

EXHIBIT A
TAMIAMI TRAIL GREENWAY ROAD MPUD

LIST OF PERMITTED USES

Regulations for the development of the MPUD shall be in accordance with the content 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. Where the MPUD Ordinance does not provide development standards, then the provision of the specific sections of the LDC that are otherwise applicable shall apply.

TRACT R (RESIDENTIAL)

I. Principal Uses

- A. Multi-family dwelling units, not to exceed 300 total dwelling units (12.29 dwelling units per gross acre).

II. Accessory Uses

- A. Accessory uses and structures customarily associate with the permitted principal uses and structures permitted by right in this MPUD, including, but not limited to:
- B. Recreational uses and facilities that serve the residents (and their guests) of Tract R, such as swimming pools, fitness centers, dining facilities, sports courts, and clubhouse/recreation buildings.
- C. Customary accessory uses and structures to multi-family units, including parking structures, gazebos, fountains, trellises, signage, entry gates and gatehouses, administrative offices, and similar structures.
- D. Temporary sales facilities may be permitted.

TRACT C (COMMERCIAL): A maximum of 64,000 square feet of gross floor area (GFA) is allowed.

I. Principal Uses

- A. The following uses are permitted.
 - 1. Accounting (SIC 8721).
 - 2. Adjustment and collection services (SIC 7322).
 - 3. Advertising agencies (SIC 7311).

4. Amusement and recreation services, indoor (SIC 7999 martial arts, yoga and gymnastics instruction, gymnastic schools, and recreation involving physical fitness exercise only).
5. Animal specialty services, except veterinary (SIC 0752, excluding outside kenneling).
6. Apparel and accessory stores (SIC 5611—5699).
7. Architectural services (SIC 8712).
8. Auditing (SIC 8721).
9. Auto and home supply stores (SIC 5531).
10. Automobile Parking, automobile parking garages and parking structures (SIC 7521 — shall not be construed to permit the activity of “tow-in parking lots”).
11. Automotive services (SIC 7549) except that this shall not be construed to permit the activity of "wrecker service (towing) automobiles, road and towing service."
12. Banks, credit unions and trusts (SIC 6011—6099).
13. Barber shops (SIC 7241, except for barber schools).
14. Beauty shops (SIC 7231, except for beauty schools).
15. Bookkeeping services (SIC 8721).
16. Business associations (SIC 8611).
17. Business consulting services (SIC 8748).
18. Business credit institutions (SIC 6153—6159).
19. Business services — miscellaneous (SIC 7389, except auctioneering service, automobile recovery, automobile repossession, batik work, bottle exchanges, bronzing, cloth cutting, contractors' disbursement, cosmetic kits, cotton inspection, cotton sampler, directories-telephone, drive-away automobile, exhibits-building, filling pressure containers, field warehousing, fire extinguisher, floats-decoration, folding and refolding, gas systems, bottle labeling, liquidation services, metal slitting and shearing, packaging and labeling, patrol of electric transmission or gas lines, pipeline or powerline inspection, press clipping service, recording studios, repossession service, rug binding, salvaging of damaged merchandise, scrap steel cutting and slitting, shrinking textiles, solvent recovery, sponging textiles, swimming pool cleaning, tape slitting, texture designers, textile folding, tobacco sheeting, window trimming, and yacht brokers).
20. Child day care services (SIC 8351).
21. Churches.
22. Civic, social and fraternal associations (SIC 8641).
23. Commercial art and graphic design (SIC 7336).
24. Commercial photography (SIC 7335).
25. Computer and computer software stores (SIC 5734).
26. Computer programming, data processing and other services (SIC 7371—7379).
27. Credit reporting services (SIC 7323).
28. Direct mail advertising services (SIC 7331).

29. Drycleaning plants (SIC 7216, nonindustrial drycleaning only).
30. Drug stores (SIC 5912).
31. Eating places (SIC 5812 only). All establishments engaged in the retail sale of alcoholic beverages for on-premise consumption are subject to locational requirements of LDC Section 5.05.01.
32. Educational plants and public schools subject to LDC Section 5.05.14.
33. Engineering services (SIC 8711).
34. Essential services, subject to LDC Section 2.01.03.
35. Federal and federally-sponsored credit agencies (SIC 6111).
36. Food stores (groups SIC 5411—5499).
37. Funeral services (SIC 7261, except crematories).
38. Garment pressing, and agents for laundries and drycleaners (SIC 7212).
39. General merchandise stores (SIC 5331—5399).
40. Glass stores (SIC 5231).
41. Hardware stores (SIC 5251).
42. Health services, offices and clinics (SIC 8011—8049).
43. Home furniture and furnishings stores (SIC 5712—5719).
44. Home health care services (SIC 8082).
45. Household appliance stores (SIC 5722).
46. Insurance carriers, agents and brokers (SIC 6311—6399, SIC 6411).
47. Labor unions (SIC 8631).
48. Landscape architects, consulting and planning (SIC 0781).
49. Laundries and drycleaning, coin operated — self service (SIC 7215).
50. Laundries, family and commercial (SIC 7211).
51. Legal services (SIC 8111).
52. Libraries (SIC 8231).
53. Loan brokers (SIC 6163).
54. Management services (SIC 8741 and SIC 8742).
55. Membership organizations, miscellaneous (SIC 8699).
56. Mortgage bankers and loan correspondents (SIC 6162).
57. Museums and art galleries (SIC 8412).
58. Musical instrument stores (SIC 5736).
59. Paint stores (SIC 5231).
60. Personal credit institutions (SIC 6141).
61. Personal services, miscellaneous (SIC 7299 - babysitting bureaus, clothing rental, costume rental, dating service, debt counseling, depilatory salons, diet workshops, dress suit rental, electrolysis, genealogical investigation service, and hair removal only).
62. Personnel supply services (SIC 7361 and SIC 7363).
63. Photocopying and duplicating services (SIC 7334).
64. Photofinishing laboratories (SIC 7384).
65. Photographic studios, portrait (SIC 7221).
66. Physical fitness facilities (SIC 7991; SIC 7911, except discotheques).
67. Political organizations (SIC 8651).
68. Professional membership organizations (SIC 8621).

69. Public administration (SIC groups 9111—9199, SIC 9229, SIC 9311, SIC 9411—9451, SIC 9511—9532, SIC 9611—9661).
70. Public relations services (SIC 8743).
71. Radio, television and consumer electronics stores (SIC 5731).
72. Radio, television and publishers advertising representatives (SIC 7313).
73. Real Estate (SIC 6531—6552).
74. Record and prerecorded tape stores (SIC 5735).
75. Religious organizations (SIC 8661).
76. Repair services - miscellaneous (SIC 7629—7631, SIC 7699 - bicycle repair, binocular repair, camera repair, key duplicating, lawnmower repair, leather goods repair, locksmith shop, picture framing, and pocketbook repair only).
77. Retail nurseries, lawn and garden supply stores (SIC 5261).
78. Retail services - miscellaneous (SIC 5921—5963 except pawnshops and building materials, 5992-5999 except auction rooms, awning shops, gravestones, hot tubs, monuments, swimming pools, tombstones and whirlpool baths).
79. Secretarial and court reporting services (SIC 7338).
80. Security and commodity brokers, dealer, exchanges and services (SIC 6211—6289).
81. Shoe repair shops and shoeshine parlors (SIC 7251).
82. Social services, individual and family (SIC 8322 activity centers, elderly or handicapped only; day care centers, adult and handicapped only).
83. Surveying services (SIC 8713).
84. Tax return preparation services (SIC 7291).
85. Travel agencies (SIC 4724, no other transportation services).
86. United State Postal Service (SIC 4311, except major distribution center).
87. Veterinary services (SIC 0742, excluding outdoor kenneling).
88. Videotape rental (SIC 7841).
89. Wallpaper stores (SIC 5231).
90. Any other commercial use which is comparable in nature with the list of permitted uses, as determined by the Hearing Examiner or Board of Zoning Appeals (BZA), pursuant to the process outlined in the LDC.

II. Accessory Uses

- A. Uses and structures that are accessory and incidental to the permitted uses above.
- B. Stormwater management treatment, conveyance facilities, and structures, such as berms, swales, and outfall structures.
- C. Outside storage or display of merchandise when specifically permitted for a use, otherwise prohibited, subject to LDC Section 4.02.12.

EXHIBIT B
TAMIAMI TRAIL GREENWAY ROAD MPUD

LIST OF DEVELOPMENT STANDARDS

The table below sets forth the development standards for the uses within the Tamiami Trail Greenway Road MPUD. 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

	TRACT R MULTI-FAMILY	TRACT R CLUBHOUSE/ RECREATION BUILDINGS	TRACT C COMMERCIAL
PRINCIPAL STRUCTURES			
MIN. LOT AREA	N/A	N/A	10,000 S.F.
MIN. LOT WIDTH	N/A	N/A	100 Ft.
MIN. FLOOR AREA	700 S.F./D.U.	N/A	N/A
MINIMUM YARDS (MEASURED FROM THE TRACT BOUNDARY)¹			
NORTH (SIDE YARD)	25'	25'	N/A
NORTH (REAR YARD)	N/A	N/A	10'
SOUTH (SIDE YARD)	20'	20'	N/A
SOUTH, ADJ TO TAMIAMI TRAIL E (FRONT YARD)	N/A	N/A	20'
EAST, ADJ TO AG ZONED PARCEL (SIDE YARD)	20'	20'	N/A
EAST, ADJ TO GREENWAY ROAD (FRONT YARD)	30'	30'	N/A
EAST, ADJ TO C-3 ZONED PARCEL (SIDE YARD)	N/A	N/A	10'
WEST, ADJ TO MH ZONED PARCEL (REAR YARD)	20'	20'	N/A
WEST, ADJ TO AG ZONED PARCEL (SIDE YARD)	N/A	N/A	10'
MIN. LAKE SETBACK	0' from LME	0' from LME	0' from LME
MIN. DISTANCE BETWEEN STRUCTURES²	50% of the sum of the Zoned Heights of the buildings, but not less than 15'	50% of the sum of the Zoned Heights of the buildings, but not less than 15'	50% of the sum of the Zoned Heights of the buildings, but not less than 15'
MAX. HEIGHT ZONED	45' NTE 3 STORIES	35' NTE 2 STORIES	35' NTE 2 STORIES
MAX. HEIGHT ACTUAL	52'	42'	42'
ACCESSORY STRUCTURES (MEASURED FROM THE TRACT BOUNDARY)¹			
NORTH (SIDE YARD)	SPS	SPS	N/A
NORTH (REAR YARD)	N/A	N/A	SPS

SOUTH (SIDE YARD)	10'	10'	N/A
SOUTH, ADJ TO TAMiami TRAIL E (FRONT YARD)	N/A	N/A	SPS
EAST, ADJ TO AG ZONED PARCEL (SIDE YARD)	SPS	SPS	N/A
EAST, ADJ TO GREENWAY ROAD (FRONT YARD)	SPS	SPS	N/A
EAST, ADJ TO C-3 ZONED PARCEL (SIDE YARD)	N/A	N/A	SPS
WEST, ADJ TO MH ZONED PARCEL (REAR YARD)	SPS	SPS	N/A
WEST, ADJ TO AG ZONED PARCEL (SIDE YARD)	N/A	N/A	SPS
MIN. LAKE SETBACK	0' from LME	0' from LME	0' from LME
MIN. DISTANCE BETWEEN STRUCTURES	SPS	SPS	SPS
MAX. HEIGHT ZONED	25'	25'	25'
MAX. HEIGHT ACTUAL	32'	32'	32'

N/A = not applicable; SPS = same as principal structures; NTE = not to exceed; S.F = square feet; BH = building height; LME = lake maintenance easement; ADJ = adjacent.

Notes

1. Residential Buildings must be designed to provide a minimum 23' setback from the building to the edge of an adjacent sidewalk, unless vehicle parking areas are designed such that parked vehicles will not encroach over the adjacent sidewalk.
2. The "Zoned Height shall be determined as defined in the LDC, which is the vertical distance from the required minimum floor elevations of the first finished floor to the highest point of the roof surface of a flat or Bermuda roof, to the deck line of a mansard roof and to the mean height level between eaves and ridge of gable, hip, and gambrel roofs. Where minimum floor elevations have been established by law or permit requirements, the building height shall be measured from such required minimum floor elevations.
3. No standards noted in the table above constitute an approved deviation from the separation or setback requirements listed in the Utility Standards Manual (USM).

TABLE II: PERIMETER LANDSCAPE BUFFERS

Direction	Buffer Type
North	15' Type B
South, adjacent to A zoned property	10' Type A
South, adjacent to Tamiami Trail East	20' Type D
South, adjacent to C-3 zoned property	15' Type B
East, adjacent to Greenway Road	20' Type D
East, adjacent to C-3 zoned property	10' Type A
West, adjacent to MH zoned property	15' Type B
West, adjacent to A zoned property	10' Type A

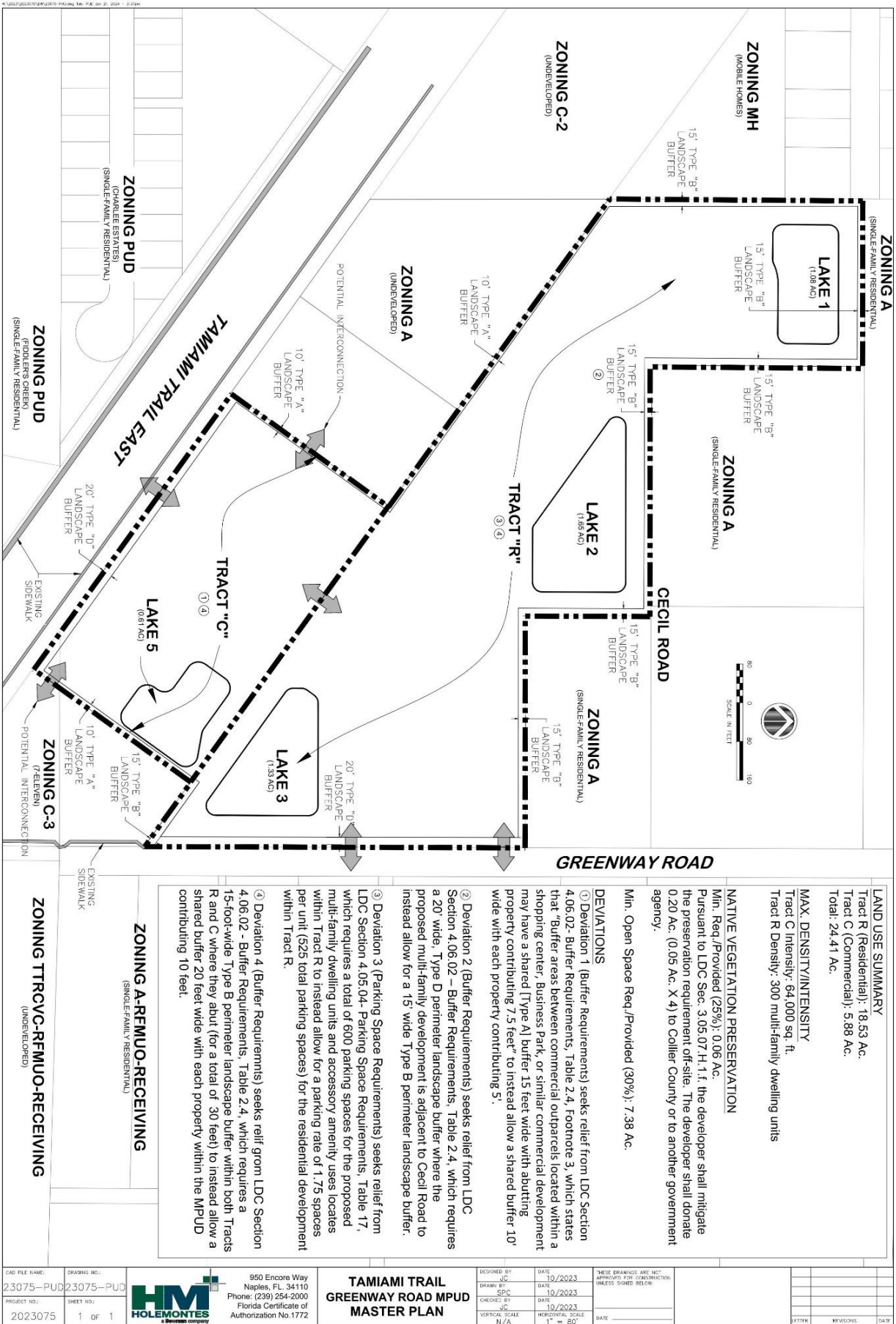


EXHIBIT D
TAMIAMI TRAIL GREENWAY ROAD MPUD

LEGAL DESCRIPTION

PARCEL 1 (ID NO. 00740080005) & PARCEL 2 (ID NO. 00741080101):

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 51 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SAID SECTION 12, N0°11'20"E, 745.35 FEET; THENCE N89°56'55"W, 508.47 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N89°56'55"W, 317.20 FEET; THENCE N54°18'59"W, 254.14 FEET; THENCE N0°25'53"E, 330.61 FEET; THENCE S89°56'55"E, 515.39 FEET; THENCE S0°11'20"W, 473.41 FEET TO THE POINT OF BEGINNING, AND BEING A PART OF THE SOUTHEAST 1/4 OF SAID SECTION 12, AND; THE SOUTH 216.00 FEET OF THE FOLLOWING PARCEL:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 51 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SAID SECTION 12, N0°11'20"E, 745.35 FEET FOR A PLACE OF BEGINNING; THENCE N89°56'55"W, 508.47 FEET; THENCE N0°11'20"E, 473.41 FEET; THENCE S89°56'55"E, 508.47 FEET TO THE EAST LINE OF SAID SECTION 12; THENCE ALONG SAID EAST LINE S0°11'20"W, 473.41 FEET TO THE PLACE OF BEGINNING, AND BEING PART OF THE SOUTHEAST 1/4 OF SECTION 12. LESS AND EXCEPT THEREFROM THE EAST 30 FEET OF SAID PARCEL.

PARCEL 3 (ID NO. 00738920009):

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 51 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SAID SECTION 12, N0°11'20"E, 154.53 FEET FOR A PLACE OF BEGINNING; THENCE N54°18'59"W, 1014.13 FEET; THENCE S89°56'55"E, 825.67 FEET TO THE EAST LINE OF SAID SECTION 12; THENCE ALONG SAID EAST LINE S0°11'20"W, 590.82 FEET TO THE PLACE OF BEGINNING, BEING IN THE SOUTHEAST QUARTER OF SECTION 12.

PARCEL 4 (ID NO. 00738960001):

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 51 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA; THENCE ALONG THE EAST LINE OF SAID SECTION 12, N0°11'20"E, 154.53 FEET; THENCE N54°18'59"W, 1259.27 FEET TO A PLACE OF BEGINNING:

THENCE CONTINUING N54°18'59"W, 423.66 FEET TO THE WEST LINE OF THE EAST 1/4 OF THE EAST 1/4 OF SAID SECTION 12; THENCE ALONG SAID WEST LINE N0°25'53"E, 522.53 FEET; THENCE S89°56'55"E, 345.98 FEET; THENCE S0°25'53"W, 769.35 FEET TO THE PLACE OF BEGINNING.

PARCEL 7 (ID NO. 00739160004):

LOTS 1, 2, 3, 4, 5, 6, & 7 OF AN UNRECORDED PLAT, BEING MORE SPECIFICALLY DESCRIBED AS: BEGINNING AT THE SOUTH EAST CORNER OF SECTION 12, TOWNSHIP 51 SOUTH, RANGE 26 EAST, SOUTH 00°00'00" RUN 335.26 FEET TO A POINT, THENCE NORTH 54°36'00" WEST 484.26 FEET TO A POINT ON NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 41 AND BEING POINT OF BEGINNING. THENCE NORTH 54°36'00" WEST 900.00 FEET ALONG THE NORTH RIGHT-WAY-LINE OF U.S. HIGHWAY NO. 41 TO A POINT; THENCE NORTH 35°24'00" EAST 400 FEET TO A POINT; THENCE SOUTH 54°36'00" EAST 900 FEET TO A POINT, THENCE SOUTH 35°24'00" WEST 400 FEET TO A POINT OF BEGINNING, BEING 8.26 ACRES, MORE OR LESS, IN SECTION 12, AND A FRACTIONAL PART IN SECTION 13, TOWNSHIP 51 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA LESS BEGINNING AT SOUTHEAST CORNER OF SECTION 12 RUN SOUTH 0°00'00" 335.26 FEET TO A POINT ON NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 41; THENCE NORTH 54°36'00" WEST 1184.26 FEET TO A SET CONCRETE MARKER ON NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 41 BEING THE POINT OF BEGINNING, THENCE NORTH 35°24'00" EAST 400 FEET TO A SET CONCRETE MARKER, THENCE NORTH 54°36'00" WEST 200 FEET TO A SET CONCRETE MARKER, THENCE SOUTH 35°24'00" WEST 400 FEET TO A SET CONCRETE MARKER ON NORTH RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 41, THENCE SOUTH 54°36'00" EAST 200 FEET TO POINT OF BEGINNING, BEING 1.83 ACRES, MORE OR LESS, IN SECTION 12, TOWNSHIP 51 SOUTH, RANGE 26 EAST, COLLIER COUNTY, FLORIDA.

EXHIBIT E
TAMIAMI TRAIL GREENWAY ROAD MPUD

LIST OF DEVIATIONS

1. **Deviation 1** (Buffer Requirements) seeks relief from LDC Section 4.06.02- Buffer Requirements, Table 2.4, Footnote 3, which states that “Buffer areas between commercial outparcels located within a shopping center, Business Park, or similar commercial development may have a shared [Type A] buffer 15 feet wide with abutting property contributing 7.5 feet” to instead allow a shared buffer 10 feet wide with each property within the MPUD contributing 5 feet.
2. **Deviation 2** (Buffer Requirements) seeks relief from LDC Section 4.06.02 – Buffer Requirements, Table 2.4, which requires a 20-foot wide, Type D perimeter landscape buffer where the proposed multi-family development is adjacent to Cecil Road to instead allow for a 15-foot-wide Type B perimeter landscape buffer.
3. **Deviation 3** (Parking Space Requirements) seeks relief from LDC Section 4.05.04 – Parking Space Requirements, Table 17, which requires a total of 600 parking spaces for the proposed multi-family dwelling units and accessory amenity uses located within Tract R to instead allow for a parking rate of 1.6 spaces per 1-bedroom unit and 1.8 spaces per 2-to-3-bedroom units for the residential development within Tract R.
4. **Deviation 4** (Buffer Requirements) seeks relief from LDC Section 4.06.02 – Buffer Requirements, Table 2.4, which requires a 15-foot-wide Type B perimeter landscape buffer within both Tracts R and C where they abut (for a total of 30 feet) to instead allow a shared buffer 20 feet wide with each property within the MPUD contributing 10 feet.

EXHIBIT F
TAMIAMI TRAIL GREENWAY ROAD MPUD
LIST OF DEVELOPER COMMITMENTS

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

1. PUD MONITORING

- a. One entity (hereinafter the Managing Entity) shall be responsible for MPUD monitoring until close-out of the MPUD, and this entity shall also be responsible for satisfying all MPUD commitments until close-out of the MPUD. At the time of this MPUD approval, the Managing Entity is Investment Properties Corporation of Naples. 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 the County that includes an acknowledgment of the commitment required by the MPUD 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 MPUD is closed out, then the Managing Entity is no longer responsible for the monitoring and fulfillment of MPUD 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 obligation 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.

2. TRANSPORTATION

- a. The maximum total daily trip generation for the MPUD shall not exceed 492 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.
- b. Vehicular and pedestrian interconnection will be provided to the west of Tract C to allow access to all connection points with the adjacent property, consistent with the

conceptual MPUD Master Plan, Exhibit C. The final location of the access point will be coordinated with the adjacent property owner and a cross-access easement, or an access easement to the public for public use without responsibility of maintenance by Collier County, will be provided at time of the first Site Development Plan or Plat. The connection and supporting infrastructure will be constructed to the property line by the developer or successors or assigns prior to the first Certificate of Occupancy. The interconnections shall remain open to the public.

- c. Vehicular and pedestrian interconnection will be provided to the east of Tract C to allow access to all connection points with the adjacent property, consistent with the conceptual MPUD Master Plan, Exhibit C. The final location of the access point will be coordinated with the adjacent property owner and a cross-access easement, or an access easement to the public for public use without responsibility of maintenance by Collier County, will be provided at time of the first Site Development Plan or Plat. The connection and supporting infrastructure will be constructed to the property line by the developer or successors or assigns prior to the first Certificate of Occupancy. The interconnections shall remain open to the public.
- d. The developer shall pay a proportionate fair share for the improvements to the US 41 and Greenway Road intersection. The proportionate fair share of the project's impacts to the intersection shall be determined at the time of construction plan approval based upon the project's trips as percentage of capacity improvements for the turning/through movements utilized by this site. Payment shall be made to Collier County within 90 days of the County's request.

3. ENVIRONMENTAL:

- a. The minimum required native preservation is ± 0.06 Ac. (25% of 0.22 Ac.). Pursuant to LDC Sec. 3.05.07.H.1.f., the developer will mitigate the preservation requirement off-site or via payment-in-lieu. If mitigated off-site, the developer shall donate ± 0.24 Ac. (± 0.06 Ac x 4) to Collier County or to another government agency.
- b. A listed species management plan shall be provided for the project at the time of Site Development Plan (SDP) approval. The management plan shall address how listed species shall be protected. The management plan shall also address black bear (*Ursus Americanus Floridanus*) management.

4. AFFORDABLE HOUSING

- a. Affordable units. Of the dwelling units constructed within each phase, the following requirements shall apply:
 - i. Fifteen percent (15%) of the total units will be rented to households whose incomes do not exceed eighty percent (80%) of the Area Median Income

(AMI) for Collier County with corresponding rent limits as determined annually by the Florida Housing Finance Corporation or as otherwise provided by Collier County.

- ii. Fifteen percent (15%) of the total units will be rented to households whose incomes not exceed one hundred percent (100%) of the AMI for Collier County with corresponding rent limits as determined annually by the Florida Housing Finance Corporation or as provided by Collier County.
- iii. The Affordable Units will be subject to the provisions of under this Section 4 for a period of thirty years (30) from the date of certificate of occupancy of the first Affordable Unit of each phase.
- iv. At each SDP or plat, no less than 30% of the total dwelling units will be identified as Affordable Units and shown on the SDP or plat with the required AMI percentage ranges.
- v. By way of example, the 2024 Florida Housing Finance Corporation Income and Rent Limits are:

2024 Collier County Income & Rent Limits for Affordable Housing

2024 Collier County Median Household Income \$104,300			Income Limit by Number of People in Unit			Rent Limit by Number of Bedrooms in Unit*		
	Percentage Area Median Income	Category Name	1	2	4	1	2	3
	30%	Extremely Low	\$ 21,930	\$ 25,050	\$ 31,290	\$ 587	\$ 704	\$ 813
	50%	Very Low	\$ 36,550	\$ 41,750	\$ 52,150	\$ 978	\$ 1,173	\$ 1,356
	60%	n/a	\$ 43,860	\$ 50,100	\$ 62,580	\$ 1,174	\$ 1,408	\$ 1,627
	80%	Low	\$ 58,480	\$ 66,800	\$ 83,440	\$ 1,566	\$ 1,878	\$ 2,170
	100%	Median	\$ 73,100	\$ 83,500	\$ 104,300	\$ 1,958	\$ 2,348	\$ 2,713
	120%	Moderate	\$ 87,720	\$ 100,200	\$ 125,160	\$ 2,349	\$ 2,817	\$ 3,255
	140%	Gap	\$ 102,340	\$ 116,900	\$ 146,020	\$ 2,741	\$ 3,287	\$ 3,798

Source: HUD 2024 Median Income; Florida Housing Finance Corp. Income and Rent Limits

*Gross rent, includes utility allowance.

- b. Preference to Affordable Units shall be given to Essential Service Personnel (ESP) and military veterans.
 - i. For the purposes of this ordinance, ESP means natural persons or families at least one of whom is employed as police or fire personnel, a childcare worker, a teacher or other educational personnel, health care personnel, skilled building trades personnel, active duty military, or a governmental employee.
 - ii. Each Affordable Unit shall be held vacant and advertised for ESP and military veterans in accordance with paragraph iii below for a minimum of 90 days before the issuance of unit's certificate of occupancy. In the event that no ESP or military veteran rents the available Affordable Unit, then the unit may also be offered to the general public (non-ESP/military veteran)

but shall remain an Affordable Unit and be rent and income restricted accordingly.

Each subsequent vacancy of an Affordable Unit shall be advertised to ESP and military veterans in accordance with paragraph iii below and may also be offered to the general public (non-ESP/military veteran) but shall remain an Affordable Unit and be rent and income-restricted accordingly.

- iii. At a minimum, advertising shall consist of providing written notice to the Collier County Community and Human Services Division and the human resource departments for local hospitals, the Collier County Public School District, Collier County Government, other municipalities within Collier County, all Emergency Medical Services and fire districts, and the Collier County Sheriff's Office.
 - iv. Promotional materials for the development shall identify that the project prioritizes Affordable Units for ESP and military veteran households.
 - v. The owner shall maintain a waiting list of pre-qualified ESP and military veteran renters for subsequent vacancies. Waitlist participants shall be notified in advance of subsequent vacancies.
 - vi. This commitment for ESP and military veteran preference shall remain in effect for a period of 30 years from the date of issuance of the certificate of occupancy of the first Affordable Unit of each phase.
- c. As part of Collier County's annual monitoring for this PUD, the owner shall provide to Collier County Community and Human Services Division (CHS) an annual report at least forty-five (45) days prior to the anniversary of the adoption of this MPUD that provides the progress and monitoring of occupancy of income and rent-restricted units. The annual report will be provided in a format approved by CHS. The owner further agrees to annual on-site monitoring by the County.

5. PUBLIC UTILITIES

- a. The project shall connect to the potable water lines available on Greenway Road and Kathy Lane.
- 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.

- c. 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.

6. EMERGENCY SERVICES

- a. Prior to the issuance of the first residential certificate of occupancy the project shall be evaluated for and provide a one-time shelter mitigation contribution and shall be evaluated for a one-time developer's contribution of one (1) 45-kw towable generator.