVEYING  
 LAND DEVELOPMENT

**PLANNING NOTES:**

CURRENT ZONING: C-3  
 PROPOSED ZONING: BOAT HOUSE CPUD  
 CURRENT LAND USE: UNDEVELOPED  
 FUTURE LAND USE: URBAN MIXED-USE DISTRICT, URBAN RESIDENTIAL SUBDISTRICT

**PRESERVE CALCULATION:**

PRESERVE REQUIRED	PROPOSED DEVELOPMENT
10% OF EXISTING NATIVE VEGETATION	3.50-ACRES OF EXISTING NATIVE VEGETATION ON-SITE X 0.10 = 0.35 ACRES
PRESERVE PROVIDED	0.36 ACRES

**MAXIMUM INTENSITY:**

35,000 SF OF GROSS FLOOR AREA OF PERMITTED AND CONDITIONAL USES OF THE C-3, COMMERCIAL INTERMEDIATE, ZONING DISTRICT

OR

20,000 SF OF GROSS FLOOR AREA OF BOAT SALES, BOAT/ENGINE SERVICES AND REPAIRS

**LAND USE SUMMARY:**

USE	ACRES	% OF SITE
DEVELOPABLE AREA	2.14	61.1
PRESERVE	0.36	10.3
OPEN SPACE	1.00	28.6
<b>TOTAL</b>	<b>3.50</b>	<b>100.0</b>

**OPEN SPACE:**

PER LDC SECTION 4.02.01.B.2., SITES LESS THEN FIVE ACRES ARE NOT REQUIRED TO MEET OPEN SPACE REQUIREMENTS.



CIVIL ENGINEERING  
 PLANNING AND ZONING  
 ENVIRONMENTAL SERVICES  
 LANDSCAPE ARCHITECTURE  
 SURVEYING  
 LAND DEVELOPMENT

PROJECT: **BOAT HOUSE CPUD**

TITLE: **EXHIBIT C PUD MASTER PLAN**

CLIENT: **BOAT HOUSE OF NAPLES REAL ESTATE, LLC**

REVISIONS:

No.	Revison:	Date:
1	REVISED PER COLLIER COUNTY PAI COMMENTS	08/19/23

SEC: 3 TWP: 50 RGE: 26  
 Designed by: JESSICA HARRELSON  
 Drawn by: DAVID J STIVERS  
 Date: AUGUST 2023  
 Drawing Scale: 1" = 100'  
 File Name: P-BHFL-001-001-X02A.dwg  
 Project Number: P-BHFL-001  
 Sheet ID: X02  
 Sheet Number: 02 of 02

**EXHIBIT D  
LEGAL DESCRIPTION**

Parcel 1:

That part of the east half of the Northwest quarter of Section 3, Township 50 South, Range 26 East, lying North of State Road 84 (formerly known as State Road S-856), also known as Davie Boulevard Extension, and South of State Road S-858,

More particularly described as:

Commencing at the North 1/4 corner of Section 3, Township 50 South, Range 26 East, Collier County, Florida; thence along the North-South 1/4 line of said Section 3, South 00 degrees 54'52" West 50.00 feet; thence along a line which is 50 feet South of and parallel to the North line of said Section 3, South 89 degrees 54'20" West 462.78 feet for a Place of Beginning;

Thence continuing South 89 degrees 54'20" West, 858.64 feet; thence South 00 degrees 31'13" West, 589.82 feet to the Northwesterly right-of-way line of State Road S-856 (Davis Boulevard Extension); thence along said right-of-way line, 1010.08 feet along the arc of a circular curve concave to the Southeast, radius of 2939.79 feet, delta of 19 degrees 41'10", chord bearing North 59 degrees 17'07" East, 1005.12 feet; thence North 00 degrees 05'40" West, 77.83 feet to the Place of Beginning.

LESS

Commencing at the North 1/4 corner of Section 3, Township 50 South, Range 26 East, Collier County, Florida; thence along the North-South 1/4 line of said Section 3, South 00 degrees 54'52" West, 50.00 feet; thence along a line which is 50 feet South of and parallel to the North line of said Section 3, South 89 degrees 54'20" West, 462.78 feet for a Place of Beginning;

Thence continuing South 89 degrees 54'20" West, 305.65 feet; thence South 00 degrees 05'40" East, 214.17 feet to the Northwesterly right-of-way line of State Road S-856 (Davis Boulevard Extension); thence along said right-of-way line, 334.86 feet along the arc of a circular curve concave to the Southeast, radius of 2939.79 feet, delta of 06 degrees 31'35", chord bearing North 65 degrees 51'55" East, 334.68 feet; thence North 00 degrees 05'40" West, 77.83 feet to the Place of Beginning.

Bearings are based on the North line of the Northwest 1/4 of said Section 3 as being South 89 degrees 54'20" West.

LESS AND EXCEPT the lands described in that Stipulated Final Judgment dated May 17, 2001, recorded on May 23, 2001, in Official Records Book 2829, Page 2422, of the Public Records of Collier County, Florida.

ALSO LESS AND EXCEPT all the lands lying Northeasterly of the lands described in that Stipulated Final Judgment dated May 17, 2001, recorded on May 23, 2001, in Official Records Book 2829, Page 2422, of the Public Records of Collier County, Florida.

And

Parcel 2:

Being a portion of the NW 1/4 of the NW 1/4 of Section 3, Township 50 South, Range 26 East, Collier County, Florida; and being more particularly described as follows:

Commence at the Northwest corner of said Section 3; run thence North 89 degrees 54'20" East, along the Northerly line of said Section 3, for 821.76 feet; thence South 00 degrees 31'13" West, 50.00 feet to the Point of Beginning, also being in the Southerly right-of-way line of State Route S-858; thence North 89 degrees 54'20" East, along said Southerly right-of-way, line 500.00 feet; thence South 00 degrees 31'13" West, 589.82 feet to the Northerly right-of-way line of State Route S-856; said Northerly right-of-way line being a curve to the Southwest, having a radius of 2939.79 feet, and whose chord bears South 42 degrees 06'38" West, for 753.20 feet; thence along the arc of said curve 755.27 feet; thence North 00 degrees 31'13" East, 1147.78 feet to the Point of Beginning;

LESS AND EXCEPT the lands described in that Warranty Deed, dated June 14, 1999, recorded on June 16, 1999, in Official Records Book 2559, Page 1817, of the Public Records of Collier County, Florida;

AND ALSO LESS AND EXCEPT all the lands lying Southwesterly of the lands described in that Warranty Deed, dated June 14, 1999, recorded on June 16, 1999, in Official Records Book 2559, Page 1817, of the Public Records of Collier County, Florida.

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EXHIBIT E  
LIST OF DEVIATIONS

There are no deviations.

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## EXHIBIT F LIST OF DEVELOPMENT COMMITMENTS

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

### 1. GENERAL

- A. One entity (hereinafter the Managing Entity) shall be responsible for PUD monitoring until close-out of the PUD, and this entity shall also be responsible for satisfying all PUD commitments until close-out of the PUD. At the time of this PUD approval, the Managing Entity is the Boat House of Naples Real Estate, LLC 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 that needs to be approved for legal sufficiency by the County Attorney. After such approval, the Managing Entity will be released of their/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 an acknowledgement of the commitments required by the PUD by the new owner and the new owner's agreement to comply with the Commitments through the Managing Entity, but the Managing Entity shall not be relieved of its responsibility under this Section. When the PUD is closed-out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of PUD commitments.
- 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." (Section 125.022, FS)
- C. All other applicable state or federal permits must be obtained before commencement of the development.
- D. Site lighting shall be Dark Skies compliant to protect neighboring residential properties from direct glare and light pollution.

### 2. TRANSPORTATION

- A. The maximum total daily trip generation for the PUD shall not exceed 134 two-way PM peak hour net 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.

3. ENVIRONMENTAL

- A. The preservation requirement shall be 10% of the existing native vegetation on-site.

3.5-acres of existing native vegetation x 10% = 0.35-acre preserve required

4. LANDSCAPING

- A. A 25' Type 'D' landscape buffer shall be provided along the northern PUD boundary and shall include a solid wall 8 feet in height in addition to code required plantings.
- B. In areas where boats are displayed along Radio Road and Davis Boulevard, the 15' Type 'D' landscape buffers shall be enhanced with ornamental grasses, in addition to code required plantings.

5. BOAT SALES AND REPAIRS

- A. Hours of operation for boat sales, boat/engine service and repairs shall be limited to 8:00am – 5:00pm, Monday through Friday and 9:00am-3:00pm on Saturdays.
- B. The repair and maintenance of all boats will occur within an enclosed building.
- C. Outdoor storage and display areas may contain single-level boat racks/ boat cradles. There shall be no outdoor multi-level boat racks.

6. UTILITIES

- A. At the time of application for subdivision Plans and Plat (PPL) and/or Site Development Plan (SDP) approval, as the case may be, offsite improvements and/or upgrades to the wastewater collection/transmission system may be required to adequately handle the total estimated peak hour flow from the project. Whether or not such improvements are necessary, and if so, the exact nature of such improvements and/or upgrades shall be determined during PPL or SDP review. Such improvement and/or upgrades as may be necessary shall be permitted and installed at the developer's expense and may be required to be in place prior to issuance of a certificate of occupancy for any portion or phase of the development that triggers the need for such improvements and/or upgrades.
- B. At the time of application for subdivision Plans and Plat (PPL) and/or Site Development Plan (SDP) approval, as the case may be, offsite improvements and/or upgrades to the water distribution/transmission system may be required to adequately handle the total estimated peak hour flow to the project. Whether or not such improvements are necessary, and if so, the exact nature of such improvements and/or upgrades shall be determined during PPL or SDP review. Such improvement and/or upgrades as may be necessary shall be permitted and installed at the developer's expense and may be required to be in place prior to issuance of a certificate of occupancy for any portion or phase of the development that triggers the need for such improvements and/or upgrades.