



CITY OF TAMPA

Pam Iorio, Mayor

Growth Management & Development Services

Land Development Coordination

October 2, 2009

John Meyer
Tampa Bay Regional Planning Council
4000 Gateway Centre Boulevard, Ste. 100
Pinellas Park, Florida 33782

RE: City of Tampa Central Business District Development of Regional Impact

Dear John:

The 2007 Growth Management Bill (HB 7203) approved by the Florida Legislature amended Section 380.06(19)(c), Florida Statutes, to authorize a three year extension for all phase, build out and expiration dates of any development of regional impact under active construction as of July 1, 2007.

Specifically, Section 380.06(19)(c), Florida Statutes, was amended to include the following language:

In recognition of the 2007 real estate market conditions, all phase, build out, and expiration dates for projects that are developments of regional impact and under active construction on July 1, 2007, are extended for 3 years regardless of any prior extension. The 3 year extension is not a substantial deviation, is not subject to further development of regional impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection.

This letter is written to request acknowledgement that the City of Tampa Central Business District DRI was under active construction as of July 1, 2007 and that such construction has been ongoing and is evidenced by the submittal of annual reports which reflect continuous construction activities. As a result, the build out date of the Central Business District Development of Regional Impact will be extended to December 31, 2018 and the expiration date is extended to December 31, 2020.

Should you have questions, please do not hesitate to contact me at (813) 274-8274.

Regards,

Susan Johnson
City of Tampa, Florida



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John Meyer
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This letter is written to request acknowledgement that the City of Tampa Central Business District DRI was under active construction as of July 1, 2007 and that such construction has been ongoing and is evidenced by the submittal of annual reports which reflect continuous construction activities. As a result, the build out date of the Central Business District Development of Regional Impact will be extended to December 31, 2018 and the expiration date is extended to December 31, 2020.

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Regards,

Susan Johnson
City of Tampa, Florida



CITY OF TAMPA

Pam Iorio, Mayor

Office of the City Clerk

Shirley Foxx-Knowles
City Clerk

December 22, 2004

Tampa Bay Regional Planning Council
Attention: John Meyer
4000 Gateway Centre, Suite 100
Pinellas Park, FL 33782

File No. DZ82-30

Downtown Tampa Central Business District DRI

Dear Sir:

The City Council of the City of Tampa met in regular session on December 16, 2004 at 9:00 a.m. During that session, the enclosed ordinance was adopted regarding the above listed petition. This ordinance is being transmitted for your information and record keeping process.

If you have any questions, please contact my office or the office of Land Development Coordination, at (813) 274-8405.

Sincerely,

Shirley Foxx-Knowles
City Clerk

SFK/sb

Enclosure: Certified Copy of Ordinance 2004-296
CERTIFIED MAIL

ORDINANCE NO. 2004-29

**AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING
THE FIFTH AMENDMENT TO A DEVELOPMENT ORDER RENDERED
PURSUANT TO CHAPTER 380.06, FLORIDA STATUTES, FOR THE
DOWNTOWN TAMPA CENTRAL BUSINESS DISTRICT
DEVELOPMENT OF REGIONAL IMPACT; PROVIDING AN
EFFECTIVE DATE.**

WHEREAS, the City Council, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, requires that a Development Order be amended to reflect the City Council's approval of changes to an adopted Development Order; and

WHEREAS, Ordinance No. 8249-A, passed and ordained by the City Council of the City of Tampa on June 2, 1983, approved a Development Order for the Downtown Tampa Central Business District Development of Regional Impact (hereinafter said Ordinance shall be referred to as the "Original Development Order"); and

WHEREAS, on April 2, 1987 pursuant to Section 4.D. of the Development Order, the City adopted Resolution No. 2148-I, which approved a methodology for making trade-off determinations from one land use category to another (hereinafter "trade-off mechanism"); and

WHEREAS, Ordinance No. 88-76, passed and ordained by the City Council of the City of Tampa on March 1, 1988, approved a First Amendment to the Development Order (hereinafter said Ordinance shall be referred to as the "First Amendment"); and

WHEREAS, Ordinance No. 93-145, passed and ordained by the City Council of the City of Tampa on September 23, 1993 approved a Second Amendment to the Development Order (hereinafter said Ordinance shall be referred to as the "Second Amendment")

WHEREAS, Ordinance No. 2000-04, passed and ordained by the City Council of the City of Tampa on January 11, 2000 approved a Third Amendment to the Development Order (hereinafter said Ordinance shall be referred to as the "Third Amendment"); and

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WHEREAS, Ordinance No. 2000-328, passed and ordained by the City Council of the City of Tampa on December 5, 2000, approved a Fourth Amendment to the Development Order, which Ordinance was later amended to correct a "scrivener's error" pursuant to Ordinance No. 2001-24 (hereinafter said Ordinance No. 2000-328 as amended by Ordinance No. 2001-24 shall be referred to as the "Fourth Amendment," and the Original Development Order as supplemented by the trade-off mechanism and amended by the First Amendment, the Second Amendment, the Third Amendment and the Fourth Amendment is hereinafter referred to as the "Development Order"); and

WHEREAS, the City of Tampa filed an application to amend the Development Order dated August 10, 2004 entitled a "Notification of Proposed Change to a Previously Approved Development of Regional Impact" (hereinafter referred to as the "NOPC") with all applicable reviewing agencies, pursuant to Subsection 380.06(19), Florida Statutes, a copy of which is on file with the City; and

WHEREAS, the City of Tampa thereafter filed a number of sufficiency responses to issues raised by the applicable state and regional reviewing agencies as provided to the City by and through the Tampa Bay Regional Planning Council (herein "Sufficiency Responses"), which are also on file with the City; and

WHEREAS, the aforementioned NOPC and the Sufficiency Responses are attached hereto as **Composite Exhibit "A"** and are incorporated herein by this reference; and

WHEREAS, pursuant to the NOPC and the Sufficiency Responses, the City of Tampa proposes to amend the Development Order to make the following changes (the "Proposed Changes"):

- a. Allow development of the unbuilt Phase III land uses and the originally proposed Phase IV land uses in the same quantities as allowed in the existing Development Order;
- b. Amend the time period during which this development can occur to extend through December 15, 2015, and extend the expiration date of the Development Order to December 15, 2017;
- c. Amend the Development Order to make the traffic study provisions for development within the Downtown Tampa Central Business District Development of Regional Impact consistent with provisions of the City's transportation concurrency exception area (TCEA);
- d. Create additional ease of application and latitude by amending the land use trade-off mechanism;
- e. Amend the Development Order to address extra-jurisdictional transportation impacts that will be caused by future development allowed under Phase IV as described herein; and
- f. Establish outside caps or limitations on certain types of development.

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WHEREAS, the Proposed Changes to the Development Order will constitute the Fifth Amendment to the Development Order (herein the "Fifth Amendment"); and

WHEREAS, the City Council has reviewed and considered the NOPC, the Sufficiency Responses as well as all related testimony and submitted evidence concerning the Proposed Changes contained in this Fifth Amendment; and

WHEREAS, the City Council, as the governing body of the local government having jurisdiction pursuant to Chapter 380, Florida Statutes, requires that a Developer Order be amended to reflect the City Council's approval of changes to an adopted Development Order.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:

Section 1. Findings of Fact. That the City Council, having received the above referenced documents, and having received all related comments, testimony and evidence submitted by all persons and members of the general public, and having considered the provisions of Chapter 380, Florida Statutes, concerning substantial deviations, finds that there is substantial, competent, clear and convincing evidence to support the following findings of fact:

- A. That the City submitted an NOPC and Sufficiency Responses which are attached hereto and incorporated herein by reference as Exhibit "A";
- B. That a comprehensive review of the impacts generated by the Proposed Changes has been conducted by the City's Departments, and coordinated with other DRI reviewing agencies, including but not limited to the Tampa Bay Regional Planning Council ("TBRPC"), and the Department of Community Affairs ("DCA");
- C. That the Proposed Changes are consistent with all local land development regulations and the local comprehensive plan;
- D. That the Proposed Changes do not unreasonable interfere with achievement of the objectives of the adopted State Land Development Plan applicable to the area and are consistent with the State Comprehensive Plan;
- E. That the Proposed Changes are consistent with the recommendations of the Tampa Bay Regional Planning Council;
- F. That the Proposed Changes do not individually or cumulatively create additional regional impacts on transportation or other public facilities,

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including water, wastewater, drainage, solid waste, recreation and mass transit, nor do they create impacts that were not previously reviewed, nor meet or exceed any of the criteria set forth in Subsection 380.06(19)(b), Florida Statutes, and as such, no further development of regional impact review is necessary.

Section 2. Conclusions of Law. That the City Council having made the above findings of fact, renders the following conclusions of law:

- A. That these proceeding have been duly conducted pursuant to applicable law and regulations and based upon the record of these proceedings, the City is authorized to conduct development as described in the Development Order, subject only to the amendments, conditions, restrictions and limitations set forth herein;
- B. That the review by the City, TBRPC, DCA and other participating agencies and interested citizens concludes that the impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes;
- C. That the City has, at its proceedings, considered all previous changes and the Proposed Changes and determined that such changes do not individually or cumulatively constitute a substantial deviation requiring further DRI review pursuant to Section 380.06, Florida Statutes;
- D. That this Ordinance does not constitute a substantial deviation from the Development Order, as defined in Chapter 380, Florida Statutes, and nothing herein shall limit or modify the protection afforded under Section 163.3167(8), Florida Statutes.
- E. That the Proposed Changes authorized by this Ordinance do not individually or cumulatively create additional impacts or any type of impact not previously reviewed.

Section 3. Order. That having made the above findings of fact and conclusions of law, it is ordered that the Development Order be amended as set forth below:

- A. The Development Order is hereby amended to incorporate the Proposed Changes, as follows:
 - 1. That the unbuilt quantities of Phase III development and the Phase IV development, which are described in Section 2.G of the Original Development Order as amended by the First Amendment and the Second

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Amendment, are hereby approved subject to the terms and conditions contained in the Development Order as amended by this Ordinance.

2. That the unbuilt Phase III development and the Phase IV development existing as of the date hereof shall have an amended and extended build out date of December 15, 2015.
3. That the expiration date of the Development Order is hereby extended to December 15, 2017.
4. That Section 4.E of the Original Development Order, establishing the annual reporting requirements, is hereby amended to add the following as subsection (6):

“6. Summary of p.m. peak hour trips generated by new development within the Tampa Downtown Central Business District based on Table 4.Z-1 set forth in Section 4.Z herein showing the trip generation calculations for different land uses.”

5. That Section 4.X of the Original Development Order is hereby deleted in its entirety.
6. That Section 4.Y of the Original Development Order is hereby deleted in its entirety and is hereby replaced with the following:

“Y. The Downtown Tampa Central Business District Development of Regional Impact (the “CBD DRI”) is located within a “Transportation Concurrency Exception Area.” Nevertheless, the City has required, and shall hereafter continue to require, that all persons seeking a building permit for the development of real property located in the CBD DRI must pay to the City of Tampa the amount of transportation impact fees in effect at the time of permitting the new development. The amount of transportation impact fees due shall be calculated and paid in accordance with the City of Tampa’s Transportation Impact Fee Ordinance as the same may be amended from time to time. Transportation impact fee credits shall also be available for the dedication of land for right of way if eligible for credits and for the construction of approved right of way improvements in accordance with the City of Tampa’s Transportation Impact Fee Ordinance as the same may be amended from time to time. Transportation impact fees collected from new development in the CBD DRI shall be used either in accordance with the City of Tampa’s Transportation Impact Fee Ordinance or pursuant to the terms hereof.

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In addition, prior to permitting any new development in the CBD DRI that is in excess of 150,000 square feet of office uses (or any other proposed land use generating an equivalent number of p.m. peak hour trips based on the table showing trip generation calculations for different land uses as set forth in Table 4.Z-1 below), the City shall also require that the developer perform a study and agree to the implementation of certain site specific transportation improvements. For purposes hereof, "site specific transportation improvements" shall include capital improvements necessary for ingress/egress to, and for the improvement of vehicular circulation between, the proposed new development and the "gateways" into the CBD DRI area (IE. interstate ramps and major road intersections at the perimeter of the CBD DRI). Such "site specific transportation improvements" may also include improvements to the actual "gateways" if required by the study.

These "site specific transportation improvements" may include, but are not limited to, the following: (1) site driveways and roads; (2) right and left turn lanes leading to deceleration or acceleration lanes leading to the proposed new development; (3) traffic control measures or devices at driveways leading into proposed new development; (4) curb cuts and driveway closings related to new development; (5) median cuts and closings for driveways into a site; (6) improvements to public roads immediately adjacent to or near the site of proposed new development if required to improve access to that site; and (7) improvements to the "gateways" into the CBD DRI, if the study indicates such improvements are necessary as a result of the new development.

If applicable, the study of "site specific transportation improvements" shall be: (a) performed by the developer based upon a methodology approved by the City's Transportation Division; and (b) submitted to the City as part of the developer's application for commercial site plan approval for the proposed new development. The "site specific transportation improvements" identified in the study shall be required by the City's Transportation Division as a condition for approval of the commercial site plan application submitted by the developer for the proposed new development. The developer may appeal the imposition of such conditions to City Council by filing a written request for an appeal with the City Clerk and the City's DRI Coordinator. A public hearing on any appeal filed pursuant to the terms hereof shall be scheduled by City Council within thirty (30) days within the date of filing unless the time frame is extended with the approval of the developer."

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7. That Section 4.Z of the Original Development Order is hereby deleted in its entirety and is replaced with the following:

"Z. A detailed traffic and proportionate share analysis has been prepared and submitted as part of the NOPC filed in connection herewith studying: (1) the current p.m. peak hour vehicular trip ends produced by the various existing land uses in the CBD DRI; (2) the estimated additional p.m. peak hour vehicular trip ends that will be produced by future Phase III and Phase IV development in the CBD DRI; and (3) the extra-jurisdictional impact that potential future development in the CBD DRI may have on certain State highways and road facilities.

The formula for estimating the gross number of p.m. peak hour vehicular trip ends for each approved land use in the CBD DRI is as follows:

Table 4.Z-1

<u>Land Use</u>	<u>Trip-End Rate</u>
Retail (Shopping Center)	0.813/1000 s.f.
Warehouse & Miscellaneous	0.470/1000 s.f.
General Office	1.515/1000 s.f.
Government Office	1.210/1000 s.f.
Residential Condos/Townhouses	0.511/d.u.
Hotel	0.590/d.u.
Public Assembly	0.070/seat
Public Non-Assembly	0.400/1000 s.f.
Marina (permanent slips)	0.194/slip
Marina (temporary slips)	0.194/slip

Based on this formula, the gross p.m. peak hour vehicular trips ends produced by existing development in the CBD DRI as of December 15, 2004 are 6,751 as shown in the following table:

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Table 4.Z-2

**Peak Hour Traffic Generation Estimate
All CBD DRI Trips Through 12-15-04**

Land Use	ITE Land Use Code	CBD DRI Development	P.M. Peak Hour	
			Trip-End Rate	Trips
Retail (Shopping Center)	814 (Empiric Estimate)(1)	70,228 sf	0.813 /1,000 s.f.	57
Warehouse and Miscellaneous	150 (Average Rate)	(516,516)sf	0.470 /1,000 s.f.	-243
General Office	710 (Average Rate)(2)	2,560,215 sf	1.515 /1,000 s.f.	3,879
Government Office	730, 733 (Average Rate)(3)	724,901 sf	1.210 /1,000 s.f.	877
Residential Condominium/Townhouse	230 (Average Rate)	45 du	0.511 /d.u.	23
Hotel	310 (Average Rate)	1,728 rooms	0.590 /d.u.	1,020
Public Assembly	443 (Average Rate)	16,150 seats	0.070 /seat	1,131
Public Non-Assembly	412 (Average Rate)	(26,632)sf	1.38E-03/1,000 s.f.	0
Marina (permanent slips)	420 (Average Rate)	0 slips	0.194 /slip	0
Marina (temporary slips)	230 (Fitted Curve)	36 slips	0.194 /slip	7
Totals:				6,751

Notes:

- 1 Estimate based on ITE LUC 814, assuming 500 s.f. per employee, 10% alternate mode split, 30% arrivals during peak
- 2 Average rate based on a 200,000 s.f. office
- 3 PM Peak hour rate from 730 used. For a.m. peak hour rate, relation between a.m. and p.m. rates and directional trip ends were
- 4 Negative land use quantities indicate that some demolition of land uses existing prior to 1982 has occurred

Sources: ITE Trip Generation (7th Edition)
Tindale-Oliver and Associates, Inc.

DRI 78 SNID Update 9-29-04.xls

If all of the unbuilt Phase III and Phase IV development is constructed, it is estimated that the 6,751 gross p.m. peak hour trips currently generated by the existing development in the CBD DRI shall increase to 21,903 gross p.m. peak hour trip ends (accumulated from Phase II through Phase IV) at total Phase IV build-out. Based on the studies and analysis provided in connection with the NOPC and the Sufficiency Responses to agency comments, it has also been determined that future development in the CBD DRI will have extra-jurisdictional transportation impacts requiring certain designated transportation improvements. It has also been determined that the City's proportionate share of these improvements for total build-out of all unbuilt Phase III and Phase IV development is \$11,594,076.00 (hereinafter, the "City's proportionate share contribution").

However, based on the traffic analysis and study conducted as part of the NOPC, and additional evidence presented by the City of

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Tampa in its Sufficiency Responses, it has been determined that: (a) a portion of the unbuilt Phase III development can occur, as hereinafter described, without creating any extra-jurisdictional impacts; and (b) the City of Tampa has already provided land and other transportation improvements worth \$8,004,000.00, which should be credited towards the City's proportionate share contribution, and which will allow the construction of the balance of the unbuilt Phase III development and an additional increment of the Phase IV development without requiring further mitigation of the extra-jurisdictional transportation impacts.

Based on the foregoing, it is agreed as follows:

- *The First Increment of New Development (6,751 – 10,540 gross p.m. peak hour trip ends):* In connection with the first increment of new development in the CBD DRI creating, together with existing development, between the current estimated existing 6,751 gross p.m. peak hour trip ends and an estimated 10,540 gross p.m. peak hour trip ends, no extra-jurisdictional transportation impacts are identified. Therefore, no extra-jurisdictional mitigation shall be required for this increment of additional Phase III development. An example of the land development quantities within the CBD DRI that would generate the 10,540 gross p.m. peak hour trip-ends is provided in the table below. The land use quantities indicated therein are an example, and could be modified subject to the land use trade-off mechanism as hereinafter provided.

Table 4.Z-3

Peak Hour Traffic Generation Estimate
Example Scenario 1: 10,540 Gross Trips

Land Use	ITE Land Use Code	CBD DRI Development	P.M. Peak Hour	
			Trip-End Rate	Trips
Retail (Shopping Center)	814 (Empiric Estimate)(1)	200,000 sf	0.813 /1,000 s.f.	163
Warehouse and Miscellaneous	150 (Average Rate)	(516,516) sf	0.470 /1,000 s.f.	-243
General Office	710 (Average Rate)(2)	4,500,000 sf	1.515 /1,000 s.f.	6,818
Government Office	730, 733 (Average Rate)(3)	754,144 sf	1.210 /1,000 s.f.	913
Residential Condominium/Townhouse	230 (Average Rate)	1,000 du	0.511 /d.u.	511
Hotel	310 (Average Rate)	2,000 rooms	0.590 /d.u.	1,181
Public Assembly	443 (Average Rate)	16,150 seats	0.070 /seat	1,131
Public Non-Assembly	412 (Average Rate)	150,000 sf	0.40 /1,000 s.f.	60
Marina (permanent slips)	420 (Average Rate)	0 slips	0.194 /slip	0
Marina (temporary slips)	230 (Fitted Curve)	36 slips	0.194 /slip	7
			Totals: 10,540	

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- *The Second Increment of New Development (10,541 - 17,210 gross p.m. peak hour trip ends):* In connection with a second increment of new development in the CBD DRI that generates, together with existing development, between an estimated 10,541 p.m. peak hour trip-ends and an estimated 17,210 p.m. gross peak hour trip-ends, it is agreed that extra-jurisdictional transportation impacts exist. However, it is also agreed that the extra-jurisdictional transportation impacts arising from this second increment of development in the CBD DRI have been mitigated through the City of Tampa's contributions to improved regional roads (I-4, I-275, and the Lee Roy Selmon Reversible Lanes projects), continuing support to regional public transportation (financial support of HART, and commuter rail project in progress), and improved access to the CBD DRI District (North Franklin Street access improvements, Ybor Trolley). These mitigation measures have been valued at \$8,004,000.00, and are accepted as: (i) mitigation for an additional 6,670 gross p.m. peak hour trip-ends; and (ii) payment of \$8,004,000.00 of the City's proportionate share contribution for extra-jurisdictional transportation impacts. Therefore, no additional extra-jurisdictional transportation mitigation shall be required in connection with this second increment of new development. An example of the land development quantities within the CBD DRI that would generate 17,210 gross p.m. peak hour trip-ends is provided in the table below. The land use quantities indicated therein are an example, and could be modified subject to the land use trade-off mechanism as hereinafter provided.

Table 4.Z-4

Peak Hour Traffic Generation Estimate
Example Scenario 2: 17,210 Gross Trips

Land Use	ITE Land Use Code	CBD DRI Development	P.M. Peak Hour	
			Trip-End Rate	Trips
Retail (Shopping Center)	814 (Empiric Estimate)(1)	900,000 sf	0.813 /1,000 s.f.	732
Warehouse and Miscellaneous	150 (Average Rate)	250,000 sf	0.470 /1,000 s.f.	118
General Office	710 (Average Rate)(2)	7,053,536 sf	1.515 /1,000 s.f.	10,687
Government Office	730, 733 (Average Rate)(3)	1,000,000 sf	1.210 /1,000 s.f.	1,210
Residential Condominium/Townhouse	230 (Average Rate)	2,200 du	0.511 /d.u.	1,124
Hotel	310 (Average Rate)	3,500 rooms	0.590 /d.u.	2,066
Public Assembly	443 (Average Rate)	16,150 seats	0.070 /seat	1,131
Public Non-Assembly	412 (Average Rate)	300,000 sf	0.400 /1,000 s.f.	120
Marina (permanent slips)	420 (Average Rate)	80 slips	0.194 /slip	16
Marina (temporary slips)	230 (Fitted Curve)	36 slips	0.194 /slip	7

Totals: 17,210

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- *The Third Increment of New Development (17,211 – 21,903 gross p.m. peak hour trip ends):* In connection with the third increment of additional development in the CBD DRI generating (together with existing development) between an estimated 17,211 gross p.m. peak hour trip ends and an estimated 21,903 gross p.m. peak hour trip ends, it is agreed that extra-jurisdictional transportation impacts will be created, which have not been mitigated. Therefore, the City of Tampa shall be required to mitigate the extra-jurisdictional transportation impacts of this final increment of development in the CBD DRI prior to approving and/or issuing permits for any new development, which together with existing development, will generate more than 17,210 gross p.m. peak hour trip-ends. The dollar amount of mitigation required from the City of Tampa prior to permitting this final increment of development (or any portion thereof) is \$3,590,076.00, which is the remaining portion of the City's proportionate share (hereinafter the "City's Third Increment Mitigation Contribution")
- *Methods of Mitigation for Extra-Jurisdictional Impacts Arising from the Third Increment of New Development:* The mitigation of extra-jurisdictional transportation impacts arising from the third increment of approved development in the CBD DRI may be satisfied by the City of Tampa through one or combination of the following methods:
 - (i) Direct payment of the City's Third Increment Mitigation Contribution (or a portion thereof) to the responsible extra-jurisdictional transportation agency (e.g., the State of Florida Department of Transportation) for the expansion of any one (or a combination of more than one) of the following approved extra-jurisdictional transportation improvements, which have been shown to be impacted by the future development approved hereby in the CBD DRI (the "Designated Extra-Jurisdictional Transportation Improvements"):
 - Interstate 4: City Limit to S.R. 574 (Martin Luther King, Jr. Blvd.)
 - SR 45 (Business US 41/Causeway Boulevard): City Limit (45th Street) to US 41 (50th Street)
 - SR 60 (Adamo Drive): City Limit (By-Pass Canal) to US 301

- Intersection of SR 45 (Business US 41/Causeway Boulevard) at US 41 (50th Street)

It is agreed that the funds required for the City's Third Increment Mitigation Contribution in connection with any one or a combination of these Designated Extra-Jurisdictional Transportation Improvements may be generated from a portion of the transportation impact fees paid to the City of Tampa in connection with unbuilt Phase III and Phase IV development approved hereby, or other funding mechanism approved by the City of Tampa, including, without limitation, a special assessment on development in the CBD DRI.

- (ii) In lieu of paying all or a portion of the City's Third Increment Mitigation Contribution directly for one or more of the above-described Designated Extra-Jurisdictional Transportation Improvements, the City may elect to use all or a portion of the City's Third Increment Mitigation Contribution to make improvements to other transportation facilities owned and maintained by an extra-jurisdictional transportation agency within the City limits (e.g. State or County roads located in the City), if that extra-jurisdictional transportation agency agrees to make equivalent improvements to any one or a combination of the aforementioned Designated Extra-Jurisdictional Transportation Facilities.
- (iii) The continued financial support of the Hillsborough Transit Authority ("HART") to the extent of ten per cent (10%) of the transportation impact fees collected by the City of Tampa within the CBD DRI through complete build-out of all Phase IV development.
- (iv) The continued support by the City of Tampa of a local/regional commuter rail initiative.
- (v) Such other methods as may be proposed by the City of Tampa and found acceptable by the State of Florida Department of Transportation ("FDOT"), the State of Florida Department of Community Affairs ("DCA"), and the Tampa Bay Regional Planning Council ("TBRPC").

The election of one or more of the following methods for satisfying the City's mitigation requirements for the extra-

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jurisdictional transportation impacts arising from this final increment of development shall be formalized by filing a Notice of Proposed Change with the DCA, FDOT, and TBRPC and formally amending the Development Order to address the method or methods selected.

It is also agreed that the City of Tampa shall continuously monitor the increase in the p.m. peak hour trip ends generated by new development in the CBD DRI. The City shall calculate the increases in and cumulative total of estimated gross p.m. peak hour trips by using the trip generation rates for the approved land uses in the CBD DRI contained in Table 4.Z-1 above. These computations shall also reflect both increases for any new land use(s) and decreases in any pre-existing land use(s) for a particular site and development (thereby recognizing the existing vested development on any given site in the computation). This information shall be provided as part of the annual monitoring report submitted by the City of Tampa pursuant to Section 4.E of the Development Order as amended by this Ordinance; and it shall be submitted in table format similar to Tables 4.Z-2, 4.Z-3 and 4.Z-4, above."

8. That Section 4.AA in the Original Development Order is hereby deleted in its entirety since the CBD DRI is located entirely within a "Transportation Concurrency Exception Area."
9. That Section 4.D in the Original Development Order, which set forth the procedure for establishing a methodology and approving "trade-off" determinations, and the existing trade off mechanism instituted by City of Tampa Resolution No. 2148-I, as amended by the Second Amendment, are hereby deleted in their entirety. In its place, the City of Tampa shall allow the trade off of the levels of approved land uses that have not been built in Phase III and in Phase IV by utilizing the p.m. peak hour trip generation rates for the approved land uses in the Downtown Tampa Central Business District set forth in Table 4.Z-1 above as the basis for calculating the trade off. The use of Table 4.Z-1, however, as the basis for any trade off of approved land uses shall be subject to the following conditions and limitations:
 - (a) The trade off of approved land uses shall be approved administratively by the Director of the City of Tampa's Department of Business & Housing Development (or his designee), but only after the City has provided a minimum of fourteen (14) days prior written notice of the proposed trade-off to both the DCA and TBRPC.

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- (b) The following limits or caps are placed on the use of the trade off mechanism for the following land uses, and no trade-off of land uses shall be permitted in excess of the limits or caps set forth below:

<u>Land Use</u>	<u>Limit/Cap</u>
Residential	6,000 d.u.
Private Office	500,000 s.f.
Government Office	500,000 s.f.
Retail	500,000 s.f.
Public Assembly	60,000 seats
Public Non-Assembly	1,000,000 s.f.

- (c) The Annual Monitoring Report filed by the City of Tampa pursuant to Section 4.E of the Original Development Order as amended hereby shall include a report of all approved trade offs in the CBD DRI for both that reporting year and cumulatively.

Section 4. Development Order, as Amended. That this Ordinance shall constitute the Fifth Amendment to the Original Development Order approved by Ordinance No. 8249-A, as previously amended by Ordinance No. 88-76, Ordinance 93-145, Ordinance No. 2000-04, and Ordinance No. 2000-328 (which was corrected by Ordinance No. 2001-24). Collectively, the Original Development Order as amended by the aforementioned ordinances and this Ordinance shall constitute the Development Order for the Development as passed and ordained by City Council. All provisions of the Original Development Order as previously amended, except those provisions specifically modified herein, shall remain in full force and effect and shall be considered conditions of the Development unless inconsistent with the terms and conditions of this Ordinance, in which case the terms and conditions of this Ordinance shall govern.

Section 5. Definitions. That the definitions contained in Chapter 380.06, Florida Statutes, shall control the interpretation and construction of any terms of this Ordinance.

Section 6. Binding Effect. That this Ordinance shall be binding upon all land located within the boundaries of the CBD DRI..

Section 7. Governmental Agencies. That it is understood that any reference herein to any governmental agency shall be construed to mean any future instrumentality which may be created or designated as successor in interest to, or which otherwise possesses any of, the powers and duties of any referenced governmental agency in existence on the effective date of this Ordinance.

Section 8. Severance. That in the event that any portion or section of this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of

Certified as true
and correct copy.

competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

Section 9. Transmittals. That the City Clerk is directed to send copies of this Ordinance, within five (5) days of its becoming law to the City of Tampa, Attn: Mayor Pam Iorio, 306 E. Jackson St. Tampa, Florida 33602; the Florida Department of Community Affairs (Bureau of Resource Management); and the Tampa Bay Regional Planning Council.

Section 10. Rendition. That this Ordinance shall be deemed rendered upon transmittal of copies of this Ordinance to the recipients specified in Chapter 380.06, Florida Statutes.

Section 11. Recording. That the City of Tampa shall record a notice of adoption of this Ordinance pursuant to Chapter 380.06, Florida Statutes.

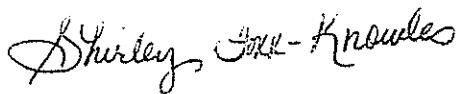
Section 12. Effective Date. That this Ordinance shall become a law as provided in the City of Tampa Home Rule Charter and shall take effect upon transmittal to the parties specified in Section 9 hereof.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF
TAMPA, FLORIDA, ON DEC 16 2004.



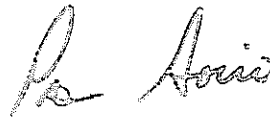
CHAIRMAN/CHAIRMAN PRO-TEM
CITY COUNCIL

ATTEST:



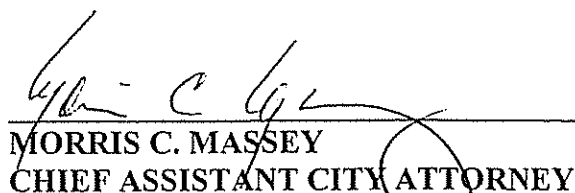
CITY CLERK/DEPUTY CITY CLERK

APPROVED by me on DEC 17 2004



MAYOR

APPROVED AS TO
LEGAL SUFFICIENCY:

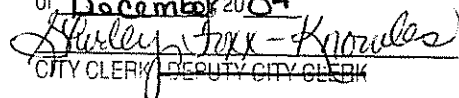


MORRIS C. MASSEY
CHIEF ASSISTANT CITY ATTORNEY

State of Florida
County of Hillsborough

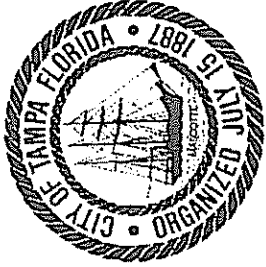
This is to certify that the foregoing is a
true and correct copy of Ordinance 2004-296
on file on my office

Witness my hand and official seal this 22nd day
of December 2004



CITY CLERK/DEPUTY CITY CLERK

*Alpo anybody know what
this is about? Uto a*



CITY OF TAMPA

Janett S. Martin, CMC, City Clerk

Office of City Clerk

Janett S. Martin

January 24, 2001

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg FL 33702

DEL #78

RE: Petition No.: DZ82-30
Ordinance 2001-24 (Correcting a Scrivener's Error in Ord. 2000-328)

Dear Sir or Madam:

The enclosed document is being transmitted for your information and record keeping process. If further information is needed, please contact the office of Land Development Coordination, at (813)274-8405.

Sincerely,

Janett S. Martin, CMC
City Clerk

JM/gg

Enclosure: Certified copy of Ordinance 2001-24

cc - JPL
TBR

ORDINANCE NO. 2001- 24

AN ORDINANCE AMENDING ORDINANCE NO. 2000-328, PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA ON NOVEMBER 30, 2000, CORRECTING A SCRIVENER'S ERROR, BY CHANGING THE PHRASE "THIRD AMENDMENT" IN THE TITLE TO READ "FOURTH AMENDMENT"; PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is necessary to amend Ordinance No. 2000-328, correcting a scrivener's error, by changing the phrase "Third Amendment" in the title to read "Fourth Amendment".

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:

Section 1. That the scrivener's error in the title be corrected by changing the phrase "Third Amendment" to read "Fourth Amendment", that said amendment is hereby amended.

Section 2. That all ordinances in conflict herewith are repealed to the extent of any conflict.

Section 3. That if any part of this ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions, at the City of Tampa's election, shall remain in full force and effect.

Section 4. That this Ordinance shall take effect immediately upon becoming a law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA,
FLORIDA, ON JAN 18 2001.

ATTEST:
Janett S. Martin
CITY CLERK

[Signature]
CHAIRMAN, CITY COUNCIL

APPROVED by me on JAN 22 2001
[Signature]

PREPARED AND APPROVED BY:

DICK A. GRECO, MAYOR

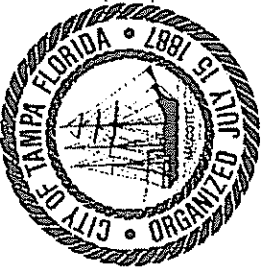
[Signature]
ANDREA E. ZELMAN
ASSISTANT CITY ATTORNEY
H:\DRSCRIPT\ORD

State of Florida
County of Hillsborough

This is to certify that the foregoing is a true and correct copy of on file in my office

Witness my hand and official seal this 24th day
of Jan 2001
Janett S. Martin
CITY CLERK

Ordinance 2001-24



CITY OF TAMPA

Janett S. Martin, CMC, City Clerk

Office of City Clerk

December 8, 2000

Tampa Bay Regional Planning Council
9455 Koger Blvd.
St. Petersburg FL 33702

File No. DZ882-30 Downtown Tampa Central Business District DRI

Dear Sirs:

The City Council of the City of Tampa met in regular session on November 30, 2000, at 9:00 a.m. During this session, the enclosed ordinance was adopted, approving the third amendment to a development order for the Downtown Tampa Central Business District

Sincerely,



Janett S. Martin, CMC
City Clerk

JM/gg

Enclosure: Certified copy of Ordinance 2000-328

ORDINANCE NO. 2000- 328

AN ORDINANCE OF THE CITY OF TAMPA,
FLORIDA, APPROVING THE THIRD AMENDMENT
TO A DEVELOPMENT ORDER RENDERED PURSUANT
TO CHAPTER 380, FLORIDA STATUTES, FOR
THE DOWNTOWN TAMPA CENTRAL BUSINESS
DISTRICT DEVELOPMENT OF REGIONAL
IMPACT; AND PROVIDING AN EFFECTIVE
DATE.

WHEREAS, the City Council of the City of Tampa (hereinafter referred to as "City"), is the governing body of the unit of local government having jurisdiction over the issuance and conditions of issuance of a development order pursuant to Section 380.06, Florida Statutes; and

WHEREAS, Ordinance No. 8249-A, passed and ordained by the City Council of the City of Tampa on June 2, 1983, approved a Development Order for the Downtown Tampa Central Business District Development of Regional Impact (hereinafter said Ordinance shall be referred to as the "Development Order"); and

WHEREAS, on April 2, 1987 pursuant to Section 4.D. of the Development Order, the City adopted Resolution No. 2148-I, which approved a methodology for making trade-off determinations from one land-use category to another (hereinafter "trade-off mechanism"); and

WHEREAS, Ordinance No. 88-76, passed and ordained by the City Council of the City of Tampa on March 1, 1988, approved a First Amendment to the Development Order (hereinafter said Ordinance shall be referred to as The "First Amendment"); and

WHEREAS, Ordinance No. 93-145 passed and ordained by the City Council of the City of Tampa on September 23, 1993 approved a Second Amendment to the Development Order (hereinafter said Ordinance shall be referred to as the "Second Amendment")

Certified as true
and correct copy.

WHEREAS, Ordinance No. 00-04 passed and ordained by the City Council of the City of Tampa on January 11, 2000 approved a Third Amendment to the Development Order (hereinafter said Ordinance shall be referred to as the "Third Amendment; and

WHEREAS, The City of Tampa , filed an application dated September 22, 2000 and entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact" ("DRI") pursuant to subsection 380.06(19), Florida Statutes ("Notice of Proposed Change") attached hereto as Exhibit A; and

WHEREAS, The City of Tampa proposes to add one hundred twenty (120) wet boat slips as a permissible use in the Development Order and seventy five (75) in-out slips as a permissible accessory use; and

WHEREAS, the City has reviewed the Proposed Change, which shall constitute the Third Amendment to the Development Order, and has determined that they do not constitute a substantial deviation either singularly or cumulatively with the First and Second Amendments as defined in Section 380.06(19), Florida Statutes; and

WHEREAS, the City has conducted a duly noticed public hearing regarding the Proposed Changes to the development order and during the conduct of said hearing, solicited and evaluated comments, testimony and reports, both verbal and written, from interested parties concerning the Proposed Changes to the development order; and

WHEREAS, the City has reviewed the Notice of Change, as well as related testimony and evidence submitted by all parties and members of the general public.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. Findings of Fact. That City Council, having received the above referenced documents, and having received all related comments, testimony and

evidence submitted by all persons and members of the general public, finds that there is substantial, competent, clear and convincing evidence to support the following Findings of Fact:

- A. That the Developer submitted to the City the Notice of Change attached hereto as Exhibit A.
- B. That the Proposed Changes are consistent with all local land use development regulations and the local comprehensive plan.
- C. That the Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area, and are consistent with the State Comprehensive Plan.
- D. That a comprehensive review of the impacts generated by the Proposed Changes has been conducted by the City.
- E. That the Proposed Changes do not create additional regional impacts or impacts that were not previously reviewed nor impacts that meet or exceed any of the criteria set forth in Section 380.06(19), Florida Statutes.

Section 2. Conclusions of Law. That the City Council having made the above findings of Fact renders the following Conclusions of Law:

- A. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record of these proceedings, the development as described herein, is authorized subject only to the amendments, conditions, restrictions and limitations set forth herein.

Certified as true
and correct copy.

- B. The review by the City and other participating agencies and interested citizens concludes that the impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Ordinance.
- C. That based on the foregoing and pursuant to Section 380.06(19), Florida Statutes (1991), the Proposed Changes are found not to be substantial deviations to the previously approved Development Order.

Section 3. Order.

That having made the above Findings of Fact and Conclusions of Law, it is ordered:

- A. That the Proposed Changes are hereby approved and the Development Order is hereby amended to incorporate the Notice of Change.
- B. That Section 2.g of the Development Order is hereby amended to add the following uses as permissible uses in the Downtown Tampa Central Business District Development of Regional Impact:
 - 1. One hundred twenty (120) full service wet boat slips. No ancillary facilities such as restaurants, or automobile parking will be specifically constructed to serve these slips. Overnight stays will not be permitted.
 - 2. Seventy five (75) in-out slips as an accessory use to an approved primary use. These slips will not be served by sewer and overnight stays are prohibited.
 - 3. The City of Tampa will control the location, placement and number of slips to ensure the use is consistent with construction of the City's riverwalk project.

Certified as true
and correct copy.

- C. All applicable agencies exercising jurisdiction must review and approve the described slips prior to final permitting by the City. The City will consider the potential cumulative effects of the proposed use in conjunction with other projects in Garrison Channel.
- D. The construction, operation and maintenance of these boat slips shall be subject to the Standard Manatee Construction Conditions (March 1996), attached hereto as Exhibit B and incorporated herein by reference. In addition, signs shall be posted in the vicinity of the boat slips to provide notice to boaters of the potential presence of manatees. The number, type and procedure for installation shall be in accordance with the standards described in the publication entitled Permanent Manatee Signs, which publication is included in Exhibit B.

Section 4. Development Ordinance, As Amended This Ordinance shall constitute the Fourth Amendment to Ordinance No. 8249 A, as previously amended, which shall constitute, collectively, the Development Order for the Development as passed and ordained by the City Council. All provisions of the Development Order except those specifically modified herein by this Third Amendment, shall remain in full force and effect and shall be considered conditions of the Development unless inconsistent with the terms and conditions of this Ordinance in which case the terms and conditions of these Ordinance shall govern.

Section 5. Definitions. The Definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Ordinance.

Section 6. Binding Effect. That this Ordinance shall be binding upon the Developer, its assigns, and its successors in interest.

Section 7. Severance. That in the event that any portion or section of this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or

Ordinance as amended
March 1, 2011

sections of this Ordinance which shall remain in full force and effect.

Section 8. Transmittals. That the City Clerk is hereby directed to send copies of this Ordinance, within five (5) days of its effective date, to the Applicant and the Florida Department of Community Affairs Bureau of State Planning.

Section 9. Rendition. That this Ordinance shall be deemed rendered upon transmittal of the copies of this Ordinance in the manner and to the recipients specified in Chapter 380, Florida Statutes.

Section 10. Recordation. That the Developer shall record a notice of adoption of this Ordinance pursuant to Chapter 380, Florida Statutes.

Section 11. Effective Date. That this Ordinance shall take effect immediately upon becoming a law.

Passed and Ordained by the City Council
of the City of Tampa, Florida on:

NOV 30 2000



Chairman, City Council

Approved as to Form and Correctness:



Assistant City Attorney

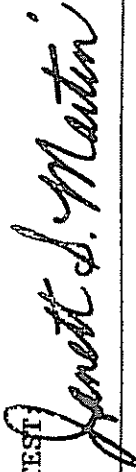
Approved by me on DEC 05 2000



Dick Greco, Mayor

State of Florida
County of Hillsborough

ATTEST



City Clerk

This is to certify that the foregoing is a
true and correct copy of Ordinance 2000-328
on file in my office

Witness my hand and official seal this 8th day
of Dec, 2000


CITY CLERK

STANDARD MANATEE CONSTRUCTION CONDITIONS

MARCH 1996

The permittee shall comply with the following manatee protection construction conditions:

- a. The permittee shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All construction personnel are responsible for observing water-related activities for the presence of manatee(s).
- b. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Marine Mammal Protection Act of 1972, The Endangered Species Act of 1973, and the Florida Manatee Sanctuary Act.
- c. Siltation barriers shall be made of material in which manatees cannot become entangled, are properly secured, and are regularly monitored to avoid manatee entrapment. Barriers must not block manatee entry to or exist from essential habitat.
- d. All vessels associated with the construction project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
- e. If manatee(s) are seen within 100 yards of the active daily construction/dredging operation or vessel movement, all appropriate precautions shall be implemented to ensure protection of the manatee. These precautions shall include the operation of all moving equipment no closer than 50 feet of a manatee. Operation of any equipment closer than 50 feet to a manatee shall necessitate immediate shutdown of that equipment. Activities will not resume until the manatee(s) has departed the project area of its own volition.
- f. Any collision with and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol at 1-800-DIAL FMP (1-800-342-5367). Collision and/or injury should also be reported to the U.S. Fish and Wildlife Service in Jacksonville (1-904-232-2580) for north Florida or Vero Beach (1-561-562-3909) in south Florida.
- g. Temporary signs concerning manatees shall be posted prior to and during all construction/dredging activities. All signs are to be removed by the permittee upon completion of the project. A sign measuring at least 3 ft. by 4 ft. which reads *Caution: Manatee Area* will be posted in a location prominently visible to water related construction crews. A second sign should be posted if vessels are associated with the construction, and should be placed visible to the vessel operator. The second sign should be at least 8 1/2" by 11" which reads *Caution: Manatee Habitat. Idle speed is required if operating a vessel in the construction area. All equipment must be shutdown if a manatee comes within 50 feet of operation. Any collision with and/or injury to a manatee shall be reported immediately to the Florida Marine Patrol at 1-800-DIAL FMP (1-800-342-5367). The U.S. Fish and Wildlife Service should also be contacted in*

EXHIBIT B

Certified as true
and correct copy.

Jacksonville (1-904-232-2580) for north Florida or in Vero Beach (1-561-562-3909) for south Florida.

TEMPORARY MANATEE SIGNS

for standard manatee construction conditions

Revised March 1999

The "Caution: Manatee Area" signs, (3 feet by 4 feet) are available through the companies listed below, and may also be available from other local suppliers throughout the state. Permit/lease holders, should contact sign companies directly to arrange for shipping and billing. These Caution signs are intended to remind work and boat crews of the presence of manatees while in-water work is being performed. They should be posted in a prominent location for maximum visibility by all water-related construction crews. A second sign should be posted if vessels are associated with the construction, and should be placed visible to the vessel operator. An example is enclosed, and this example can be copied and used during construction activities.

ASAP Signs & Designs

624-B Pinellas Street
Clearwater, Florida 33756
(727) 443-4878
fax (727) 442-7573

Cape Coral Signs & Designs, Inc.

1311 Del Prado Boulevard
Cape Coral, Florida 33990
(800) 813-9922 or (941) 772-9992
fax (941) 772-9992

Dock Masters of Homosassa

P.O.Box 717
Homosassa, Florida 34487
(352) 628-4314

JADCO Signing, Inc.

309 Angle Road
Ft. Pierce, Florida 34947
(561) 489-8772
(800) 489-8758 (Florida only)
fax (561) 489-8757

Municipal Supply & Sign Company

1095 Fifth Avenue, North
P.O. Box 1765
Naples, Florida 33939-1765
(800) 239-5366 or (941) 262-4639
fax (941) 262-4645

Universal Signs & Accessories

2912 Orange Avenue
Fort Pierce, Florida 34947
(800) 432-0331 or (561) 461-0665
fax (561) 461-0669

Wilderness Graphics, Inc.

P.O.Box 1635
Tallahassee, Florida 32302
(850) 224-6414
fax (850) 561-3943

Certified as true
and correct copy.

CAUTION

MANATEE HABITAT

IDLE SPEED is required if operating a vessel
in the construction area.

All Equipment must be SHUT DOWN if a
manatee
comes within 50 feet of operation.

Any collision with and/or injury to a manatee shall be
reported immediately

to the **Florida Marine Patrol** at:

1-800-DIAL-FMP

(1-800-342-5367)

Certified as true
and correct copy.

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF RESOURCE PLANNING AND MANAGEMENT
BUREAU OF LOCAL PLANNING
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100
850/487-4545

NOTIFICATION OF PROPOSED CHANGE TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06 (19), FLORIDA STATUTES

Subsection 380.06(19), Florida Statutes, requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency and the state land planning agency according to this form.

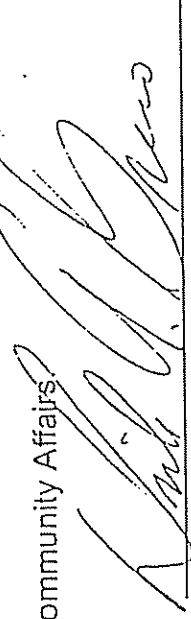
1. I, Dick A. Greco, the undersigned authorized agent

City of Tampa hereby gives notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes. In support thereof, I submit the following information concerning the Downtown Central Business District Development of Regional Impact which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the Board of County Commissioners of Hillsborough County and to the Bureau of State Planning, Department of Community Affairs.

9.22.00

Date

(Signature)



Certified as true
and correct copy.

RECEIVED
OCT 27 2000

2. Applicant (name, address, phone).

City of Tampa
306 E. Jackson Street
Tampa, FL 33602
813/224-8405

3. Authorized Agent (name, address, phone).

Richard E. Davis
Richard E. Davis, P.A.
400 North Tampa Street
Suite 1050
Tampa, FL 33602
Phone 813/301-8020

4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

Exhibit 1

5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or to the representation contained in either the development order or the Application for Development Approval.

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts.

The Applicant is requesting the following amendment to Ordinance N. 8249-A, Development Order for the Downtown Tampa Central Business District, a Development of Regional Impact, as amended by Ordinance 88-76, Ordinance 93-145 and Ordinance 00- 04.

Amend Section 2.G. of the Development Order to include as a permissible use 120 wet boat slips. These boat slips will be served by electricity, water and sewer facilities. It is the intent of the City that these wet slips will provide individuals an opportunity to visit the Downtown area via boat and attend activities at a variety of venues located along the waterfront. Dry storage is not contemplated at this time. Also, no ancillary facilities such as restaurants, or

*Certified as true
and correct copy.*

automobile parking will be specifically constructed to serve these wet slips. Finally, overnight stays will not be permitted.

Concurrent with the filing of the Notification, the City has hired a consultant to determine the economic feasibility of providing the marina slips. Separately, the transient boat tie-ups to be located at the downtown Marriott have been submitted for permit review with applicable agencies exercising jurisdiction. Please note that the purpose of the Notification is to amend the permitted uses allowable in the CBD-DRJ. All applicable agencies exercising jurisdiction must review and approve prior to permitting.

6. Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, indicate no change.

Exhibit 2 includes a description of the 120 wet boat slips

7. List all the dates and resolution number (or other appropriate identification numbers) of all modification or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e., any information not already addressed in the Substantial Deviation Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

*On March 1, 1988 the City adopted Ordinance N. 88-76 which constituted an amendment to the previously approved land uses for the Development of Regional Impact.

*On September 23, 1993 the City adopted Ordinance No. 93-145 which constituted an amendment to the previously approved methodology for approving land use "trade-off" requests.

*On January 11, 2000, the City adopted Ordinance No. 2000-4 which constituted an amendment to the Development Order to extend the expiration date by four (4) years, eleven (11) months and fifteen (15) days.

8. Describe any lands purchased or optioned within ¼ mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land, its size intended use, and adjacent non-project land uses within ½ mile on a project master site plan or other map.

No additional land purchased or optioned.

Certified as true
and correct copy.

9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06 (19)(b), Florida Statutes.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06 (19) (e) 2., F.S.		
YES	NO	XX

Not Applicable

10. Does the proposed change result in a change to the build out date or any phasing date of the project? If so, indicate the proposed new build out or phasing dates.

Not Applicable

11. Will the proposed change require an amendment to the local government comprehensive plan?

No amendment required

12. An updated master site plan or other map of the development portraying and distinguishing the proposed changes to the previously approved DRI or development order conditions.

An updated master plan is provided as Exhibit 4 showing the general location of the described wet boat slips.

13. Pursuant to Subsection 380.06 (19) (f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the development order. This language should address and quantify:

- a. All proposed specific changes to the nature, phasing, and build out date of the development order conditions and requirements; to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage number of units; and other major characteristics or components of the proposed change;

*Certified as true
and correct.*

- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;
- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;
- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;
- e. A proposed amended development order date until which the local government agrees that the changes to the ~~DRI shall not be subject to~~ down-zoning, unit density reduction, or intensity reduction, if applicable; and;
- f. Proposed amended development order specifications for annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025 (7), F.A.C.
- g. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and
- h. Proposed amended development order specifications for annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025 (7), F.A.C.

See *Exhibit 3*

Certified as true
and correct copy.

Central Business District City of Tampa



Location: Central Business District - City of Tampa. Northern boundary - Scott Street, Western boundary - Hillsborough River, Eastern boundary - Meridian Avenue, Southern boundary - Garrison Channel.

Approved as true
and correct copy

Airports

on

Attraction/Recreation

TYPE OF LAND
USE

Parking Spaces
Spectators
Seats
Site locational changes
Acreage, including drainage,
ROW, easements, etc.
External Vehicle Trips
D.O. Conditions
ADA representations
Runway (length)
Runway (Strength)
Terminal (gross square feet)
Parking Spaces
Gates
Apron Area (gross square
feet)
Site locational changes
Airport Acreage, including
drainage, ROW,
easements, etc.
External Vehicle Trips
D.O. conditions
ADA representations

Applicant does not
propose any
changes to the land
uses identified in
Ordinance 8249-A,
as amended by
Ordinance 88-76

SUBSTANTIAL DEVIATION DETERMINATION CHART

CHANGE CATEGORY
PROPOSED
PLAN
ORIGINAL
PLAN
PREVIOUS D.O.
CHANGE + DATE

Certified as true
 and correct copy.

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Hospitals	# Beds # Parking Spaces Building (gross square feet) Site locational changes Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	Applicant does not propose any changes to the land uses identified in Ordinance 8249-A, as amended by Ordinance 88-76	Acreage, including drainage, ROW, easements, etc. # Parking Spaces Building (gross square feet) # Employees Chemical storage (barrels and lbs.) Site Locational changes # External Vehicle Trips D.O. conditions ADA representations	
Industrial				

Noted as true and correct copy.

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Mining Operations	Acreage mined (year) Water Withdrawal (Gal/day) Size of Mine (acres), including drainage, ROW easements, etc. Site locational changes # External Vehicle Trips D.O. conditions ADA representations	Applicant does not propose any changes to the land uses identified in Ordinance 8249-A, as amended by Ordinance 88-76		
Office	Acreage, including drainage ROW, easements, etc. Building (gross square feet) # Parking Spaces # Employees Site locational changes # External Vehicle Trips D.O. conditions ADA representations			

Certified as true
and correct copy.

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Petroleum/Chemical Storage	Storage Capacity (barrels and/or lbs.) Distance to Navigable Water (feet) Site locational changes Facility Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	Applicant does not propose any changes to the land uses identified in Ordinance 8249-A, as amended by Ordinance 88-76	Applicant proposes to add 120 wet boat slips to the list of permissible uses in the development order.	
Ports (Marinas)	# boats, wet storage # boats, dry storage Dredge and Fill (cu.yds.) Petroleum storage (gals.) Site locational changes Port Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations			

Certified as true
and correct copy.

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Residential	# dwelling units Types of dwelling units # lots Acreage, including drainage, ROW, easements, etc. # External Vehicle Trips D.O. conditions ADA representations	Applicant does not propose any changes to the land uses identified in Ordinance 8249-A, as amended by Ordinance 88-76 ADA representations		
Wholesale, Retail, Service	Acreage, including drainage, ROW, easements, etc. Floor Space (gross square feet) # Parking Spaces # Employees Site locational changes # External Vehicle Trips D.O. conditions ADA representations			

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
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Hotel/Motel

Rental Units
Floor Space (gross square feet)
Parking Places
Employees
Site locational changes
Acreage, including drainage, ROW, easements, etc.
External Vehicle Trips
D.O. conditions
ADA representations

Applicant does not propose any changes to the land uses identified in Ordinance 8249-A, as amended by Ordinance 88-76

R.V. Park

Acreage, including drainage, ROW, easements, etc.
Parking Spaces
Buildings (gross square feet)
Employees
Site locational changes
External Vehicle Trips
D.O. conditions
ADA representations

Certified as true
 and correct copy.

4/20/2010 10:00 AM
 4/20/2010 10:00 AM
 4/20/2010 10:00 AM

Note: If a response is to be more than one sentence, attach a detailed description of each proposed change and copies of the proposed modified site plan drawings. The Bureau may request additional information from the developer or his agent.

TYPE OF LAND USE	CHANGE CATEGORY	PROPOSED PLAN	ORIGINAL PLAN	PREVIOUS D.O. CHANGE + DATE
Open Space (All natural and vegetated non- impervious surfaces)	Acresage Site Locational Changes Type of open space D.O. conditions ADA representations	Applicant does not propose any changes to the land uses identified in Ordinance 8249-A, as amended by Ordinance 88-76		
Preservation, Buffer or Special Protection Areas	Acresage Site locational changes Development of site proposed D.O. conditions ADA representations			

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING THE THIRD AMENDMENT TO A DEVELOPMENT ORDER RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, FOR THE DOWNTOWN TAMPA CENTRAL BUSINESS DISTRICT DEVELOPMENT OF REGIONAL IMPACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Tampa (hereinafter referred to as the "City"), is the governing body of the unit of local government having jurisdiction over the issuance and conditions of issuance of a development order pursuant to Section 380.06, Florida Statutes; and

WHEREAS, Ordinance No. 8249-A, passed and ordained by the City Council of the City of Tampa on June 2, 1983, approved a Development Order for the Downtown Tampa Central Business District Development of Regional Impact (hereinafter said Ordinance shall be referred to as the "Development Order"); and

WHEREAS, on April 2, 1987 pursuant to Section 4.D. of the Development Order, the City adopted Resolution No. 2148-I, which approved a methodology for making trade-off determinations from one land-use category to another (hereinafter "trade-off mechanism"); and

WHEREAS, Ordinance No. 88-76, passed and ordained by the City Council of the City of Tampa on March 1, 1988, approved a First Amendment to the Development Order (hereinafter said Ordinance shall be referred to as The "First Amendment"); and

WHEREAS, Ordinance No. 93-145 passed and ordained by the City Council of the City of Tampa on September 23, 1993 approved a Second Amendment to the Development Order (hereinafter said Ordinance shall be referred to as the "Second Amendment")

Certified as true
and correct copy.

WHEREAS, Ordinance No. _____ passed and ordained by the City Council of the City of Tampa on _____, 2000 approved a Third Amendment to the Development Order (hereinafter said Ordinance shall be referred to as the "Third Amendment; and

WHEREAS, The City of Tampa , filed an application dated August ____, 2000 and entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact" ("DRI") pursuant to subsection 380.06(19), Florida Statutes ("Notice of Proposed Change") attached hereto as Exhibit A; and

WHEREAS, The City of Tampa proposes to add _____ wet boat slips as a permissible use in the Development Order.

WHEREAS, the City has reviewed the Proposed Change, which shall constitute the Third Amendment to the Development Order, and has determined that they do not constitute a substantial deviation either singularly or cumulatively with the First and Second Amendments as defined in Section 380.06(19), Florida Statutes; and

WHEREAS, the City has conducted a duly noticed public hearing regarding the Proposed Changes to the development order and during the conduct of said hearing, solicited and evaluated comments, testimony and reports, both verbal and written, from interested parties concerning the Proposed Changes to the development order; and

WHEREAS, the City has reviewed the Notice of Change, as well as related testimony and evidence submitted by all parties and members of the general public.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. Findings of Fact. That City Council, having received the above referenced documents, and having received all related comments, testimony and

Certified as to be
a true and correct copy

evidence submitted by all persons and members of the general public, finds that there is substantial, competent, clear and convincing evidence to support the following Findings of Fact:

A. That the Developer submitted to the City the Notice of Change attached hereto as Exhibit A.

B. That the Proposed Changes are consistent with all local land use development regulations and the local comprehensive plan.

C. That the Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area, and are consistent with the State Comprehensive Plan.

D. That a comprehensive review of the impacts generated by the Proposed Changes has been conducted by the City.

E. That the Proposed Changes do not create additional regional impacts or impacts that were not previously reviewed nor impacts that meet or exceed any of the criteria set forth in Section 380.06(19), Florida Statutes.

Section 2. Conclusions of Law. That the City Council having made the above findings of Fact renders the following Conclusions of Law:

A. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record of these proceedings, the development as described herein, is authorized subject only to the amendments, conditions, restrictions and limitations set forth herein.

B. The review by the City and other participating agencies and interested

Certified as true
and correct.

citizens concludes that the impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Ordinance.

- C. That based on the foregoing and pursuant to Section 380.06(19), Florida Statutes (1991), the Proposed Changes are found not to be substantial deviations to the previously approved Development Order.

Section 3. Order.

That having made the above Findings of Fact and Conclusions of Law, it is ordered:

- A. That the Proposed Changes are hereby approved and the Development Order is hereby amended to incorporate the Notice of Change.
- B. That paragraph ____ of Section ____ of the Development Order is hereby amended to read as follows:

I will insert the appropriate language here once the number of slips is established.

Section 4. Development Ordinance, As Amended This Ordinance shall constitute the Fourth Amendment to Ordinance No. 8249 A, as previously amended, which shall constitute, collectively, the Development Order for the Development as passed and ordained by the City Council. All provisions of the Development Order except those specifically modified herein by this Third Amendment, shall remain in full force and effect and shall be considered conditions of the Development unless inconsistent with the terms and conditions of this Ordinance in which case the terms and conditions of these Ordinance shall govern.

Certified as true
and correct copy.

Section 5. Definitions. The Definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Ordinance.

Section 6. Binding Effect. That this Ordinance shall be binding upon the Developer, its assigns, and its successors in interest.

Section 7. Severance. That in the event that any portion or section of this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

Section 8. Transmittals. That the City Clerk is hereby directed to send copies of this Ordinance, within five (5) days of its effective date, to the Applicant _____ and the Florida Department of Community Affairs Bureau of State Planning.

Section 9. Rendition. That this Ordinance shall be deemed rendered upon transmittal of the copies of this Ordinance in the manner and to the recipients specified in Chapter 380, Florida Statutes.

Section 10. Recordation. That the Developer shall record a notice of adoption of this Ordinance pursuant to Chapter 380, Florida Statutes.

Section 11. Effective Date. That this Ordinance shall take effect immediately upon becoming a law.

Certified as true
and correct copy.

Passed and Ordained by the City Council
of the City of Tampa, Florida on:

Chairman, City Council

Approved as to Form and Correctness:

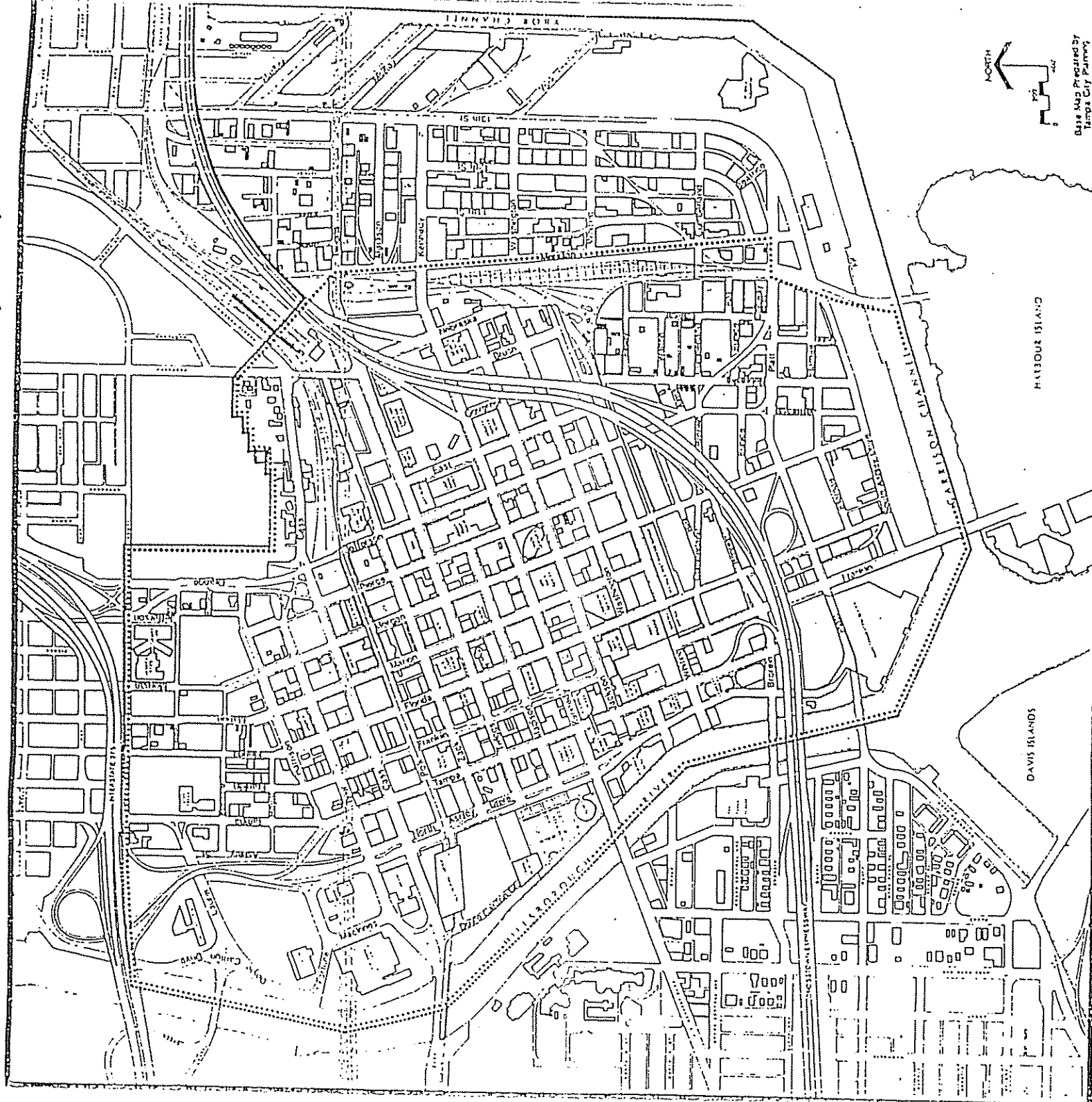
Assistant City Attorney

Approved by me on _____

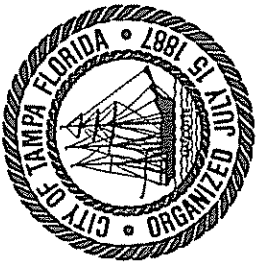
Dick Greco, Mayor

Certified as true
and correct copy.

Central Business District - City of Tampa



Denotes possible location of marina/transient slips subject to all environmental permitting processes.



CITY OF TAMPA

Janett S. Martin, City Clerk

Office of City Clerk

January 13, 2000

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg FL 33702

RE: Petition No. DZ82-30
Ordinance No. 2000-4

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process. If further information is needed, please contact the office of Land Development Coordination, at (813) 274-8405.

Sincerely,

Janett S. Martin
City Clerk

JM/gg

Enclosure: Certified copy of Ordinance No. 2000-4

Certified Mail

cc-BAL
ORDINANCE NO. 2000- 4

AN ORDINANCE OF THE CITY OF TAMPA,
FLORIDA, APPROVING THE THIRD AMENDMENT
TO A DEVELOPMENT ORDER RENDERED PURSUANT
TO CHAPTER 380, FLORIDA STATUTES, FOR
THE DOWNTOWN TAMPA CENTRAL BUSINESS
DISTRICT DEVELOPMENT OF REGIONAL
IMPACT; AND PROVIDING AN EFFECTIVE
DATE.

WHEREAS, the City Council of the City of Tampa (hereinafter referred to as "City"), is the governing body of the unit of local government having jurisdiction over the issuance and conditions of issuance of a development order pursuant to Section 380.06, Florida Statutes; and

WHEREAS, Ordinance No. 8249-A, passed and ordained by the City Council of the City of Tampa on June 2, 1983, approved a Development Order for the Downtown Tampa Central Business District Development of Regional Impact (hereinafter said Ordinance shall be referred to as the "Development Order"); and

WHEREAS, on April 2, 1987 pursuant to Section 4.D. of the Development Order, the City adopted Resolution No. 2148-I, which approved a methodology for making trade-off determinations from one land-use category to another (hereinafter "trade-off mechanism"); and

WHEREAS, Ordinance No. 88-76, passed and ordained by the City Council of the City of Tampa on March 1, 1988, approved a First Amendment to the Development Order (hereinafter said Ordinance shall be referred to as The "First Amendment"); and

WHEREAS, Ordinance No. 93-145 passed and ordained by the City Council of the City of Tampa on September 23, 1993 approved a Second Amendment to the Development Order (hereinafter said Ordinance shall be referred to as the "Second Amendment")

Certified as true
and correct copy.

WHEREAS, The Wilson Company, filed an application dated October 28, 1999 and entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact" ("DRI") pursuant to subsection 380.06(19), Florida Statutes ("Notice of Proposed Change") attached hereto as Exhibit A; and

WHEREAS, The Wilson Company proposes to extend the expiration date contained in the Development Order for a term of four (4) years eleven (11) months and fifteen (15) days to December 15, 2004, hereafter said change shall be referred to as "Proposed Change".

WHEREAS, the City has reviewed the Proposed Change, which shall constitute the Third Amendment to the Development Order, and has determined that they do not constitute a substantial deviation either singularly or cumulatively with the First and Second Amendments as defined in Section 380.06(19), Florida Statutes; and

WHEREAS, the City has conducted a duly noticed public hearing regarding the Proposed Changes to the development order and during the conduct of said hearing, solicited and evaluated comments, testimony and reports, both verbal and written, from interested parties concerning the Proposed Changes to the development order; and

WHEREAS, the City has reviewed the Notice of Change, as well as related testimony and evidence submitted by all parties and members of the general public.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. Findings of Fact. That City Council, having received the above referenced documents, and having received all related comments, testimony and evidence submitted by all persons and members of the general public, finds that there is substantial, competent, clear and convincing evidence to support the following Findings of Fact:

**Certified as true
and correct copy.**

- A. That the Developer submitted to the City the Notice of Change attached hereto as Exhibit A.
- B. That the Proposed Changes are consistent with all local land use development regulations and the local comprehensive plan.
- C. That the Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area, and are consistent with the State Comprehensive Plan.
- D. That a comprehensive review of the impacts generated by the Proposed Changes has been conducted by the City.
- E. That the Proposed Changes do not create additional regional impacts or impacts that were not previously reviewed nor impacts that meet or exceed any of the criteria set forth in Section 380.06(19), Florida Statutes.

Section 2. Conclusions of Law. That the City Council having made the above findings of Fact renders the following Conclusions of Law:

- A. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record of these proceedings, the development as described herein, is authorized subject only to the amendments, conditions, restrictions and limitations set forth herein.
- B. That review by the City and other participating agencies and interested citizens concludes that the impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Ordinance.

**Certified as true
and correct copy.**

- C. That based on the foregoing and pursuant to Section 380.06(19), Florida Statutes (1991), the Proposed Changes are found not to be substantial deviations to the previously approved Development Order.

Section 3. Order.

That having made the above Findings of Fact and Conclusions of Law, it is ordered:

- A. That the Proposed Changes are hereby approved and the Development Order is hereby amended to incorporate the Notice of Change.
- B. That the first paragraph of Section 6 (a). of the Development Order is hereby amended to read as follows:
- Section 6 (a). That, subject to the conditions of suspension or rescission as hereinafter provided, this Order shall remain in effect until ~~December 31,~~ 4999 December 15, 2004 In the event a substantial deviation is determined as defined in Section 4 (B) of the Order, this Order shall be suspended until amended or compliance with this Order has been determined pursuant to Chapter 380. The suspension of this Order shall be by City Council resolution, and shall state the exact date and time that the suspension takes effect. The City Council, within 30 days of the date that the suspension takes effect, shall initiate action to either:

- (1) Adopt an amended Development Order in response to any substantial deviation; or
- (2) Rescind this Development Order, protecting however, the rights, if any, of developers/developments previously approved pursuant to this Order.

At the earlier of (i) extension of the revised expiration date described herein or (ii) approval of Phase IV of the project, the City shall prepare and adopt a revised development schedule updating the schedule currently contained in Section G, of the Development Order.

Section 4. Development Ordinance. As Amended This Ordinance shall constitute the Third Amendment to Ordinance No. 8249 A, as previously amended, which shall constitute, collectively, the Development Order for the Development as passed and ordained by the City Council. All provisions of the Development Order except those specifically modified herein by this Third Amendment, shall remain in full force and effect and shall be considered conditions of the Development unless inconsistent with the terms and conditions of this Ordinance in which case the terms and conditions of these Ordinance shall govern.

Section 5. Definitions. The Definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Ordinance.

Section 6. Binding Effect. That this Ordinance shall be binding upon the Developer, its assigns, and its successors in interest.

Section 7. Severance. That in the event that any portion or section of this Ordinance is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

Section 8. Transmittals. That the City Clerk is hereby directed to send copies of this Ordinance, within five (5) days of its effective date, to the applicant Jack Wilson, President, The Wilson Company 655 N. Franklin Street, #2200 Tampa, Florida 33602 and the Florida Department of Community Affairs Bureau of State Planning.

Section 9. Rendition. That this Ordinance shall be deemed rendered upon

**Certified as true
and correct copy.**

transmittal of the copies of this Ordinance in the manner and to the recipients specified in Chapter 380, Florida Statutes.

Section 10. Recordation. That the Developer shall record a notice of adoption of this Ordinance pursuant to Chapter 380, Florida Statutes.

Section 11. Effective Date. That this Ordinance shall take effect immediately upon becoming a law.

Passed and Ordained by the City Council
of the City of Tampa, Florida on:

JAN 06 2000

Debra Purvold

Chairman, City Council
Janet S. Martin

CITY CLERK

Approved as to Form and Correctness:

Andrew Lyman

Assistant City Attorney

Approved by me on JAN 21 2000

Dick Greco

Dick Greco, Mayor

State of Florida
County of Hillsborough

This is to certify that the foregoing is a
true and correct copy of Ordinance 2000-4
on file in my office
Witness my hand and official seal this 12th day

of Jan, 2000
Janet S. Martin
CITY CLERK

**NOTIFICATION OF A PROPOSED CHANGE
TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06(19),
FLORIDA STATUTES
FOR
DOWNTOWN TAMPA CENTRAL BUSINESS DISTRICT
A
DEVELOPMENT OF REGIONAL IMPACT;
SEEKING APPROVAL OF ADDITIONAL PUBLIC ASSEMBLY SEATING
FOR A MULTI-PURPOSE ARENA**

PREPARED FOR:

**FAISON ASSOCIATES
NationsBank Plaza
400 North Ashley
Suite 2000
Tampa, Florida 33601**

**POLESTAR CAPITAL CORPORATION
NationsBank Plaza
400 North Ashley
Suite 1970
Tampa, Florida 33602**

PREPARED BY:

**HOLLAND & KNIGHT
NationsBank Plaza
400 North Ashley
Suite 2300
Tampa, Florida 33601
and**

**TINDALE-OLIVER AND ASSOCIATES
111 South Parker Street
Suite 500
Tampa, Florida 33606**

*February 22, 1993
Response to Question 5 Revised April 27, 1993*

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NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY
APPROVED DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06(19), FLORIDA STATUTES

Subsection 380.06(19), Florida Statutes (1991), requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency, and the state land planning agency according to this form.

1. I, Bradford C. Burgess, the undersigned authorized owner/representative of Faison Associates hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes (1991). In support thereof, I submit the following information concerning the Downtown Tampa Central Business District project, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the City of Tampa, the Tampa Bay Regional Planning Council and the Bureau of State Planning, Department of Community Affairs.

	(Date)	(Signature)
--	--------	-------------
2. Applicant (name, address, phone).

Faison Associates
NationsBank Plaza
400 N. Ashley, Suite 2000
Tampa, Florida 33606

Attention: Bradford C. Burgess
3. Authorized Agent (name, address, phone).

Attorney

Richard E. Davis
Holland & Knight
Post Office Box 1288
Tampa, Florida 33601
Phone: (813) 227-6407

Consultant

William E. Oliver, P.E.
Tindale-Oliver and Associates, Inc.
111 South Parker Street, Suite 500
Tampa, Florida 33606
Phone: (813) 254-8862

Location (City, County, Township/Range/Section) of approved DRI and proposed change.
4. City of Tampa, Hillsborough County, Florida. A location map and legal description for the approved DRI is included in Part I herein and identified as Exhibit A.
5. Provide a complete description of the proposed change. Include any proposed change. The purpose of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or in the representations contained in either the development order or the Application for Development Approval (ADA).

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or

the resulting impacts.

The Developer is now proposing an amendment to the existing Development Order. The existing Development Order provides for a total of 27,987 public assembly seats. The Developer proposes to increase the number of public assembly seats to a maximum of 47,987 seats. Concurrent with the proposed increase, the Developer also proposes to reduce the approved square footage for private office by 129,032 square feet. This concurrent reduction is based upon the DRI land use trade-off mechanism adopted by the City to implement the Downtown Tampa Central Business District Development Order and incorporated herein as Exhibit B. Therefore, the land use table contained in Section G of the Development Order identified as Ordinance No. 8249-A as amended by Ordinance No. 88-76 is hereby amended to read as follows:

- G. The ADA proposes development within CBD for the land uses, quantities and phases set forth below, subject, however, to the threshold requirements established in Exhibit C hereto for various levels or amounts of development. The figures shown below represent the maximum development for each land use category, within each phase.

Phase II

Retail	1,489,887
Warehouse	900,000
Private office	7,196,672
Government office	1,511,505
Residential	647
Hotel	1,747
Public Assembly	27,987 seats
Public Non-Assembly	174,857

Phase III

Retail	2,222,187
Warehouse	1,000,000
Private Office	<u>9,408,972</u>
Government office	2,056,505
Residential	1,867
Hotel	3,093

Public Assembly	<u>27,987</u>
Public Non-Assembly	<u>174,857</u>

Phase IV

Retail	2,632,087
Warehouse	1,350,000
Private office	<u>13,054,972</u>
Government office	2,402,505
Residential	2,867
Hotel	5,000
Public Assembly	<u>27,987</u>
Public Non-Assembly	<u>174,857</u>

Exhibit C, establishes the thresholds and threshold requirements, if any, for land use categories, that may be developed within the term of this order. These threshold requirements are developed in greater detail hereinafter.

* * * * *

The Developer also proposes to amend the final sentence in the first full paragraph of Section 4, paragraph D of the

Development Order as follows:

Section 4, paragraph D

The Department of HICS shall develop a methodology for making "trade-off" determinations. For purposes of this Order, a trade-off is the converting of the surplus intensity capacity in one or more land use categories, to intensity capacity in one or more different land use categories. (For example, it may be that 1,000 square feet of office space generates the same impact on all facilities and services as five (5) hotel rooms. If this were true, the intensity capacity for hotels could be raised and the intensity capacity for office could be lowered, in accordance with the established formula and methodology without changing the impact on facilities or services.) However, With the exception of trade-off determinations approving increases in the number of public assembly seats, no such trade-offs shall result in land use intensity in excess of approved Phase IV totals, for each land use category, as set forth in Section 2(G), above.

* * * * *

The public assembly seating facility this Notice contemplates is construction of an arena. The Developer proposes to include a requirement that event start and end times not be scheduled to occur during the normal weekday peak hours of traffic on the adjacent street network. The peak-hours of traffic are hereby identified as follows: a.m. peak hour 7:15-8:15; p.m. peak hour 4:45-5:45.

6. Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, please indicate no change.

Refer to the Substantial Deviation Determination Chart.

7. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e. any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

The original Development Order was adopted by the City Council of the City of Tampa, Florida on June 2, 1983. The Development Order was subsequently amended by Ordinance No. 88-76 adopted by the City Council on March 1, 1988 which amended the land use tables incorporated in Section G of the original Development Order to increase the available public assembly seating to a total of 27,987 seats. The original approved maximum for public assembly seating was 12,300 seats.

There has been no change in local government jurisdiction for any portion of the project since the last approval or development order was issued.

8. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or issuance of the DRI development order. Identify such land,

its size, intended use, and non-project land uses within 1/2 mile on a project master site plan or other map.

None.

9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in paragraph 380.06(19)(b), Florida Statutes.

Not applicable.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(e)2., F.S.

No.

10. Does the proposed change result in a change to the build-out date or any phasing date of the project? If so, indicate the proposed new build-out or phasing dates.

No.

11. Will the proposed change require an amendment to the local government comprehensive plan?

No.

12. Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06(15), F.S., and 9J-2.025, Florida Administrative Code:

An updated master site plan or other map of the development portraying and distinguishing the proposed changes in the previously approved DRI or development order conditions.

Not applicable.

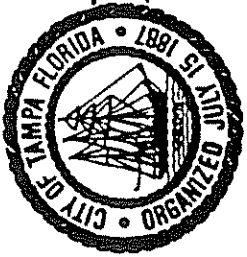
13. Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the Development Order. This language should address and quantify:

- a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements, to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components of the proposed change;
- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;
- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;
- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;
- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and

- f. Proposed amended Development Order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025(7), F.A.C.

See response to Question 5 and proposed Ordinance.

TPA-105854



CITY OF TAMPA

Frances J. Henriquez, City Clerk

Office of City Clerk

September 23, 1993

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg FL 32702

RE: Petition No. DZ82-30
Ordinance No. 93-145

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact the office of Land Development Coordination,
(813) 223-8405.

Sincerely,

(Mrs.) Frances Henriquez
City Clerk

FH/gg

Enclosure: Ordinance

CERTIFIED MAIL

cc: Land Development Coordination

mailed 9/23/93
received 9/27/93



315 E. Kennedy Blvd., City Hall • Tampa, Florida 33602 • 813/223-8396

Printed on Recycled Paper

ORDINANCE NO. 93-145

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, APPROVING AN AMENDMENT TO A DEVELOPMENT ORDER RENDERED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, FOR THE DOWNTOWN TAMPA CENTRAL BUSINESS DISTRICT DEVELOPMENT OF REGIONAL IMPACT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Tampa (hereinafter referred to as "City"), is the governing body of the unit of local government having jurisdiction over the issuance and conditions of issuance of a development order pursuant to Section 380.06, F.S.; and

WHEREAS, Ordinance No. 8249-A, passed and ordained by the City Council of the City of Tampa on June 2, 1983, approved a Development Order for the Downtown Tampa Central Business District Development of Regional Impact (hereinafter said Ordinance shall be referred to as the "Development Order"); and

WHEREAS, on April 2, 1987, pursuant to Section 4.D. of the Development Order, the City adopted Resolution No. 2148-I, which approved a methodology for making trade-off determinations from one land-use category to another (hereinafter "trade-off mechanism"); and

WHEREAS, Ordinance No. 88-76, passed and ordained by the City Council of the City of Tampa on March 1, 1988, approved a First Amendment to the Development Order (hereinafter said Ordinance shall be referred to as the "First Amendment"); and

WHEREAS, Faison Associates filed an application dated February 22, 1993 and entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact" ("DRI") pursuant to subsection 380.06(19), Florida Statutes ("Notice of Change") attached hereto as Exhibit A; and

WHEREAS, Faison Associates proposes to change the mix of approved uses, by increasing the public assembly seating and concurrently reducing private office square footage pursuant to the trade-off mechanism (hereinafter said changes shall be referred to as the "Proposed Changes"); and

WHEREAS, the City has reviewed the Proposed Changes, which shall constitute the Second Amendment to the Development Order, and has determined that they do not constitute a substantial deviation either singularly or cumulatively with the First Amendment, as defined in Section 380.06(19), Florida Statutes; and

WHEREAS, the City has conducted a duly noticed public hearing regarding the Proposed Changes to the development order and during the conduct of said hearing, solicited and evaluated comments, testimony and reports, both verbal and written, from interested parties concerning the Proposed Changes to the development order; and

WHEREAS, the City has reviewed the Notice of Change, as well as related testimony and evidence submitted by all parties and members of the general public.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. Findings of Fact. That City Council, having received the above-referenced documents, and having received all

Certified as true
and correct copy.

related comments, testimony and evidence submitted by all persons and members of the general public, finds that there is substantial, competent, clear and convincing evidence to support the following Findings of Fact:

- A. That the Developer submitted to the City the Notice of Change attached hereto as Exhibit A.
- B. That the Proposed Changes are consistent with all local land use development regulations and the local comprehensive plan.
- C. That the Proposed Changes do not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area, and are consistent with the State Comprehensive Plan.
- D. That the Proposed Changes are consistent with the report and recommendations of the Tampa Bay Regional Planning Council.
- E. That a comprehensive review of the impacts generated by the Proposed Changes has been conducted by the City and that Tampa Bay Regional Planning Council.
- F. That the Proposed Changes do not create additional regional impacts or impacts that were not previously reviewed nor impacts that meet or exceed any of the criteria set forth in Section 380.06(19), Florida Statutes (1991).

Section 2. Conclusions of Law. That the City Council having made the above findings of Fact, renders the following Conclusions of Law:

- A. That these proceedings have been duly conducted pursuant to applicable law and regulations, and based upon the record of these proceedings, the development as described herein, is authorized subject only to the amendments, conditions, restrictions and limitations set forth herein.
- B. The review by the City, Tampa Bay Regional Planning Council and other participating agencies and interested citizens concludes that the impacts of the Proposed Changes are adequately addressed pursuant to the requirements of Chapter 380, Florida Statutes, within the terms and conditions of this Ordinance.
- C. That based on the foregoing and pursuant to Section 380.06(19), Florida Statutes (1991), the Proposed Changes are found not to be substantial deviations to the previously approved Development Order.

Section 3. Order.

That having made the above Findings of Fact and Conclusions of Law, it is ordered:

- A. That the Proposed Changes are hereby approved and the Development Order is hereby amended to incorporate the Notice of Change.
- B. That the first paragraph of Section 4.D. of the Development Order is hereby amended to read as follows:

"The Department of HICS shall develop a methodology for making "trade-off" determinations. For purposes of this Order, a trade-off is the converting of the surplus intensity capacity in one or more land use categories, to intensity capacity in

one or more different land use categories. (For example, it may be that 1,000 square feet of office space generates the same impact on all facilities and services as five (5) hotel rooms. If this were true, the intensity capacity for hotels could be raised and the intensity capacity for office could be lowered, in accordance with the established formula and methodology without changing the impact on facilities or services). With the exception of trade-off determinations approving an increase in the available public assembly seating (which total public assembly seating shall not exceed 60,000 seats), no such trade-off's shall result in land use intensity in excess of approved Phase IV totals, for each land use category, as set forth in Section 2.G., above."

- C. The public assembly seating facility contemplated by this Second Amendment is construction of an arena. Event start or end times at the arena shall not be scheduled to occur during the normal weekday peak-hours of traffic on the adjacent street network, therefore event start or end times shall not occur during the following times:
7:15 a.m. - 8:15 a.m. and 4:45 p.m. - 7:25 p.m.; however, special events with start times prior to 7:30 p.m. on weekdays (excluding holidays) may be held upon approval of the City of Tampa Transportation Division, after review of the nature of the event and expected traffic characteristics.

Section 4. Development Order, As Amended. This Ordinance shall constitute the Second Amendment to Ordinance No. 8249-A, as previously amended by the First Amendment, Ordinance No. 88-76, which shall constitute, collectively, the Development Order for the Development as passed and ordained by the City Council. All provisions of the Development Order except those specifically modified herein by this Second Amendment, shall remain in full force and effect and shall be considered conditions of the Development unless inconsistent with the terms and conditions of this Ordinance in which case the terms and conditions of these Ordinance shall govern.

Section 5. Definitions. The Definitions contained in Chapter 380, Florida Statutes, shall control the interpretation and construction of any terms of this Ordinance.

Section 6. Binding Effect. That this Ordinance shall be binding upon the Developer, its assigns, and its successors in interest.

Section 7. Severance. That in the event that any portion or section of this Ordinance is determined to be invalid, illegal or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Ordinance which shall remain in full force and effect.

Section 8. Transmittals. That the City Clerk is hereby directed to send copies of this Ordinance, within five (5) days of its effective date, to the applicant (Faison Associates, NationsBank Plaza, 400 North Ashley, Suite 2000, Tampa, Florida 33602, Attn: Bradford C. Burgess), the Florida Department of Community Affairs (Bureau of State Planning), and the Tampa Bay Regional Planning Council.

Section 9. Rendition. That this Ordinance shall be deemed rendered upon transmittal of the copies of this Ordinance in the manner and to the recipients specified in Chapter 380, Florida Statutes.

Section 10. Recordation. That the Developer shall record a notice of adoption of this Ordinance pursuant to Chapter 380, Florida Statutes.

Section 11. Effective Date. That this Ordinance shall take effect immediately upon becoming a law.

PASSED AND ORDAINED BY THE
CITY COUNCIL OF THE CITY OF
TAMPA, FLORIDA, ON
SEP 23 1993.

Joe Bruno

CHAIRMAN, CITY COUNCIL

APPROVED BY ME ON SEP 23 1993

ATTEST:
Frances Henriquez
City Clerk

Sandra W. Freedman
Sandra W. Freedman, Mayor

APPROVED AS TO FORM AND
CORRECTNESS:

David F. Gino
Assistant City Attorney

State of Florida
County of Hillsborough

This is to certify that the foregoing is a
true and correct copy of Ordinance 110 93-145
on file in my office.

Witness my hand and official seal this 23rd day
of Sept, 19 93.

Frances Henriquez
CITY CLERK

33253-13
TPA-121177

**NOTIFICATION OF A PROPOSED CHANGE
TO A PREVIOUSLY APPROVED
DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06(19),
FLORIDA STATUTES
FOR
DOWNTOWN TAMPA CENTRAL BUSINESS DISTRICT
A
DEVELOPMENT OF REGIONAL IMPACT;
SEEKING APPROVAL OF ADDITIONAL PUBLIC ASSEMBLY SEATING
FOR A MULTI-PURPOSE ARENA**

PREPARED FOR:

**FAISON ASSOCIATES
NationsBank Plaza
400 North Ashley
Suite 2000
Tampa, Florida 33601**

**POLESTAR CAPITAL CORPORATION
NationsBank Plaza
400 North Ashley
Suite 1970
Tampa, Florida 33602**

Certified as true
and correct copy.

PREPARED BY:

**HOLLAND & KNIGHT
NationsBank Plaza
400 North Ashley
Suite 2300
Tampa, Florida 33601
and**

**TINDALE-OLIVER AND ASSOCIATES
111 South Parker Street
Suite 500
Tampa, Florida 33606**

February 22, 1993

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Location Map and
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NOTIFICATION OF A PROPOSED CHANGE TO A PREVIOUSLY
APPROVED DEVELOPMENT OF REGIONAL IMPACT (DRI)
SUBSECTION 380.06(19), FLORIDA STATUTES

Subsection 380.06(19), Florida Statutes (1991), requires that submittal of a proposed change to a previously approved DRI be made to the local government, the regional planning agency, and the state land planning agency according to this form.

1. I, **Bradford C. Burgess**, the undersigned authorized owner/representative of **Faison Associates** hereby give notice of a proposed change to a previously approved Development of Regional Impact in accordance with Subsection 380.06(19), Florida Statutes (1991). In support thereof, I submit the following information concerning the Downtown Tampa Central Business District project, which information is true and correct to the best of my knowledge. I have submitted today, under separate cover, copies of this completed notification to the City of Tampa, the Tampa Bay Regional Planning Council and the Bureau of State Planning, Department of Community Affairs.

February 22, 1993
(Date)

Bradford C. Burgess
(Signature)

2. Applicant (name, address, phone).

Faison Associates
NationsBank Plaza
400 N. Ashley, Suite 2000
Tampa, Florida 33606

Attention: **Bradford C. Burgess**

3. Authorized Agent (name, address, phone).

Attorney

Richard E. Davis
Holland & Knight
Post Office Box 1288
Tampa, Florida 33601
Phone: (813) 227-6407

Consultant

William E. Oliver, P.E.
Tindale-Oliver and Associates, Inc.
111 South Parker Street, Suite 500
Tampa, Florida 33606
Phone: (813) 254-8862

4. Location (City, County, Township/Range/Section) of approved DRI and proposed change.

City of Tampa, Hillsborough County, Florida. A location map and legal description for the approved DRI is included in Part I herein and identified as Exhibit A.

5. Provide a complete description of the proposed change. Include any proposed changes to the plan of development, phasing, additional lands, commencement date, build-out date, development order conditions and requirements, or in the representations contained in either the development order or the Application for Development Approval (ADA).

Indicate such changes on the project master site plan, supplementing with other detailed maps, as appropriate. Additional information may be requested by the Department or any reviewing agency to clarify the nature of the change or the resulting impacts.

The Developer is now proposing an amendment to the existing Development Order. The existing Development Order provides for a total of 27,987 public assembly seats. The Developer proposes to increase the number of public assembly seats to a maximum of 47,987 seats. Concurrent with the proposed increase, the Developer also proposes to reduce the approved square footage for private office by 129,032 square feet. This concurrent reduction is based upon the DRI land use trade-off mechanism adopted by the City to implement the Downtown Tampa Central Business District Development Order and incorporated herein as Exhibit B. Therefore, the land use table contained in Section G of the Development Order identified as Ordinance No. 8249-A as amended by Ordinance No. 88-76 is hereby amended to read as follows:

Phase II

Retail	1,489,887
Warehouse	900,000
Private office	7,196,672
Government office	1,511,505
Residential	647
Hotel	1,747
Public Assembly	27,987 seats
Public Non-Assembly	174,857

Phase III

Retail	2,222,187
Warehouse	1,000,000
Private Office	9,408,972 9,279,940
Government office	2,056,505

EXHIBIT "A"

LEGAL DESCRIPTION

An area bounded on the west by the Hillsborough River; on the north, beginning at the Hillsborough River and extending east along the south boundary of Interstate 275 to Scott Street, and extending easterly along the east right-of-way boundary of Scott Street to the west boundary of Central Park Village Housing Project; thence south along said west boundary to the south boundary of said Central Park Village Housing Project; and thence easterly along the south boundary of said Central Park Village Housing Project to the easterly boundary of Nebraska Avenue; thence southeasterly to the southwest corner of Twiggs Street and Meridian Avenue; and thence southerly along the west boundary of Meridian Avenue to the north right-of-way boundary of Platt Street; thence westerly along the northern boundary of Platt Street, a distance of approximately 250 feet to the west boundary of the Seaboard Coastline Railroad right-of-way; thence southerly along said Seaboard Coastline Railroad right-of-way to Garrison Channel; and bounded on the south by Garrison Channel to the Hillsborough River.

This is a detailed street map of St. Petersburg, Florida. The map shows a dense grid of streets, with major thoroughfares like US Highway 1 (Gandy Blvd) and US Highway 90 (Gandy Blvd) clearly marked. The city is bordered by the Gulf of Mexico to the south. Key landmarks and areas labeled include:

- Streets:** Numerous streets are labeled, including Main St, Central Ave, and various numbered streets.
- Parks and Recreation:** Areas like "PARK" and "RECREATION" are indicated in specific blocks.
- Waterways:** The "GULF OF MEXICO" is labeled along the southern coast.
- Landmarks:** Specific locations like "ST. PETERSBURG" and "FLORIDA" are noted.

 A large, dark, irregular shape is drawn over the central part of the map, covering a significant portion of the city grid. This shape likely represents a specific area of interest or a boundary for a particular study or project.

GENERAL LOCATION MAP

DEVELOPMENT
AREA

MAP A

EXHIBIT "B"

RESOLUTION NO. 2119 -1

A RESOLUTION APPROVING A METHODOLOGY FOR MAKING TRADE-OFF DETERMINATIONS PURSUANT TO SECTION 4(D) OF THE DEVELOPMENT ORDER FOR THE DOWNTOWN TAMPA CENTRAL BUSINESS DISTRICT DEVELOPMENT OF REGIONAL IMPACT ORDINANCE NO. 8249-A; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Downtown Tampa Central Business District DAI Section 4(D) requires the Department of HICS to develop a methodology for making trade-off determinations; and

WHEREAS, HICS has developed a methodology for converting surplus intensity capacity in one or more land use categories to intensity capacity in one or more different land use categories; and, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. That pursuant to Section 4(D) of Ordinance No. 8249-A the following shall be used to calculate trade-offs from one land use category to another.

Land Use Trade-Offs

1,000 sq. ft. private office space = 525 sq. ft. retail
1,000 sq. ft. private office space = 3,014 sq. ft. warehouse and miscellaneous
1,000 sq. ft. private office space = 589 sq. ft. government office
1,000 sq. ft. private office space = 1.82 residential units
1,000 sq. ft. private office space = 1.60 hotel units
1,000 sq. ft. private office space = 155 public assembly seats
1,000 sq. ft. private office space = 14,222 sq. ft. public non-assembly

Section 2. That all officers are hereby authorized to do all things necessary and proper in order to carry out and make effective the provisions of this Resolution.

Section 3. That this Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON
APR 02 1987

ATTEST:

Doreen Skinning
CITY CLERK

Prepared by:

[Signature]
CITY CLERK

[Signature]
CITY COUNCIL

Residential	1,867	
Hotel	3,093	
Public Assembly	27,987	<u>47,987</u> seats
Public Non-Assembly	174,857	

Phase IV

Retail	2,632,087	
Warehouse	1,350,000	
Private office	13,054,972	<u>12,825,940</u>
Government office	2,402,505	
Residential	2,867	
Hotel	5,000	
Public Assembly	27,987	<u>47,987</u> seats
Public Non-Assembly	174,857	

6. Complete the attached Substantial Deviation Determination Chart for all land use types approved in the development. If no change is proposed or has occurred, please indicate no change.

Refer to the Substantial Deviation Determination Chart.

7. List all the dates and resolution numbers (or other appropriate identification numbers) of all modifications or amendments to the originally approved DRI development order that have been adopted by the local government, and provide a brief description of the previous changes (i.e. any information not already addressed in the Substantial Deviation Determination Chart). Has there been a change in local government jurisdiction for any portion of the development since the last approval or development order was issued? If so, has the annexing local government adopted a new DRI development order for the project?

The original Development Order was adopted by the City Council of the City of Tampa, Florida on June 2, 1983. The Development Order was subsequently amended by Ordinance No. 88-76 adopted by the City Council on March 1, 1988 which amended the land use tables incorporated in Section G of the original Development Order to increase the available public assembly seating to a total of 27,987 seats. The original approved maximum for public assembly seating was 12,300 seats.

There has been no change in local government jurisdiction for any portion of the project since the last approval or development order was issued.

8. Describe any lands purchased or optioned within 1/4 mile of the original DRI site subsequent to the original approval or

SUBSTANTIAL DEVIATION CHART

Type of Land Use (1)	Change Category	Proposed Plan	Original Plan	Previous Changes
Public Assembly	# Parking Spaces # Spectators # Seats Site Locational Changes Acreage, including Drainage, ROW, Easements, etc. # External Vehicle Trips D.O. Conditions ADA Representations	Maximum number of seats increased to 47,987	12,300 seats	Maximum number of seats increased to 27,987
Private Office	Acreage, including Drainage, ROW, Easements, etc. Building (gross square feet) # Parking Spaces # Employees Chemical Storage (barrels and lbs.) Site Location Changes # External Vehicle Trips D.O. Conditions ADA Representations	No Change - - - - -	Phase I (Base year) 3,659,700 Phase II 7,290,700 Phase III 9,503,000 Phase IV 13,149,000	Phase II 7,196,172 Phase III 9,408,972 Phase IV 13,054,972
Government Office	Acreage, including Drainage, ROW, Easements, etc. Building (gross square feet) # Parking Spaces # Employees Site Locational Changes # External Vehicle Trips D.O. Conditions ADA Representations	No Change - - - - -	Phase I (Base year) 1,321,000 Phase II 1,705,000 Phase III 2,250,000 Phase IV 2,596,000	Phase II 1,511,505 Phase III 2,056,505 Phase IV 2,402,505
Residential	# Dwelling Units Type of Dwelling Units # Lots Acreage, including drainage Site Locational Changes # D.O. conditions External Vehicle Trips	No Change - - - - -	Phase I (Base year) 575 units Phase II 880 units Phase III 2,100 units Phase IV 3,100 units	Phase II 647 units Phase III 1,867 units Phase IV 2,867 units

Type of Land Use (1)	Change Category	Proposed Plan	Original Plan	Previous Changes
Warehouse	Acreage, including Drainage, ROW, Easements, etc. Building (gross square feet) # Parking Spaces # Employees Site Locational Changes # External Vehicle Trips D.O. Conditions ADA Representations	No Change	Phase I (Base year) 1,048,800 Phase II 900,000 Phase III 1,000,000 Phase IV 1,350,000	No Change
Hotel	Acreage including drainage # Rooms Building (gross square feet) D.O. conditions	No Change	Phase I (Base year) 807 rooms Phase II 1,747 rooms Phase III 3,093 rooms Phase IV 5,000 rooms	No change
Retail	Acreage, including Drainage, ROW, Easements, etc. Floor Space (gross square feet) # Parking Spaces # Employees Site Locational Changes # External Vehicle Trips D.O. Conditions ADA Representations	No Change	Phase I (Base year) 1,310,900 Phase II 1,539,800 Phase III 2,272,100 Phase IV 2,682,000	Phase II 1,489,887 Phase III 2,222,187 Phase IV 2,632,087
Public Non-Assembly	Building (gross square feet) # Parking Spaces # Spectators # Seats Site Locational Changes Acreage, including Drainage ROW Easements, etc. #External Vehicle Trips D.O. Conditions ADA Representations	No Change	Phase I (Base year) 175,025 square feet Phase II 175,025 square feet Phase III 175,025 square feet Phase IV 175,025 square feet	Phase II 174,857 Phase III 174,857 Phase IV 174,857

issuance of the DRI development order. Identify such land, its size, intended use, and non-project land uses within 1/2 mile on a project master site plan or other map.

None.

9. Indicate if the proposed change is less than 40% (cumulatively with other previous changes) of any of the criteria listed in Paragraph 380.06(19)(b), Florida Statutes.

Not applicable.

Do you believe this notification of change proposes a change which meets the criteria of Subparagraph 380.06(19)(a)2., F.S.

No.

10. Does the proposed change result in a change to the build-out date or any phasing date of the project? If so, indicate the proposed new build-out or phasing dates.

No.

11. Will the proposed change require an amendment to the local government comprehensive plan?

No.

12. Provide the following for incorporation into such an amended development order, pursuant to Subsections 380.06(15), F.S., and 9J-2.025, Florida Administrative Code:

An updated master site plan or other map of the development portraying and distinguishing the proposed changes in the previously approved DRI or development order conditions.

Not applicable.

13. Pursuant to Subsection 380.06(19)(f), F.S., include the precise language that is being proposed to be deleted or added as an amendment to the Development Order. This language should address and quantify:

- a. All proposed specific changes to the nature, phasing, and build-out date of the development; to development order conditions and requirements, to commitments and representations in the Application for Development Approval; to the acreage attributable to each described proposed change of land use, open space, areas for preservation, green belts; to structures or to other improvements including locations, square footage, number of units; and other major characteristics or components

of the proposed change;

- b. An updated legal description of the property, if any project acreage is/has been added or deleted to the previously approved plan of development;
- c. A proposed amended development order deadline for commencing physical development of the proposed changes, if applicable;
- d. A proposed amended development order termination date that reasonably reflects the time required to complete the development;
- e. A proposed amended development order date until which the local government agrees that the changes to the DRI shall not be subject to down-zoning, unit density reduction, or intensity reduction, if applicable; and
- f. Proposed amended Development Order specifications for the annual report, including the date of submission, contents, and parties to whom the report is submitted as specified in Subsection 9J-2.025(7), F.A.C.

See response to Question 5 and proposed Ordinance.

TPA-105854

TINDALE OLIVER

and Associates, Inc.

February 22, 1993

Mr. Rick Davis
Holland & Knight, Inc.
400 N. Ashley Street
NCNB Tower, Suite 230
Tampa, Florida 33642

Re: Downtown Tampa DRI Notice of Proposed Change

Dear Mr. Davis:

Tindale-Oliver and Associates, Inc. has completed its review of the effects of reducing the office square footage in the Phase III Downtown Tampa DRI by 129,032 square feet as a trade-off for the inclusion of a 20,000 seat public assembly seating facility. This trade-off relationship is based on the land use tradeoff mechanism adopted by the Tampa City Council as a part of the Downtown DRI Development Order. The Public Assembly seating facility this NOPC contemplates is construction of an arena.

A meeting was held with transportation agencies at the Tampa Bay Regional Planning Council on February 9, 1993. During this meeting the general approach to submitting a transportation review for the NOPC was discussed. The approach of applying the DRI trade-off mechanism was endorsed; however, a question was raised as to whether or not the proposed reduction in office land uses would have any substantial effect on internal capture assumptions of the Phase III Downtown Tampa CBD DRI. During the meeting, we discussed the possibility of reviewing this when a development proposal is advanced. Upon further consideration, we have chosen to address this question now, and to this end have prepared additional material concerning trip ends generation and internal capture.

Attached to this letter are excerpts from the Phase III Downtown Tampa CBD DRI traffic analysis summarizing trip generation estimates and internal capture during the a.m. and p.m. peak hours. These estimates are the final estimates as modified in the "Response to TBRPC Questions (September, 1989)". In addition, we have attached revised a.m. peak hour and p.m. peak hour internal capture matrices reflecting the same trip rates and internal capture rate assumptions applied to the Phase III DRI approval, with simple modifications to the number of trip ends that would be captured by the slightly reduced office square footage. This comparison indicates that reduction of office by 129,032 square feet would result in a 1.7% reduction of p.m. peak hour external trip ends and a reduction of 2.9% of the a.m. peak hour external trip ends.

Typical weekday events at the arena would begin around 7:30 p.m. It is likely that on event evenings, some downtown employees would choose to stay downtown until the evening event occurred rather than leave the downtown during the rush hour to go home. Thus, the revised internal capture estimates provided herein could justifiably be increased from those estimated in the Phase III Analysis. On the other hand, it may be that some additional traffic may be attracted into the downtown area to the arena during the traditional 4:45 p.m. to 5:45 p.m. evening rush hour as a result of pre-event preparations occurring at the arena. We have reviewed all literature available to us, including information

111 South Parker Street, Suite 500, Tampa, Florida 33606 (813) 254-8862 Fax (813) 254-1146

TINDALE

OLIVER and Associates, Inc.

Mr. Rick Davis
February 18, 1993
Page Two

from the Institute of Transportation Engineers and the Eno Foundation, to seek to estimate arena generated traffic two to three hours before a scheduled event. None of the sources have any information regarding traffic generated by an arena type of facility this far before the event begins. For purposes of this NOPC, we have chosen not to increase the internal capture estimates of the original Phase III traffic analysis to address this issue.

As we have acknowledged above, small amounts of traffic may be attracted to the arena site during the traditional 4:45 to 5:45 p.m. evening rush hour; however, this traffic would be inbound in nature, whereas the evening rush hour traffic is heavily outbound oriented. The original Phase III approval indicated that road facilities would be designed to accommodate an additional 3,687 inbound a.m. peak hour vehicles. Under the revised p.m. traffic estimates, Phase III would attract 1,796 inbound vehicles. Thus, substantial provision has been made for any inbound traffic that isn't offset by the conservative approach to internal capture.

Based on the information provided above, it is our opinion that the reduction of office square footage in "trade-off" for the 20,000 seat arena facility will not create additional impacts to regionally significant facilities. In addition, it is appropriate that the inbound traffic conditions resulting from the pre-game inbound traffic and post-game outbound traffic be reviewed during the "local impact study" required under Section 4.Y. of the Downtown Tampa DRI Development Order.

Should you have any questions regarding the foregoing information, please advise me.

Very truly yours,

TINDALE-OLIVER AND ASSOCIATES, INC.



William E. Oliver, P.E.
Vice President

WEO/jm

Attachments

cc: Ms. Sheila Benz, Tampa Bay Regional Planning Council
Mr. Alex McGee, Florida Department of Community Affairs
Ms. Susan Swift, City of Tampa, Office of Development Coordination
Mr. Mahdi Monseur, City of Tampa, Traffic Division
Mr. Max Perez, Florida Department of Transportation, District 7
Mr. Brad Burgess, Faison Properties, Inc.

09802.97 letters via wao

Table 31-C-1a (New)
TRIP GENERATION
ADJUSTED PHASE III TRIPS

Land-Use	Trips		Daily Total
	AM ²	PM ²	
Retail ¹	278/168	1,164/1,208	27,242
Warehouse & Misc.	39/18	58/98	488
Private Office ³	2,476/370	419/2,200	15,484 ⁴
Gov't Office ³	750/112	129/675	4,230
Residential	73/310	270/165	4,823
Hotel	625/322	483/411	11,786
Public Assembly	—	—	—
Non-Public Assembly	—	—	—
Totals	4,241/1,300	2,523/4,757	64,052

Notes:

1. Specialty Retail: 4th Edition ITE Trip Generation Manual
2. Peak Hour Summary - In/Out
3. Assumptions for Office Trips
 - 12 percent transit
 - 5 percent absenteeism
 - 1.28 persons per vehicle
 - 3.5 employees/1000 square feet
4. In accordance with the discussions relative to adjustment factors in the ITE Trip Generation Manual (4th Edition), private office trips were adjusted to reflect (1) downtown conditions, and (2) future increases in vehicle occupancies and transit use.

Addition Date: September, 1989

Source: Barton-Aschman Associates, Inc., "Responses to Tampa Bay Regional Planning Council Comments -- Downtown Tampa Development of Regional Impact Application for Development Approval Phase III Update (DRI Number 78)", September, 1989

TRIP MATRIX - PM PEAK HOUR

[illegible]

NOTES:

PHASE III ADJUSTED TRIPS

REVISION DATE: SEPTEMBER, 1969

Some number of trips should leave office
destined to residential as arrive at
residential from office origin. "Manual edits reflect balancing of this
trip interchange to be $(16+134)/2 = 85$
trip-ends at each land-use

Source: Barton-Aschman Associates, Inc., "Responses to Tampa Bay Regional Planning Council Comments -- Downtown Tampa Development of Regional Impact Application for Development Approval Phase III Update (DRI Number 78)", September, 1989

TINDALE-OLIVER & ASSOCIATES
 111 South Parker Street
 Suite 500
 TAMPA, FLORIDA 33606
 (813) 254-8862

JOB _____ SHEET NO _____ OF _____
 CALCULATED BY WEO DATE 2-12-93
 CHECKED BY _____ DATE _____
 SCALE _____

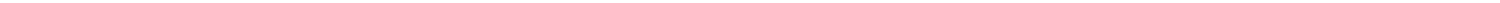
Revised P.M. Peak Hour Internal Capture Matrix

Land Use	Total Trip-Ends	Internally Captured Trip-Ends									
		Hotel	Warehouse	Retail	Residential	Govt Office	Office	Inbound			
	483/411	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0
	58/98	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0
	1164/1208	30/30	0/0	0/0	25/42	43/0	204/0	0/0	0/0	0/0	0/0
	270/165	0/0	0/0	42/25	0/0	26/0	80/0	0/0	0/0	0/0	0/0
	129/675	0/22	0/0	0/47	0/26	0/0	129/580	0/0	0/0	0/0	0/0
	394/2072	0/116	0/0	0/204	0/80	0/0	394/1672	0/0	0/0	0/0	0/0
Totals: 2498/4629		7,123									

Source: Barton - Aschman Associates, Inc., "Responses to Tampa Bay Regional Planning Council Comments -- Downtown Tampa Development of Regional Impact Application for Development Approval Phase III Update (CER Number 78), September, 1989.

Trips for Private Office land use have been reduced to reflect a reduction of 129,032 s.f. "traded" for a 29,000 seat Public Assembly Seating facility. The Phase III Private Office assumption of the RPA was 2,212,300 s.f., generating 419 "inbound" and 2,200 "outbound" trip-ends in the pm peak hour. This proposal is to reduce the Private Office square footage by 129,032 s.f. to 2,083,268 in Phase III, leading to 394 "inbound" and 2,072 "outbound" pm peak hour trip-ends.

Original Phase III external trip-ends were 5,824. Proposed Phase III external trip-ends are 5,723 -- a reduction of 101 trip-ends, or 1.7%.

[illegible]

NOTES:

1. PHASE III ADJUSTED TRIPS

REVISION DATE: SEPTEMBER, 1989

Source: Barton-Aschman Associates, Inc., "Responses to Tampa Bay Regional Planning Council Comments -- Downtown Tampa Development of Regional Impact Application for Development Approval Phase III Update (DRI Number 78)", September, 1989

TINDALE-OLIVER & ASSOCIATES

111 South Parker Street

Suite 500

TAMPA, FLORIDA 33606

(813) 254-8862

JOB _____

SHEET NO _____

OF _____

CALCULATED BY _____

WED

DATE _____

2-12-93

CHECKED BY _____

DATE _____

SCALE _____

Revised A.M. Peak Hour Internal Capture Matrix

Total Trip-Ends									
Internally-Captured Trip-Ends									
Externally-Captured Trip-Ends									
Hotel	Warehouse	Retail	Residential	Govt Office	Office	Hotel	Warehouse	Retail	Residential
625/322	39/18	278/168	73/310	759/112	2327/348	0/0	0/0	0/0	0/0
0/0	0/0	31/20	0/0	25/0	129/0	0/0	0/0	0/0	0/0
0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0
20/31	0/0	0/0	8/24	27/8	37/32	0/0	0/0	0/0	0/0
0/0	0/0	24/8	7/7	0/0	152/0	0/0	0/0	0/0	0/0
0/25	0/0	8/27	0/29	0/162	1997/316	0/25	0/0	0/0	0/0
0/129	0/0	32/37	0/162	669/104	3569/746	0/129	0/0	0/0	0/0
605/133	39/18	183/76	65/95	669/104	1997/316	4,306	4,306	4,306	4,306

Inbound/Outbound

4,092/1,278

5,370

Original Phase III DEI indicated 4,433 a.m. peak hour external trip-ends. Proposed change will increase 127 fewer, or 2.7% reduction.

ORDINANCE NO. 88-716

AN ORDINANCE AMENDING ORDINANCE NO. 8249-A, WHICH REQUESTED A PAYMENT ORDER PURSUANT TO SECTION 380.06 OF CHAPTER 380, FLORIDA STATUTES, ON THE APPLICATION FOR DEVELOPMENT APPROVAL FILED BY THE TAMP A DOWNTOWN DEVELOPMENT AUTHORITY FOR DEVELOPMENT OF THE DOWNTOWN TAMP A CENTRAL BUSINESS DISTRICT, AMENDING LAND USE THRESHOLDS, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Tampa, Florida adopted Ordinance No. 8249-A on June 2, 1983; and

WHEREAS, a public hearing has been held pursuant to Florida Statute 380.06(19); and

WHEREAS, it is in the best interest of the City of Tampa to amend said Ordinance;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA:

Section 1. That the City Council of the City of Tampa, Florida, makes the following findings of fact:

- a) That the City's application has been forwarded to the appropriate agencies pursuant to Chapter 380.06(19),
- b) That the changes proposed do not constitute a substantial deviation to the Development Order.

Section 2. That Ordinance No. 8249-A, Section G, be amended to read as follows:

PHASE II

Retail	1,489,887
Warehouse	900,000
Private Office	7,196,672
Government Office	1,511,505
Residential	647
Hotel	1,747
Public Assembly	27,987
Public Non-Assembly	174,857

PHASE III

Retail	2,222,187
Warehouse	1,000,000
Private Office	9,408,972
Government Office	2,056,505
Residential	1,867
Hotel	3,093
Public Assembly	27,987
Public Non-Assembly	174,857

PHASE IV

Retail	2,632,087
Warehouse	1,350,000
Private Office	13,054,972
Government Office	2,402,505
Residential	2,867
Hotel	5,000
Public Assembly	27,987
Public Non-Assembly	174,857

8 1 3 0 0 0
N 7 92-20

Section 3. If all ordinances in conflict herewith are repealed to the extent of any conflict.

Section 4. That if any part of this ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions, at the City of Tampa's election, shall remain in full force and effect.

Section 5. That this ordinance shall take effect immediately upon becoming a law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON MAR 01 1988

ATTEST:

Theresa Skyring
CITY CLERK

Paula
CHAIRMAN, CITY COUNCIL

APPROVED BY ME ON MAR 02 1988

Isidra W. Freeman
MAYOR

PREPARED AND APPROVED BY:

Gina K. Grimes
GINA K. GRIMES
ASSISTANT CITY ATTORNEY

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA ADOPTING AN AMENDMENT TO ORDINANCE NO.8249-A, AS AMENDED BY ORDINANCE NO. 88-76; CONSTITUTING A DEVELOPMENT ORDER ISSUED PURSUANT TO CHAPTER 380, FLORIDA STATUTES, FOR THE DOWNTOWN TAMPA CENTRAL BUSINESS DISTRICT DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FINDINGS OF FACTS; PROVIDING CONCLUSIONS OF LAW; PROVIDING FOR AN AMENDMENT TO THE LIST OF PERMITTED USES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Tampa, (hereinafter referred to as "City"), is the governing body of the unit of local government having jurisdiction over the issuance and conditions of issuance of a development order pursuant to Section 380.06, F.S.; and

WHEREAS, on June 2, 1983, the City approved the development order for the Downtown Tampa Central Business District Development of Regional Impact; and

WHEREAS, on February __, 1993, Faison Associates filed an application entitled "Notification of Proposed Change to a Previously Approved Development of Regional Impact" ("DRI") pursuant to subsection 380.06(19), Florida Statutes ("Notice of Change"); and

WHEREAS, Faison Associates proposes to change the mix of approved uses, by increasing the public assembly seating and concurrently reducing private office square footage pursuant to the land-use trade-off mechanism previously approved by the City; and

WHEREAS, the City has reviewed the proposed amendments and has determined that they do not constitute a substantial deviation either singularly or in the aggregate with prior amendments to the development order, as defined in Section 380.06(19), Florida Statutes; and

WHEREAS, the City has conducted duly noticed public hearing as regards the proposed amendments to the development order and during the conduct of said hearing, solicited and evaluated comments, testimony and reports, both verbal and written, from interested parties concerning the proposed amendments to the development order; and

WHEREAS, the City has reviewed the Notice of Change, as well as related testimony and evidence submitted by all parties and members of the general public.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, THAT THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, IN ACCORDANCE WITH THE LAWS OF THE STATE OF FLORIDA DOES HEREBY APPROVE THE NOTICE OF CHANGE SUBMITTED BY FAISON ASSOCIATES FOR THE PROJECT.

Section 1. Introduction.

This Ordinance shall constitute an amendment to the Downtown Tampa Central Business District Development Order as previously amended.

Section 2. Findings.

The City Council, having received all related comments, testimony and evidence submitted by each party and members of the

general public, finds that there is substantial competent evidence to support the following findings of fact:

- A. The amendments to the Development Order, as described herein, do not create a change to a previously approved DRI constituting a substantial deviation under the provisions of Subsection 380.06(19), Florida Statutes.
- B. All statutory procedures have been adhered to.
- C. The findings of fact and conclusions of law made in the Development Order are incorporated herein by reference.

Section 3. Conclusions of Law.

The City Council having made the above findings of fact, reaches the following conclusions of law:

- A. Development in accordance with the proposed amendments will not unreasonably interfere with the achievement of the objectives of the adopted State Land Development Plan applicable to the area.
- B. The proposed amendments are consistent with the applicable land development regulations and local comprehensive plan of the City.
- C. The Development Order is hereby reaffirmed in its entirety except as amended by this Ordinance.

Section 4. Order.

Having made the above findings of fact and conclusions of law,
it is ordered that the Development Order be amended as follows:

The land use table contained in Section G of Ordinance
No. 8249-A, as amended by Ordinance No. 88-76, is hereby
amended to read as follows:

Phase II

Retail	1,489,887
Warehouse	900,000
Private office	7,196,672
Government office	1,511,505
Residential	647
Hotel	1,747
Public Assembly	27,987
Public Non-Assembly	174,857

Phase III

Retail	2,222,187
Warehouse	1,000,000
Private Office	9,488,972 <u>9,279,940</u>
Government office	2,056,505
Residential	1,867
Hotel	3,093

Public Assembly	27,987 <u>47,987</u> seats
Public Non-Assembly	174,857

Phase IV

Retail	2,632,087
Warehouse	1,350,000
Private office	13,054,972 <u>12,825,940</u>
Government office	2,402,505
Residential	2,867
Hotel	5,000
Public Assembly	27,987 <u>47,987</u> seats
Public Non-Assembly	174,857

added
language
←

Section 5. Repeal of Conflicting Ordinances

All ordinances or parts of ordinances not specifically in conflict herewith are hereby continued in full force and effect, but all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. Severability

If any part of this Ordinance shall be declared unconstitutional or invalid by a court of competent competition, the remaining provisions, at the City of Tampa's election, shall remain in full force and effect.

Section 7. Effective Date

This Ordinance shall take effect immediately upon its passage, approval and being posted or published as required by law.

PASSED AND ADOPTED BY THE
CITY COUNCIL OF THE CITY OF
TAMPA, FLORIDA ON
THIS ____ DAY OF ____, 1993.

CHAIRMAN, CITY COUNCIL

(CORPORATE SEAL)

ATTEST:

APPROVED BY ME ON _____

City Clerk

Sandra W. Freedman, Mayor

APPROVED AS TO FORM AND
CORRECTNESS:

City Attorney

~~SECRET~~

REVIEW FEE CONTRACT

Whereas the Department of Community Affairs adopted Rule 9J-2.0252, Florida Administrative Code (FAC), governing the policies and procedures for the assessment and collection of fees by regional planning agencies for the review of Requests for Substantial Deviation Determination and other reviews; and

Whereas Rule 9J-2.0252, FAC, is in conflict with Tampa Bay Regional Planning Council's existing Rule 29H-8.002, FAC; and

Whereas Tampa Bay Regional Planning Council desires to act in conformity with newly adopted Rule 9J-2.0252, FAC, which requires a contract for the payment of fees between the regional planning agency and the applicant;

NOW THEREFORE, in consideration of the mutual covenants contained herein, FAISON ASSOCIATES and TAMPA BAY REGIONAL PLANNING COUNCIL, hereinafter referred to as TBRPC, hereby agree to the following:

1. Faison Associates is responsible for payment of 100% of the actual costs, both direct and indirect, of coordination and review of their Notice of Proposed Change for Downtown Tampa Central Business District DRI. The fees for the substantial deviation determination review shall be paid by the APPLICANT as follows:

- A. \$2,500.00 deposit at the time the Notification of Proposed Change is filed.
- B. Additional deposits requested by TBRPC shall be paid within 15 days of Faison Associates receipt of the request.
- C. Upon completion of the review process, if the costs exceed the amount of the deposit, Faison Associates shall pay TBRPC the total amount, due within 30 days of receipt of the bill.

2. TBRPC shall establish an account or costs center for the project which is to be reviewed and shall keep accurate records of the costs which shall be reasonably itemized and shall be available for inspection by Faison Associates, with reasonable notice to TBRPC. TBRPC shall collect fees in accordance with the following:
 - A. \$2,500.00 initial deposit shall be non-refundable and TBRPC shall retain said deposit regardless of the Faison Associates' reason for withdrawing from the review process.
 - B. Any subsequent deposits made at the request of TBRPC shall be refundable, and TBRPC shall, within 60 days of the final charge to the Faison Associates' account, refund any amounts remaining after the costs of review are subtracted.
 - C. TBRPC shall not request additional deposits beyond the initial \$2,500.00 unless TBRPC estimates that the costs will exceed \$2,500.00.
3. In the event TBRPC requests deposits or fees in excess of \$75,000.00 and Faison Associates disputes that the costs over and above \$75,000.00 are reasonable and necessary, said dispute shall be resolved in accordance with the procedures adopted in 9J-2.0252(4), FAC.
4. The fees paid pursuant to this agreement shall entitle Faison Associates to the statutory review by TBRPC. This agreement does not include TBRPC preparing any part of the Notification of Proposed Change.
5. In the event it becomes necessary for either party to enforce this agreement, the prevailing party shall be entitled to recover from the defaulting party the costs of the litigation, including reasonable attorneys fees at both the trial and appellate level.

TAMPA BAY REGIONAL PLANNING
COUNCIL

FAISON ASSOCIATES

By: _____

By: Bud Ching

Dated this ____ day of _____, 1993

Dated this 22nd day of FEB, 1993

TPA-100570



CITY OF TAMPA

Frances Henriquez, City Clerk

OFFICE OF CITY CLERK

June 14, 1993

Tampa Bay Regional Planning Council
9455 Koger Blvd.
St. Petersburg FL 32702

RE: Petition No. DZ82-30
Resolution No. 93-853

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact Susan Swift, Manager, Land Development Coordination, 223-8405.

Sincerely,


(Mrs.) Frances Henriquez
City Clerk

FH/gg

Enclosure: Resolution

CERTIFIED MAIL

cc: Susan Swift, Manager, Land Development Coordination

315 E. Kennedy Blvd. City Hall • Tampa, Florida 33602 • 813/223-8396

A RESOLUTION APPROVING, RATIFYING AND CONFIRMING A PROCEDURE FOR REVIEW OF CENTRAL BUSINESS DISTRICT PROJECTS TO DETERMINE ARCHAEOLOGICAL AND HISTORICAL SIGNIFICANCE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 2, 1983 Tampa City Council adopted Ordinance No. 8249-A rendering a Development Order pursuant to Florida Statutes Section 380.06 for the Downtown Tampa Central Business District Development of Regional Impact ("Downtown DRI"); and

WHEREAS, Section 4.N. of Ordinance No. 8249-A provides that HICS (now HDC), with the advice of the Bureau of Historic Sites and Properties and the Historic Tampa/Hillsborough County Preservation Board, shall implement a procedure, after approval by City Council, by which CBD projects shall be reviewed to determine historical and archaeological significance, as referenced in the ADA; and

WHEREAS, it appears that on May 5, 1983, the Tampa City Council voted to receive and file a memorandum from HICS regarding HICS procedures and responsibilities pursuant to the Downtown DRI, including, review of historic and archaeological sites; however, it is unclear from the minutes of said meeting whether said motion was intended to be an approval of the procedures which are currently and always have been utilized for the Downtown DRI historical/cultural assessments; and

WHEREAS, in order to eliminate any question as to whether the procedures were properly adopted, it is advisable to now approve, ratify and confirm the use of the procedures relative to past reviews of Downtown DRI CBD projects and to adopt and approve the procedures for purposes of current and future CBD project reviews; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:

Section 1. That the use of the "Archaeological/Historical Resources Assessment Procedures", attached hereto as Exhibit A, for purposes of assessing historical and archaeological significance of past Downtown DRI CBD projects is hereby approved, ratified and confirmed.

Section 2. That pursuant to Section 4.N. of the Downtown DRI, the "Archaeological/Historical Resources Assessment Procedures", attached hereto as Exhibit A, are hereby approved for purposes of assessing historical and archaeological significance of current and future Downtown DRI CBD projects.

Section 3. That all proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary and proper to carry out and make effective the provisions of this Resolution.

Section 4. That this Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA, ON JUN 10 1993

ATTEST:

Travis Herwig
CITY CLERK

CHAIRMAN, CITY COUNCIL

PREPARED BY:

Gina K. Grimes
GINA K. GRIMES
ASSISTANT CITY ATTORNEY

State of Florida
County of Hillsborough

This is to certify that the foregoing is a true and correct copy of Resolution No 93-853 on file in my office.

Witness my hand and official seal this 15th day of June, 1993

Travis Herwig
BY CITY CLERK

CITY CLERK

ARCHAEOLOGICAL/HISTORICAL
RESOURCES ASSESSMENT
PROCEDURES

EXHIBIT A

Certified as true
and correct copy.

PROCEDURE FOR IMPLEMENTING THE PROCESS OF ASSESSING

HISTORIC AND ARCHAEOLOGICAL RESOURCES WITHIN THE

CITY OF TAMPA'S CENTRAL BUSINESS DISTRICT

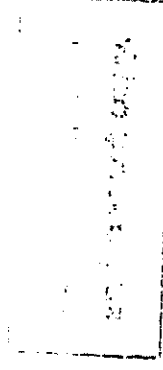
FOR INDIVIDUAL CONSTRUCTION PROJECTS WHICH ARE

SUBJECT TO DEVELOPMENT OF REGIONAL IMPACT REVIEW

Provided by

DEPARTMENT OF HOUSING INSPECTIONS AND COMMUNITY SERVICES

City of Tampa, Florida



INTRODUCTION

The purpose of this document is twofold: (1) to provide the City of Tampa with a basis for monitoring the process of assessing historic and archaeological resources within its Central Business District (CBD) for individual construction projects subject to Development of Regional Impact (DRI) compliance, and (2) to provide the individual developer with concise explanations and guidelines for implementing the process. The procedure is necessary in order to assure that no significant archaeological or historic sites are adversely impacted by construction activities. The accomplishment of the procedure is in satisfaction of the recommendations of the State of Florida Division of Archives, History and Records Management (DAHRM) and the City of Tampa's Downtown Development Authority (DDA) as set forth on pages A-5 through A-7 and 29-30, respectively, of the DRI Application for Development Approval, and in Section 4N (p.9) of the Development Order, Ordinance No. 8249-A. The City's Department of Housing Inspections and Community Services (HICS) monitors the cultural resource (i.e. historical and archaeological) assessments incident to each development project in accordance with the following procedure: Initially, HICS advises the developer of the requirement at the time the development notice is filed with HICS (15 days prior to submission of the site plan), and later HICS records the completion of the assessment once it has been accomplished. The actual implementation of the assessment process (including

Corrected as true
and correct copy.

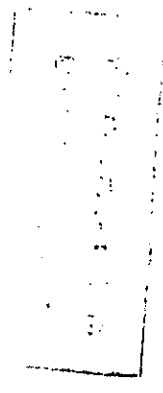
the submittal of a report to the DAHRM for compliance review) is the responsibility of the individual developer. Certification of compliance for each project having cultural resource management requirements under the DRI comes from the DAHRM.

This document calls attention to the primary considerations necessary for the developer to understand the general requirement and scheduling needs. However, the intent is to provide flexible guidelines in order to permit the level of cultural resource investigation appropriate to each individual project.

DEVELOPER'S RESPONSIBILITIES

It is the responsibility of the developer to obtain the services of a professional archaeological/historical firm to perform the literature and field investigations and to write the report incident to the cultural resource assessment. Considerations for the selection of a qualified firm are presented in the last section of this document. In order to preclude any avoidable construction delays, it is important that this selection be made relatively early in the process of construction planning.

Once the documentary search, field work and final report have been completed by the archaeological/historic contractor, the developer is responsible for submitting the report to the appropriate reviewing agency(ies). It is suggested that the contractor submit the report, with the approval of the developer. Most frequently, the reviewing agency will be the DAHRM which



reviews for compliance with the DRI requirements. In certain instances, there may also be a need for compliance review by certain federal agencies if the development falls within their jurisdictions. An example of the latter might be the U.S. Coast Guard or U.S. Army Corps of Engineers in certain waterfront developments, or HUD in the event of grants or loan guarantees.

The reviewing agency will issue a written opinion on the sufficiency of the cultural resource assessment. Once the agency has concurred that a satisfactory level of compliance has been reached, a copy of its written opinion should be forwarded to the City, thereby enabling the City to satisfactorily complete the process of monitoring the cultural resource requirement. The notification of compliance may be sent directly to the City by the developer or may be handled by the cultural resource firm on the developer's behalf.

In consultation with its archaeological contractor, the developer should arrange for suitable curation of any artifacts recovered from the project site. The archaeological firm can provide appropriate suggestions for accomplishing this need.

EXPLANATORY INFORMATION

Responsibilities of the archaeologists and historians

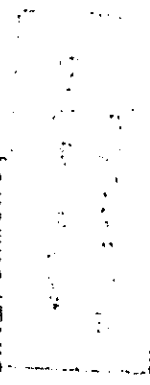
It is the archaeologists responsibility to determine if any potentially significant archaeological sites (ones which are potentially eligible for nomination to the National Register of Historic Places [NR]) will be impacted as a result of construction.



Potential significance is defined in terms of the likelihood of a site(s) to contribute data important to understanding of national, state, regional or local prehistory or history. Not all archaeological sites are significant. Those not deemed significant require no further investigation incident to DRI compliance. Those which (on the basis of initial survey data) are evaluated as potentially significant usually require some degree of professional-level excavation in order to obtain the important data for inclusion in the compliance report. In any event, the value of the archaeological data is most often realized through recovery rather than through in situ preservation. The level of intensity of archaeological field investigation necessarily varies from development project to project, depending upon the sensitivity of the area as determined by prior research.

The occurrence of artifacts in an urban setting, even a large number of artifacts, does not always warrant designation as an archaeological site. Even if an artifact assemblage is designated as a site, it may or may not constitute a potentially significant site (as defined above). Rather, it is the nature of the artifacts, their association with other features and the integrity of the cultural deposit itself which ultimately influence the determination of potential significance.

It is the responsibility of the historians/architectural historians to determine whether or not a potentially significant historic site will be adversely impacted by construction activities. Historic sites most often are components of the built environment,



that is, standing structures. Their significance, if any, lies in such attributes as their architecture or their association with people and/or events important to regional history. A historian or architectural historian, as appropriate, bases his recommendations on documentary research combined with an on-site inspection.

The phases of archaeological field work and when each might be necessary

The initial phase, termed a "survey" is always necessary to some degree and its purpose is to ascertain if any archaeological sites or important features exist within the proposed construction area and, if so, whether or not they are potentially significant.

The second phase, which is not always necessary, consists of limited test excavations to determine if a potentially significant site does indeed contain data sufficient to warrant its nomination to the NR.

The third phase, which is seldom necessary, could necessitate the complete excavation of a significant site in order to recover the data which caused the site to be evaluated as significant.

If the planned construction will not impact the archaeological site in any way, neither the second nor the third phase may be necessary.

Scheduling of the cultural resource assessment

It is very important to begin the archaeological and historic research well before planned demolition and construction dates. It is necessary for both the architectural historians (in regard to any standing structures) and the archaeologists (in regard

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and correct copy.

to the expectations of subsurface cultural deposits) to have sufficient time to research pertinent literature and records prior to commencing field work.

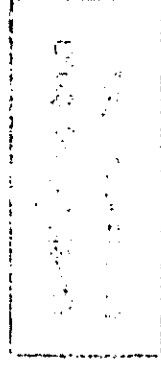
Obviously the architectural historians must make their recommendations well before scheduled demolition of existing structures. The archaeologists must monitor the removal of any slabs or pavement from the construction site, in order to preclude the destruction of significant archaeological remains. These considerations are integral to successful compliance with the DRI stipulations. A competent archaeological firm will recognize the critical nature of a construction schedule and will plan to begin its necessary field work as soon as practicable after removal of slabs and/or pavement. There may be occasions when the construction schedule does not permit reasonable time for the cultural resource firm to write its final report for submission to the reviewing agency (usually the DAHRM). In these instances, it may be possible for the firm to prepare a management summary which includes its recommendation and request a response from the DAHRM, with the final report to follow at a later date. If the DAHRM concurs with the management recommendation, there should be a minimal turnaround time and virtually no change in construction schedule.

Construction site considerations important to both the developer and the archaeologists/historians

1. The developer shall furnish the name and telephone number of the developer's liaison person with the archaeologist and historians.

Checked by the
archaeologist

2. The developer shall arrange contact between the archaeologists and the supervisor of the demolition crew.
3. The developer and the archaeologists shall communicate about any concern with mixing clean fill with contaminated fill during construction site clearing or archaeological excavation.
4. The developer shall inform the archaeologists of any planned spatial process of demolition across the construction site.
5. The developer shall advise the archaeologist if it plans to remove demolition rubble and contaminated fill from the construction site concurrent with demolition or whether the fill will be placed on the site for later removal. In the latter event, the archaeologists shall be given the opportunity to field inspect the planned storage area prior to its being covered.
6. It is very important that the developer provide security for the construction site during the archaeological investigation, beginning with the removal of slabs and pavement. It is critical to successful compliance with the archaeological element of the DRI process that the professional archaeologists complete their field work prior to the construction site being accessible to artifact collectors. The security should be on a 24 hour basis and is normally accomplished by employment of a security guard service. Once the archaeologists have completed all their field work and have notified the developer of that fact, collectors may be



allowed onto the construction site if the developer wishes. It is to be expected that the collectors will subsequently find artifacts but, remember that artifacts do not necessarily constitute an archaeological site and the professionals will have completed their field work and resulting recommendations.

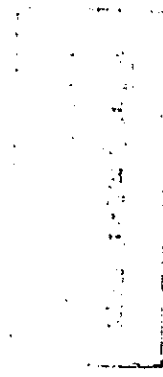
SUGGESTED CAPABILITIES AND QUALIFICATIONS OF THE ARCHAEOLOGICAL/HISTORIC CONTRACTOR

Introduction

For the intent and purpose of DRI compliance, a firm whose primary facility is archaeology can often handle the historical documentary research, either with its own staff or by retaining a research historian on a consultant basis. Similarly, an architectural historian can be retained if warranted by the nature of standing structures on the property. Conversely, it is quite rare for a firm whose primary facility is history to be able to perform the archaeological component of the investigation. It is, therefore, suggested that an archaeological firm be employed and that the firm coordinate the historic component of the work. To receive consideration, the firm's proposal should document its ability to meet the following qualification criteria:

1. The firm should own or be prepared to acquire the field and laboratory equipment sufficient to carry out the scope of work. It should have adequate office, laboratory and storage facilities for treatment, analysis and storage of records, specimens and other data.

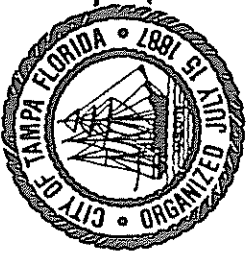
2. It should have adequate insurance coverage (certificates to be furnished to developer) including XCU coverage, worker's compensation, general and contractual liability, and vehicle insurance. It is suggested that the developer ascertain the contractor's intent to pay employer FICA taxes on behalf of all employees under the contract.
3. The firm should have an adequate permanent staff of qualified cultural resource personnel sufficient to simultaneously handle administration, communication, required schedules of management meetings and supervision of all field tasks.
4. Where appropriate the firm should own or have access to data processing equipment sufficient to analyse and document pertinent data in a timely manner.
5. The firm's financial position must be adequate to fund the cultural resource component of the project and all other projects likely to be undertaken during the same period of time.
6. The firm must have a demonstrated record of the successful completion of similar projects. These projects must be projects handled by the firm during the legal life of the proposing firm, and are not to include projects in which individual firm members participated as students or as participants in projects of another firm or institution.
7. The firm must have a demonstrated record of completing projects on schedule.



8. The cultural resource firm should be willing for a developer's representative to visit its office and facilities prior to contract award. Such visits are recommended.
9. The principal, permanent staff members should have at least a master's degree in anthropology with specialty in archaeology and be either a member of the Society of Professional Archaeologists (SOPA) or be able to demonstrate SOPA-equivalent experience and qualifications. This level of qualification is consistent with that required for membership in the Florida Archaeological Council, Inc.
10. Administrative personnel, as well as technical managers, should have a proven record of managing projects including such aspects as cash flow, capital requirements and adherence to tenets of professional accountability.
11. In view of the potential nature of any cultural resources in the Tampa CBD, the archaeologists should be able to demonstrate, from past projects and attendant analyses, a knowledge of both prehistoric and historic artifacts and research. Similarly, they should be able to demonstrate the ability to perform historic documentary research as well as prehistoric.
12. The archaeological/historical project coordinators should demonstrate a willingness to appear at regulatory hearings.

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[REDACTED]



CITY OF TAMPA

Frances Henriquez, City Clerk

OFFICE OF CITY CLERK

March 3, 1988

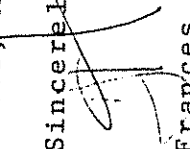
Tampa Bay Regional Planning Council
9455 Koger Blvd.
St. Petersburg, Florida 33702

RE: Petition No. DZ82-30
Petitioner: Tampa Downtwon Development Authority

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact Susan Swift, Manager, Land Development Coordination, 223-8405.
Sincerely,


Frances Henriquez
City Clerk

FH/eag

Enclosure: Ord. No. 88-76

CERTIFIED MAIL

cc: Susan Swift, Land Development Coordination

315 E. Kennedy Blvd. City Hall • Tampa, Florida 33602 • 813/223-8396

Tamp

ORDINANCE NO. 88-76

AN ORDINANCE AMENDING ORDINANCE NO. 8249-A, WHICH RENDERED A DEVELOPMENT ORDER PURSUANT TO SECTION 380.06 OF CHAPTER 380, FLORIDA STATUTES, ON THE APPLICATION FOR DEVELOPMENT APPROVAL FILED BY THE TAMPA DOWNTOWN DEVELOPMENT AUTHORITY FOR DEVELOPMENT OF THE DOWNTOWN TAMPA CENTRAL BUSINESS DISTRICT, AMENDING LAND USE THRESHOLDS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Tampa, Florida adopted Ordinance No. 8249-A on June 2, 1983; and

WHEREAS, a public hearing has been held pursuant to Florida Statute 380.06(19); and

WHEREAS, it is in the best interest of the City of Tampa to amend said Ordinance;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:

Section 1. That the City Council of the City of Tampa, Florida, makes the following findings of fact:

- a) That the City's application has been forwarded to the appropriate agencies pursuant to Chapter 380.06(19),
- b) That the changes proposed do not constitute a substantial deviation to the Development Order.

Section 2. That Ordinance No. 8249-A, Section G, be amended to read as follows:

PHASE II

Retail	1,489,887
Warehouse	900,000
Private Office	7,196,672
Government Office	1,511,505
Residential	647
Hotel	1,747
Public Assembly	27,987
Public Non-Assembly	174,857

PHASE III

Retail	2,222,187
Warehouse	1,000,000
Private Office	9,408,972
Government Office	2,056,505
Residential	1,867
Hotel	3,093
Public Assembly	27,987
Public Non-Assembly	174,857

PHASE IV

Retail	2,632,087
Warehouse	1,350,000
Private Office	13,054,972
Government Office	2,402,505
Residential	2,867
Hotel	5,000
Public Assembly	27,987
Public Non-Assembly	174,857

Section 3. That all ordinances in conflict herewith are repealed to the extent of any conflict.

Section 4. That if any part of this ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions, at the City of Tampa's election, shall remain in full force and effect.

Section 5. That this ordinance shall take effect immediately upon becoming a law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TAMPA,
FLORIDA, ON MAR 01 1988

ATTEST:

Frances Henrighy

CITY CLERK

PREPARED AND APPROVED BY:

Gina K. Grimes
GINA K. GRIMES
ASSISTANT CITY ATTORNEY

Don Vann
CHAIRMAN, CITY COUNCIL

APPROVED BY me) on MAR 02 1988

Sandra W. Freedman

SANDRA W. FREEDMAN, MAYOR

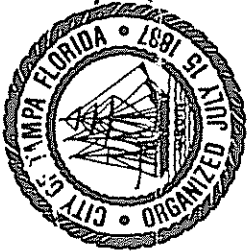
STATE OF FLORIDA
County of Hillsborough)

This is to certify that the foregoing is a
true and correct copy of Ordinance No. 88-76
on file in my office.

Witness my hand and official seal this 3rd day

of MARCH, 19 88.

CITY CLERK.



CITY OF TAMPA

Frances Henriquez, City Clerk

OFFICE OF CITY CLERK

August 3, 1987

Tampa Bay Regional Planning Council
9455 Koger Blvd.
St. Petersburg, Florida 33702

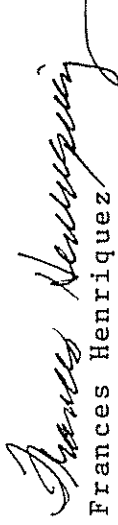
RE: Petition No. DZ82-30
Petitioner: Downtown Central Business District

Dear Sir:

The enclosed document is being transmitted for your information and record keeping process.

If further information is needed, please contact Susan Swift, Manager, Land Development Coordination, 223-8405.

Sincerely,


Frances Henriquez
City Clerk

FH/eag

Enclosure: Ordinance No. 9675-A

CERTIFIED MAIL

cc: Susan Swift, Land Development Coordination

315 E. Kennedy Blvd. City Hall • Tampa, Florida 33602 • 813/223-8396

ORDINANCE NO. 9675 -A

AN ORDINANCE AMENDING ORDINANCE NO. 8838-A, WHICH ADOPTED GUIDELINES FOR THE DEPARTMENT OF HOUSING, INSPECTIONS AND COMMUNITY SERVICES, ESTABLISHING REASONABLE TIME LIMITS ON DEVELOPMENT APPROVALS FOR THE DOWNTOWN CENTRAL BUSINESS DISTRICT PURSUANT TO ORDINANCE NO. 8249-A, THE DEVELOPMENT ORDER FOR THE DOWNTOWN TAMPA CENTRAL BUSINESS DISTRICT; ESTABLISHING REVIEW GUIDELINES AND CRITERIA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 4, Paragraph F(6), of Ordinance No. 8249-A provides, in part, that "HICS, with the approval of City Council, has placed reasonable time limits on all development approvals to insure that threshold capacities are not being unduly reduced by developers' 'stockpiling' or 'banking' capacity. The City Council may, by Ordinance, adopt guidelines to assist HICS in establishing these reasonable time limits," and in order to prevent 'banking' or 'stockpiling' of development rights, it is necessary to amend Ordinance 8838-A, to provide additional guidelines; and

WHEREAS, City Council deems that these guidelines be established to protect the integrity of Ordinance 8249-A, and overall development within the Tampa Central Business District and find these guidelines to be in the best interest of the City of Tampa;

NOW, THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:

Section 1. That Ordinance 8838-A, Section 1(B), is hereby amended to read as follows:

While Development Notice may indicate a project's long range build-out period or phasing status, to assist the City and in planning for future growth, HICS shall approve a notice only for that phase of a development project that is to commence construction within the time frame allowed by this Ordinance. For DRI-scale projects, the required transportation study must be submitted with the Development Notice, but the square footage will not be reserved until the required transportation study is approved.

Section 2. That Ordinance 8838-A, Section 1-F is hereby amended to read as follows:

"If the building permit application deadline is met, all building permits shall be issued in accordance with HICS standard building permit requirements. Building permits must be promptly pulled once approved by the City of Tampa. Building permits shall be valid for those time periods established in the City of Tampa Code, Chapter 45, as it may from time to time be amended. Any applicable grants in aid of construction shall be assumed by the developer when assessed by the City in accordance with the provisions of Ordinance 8345-A.

Section 3. That Ordinance 8838-A, Section 1 is hereby amended to add Paragraph "J". Paragraph "J" will read:

J. If a previously approved Development Notice is revoked pursuant to Section 1(G), 1(H) or 1(I), or withdrawn after approval, a new Development Notice may not be filed on the subject property for a period of thirty (30) calendar days. Amendments to approved Development Notices may be made so long as the initial time frame remains unchanged and the

Certified as true
and correct copy.

approved transportation study, if required, supports the amendment.

Section 4. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisions of this Ordinance.

Section 5. That this Ordinance shall become effective immediately upon becoming a law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA,
FLORIDA ON

JUL 30 1987

Don Davis
CHAIRMAN, CITY COUNCIL

ATTEST:

Frances Henrriquez
CITY CLERK

APPROVED BY ME ON JUL 31 1987

Landra W. Friedman
MAYOR

Approved as to form:

Pamela K. Akin
PAMELA K. AKIN
Chief Assistant City Attorney

State of Florida)
County of Hillsborough)

This is to certify that the foregoing is a
true and correct copy of Ordinance No. 9615-14
on file in my office.

Witness my hand and official seal this 31 day
of August, 1987 by Frances Henrriquez
FRANCES HENRIQUEZ, CITY CLERK.
Deputy City Clerk
CITY CLERK.

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1010

OFFICE OF CITY CLERK THIRD FLOOR, CITY HALL, TAMPA, FLORIDA 33602 • 813/223-8396

FRANCES HENRIQUEZ
City Clerk

April 3, 1985

Tampa Bay Regional
Planning Council
9455 Koger Boulevard
St. Petersburg, FL 33702

RE: File DZ82-30; Downtown Central Business District
Development Regional Order; Ordinance No. 8838--A

Dear Sir:

I am transmitting the above ordinance which was adopted by the
City Council and became law with the Mayor's signature on
April 1, 1985.

Please let me know if I can be of further service.

Sincerely,

Frances Henriquez

(Mrs.) Frances Henriquez
City Clerk

FH/jmd

Enclosure

CERTIFIED MAIL

	Phase II	Phase III	Phase IV
Water-Gallons Per Day	2,369,834	3,596,782	4,949,320
Wastewater-Gallons Per Day	2,036,885	3,093,233	4,256,416
Solid Waste-Pounds Per Day	226,831	320,941	505,037
Electrical-Kilowatt Hrs Per Day	1,015,183	1,435,045	1,931,313

- J. The total daily water requirements set forth in 4(I) above, shall be supplied by the City at the standard charge for water service. Construction of on-site improvements for water service shall be the responsibility of individual developers and connection fees, installation charges and, if applicable, grants-in-aid-of-construction for off-site improvements to the water system, necessitated by the development, shall be assumed by the individual developer when assessed by the City, all in accordance with City policies and regulations, that exist now or that may exist in the future.
- K. The average daily flows of waste water as set forth in Section 4(I) above shall be accepted by the City at the standard charge for waste water service. The City shall maintain the waste water system as described in the ADA. Construction of on-site improvements for waste water shall be the responsibility of individual developers and connection fees, installation charges and, if applicable, grants-in-aid-of-construction for off-site improvements to the waste water system necessitated by the development, shall be assumed by the developer when assessed by the City, all in accordance with City policies and regulations, that exist now or that may exist in the future.
- L. The collection of the total daily generation of solid waste as set forth in Section 4(I) above shall be provided in accordance with applicable ordinances of the City at the standard charge for solid waste collection. The City Sanitation Department shall continue to have the authority not to allow disposal of any hazardous material from a CBD development. If applicable, grants-in-aid-of-construction for off-site improvements to the solid waste disposal system necessitated by development shall be assumed by the developer when assessed by the City, all in accordance with City policies and regulations, that exist now or that may exist in the future.
- M. At such time as actual demand, or total estimated demand (base data, together with estimated demand of all approved Notices), whichever is more, for utility/service support facilities exceeds eighty percent (80%) of the total projected demands set forth in 4(I) above, HICS shall notify the responsible entity and the TDDA, the TBRPC, the State land planning agency and other appropriate agencies. A City entity shall submit a written plan to accommodate the total projected demand, by phases, to City Council for approval. A cost estimate shall be included in such plan. Appropriate capital improvement requirements shall be reflected in the next annual budget request.
- N. HICS, with the advice of the Bureau of Historic Sites and Properties and the Historic Tampa/Hillsborough County Preservation Board, shall implement a procedure, after approval by City Council, by which CBD projects shall be reviewed to determine historic and archeological significance, as referenced in the ADA.
- O. In accordance with the ADA, the City shall monitor the water quality as development progresses in the CBD in accordance with this Order and the results of such monitoring shall be

submitted as part of the annual DRI report. The City shall continue measures to insure protection to water quality, including but not limited to, street cleaning, clearance of storm sewers on a regular basis and construction of additional manholes to facilitate storm water clearing, all as referenced in the ADA. The responsible entity is the City's Department of Public Works (hereinafter "DPW"), Storm Water Management Division. If water quality is being degraded, the City shall implement remedial enforcement efforts using then existing ordinances, policies and practices.

- P. That no development under this Order shall inhibit or delay Hillsborough County's expected attainment of the ozone standard, as referenced in the ADA.
- Q. No public access lands presently used for recreational purposes shall be displaced by CBD development unless:
- (1) That development can be shown to be of overriding public interest; and
 - (2) That the project is specifically approved by the City Council.
- R. All Notices for CBD projects shall include clearance from the Federal Aviation Authority and the Hillsborough County Aviation Authority if such clearance is necessary.
- S. No shoreline CBD project or use shall be approved if it will result in the closing of Garrison Channel or the Hillsborough River to recreational navigation.
- T. The City shall implement a program designed to require all hotels and residential developments in the CBD to inform all hotel guests, purchasers and tenants of official hurricane evacuation plans for the CBD in the event of a major hurricane landfall in the Tampa Bay Region.
- U. All appropriate construction requirements as mandated by the City's participation in the National Flood Insurance Program, shall be utilized to mitigate potential flood damage.
- V. The City shall encourage the implementation of energy conservation techniques proposed in the ADA. All Notices for approval of projects shall specifically set forth the extent to which the City's energy management plan, as such plan may be adopted and amended from time to time, will be incorporated into that project.
- W. All development pursuant to this Order shall be in accordance with applicable building codes, land development regulations, ordinances and other laws.
- X. In order to allow for the issuance of construction permits for projects beyond Phase I development totals, the City hereby commits to accomplish the following transportation improvements, subject to necessary State government approvals:
- (1) Improve the Kennedy Boulevard/Ashley Street intersection as referenced in the ADA. Ashley Street will be converted to be one-way, southbound, from Kennedy Boulevard to Whiting Street. Make the necessary striping, signing and signalization modifications.
 - (2) Improve the I-275/Jefferson/Orange interchange as referenced in the ADA. This will result in the closure of Scott Street from Jefferson Street to Orange and the closure of a section of Orange Street just north of Scott Street. The improvement will result in the addition of a left-turn lane on Scott Street for the eastbound to

northbound (onto I-275) movement. The at-grade ramp roadway leading to I-275 will be modified to two lanes in order to accommodate the dual left-turn lanes on Scott Street. In addition, a signal will be installed at the intersection of the eastbound ramp (onto I-4) from Scott Street and the I-275 from Orange Street. The existing signal at the intersection of Orange Street and Scott Street will be removed. The associated striping, signing and signalization modifications will be made.

(3) Conduct studies as follows:

- (a) Four intersection locations will be studied for necessary intersection and channelization improvements. These intersections are Florida Avenue at Scott Street, Florida Avenue at Kay Street, Tampa Street at Kay Street, and Tampa Street at Scott Street.
- (b) These locations will be studied for necessary signalization modifications (i.e., phasing changes at the existing signals at Tampa Street and Scott Street and at Florida Avenue and Scott Street, or the addition of new signals at Tampa Street and Kay Street and at Florida Avenue and Kay Street, or both phasing changes and the addition of new signals).
- (4) Implement the study validated improvements, referred to in 4(X)(3) above.
- (5) In order to allow for the issuance of construction permits for projects beyond Phase I development totals, the Hillsborough County Transit Authority has committed to provide fixed route service and facilities to achieve the mass transit design capacity committed in the ADA (24,000 daily trips).

Y. No DRI scale project shall be approved by HICS unless the developer submits to the City a transportation analysis assessing the project's impact on the regional roadway network within the CBD impact area. The network and the impact area is shown in blue on Map J in the ADA.

The analysis shall be in accordance with generally accepted traffic engineering practices and shall be validated by appropriate transportation planning agencies, specifically including the City's DPW. If the analysis indicates that the proposed project will contribute more than five percent (5%) of the level of Service C daily or, level of Service D peak hour capacity to any one or more regional roadways, then such impact shall be required to be mitigated by the construction of roadway improvements, or by improvements in signaling, traffic flow, lane design, intersection design, park and ride lots, enhancement of public transportation, carpooling or other methods, all of which must be acceptable to the City's DPW. The City shall have the authority to assess a DRI scale project that contributes more than five percent (5%) of the level of Service C daily or, D peak hour capacity on any one or more regional roadways for the development's proportionate share of the cost of the improvements necessary to mitigate the project's impacts.

Copies of such analysis shall be made a part of each annual DRI report.

Z. Prior to approval of any project beyond Phase II development totals, a detailed transportation capacity and improvement analysis for regional roadways within the CBD impact area shall be completed and reviewed pursuant to Chapter 380. The analysis shall be completed in order to

coordinate subsequent phase approval with a continued maintenance of Level of Service C daily, D peak hour on regional roadways within the CBD impact area. The analysis shall include a priority ranking for needed transportation improvements to the regional network. This analysis and priority ranking shall be updated as part of the 1990 and 1995 calendar year annual DRI reports. The analysis shall document coordination with other approved DRIs within the transportation impact area, referencing approved square footage, available parking spaces and available transit capacity or all of the above.

This condition is not intended to accelerate the requirements of Section 4(AA) below, but to identify transportation needs for Phase II, Phase III, and Phase IV development totals. The analysis may result in the requirement for commitments from the responsible entities to mitigate these transportation needs for those phases.

Notwithstanding the above, the City has the option of studying an area larger than the CBD impact area or addressing additional "corridors" in the study.

As part of all subsequent reviews regarding transportation for developments, both inside and outside the CBD, the City through DPW, shall coordinate reviews of other developments within the impact area described in the ADA and shall consider their respective transportation impacts as they relate to the then existing traffic conditions.

AA. Commitments from the responsible entities for noted improvements to the following transportation facilities, shall be required prior to issuance of construction permits beyond Phase III development totals.

- (1) I-275 from and including the Howard Frankland Bridge to Memorial Highway; widen to six lanes.
- (2) I-275 from Dale Mabry Highway to Buffalo Avenue; widen to eight lanes.
- (3) I-275 north of Busch Boulevard to the northern City limits; widen to six lanes.
- (4) I-4 from I-275 to 50th Street; widen to eight lanes.
- (5) I-4 east of 50th Street to the eastern City limits; widen to six lanes.
- (6) Ashley Street/I-275 provide a fully directional interchange as referenced in the ADA.
- (7) Provide fixed route service and facilities to achieve, at a minimum, the mass transit design capacity for the high-auto-scenario referenced to in the ADA.
- (8) Provide commitment for available parking spaces showing a direct relationship to square footage approvals.

The roadway improvements listed above are improvements to existing facilities which would allow maintenance of Levels of Service C daily, D at peak hour capacity on the regional roadway network with the projected amount of development. It is realized, however, that alternative transportation improvements may be shown to accomplish similar results (examples may include new roadways or improvements to roadways in other corridors, fixed rail transit, preferential treatment for high occupancy vehicles, park and ride facilities, etc.). Commitments for such alternative improvements, to the extent they

achieve similar results, will constitute compliance with this section of the Order.

- BB. In order to mitigate traffic impacts generated by developments in the CBD, the TODA and the City shall promote the use of transit, ride sharing and flex time. The City shall consider advertisements, distribution of bus route pamphlets and installation of bus shelters.

Section 5. That the definitions contained in Chapter 380 shall control the construction of any terms used in this Order.

Section 6. (a) That, subject to the conditions of suspension or rescission as hereinafter provided, this Order shall remain in effect until December 31, 1999. In the event a substantial deviation is determined as defined in Section 4(B) of this Order, this Order shall be suspended until amended or compliance with this Order has been determined pursuant to Chapter 380. The suspension of this Order shall be by City Council resolution, and shall state the exact date and time that the suspension takes effect. The City Council, within 30 days of the date that the suspension takes effect, shall initiate action to either:

- (1) Adopt an amended Development Order in response to any substantial deviation; or
- (2) Rescind this Development Order, protecting however, the rights, if any, of developers/developments previously approved pursuant to this Order.

(b) That, further, during any period of suspension of this Order as hereinabove set forth, the City Council may rescind this Order. During any period of suspension of this Order, or if this Order is rescinded as hereinabove provided, development not previously approved within the guidelines of this Order, shall be subject to the provisions of Chapter 380, in the same manner as if this Order had never existed.

Section 7. (a) This Order shall not repeal, nor amend in any way, any currently effective Development Order for development within the CBD, previously rendered by the City Council pursuant to Chapter 380; nor shall it repeal, or amend in any way, any site-plan-controlled zoning district related to a currently effective Development Order.

(b) This Order shall not create nor impose any additional requirements or restrictions, nor authorize the creation or imposition of any additional requirements or restrictions, with respect to any present or future development under any existing Development Order issued prior hereto or any Order issued prior hereto relating to any site-plan-controlled zoning districts related thereto. Notwithstanding this paragraph 7(b) the City shall continue to have whatever authority it may now have or may acquire in the future (other than by virtue of this Order) to assess the projects involving such development for measurable impacts on City utility/services or transportation facilities, in accordance with any laws, ordinances, regulations or rules that either now exist or may exist in the future (other than this Order).

Section 8. That in the event that any portion or section of this Order is determined to be invalid, illegal, or unconstitutional by a court or agency of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this Order which shall remain in full force and effect.

Section 9. That the City Clerk is directed to send copies of this Order within five (5) days of the effective date of this Order, to the TODA, Hillsborough County, the Hillsborough County Transit Authority, the Florida Department of Transportation, the Florida Department of Community Affairs and the TBRPC.

Section 10. That this Order shall be deemed rendered upon transmittal of copies of this Order to the recipients specified in Chapter 380.

Section 11. That this Ordinance shall take effect immediately upon becoming a law, and a copy hereof shall be posted on the bulletin board in the hall of the first floor of the City Hall of the City of Tampa, Florida, for the convenience of the public.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA,
FLORIDA, ON JUN 02 1983.

Andrew W. Judman
CHAIRMAN, CITY COUNCIL

ATTEST:

Francis J. Burgess
CITY CLERK

APPROVED BY MC. ON 6-3-83
[Signature]
MAYOR

Prepared and Approved by:
Kenneth E. Grane
ASSISTANT CITY ATTORNEY

EXHIBIT. A.

LEGAL DESCRIPTION

An area bounded on the west by the Hillsborough River; on the north, beginning at the Hillsborough River and extending east along the south boundary of Interstate 275 to Scott Street, and extending easterly along the east right-of-way boundary of Scott Street to the west boundary of Central Park Village Housing Project; thence south along said west boundary to the south boundary of said Central Park Village Housing Project; and thence easterly along the south boundary of said Central Park Village Housing Project to the easterly boundary of Nebraska Avenue; thence southeasterly to the southwest corner of Twiggs Street and Meridian Avenue; and thence southerly along the west boundary of Meridian Avenue to the north right-of-way boundary of Platt Street; thence westerly along the northern boundary of Platt Street, a distance of approximately 250 feet to the west boundary of the Seaboard Coastline Railroad right-of-way; thence southerly along said Seaboard Coastline Railroad right-of-way to Garrison Channel; and bounded on the south by Garrison Channel to the Hillsborough River.

(EXHIBIT "B" - attached to
Ordinance No. 8249-A on file
in City Clerk's Office.)

TAMPA DOWNTOWN DEVELOPMENT STRATEGY

EXH. B

**EXHIBIT C TO RESOLUTION RENDERING A DEVELOPMENT ORDER
ON APPLICATION OF THE TAMPA DOWNTOWN DEVELOPMENT AUTHORITY**

<u>Development Activity</u>		<u>Development Thresholds</u>	
<u>Phase</u>	<u>Development Category</u>	<u>Permitted square footage, * rooms, units, etc.</u>	<u>Additional utility, parking, transportation, environmental or other support threshold requirements</u>
II	Warehouse & Misc.	900,000 sq.ft.	None
	Private Office	6,290,700 sq.ft.	None
	Government Office	1,705,000 sq.ft.	None
	Hotel	1,747 rooms	None
	Retail	1,539,800 sq.ft.	None
	Residential	880 units	None
	Public Assembly	7,400 seats	None
	Public Non-Assembly	175,025 sq.ft. **	None
III	Warehouse & Misc.	1,000,000 sq.ft.	
	Private Office	8,503,000 sq.ft.	
	Government Office	2,250,000 sq.ft.	
	Hotel	3,093 rooms	
	Retail	2,272,100 sq.ft.	
	Residential	2,100 units	
	Public Assembly	12,300 seats	
	Public Non-Assembly	175,025 sq.ft. **	
IV	Warehouse & Misc.	1,350,000 sq.ft.	
	Private Office	12,149,000 sq.ft.	
	Government Office	2,596,000 sq.ft.	
	Hotel	5,000 rooms	
	Retail	2,682,000 sq.ft.	
	Residential	3,100 units	
	Public Assembly	12,300 seats	
	Public Non-Assembly	175,025 sq.ft. **	

* Number of square feet of gross leaseable area.

** Number of seats or other method of measuring the impact of use of the facility.

EXHIBIT D
LAND USE LEDGER

Phase	Land Use Category	Unit of Measure	a. Threshold Land Use Intensity Identified in Master Plan DRI	b. Cumulative Land Use to Date	c. Increase (Decrease) with Proposed Development	d. Total Intensity Including Proposed Development (d = b + c)	e. Surplus Available within Threshold (e = a - d)
1985	Retail	sq.ft.	1,539,800				
	Warehouse & Misc.	sq.ft.	900,000				
	Private Office	sq.ft.	6,290,700				
	Govt. Office	sq.ft.	1,705,000				
	Residential	units	880				
	Hotel	rooms	1,747				
	Public Assembly	seats	7,400				
	Public Non-Assembly	sq.ft.	175,025				
1990	Retail	sq.ft.	2,272,100				
	Warehouse & Misc.	sq.ft.	1,000,000				
	Private Office	sq.ft.	8,503,000				
	Govt. Office	sq.ft.	2,250,000				
	Residential	units	2,100				
	Hotel	rooms	3,093				
	Public Assembly	seats	12,300				
	Public Non-Assembly	sq.ft.	175,025				
2000	Retail	sq.ft.	2,682,000				
	Warehouse & Misc.	sq.ft.	1,350,000				
	Private Office	sq.ft.	12,149,000				
	Govt. Office	sq.ft.	2,596,000				
	Residential	units	3,100				
	Hotel	rooms	5,000				
	Public Assembly	seats	12,300				
	Public Non-Assembly	sq.ft.	175,025				

**EXHIBIT E
DEVELOPMENT NOTICE***

Date _____

APPLICANT INFORMATION

Project Name _____
 Contact Person _____
 Address _____

 Phone _____

PROJECT INFORMATION

Project Location (Address) _____
 (In addition to street address location above, applicant
 must attach 1) Location Map 2) Site Plan, and 3) legal
 description of property.)
 Approx. Construction Cost _____
 Est. Start of Construction _____
 Est. Date of Occupancy _____

LAND USE INTENSITY INFORMATION

The information requested below will be used by the City of Tampa to determine the requirements for public services. Future planning to insure adequacy of services will be based on these data and similar data from other proposed developments.

Land Use Category	Unit of Measure	Land Use to be Constructed Sq.ft./units/rooms/seats	Land Use to be Removed Sq.ft./units/rooms/seats	Net Increase (Decrease) Sq.ft./units/rooms/seats
Retail	sq.ft.			
Warehouse & Misc. **	sq.ft.			
Private Office	sq.ft.			
Gov. Office	sq.ft.			
Residential	units			
Hotel	rooms			
Public Assembly	seats			
Public Non-Assembly	sq.ft.			
Parking	spaces			

*NOTE: This form would be completed by all proposed development in CBD
 **Miscellaneous - specify development type.

**EXHIBIT F
WATER SUPPLY TABULATION**

Consistency With CBD DRI										Service Area Capacity		
		a.	b.	c.	d.	e.	f.	g.	h.	i.	j.	k.
Land Use	Unit of Measure	1985 CUB Land Use Threshold from DRI	Rate of Generation	CBD Demand Threshold from DRI	CBD Cumulative Demand to Date	Proposed Land Use, this Development	Rate of Generation *	Increase (Decrease) Demand, this Development (g = e x f)	CBD Total Demand incl. Proposed Development (h = d + g)	Current Service Area Demand Including CBD Proposed Project	Current Capacity Service Area	Net Excess Capacity Service Area
Retail	sq.ft.	1,539,800	.18gpd	257,762								
Warehouse/ Misc.	sq.ft.	900,000	.035gpd	28,350								
Private Office	sq.ft.	6,290,000	.18gpd	1,007,770								
Govt. Office	sq.ft.	1,705,000	.18gpd	306,900								
R. dential	units	880	300.00gpd	232,320								
Hotel	rooms	1,747	130.00gpd	227,110								
Public Assembly	seats	7,400	.3751gpd	2,776								
Public Non-Assembly	sq.ft.	175,025	.0033gpd	578								

* Use same rate as in Column "b" unless documentation is provided and accepted by the appropriate City of Tampa Department for an alternate rate.

EXHIBIT G

WASTEWATER GENERATION TABULATION (GALLONS PER DAY)

Consistency With CDD DRI

Service Area Capacity

Land Use	Unit of Measure	a.	b.	c.	d.	e.	f.	g.	h.	i.	j.	k.
		1985 CDD Land Use Threshold from DRI	Rate of Generation	CDD Demand Threshold from DRI	CDD Cumulative Demand to Date	Proposed Land Use, this Development	Rate of Generation *	Increase (Decrease) Demand, this Development (g = e x f)	CDD Total Demand incl. Proposed Development (h = d + g)	Current Service Area Demand Including CDD Proposed Project	Current Capacity Service Area	Net Excess Capacity Service Area
Residential	sq.ft.	1,539,000	.1548gpd	221,677								
Warehouse/ Misc.	sq.ft.	900,000	.0301gpd	24,381								
Private Office	sq.ft.	6,290,000	.1548gpd	886,681								
Govt. Office	sq.ft.	1,705,000	.1548gpd	263,934								
Residential	units	880	258gpd	199,314								
Hotel	rooms	1,747	112gpd	195,314								
Public Assembly	seats	7,400	.3226gpd	2,387								
Public Non-Assembly	sq.ft.	175,025	.0028gpd	497								

* Use same rate as in Column "b" unless documentation is provided and accepted by the appropriate City of Tampa Department for an alternate rate.

EXHIBIT H

SOLID WASTE TABULATION (POUNDS PER DAY)

Consistency With CBD DRI

Service Area Capacity

Land Use	Unit of Measure	a.	b.	c.	d.	e.	f.	g.	h.	i.	j.	k.
		1985 CDD Land Use Threshold from DRI	Rate of Generation	CBD Demand Threshold from DRI	CBD Cumulative Demand to Date	Proposed Land Use, this Development	Rate of Generation *	Increase (Decrease) Demand, this Development (g = e x f)	CBD Total Demand incl. Proposed Development (h = d + g)	Current Service Area Demand Including CBD Proposed Project	Current Capacity Service Area	Net Excess Capacity Service Area
Warehouse/ Misc.	sq.ft.	1,539,000	.041b/day	57,280								
Warehouse/ Misc.	sq.ft.	900,000	.021b/day	16,200								
Private Office	sq.ft.	6,290,000	.0151b/day	83,981								
Govt. Office	sq.ft.	1,705,000	.0151b/day	25,515								
Residential	units	880	7.001b/day	5,421								
Hotel	rooms	1,747	5.001b/day	8,735								
Public Assembly	seats	7,400	.16891b/day	1,250								
Public Assembly	sq.ft.	175,025	.00871b/day	1,523								

* Use same rate as in Column "b" unless documentation is provided and accepted by the appropriate City of Tampa Department for an alternate rate.

ELECTRICAL SUPPLY TABULATION
(KILOWATT HOURS PER DAY)
EXHIBIT I

Consistency with CBD DRI								Service Area Capacity				
		a.	b.	c.	d.	e.	f.	g.	h.	i.	j.	k.
Land Use	Unit of Measure	1985 CBD Land Use Threshold from DRI	Rate of Generation	CBD Demand Threshold From DRI	CBD Cumulative Demand to Date	Proposed Land Use, this Development	Rate of Generation *	Increase (Decrease) Demand, this Development (g = e x f)	CBD Total Demand incl. Proposed Development (h = d + g)	Current Service Area Demand Including CBD Proposed Project	Current Capacity Service Area	Net Excess Capacity Service Area
Retail	sq. ft.	1,539,800	.08213 KWH/D	126,464								
Warehouse/ Misc.	sq. ft.	900,000	.03833 KWH/D	34,497								
Private Office	sq. ft.	7,290,700	.08213 KWH/D	598,785								
Govt. Office	sq. ft.	1,705,000	.08213 KWH/D	140,032								
Resi- dential	units	880	50.75 KWH/D	44,660								
Hotel	rooms	1,747	37 KWH/D	64,639								
Public Assembly	seats	12,300	.8219 KWH/D	10,109								
Public Non- Assembly	sq. ft.	175,025	.0784 KWH/D	13,722								

*Use same rate as in Column "b" unless documentation is provided and accepted by the appropriate City of Tampa Department for an alternate rate.

EXHIBIT J

ANNUAL REPORT SUMMARY (CONTINUED)

PAGE 2

C. SUFFICIENCY ANALYSIS FOR EDUCATION, EMS, FIRE/POLICE:

D. ENVIRONMENTAL QUALITY MONITORING:

Air:

Water:

E. STATUS OF TRANSPORTATION FACILITIES:

Public Transit:

Vehicle Occupancy Rates:

Parking:

EXHIBIT J
ANNUAL REPORT SUMMARY

	a.	b.	c.	d.	e.	f.	g.	h.
LAND USE	JAN. 1, 198__ LAND USE SQ. FT./UNITS/ ROOMS/SEATS	CONSTRUCTED DEVELOPMENT DEC. 31, 19__ (- DEMOLITION)	CUMULATIVE DEVELOPMENT DEC. 31, 19__ (a + b)	TRANSFERS (NET INCREASE DECREASE)	TOTAL CURRENT DEVELOPMENT DEC. 31, 198__ (c + d)	% OF PHASE CAPACITIES	PROJECTED DEVELOPMENT (e + APPROVED DEVELOPMENT)	% OF PHASE CAPACITIES
Retail Warehouse & Misc. Private Office Government Office Residential Hotel Public Assembly Public Non-Assembly								

	a.	b.	c.	d.	e.	f.	g.
PUBLIC FACILITIES/ SERVICES	JAN. 1, 198__ USAGE-GALS/DAY POUNDS/DAY KWH/DAY	INCREASE (DECREASE) DEMAND DEC. 31, 198__	CUMULATIVE DEMAND DEC. 31, 198__ (a + b)	SERVICE AREA CAPACITY DEC. 31, 198__	% DEMAND FOR CURRENT SERV. AREA CAPACITY	PROJECTED DEMAND (c + APPROVED DEMAND)	% OF PHASE SERVICE AREA CAPACITIES
water Wastewater Solid Waste Electrical							

ORDINANCE NO. 8838 -A

AN ORDINANCE ADOPTING GUIDELINES FOR THE DEPARTMENT OF HOUSING, INSPECTIONS AND COMMUNITY SERVICES, ESTABLISHING REASONABLE TIME LIMITS ON DEVELOPMENT APPROVALS FOR THE DOWNTOWN CENTRAL BUSINESS DISTRICT PURSUANT TO ORDINANCE NO. 8249-A, THE DEVELOPMENT ORDER FOR THE DOWNTOWN TAMPA CENTRAL BUSINESS DISTRICT; ESTABLISHING REVIEW GUIDELINES AND CRITERIA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Tampa has adopted Ordinance No. 8249-A, rendering a Development Order pursuant to Section 380.06 of Chapter 380, Florida Statutes, on the Application for Development Approval filed by the Tampa Downtown Development Authority for development of the Downtown Tampa Central Business District, a development of regional impact; and

WHEREAS, Section 4, Paragraph F(6) of Ordinance No. 8249-A provides in part that "HI&CS with approval of City Council shall place reasonable time limits on all development approvals to insure that threshold capacities are not being unduly reduced by developers' 'stockpiling' or 'banking' capacity. The City Council may, by ordinance, adopt guidelines to assist HI&CS in establishing these reasonable time limits;" and

WHEREAS, the City Council has determined that the Development Order rendered for the Downtown Tampa Central Business District (CBD) is to be utilized as a tool to monitor overall development within the CBD, not as a method of "banking" or "stockpiling" development rights by reserving threshold capacities for planned future development proposals; and

WHEREAS, the City Council intends that the Development Notices are to be filed in accordance with Ordinance No. 8249-A only when a developer proposes to commence development; and

WHEREAS, the City Council finds it necessary to establish review criteria in setting reasonable time limits on development approvals pursuant to Ordinance No. 8249-A; and

WHEREAS, the City Council deems that these guidelines be established to protect the integrity of Ordinance No. 8249-A, and overall development within the Tampa CBD and finds these guidelines to be in the best interests of the citizens of the City of Tampa; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:

Section 1. The Department of Housing, Inspections and Community Services (HI&CS) shall administer the following guidelines to insure that threshold capacities are not being unduly reduced by developers "stockpiling" or "banking" threshold capacities.

A. HI&CS shall require a pre-application conference with the developer or his agent prior to receiving a Development Notice. HI&CS shall describe the purpose of the Development Order and the intent of these guidelines.

B. While a Development Notice may indicate a project's long range build-out period or phasing status to assist the City and the Downtown Tampa Development Authority in planning for future growth, HI&CS shall approve construction for that phase of a development project that is in compliance with the time frame allowed by this ordinance.

C. Within seven (7) days from the filing of the Development Notice, the developer shall be notified by HI&CS of the proposed project's status pursuant to staff review of the Development Order. The developer must submit a complete and sufficient Building Permit Application within one hundred and eighty (180) calendar days of such notification.

8/1/88

D. HI&CS may allow up to three extensions, not to exceed a total of one hundred and eighty (180) days, within which the developer must submit a complete and sufficient Building Permit Application, as referred to in Section 1 "C" above. Such extension or extensions shall be granted upon a showing by a developer that:

1. The completion of an application for a building permit has been, and is being, diligently pursued; and
2. The developer can reasonably be expected to submit a complete and sufficient Building Permit Application within the extension period available; and
3. The scope, size and complexity of the project requires additional time to prepare and complete a sufficient Building Permit Application; provided, however, that projects of less than DRI scale must show unique factors and circumstances which require such additional time to submit a complete and sufficient Building Permit Application; or
4. The Downtown Tampa Central Business District DRI requirements, such as the archeological study or traffic study, although timely and diligently pursued, will require additional time to complete.

HI&CS shall respond to developers' request for extension within five (5) working days.

E. Between the period of notification of Development Notice approval and the Building Permit Application deadline, HI&CS may schedule a Development Review Committee (DRC) meeting to assist the progress toward expeditious issuance of Building Permits.

F. If the Building Permit Application deadline is met, all Building Permits shall be issued in accordance with HI&CS'S standard building permit requirements. Building Permits shall be valid for those time periods established in the City of Tampa Code, Chapter 45, as it may from time to time be amended. Any applicable grants-in-aid of construction shall be assumed by the developer, when assessed by the City in accordance with the provisions of Ordinance No. 8249-A.

G. If the Building Permit Application deadline is not met, or if the Building Permits are subsequently revoked or expire, in accordance with applicable Code sections, HI&CS shall notify the developer, in writing, that it has declared the previously approved Notice null and void, and will return the reserved threshold capacities to the land use intensity totals in Section 2 "G" of Ordinance No. 8249-A. Provided, however, that HI&CS shall not return the reserved capacities to the land use intensity totals until the developer has had the opportunity to timely avail himself of the City Council appeal process established in Section 1 "H" below. Further, if the developer timely avails itself of such an appeal, HI&CS shall not return the reserved threshold capacities to the land use intensity totals until the City Council officially acts on such appeal.

H. Should HI&CS declare the previously approved Notice null and void, the developer may appeal such decision to City Council at its next regularly scheduled meeting. City Council shall set a hearing date to consider the developer's appeal and ask all appropriate parties to attend. In considering the appeal, City Council shall receive evidence and make findings of fact. It shall be the responsibility of the developer to present the evidence necessary to support his appeal before City Council.

I. After hearing all testimony, the City Council shall take action upon the appeal. Action taken shall be one of the following:

1. Overturn the HI&CS decision and grant an extension for a period of time deemed appropriate by Council to obtain permits or commence construction; or
2. Uphold the HI&CS decision.

Section 2. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisions of this ordinance.

Section 3. This ordinance shall take effect immediately upon becoming a law.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAMPA, FLORIDA,
ON MAR 28 1985.

ATTEST:

Tom Vanni
CHAIRMAN, CITY COUNCIL
CHAIRMAN PRO TEM

Frances Hennig
CITY CLERK

APR 11 1985

APPROVED BY ME ON

Bob McArthur
MAYOR

Prepared and Approved By:

Pamela K. Akín
PAMELA K. AKIN
ASSISTANT CITY ATTORNEY

A RESOLUTION DETERMINING THAT THE DEVELOPMENT CONDITIONS FOR THE BARNETT PLAZA, TO BE LOCATED IN THE GENERAL VICINITY OF KENNEDY BOULEVARD ON THE NORTH, ASHLEY DRIVE ON THE WEST, WHITING STREET ON THE SOUTH, AND TAMPA STREET ON THE EAST, DO NOT CONSTITUTE A SUBSTANTIAL DEVIATION FROM THE CONDITIONS ESTABLISHED BY THE CENTRAL BUSINESS DISTRICT DRI ORDER; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, a proposal to develop certain property in the Central Business District, in the general vicinity of Kennedy Boulevard on the north, Ashley Drive on the west, Whiting Street on the south, and Tampa Street on the east, contains a traffic circulation plan, different in certain respects from the conditions established by Ordinance No. 8249-A ("CBD DRI Order"), and

WHEREAS, the CBD DRI Order, in Section 4(C), requires that the initial administrative review and determination of whether deviations have occurred and whether those deviations are substantial deviations, shall be made by the City's Department of Housing, Inspections and Community Services (HICS), and

WHEREAS, HICS has advised the City Council that while a deviation has occurred, that that deviation is not a substantial deviation, and

WHEREAS, the City of Tampa Legal Department has issued a legal opinion which determined that there was no legal impediment to the City Council determining that the conditions referred to above did not constitute a substantial deviation, and

WHEREAS, pursuant to Resolution No. 4436-H, City Council held a public hearing relative to its review of the HICS' determination, and

WHEREAS, the City Council has reviewed the HICS' determination, the legal opinion, and all associated documents, and has heard all public comment related thereto, now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:

Section 1. That, pursuant to Section 4(C) of Ordinance No. 8249-A, the City Council of the City of Tampa, having reviewed the HICS' determination that the development conditions for the Barnett Plaza, to be located in the general vicinity of Kennedy Boulevard on the north, Ashley Drive on the west, Whiting Street on the south, and Tampa Street on the east, do not constitute a substantial deviation from the conditions established by the CBD DRI Order, hereby determines that, while the development conditions constitute a deviation from the conditions established by the CBD DRI Order, that such deviation is not a substantial deviation.

Section 2. That the proper officers of the City of Tampa are hereby authorized and empowered to do all things necessary in order to carry out and make effective the provisions of this resolution.

Section 3. That the City Clerk shall immediately forward copies of this resolution to the Tampa Downtown Development Authority, the Tampa Bay Regional Planning Council, and the Florida Department of Community Affairs.

Section 4. That this resolution shall take effect immediately upon its adoption.

PASSED and ADOPTED by the City Council of the City of Tampa, Florida, on
Oct 6 1983

ATTEST:

Frances Henrighan Sanford W. Henderson
CHAIRMAN, CITY COUNCIL

CITY CLERK

Prepared and Approved by:

Kenneth E. Burns
ASSISTANT CITY ATTORNEY

FRANCES HENRIQUEZ
City Clerk

CITY CLERK

THIRD FLOOR, CITY HALL, TAMPA, FLORIDA 33602 • 813/223-8396

June 7, 1983

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Florida 33702

Re: Ordinance No. 8249-A

Gentlemen:

Please attach the enclosed exhibits to Ordinance
No. 8249-A which was mailed to you under separate
cover.

Sincerely,

Frances Henriquez
(Mrs.) Frances Henriquez
City Clerk

FH:mf

Enclosure

file

CITY CLERK

THIRD FLOOR, CITY HALL TAMPA, FLORIDA 33602 • 813/223-8396

FRANCES HENRIQUEZ
City Clerk

June 6, 1983

Tampa Bay Regional Planning Council
9455 Koger Boulevard
St. Petersburg, Florida 33602

Re: Ordinance No. 8249-A

Gentlemen:

I am transmitting the above ordinance which was adopted by the City Council and signed by the Mayor.

Please let me know if I can be of further service.

Sincerely,

Frances Henriquez
(Mrs) Frances Henriquez,
City Clerk

epb

Enclosure

Handwritten:
D-100-100
#100
/

ORDINANCE NO. 8249 -A

AN ORDINANCE OF THE CITY OF TAMPA, FLORIDA, RENDERING A DEVELOPMENT ORDER PURSUANT TO SECTION 380.06 OF CHAPTER 380, FLORIDA STATUTES, ON THE APPLICATION FOR DEVELOPMENT APPROVAL FILED BY THE TAMPA DOWNTOWN DEVELOPMENT AUTHORITY FOR DEVELOPMENT OF THE DOWNTOWN TAMPA CENTRAL BUSINESS DISTRICT, A DEVELOPMENT OF REGIONAL IMPACT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 31, 1982, the Tampa Downtown Development Authority (hereinafter "TDDA") filed an Application for Development Approval, as amended, together with all submitted, supporting documents (hereinafter "ADA") with the City of Tampa, Florida (hereinafter the "City") for the development of the area within its jurisdiction as set forth in Section 5 of Chapter 76-496, Laws of Florida, that is, the Tampa Downtown Central Business District (hereinafter the "CBD"), legally described in Exhibit A hereto; and

WHEREAS, the ADA has been filed in accordance with Chapter 380, Florida Statutes (1981), as amended (hereinafter "Chapter 380") which specifically authorizes a downtown development authority to make an application for development approval and receive a development order under the Development of Regional Impact and receive a development order forth in that Chapter; and

WHEREAS, the ADA proposes the continued development of the CBD for the following uses: retail, warehouse and miscellaneous, private office, government office, residential, hotel, public assembly and public non-assembly; and

WHEREAS, the City Council of the City, as the governing body of the local government having jurisdiction pursuant to Chapter 380, is authorized and empowered to consider applications for development approval for developments of regional impact; and

WHEREAS, the TDDA has provided copies of the ADA to Hillsborough County, Hillsborough County City-County Planning Commission, Hillsborough County Environmental Protection Commission, Florida Department of Community Affairs, and the Tampa Bay Regional Planning Council (hereinafter "TBPRC"), as required; and

WHEREAS, all appropriate departments of the City have conducted an independent review of the ADA, the results of which review have been provided to TBPRC and the City Council; and

WHEREAS, the TBPRC has completed its statutory responsibilities including a review of the ADA requested by appropriate authorities; and

WHEREAS, after completion of its statutory responsibilities the TBPRC has submitted its final report and recommendations to the City for review; and

WHEREAS, the public notice requirements of Chapter 380 have been satisfied; and

WHEREAS, the City Council conducted a public hearing with respect to the ADA, on February 3, 1983, after the prescribed notice had been issued; and

WHEREAS, all interested parties and members of the public were afforded the opportunity to participate in the hearing before the City; and

WHEREAS, the City Council has heard, considered and reviewed the above-referenced documents, as well as all related testimony and evidence submitted by each party and members of the general public; NOW, THEREFORE,

DZ82-30

BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF TAMPA, FLORIDA:

Section 1. That this ordinance, including all exhibits hereto, shall constitute the Development Order (hereinafter the "Order") of the City issued in response to the ADA filed by the TDDA. By this reference, those exhibits, and the ADA are incorporated herein the same as if fully set forth. The scope of development to be permitted by this Order includes all development and activities described in the ADA except as modified by the conditions set forth in Section 4, below.

Section 2. That having received, reviewed and considered the above referenced documents, all related comments and testimony submitted by each party and members of the general public, and having determined that such documents, comments and testimony provide substantial competent evidence to support the findings herein, the City Council makes the following findings of fact:

- A. The findings and determinations of fact set forth in the recitals to this Order are hereby confirmed.
- B. The real property which is the subject of the ADA is legally described in Exhibit A.
- C. The TDDA filed the ADA with the City.
- D. The ADA has been filed by the TDDA pursuant to Chapter 380, authorizing a downtown development authority to apply for development approval and receive a development order for the entire area within its jurisdiction. The TDDA is not the developer of any specific project. Specific projects are not identified or required to be identified. The TDDA is charged with providing systematic support and guidance for downtown development activities. With the assistance of the Hillsborough County City-County Planning Commission and the private sector, the TDDA has developed a conceptual master plan for development of the Tampa CBD, identified as the Tampa Downtown Development Strategy, a report dated September 1980, as modified and amended, a copy of which is attached as Exhibit B.
- E. The purpose of the ADA is to identify and assess probable regional impacts and to obtain approval for development in accordance with the general guidelines as developed in the ADA. The concept is to recognize the CBD as a single area of high intensity development and to focus the DRI review process primarily on the impacts that development within the area will have on land, transportation, traffic, environment, communities, energy and other resources and systems outside the development area. The ADA seeks a single DRI review process for overall plan development of the CBD rather than requiring each individual project within the CBD to file for separate DRI reviews.
- F. Development of the Tampa CBD has been and is expected to continue to be accomplished by a variety of developers over an extended period of time. These developers may respond to market demand and technologies that can only be estimated in the ADA. The ADA is intended to serve as a flexible guide to planned development of the CBD rather than a precise blueprint for its development. This Order may have to be amended from time to time, to more nearly serve as a living guide recognizing the evolution of market demand and technologies.
- G. The ADA proposes development within the CBD for the land uses, quantities and Phases set forth below, subject, however, to the threshold requirements established in Exhibit C hereto for various levels or amounts of development. The figures shown

below represent the maximum development for each land use category, within each phase.

<u>LAND USE CATEGORY</u>	<u>PHASE I</u>	<u>PHASE II</u>
	<u>(Base Year 1980)</u>	
Retail	1,310,900 sq. ft.	1,539,800 sq. ft.
Warehouse & Misc.	1,048,800 sq. ft.	900,000 sq. ft.
Private Office	3,659,700 sq. ft.	7,290,700 sq. ft.
Government Office	1,321,000 sq. ft.	1,705,000 sq. ft.
Residential	575 units	880 units
Hotel	807 rooms	1,747 rooms
Public Assembly	7,400 seats	12,300 seats
Public Non-Assembly	175,025 sq. ft.	175,025 sq. ft.
	<u>PHASE III</u>	<u>PHASE IV</u>
Retail	2,272,100 sq. ft.	2,682,000 sq. ft.
Warehouse & Misc.	1,000,000 sq. ft.	1,350,000 sq. ft.
Private Office	9,503,000 sq. ft.	13,149,000 sq. ft.
Government Office	2,250,000 sq. ft.	2,596,000 sq. ft.
Residential	2,100 units	3,100 units
Hotel	3,093 rooms	5,000 rooms
Public Assembly	12,300 seats	12,300 seats
Public Non-Assembly	175,025 sq. ft.	175,025 sq. ft.

Exhibit C, establishes the thresholds and threshold requirements, if any, for land use categories, that may be developed within the term of this Order. These threshold requirements are developed in greater detail hereinafter.

- H. The proposed development is not located in an area of critical state concern as designated pursuant to Chapter 380.
- I. All proposed development is required by conditions of this Order, to be consistent with all applicable local land development regulations.
- J. This Order is consistent with the report and recommendations of the TBRPC. The TBRPC recommends approval of the proposed development, and all conditions to which such approval is subject, are reflected herein.
- K. The proposed development is consistent with the applicable portion of the State land development plan.
- L. A comprehensive review of the probable impacts that will be generated by the proposed development has been conducted by various City departments and the TBRPC staff.

Section 3. That, having made the findings of fact contained in Section 2 above, the City Council hereby concludes as a matter of law, the following:

- A. The TDDA, constitutes a "Downtown Development Authority" as defined in Chapter 380, and is authorized by Chapter 380, to make application for development approval and receive a development order.
- B. Review by the City, the TDRPC and other participating agencies and interested citizens reveals that impacts are adequately addressed pursuant to the requirements of Chapter 380, within the terms and conditions of the ADA and this Order.
- C. These proceedings have been conducted pursuant to applicable laws and regulations. Based upon the record in this proceeding, the City is authorized to approve development as described herein, subject to the conditions, set forth in Section 4, below.

Section 4. That, having made the findings of fact and reached the conclusions of law set forth above, it is ordered that development as proposed in the ADA is hereby approved, subject to the following conditions:

- A. This Order is rendered in respect to the total quantities for the given land use categories and phases set forth in Section 2(G) above, and in exhibits hereto, and any references to specific, numbered planning areas contained in the ADA, are not incorporated in this Order.

B. A substantial deviation may occur:

- (1) By failure to comply with the conditions established by this Order; or
- (2) By failure to meet commitments, or failure to abide by solutions proposed to mitigate impacts, as set out herein, or as set out in the ADA; or
- (3) By commencing projects covered by this Order after the term of this Order, and any extensions to it; or
- (4) By a development notice being filed for a project, with a land use, other than those included in 2(G) above, and Exhibit C.
- (5) By a development notice being filed for a project, for a use, included in 2(G) above (Exhibit C), the intensity of which, when added to the "Cumulative Land Use", results in the "Surplus Available within Threshold" being exceeded (Exhibit D), after taking into account any applicable trade-off computations, as discussed in Section 4(E) below.
- (6) By a development notice (Exhibit E) being filed for a project, for a use included in 2(G) above (Exhibit C), but which project requires public facilities or services in excess of the surplus available capacity within the threshold (Exhibits F, G, H and I).
- (7) By the occurrence of any other deviation, which, under the purview of Chapter 380, is considered a substantial deviation.

- C. For purposes of this Order, the determination of whether a deviation has occurred, and whether that deviation is a substantial deviation, as defined in Section 4(B) above, shall be made as follows:

- (1) The initial administrative review and determination shall be made by the City's Department of Housing, Inspections and Community Services (hereinafter "HICS") based upon the standards set out in this Order;

- (2) Within seven days of its determination, HICS shall advise the City Council of whether a deviation has occurred and whether that deviation is a substantial deviation;
- (3) The City Council, at its next regularly scheduled meeting following receipt of the HICS' determination shall set a public hearing, within 14 days, at which public hearing the HICS' determination will be reviewed;
- (4) The final decision on whether a deviation has occurred or whether a deviation is a substantial deviation shall be made by City Council, by resolution;
- (5) A copy of that resolution shall immediately be forwarded to the TDDA, TBRPC and the State Land Planning agency.

D.

The Department of HICS shall develop a methodology for making "trade-off" determinations. For purposes of this Order, a trade-off is the converting of the surplus intensity capacity in one or more land use categories, to intensity capacity in one or more different land use categories. (For example, it may be that 1,000 square feet of office space generates the same impact on all facilities and services as five (5) hotel rooms. If this were true, the intensity capacity for hotels could be raised and the intensity capacity for office could be lowered, in accordance with the established formula and methodology without changing the impact on facilities or services.) However, no such trade-offs shall result in land use intensity in excess of approved Phase IV totals, for each land use category, as set forth in Section 2(G), above.

The standard methodology and any specific trade-off determinations shall be made as follows:

- (1) The initial administrative review and determination shall be made by HICS;
- (2) Within seven days of its determination, HICS shall advise the City Council of the methodology developed and of any specific trade-off determinations;
- (3) The City Council, at its next regularly scheduled meeting following receipt of the HICS' determination shall either:
 - (a) Approve the HICS' determination by resolution; or
 - (b) Set a public hearing, within 14 days, at which public hearing the HICS' determination will be reviewed.
- (4) Notwithstanding the provisions of this subsection, this section or this Order, no developer or project shall be entitled to a trade-off as a matter of right.

The final decision on the trade-off methodology and any specific trade-off determinations shall be made by City Council, by resolution.

E. In order to document progress toward the established thresholds, the TDDA shall file with the City, TBRPC, and the State Land Planning Agency and all affected permit agencies an annual report, summarizing:

- (1) Authorized development within the CBD,
- (2) Unused development capacities within the established thresholds, and
- (3) Status of any applicable threshold requirements.

The form of the report is specified in Exhibit J hereto and includes:

- (1) Summary of land use categories approved during the year.
- (2) Summary of land use categories constructed during the year.
- (3) Summary of updated public facilities usage during the year.
- (4) Summary of status of transportation facilities, public transit, usage, vehicle occupancy rates, and parking usage.
- (5) Summary of ongoing water quality monitoring and additional environmental monitoring; which may be required, as appropriate, such as noise and air quality monitoring.

The annual report shall verify that sufficient facilities, equipment and manpower are available to provide adequate education, EMS, fire and police protection to the CBD.

The City, through its appropriate agencies, shall monitor progress toward the established thresholds and the status of threshold requirements.

The annual reports are due on January 1st of each year. The reports for calendar years 1985, 1990 and 1995 shall be expanded to include a projection of CBD activity including demands for water supply, wastewater treatment capacity, solid waste disposal capacity, electrical capacity together with transportation improvements needed to maintain a satisfactory level of service for the following five year period.

F. The Department of HICS shall establish appropriate development monitoring procedures to insure that all future development will be in compliance with this Order and with the ADA. The procedures will include site plan review and zoning ordinance compliance review, as appropriate.

- (1) The procedures shall require that any person, group, entity or governmental authority proposing any development or redevelopment within the CBD, that will affect the land use intensity totals, in any land use categories as set forth in 2(G) above, shall file a development notice (hereinafter "Notice") with HICS at least fifteen (15) days prior to an application for any rezoning, or application for site clearing, demolition or building permits. Such Notice shall include:

- (a) The developer's name, address and telephone number;
- (b) Exact location of the development and legal description of the real property to be developed;
- (c) The type of development;
- (d) The number of gross square feet of floor area for each land use category involved; i.e., retail, warehouse and miscellaneous, office, public non-assembly; or the number of rooms if proposed development is or includes a hotel; or the number of units if the proposed development is or includes residential; or the number of seats or other appropriate factor if the proposed development is for public assembly purposes;
- (e) The number of on-site parking spaces to be included

in the proposed development;

- (f) The estimated construction cost;
- (g) The information required in (c), (d) and (e) above for any existing land use to be removed for the new development;
- (h) The estimated commencement date of construction;
- (i) The estimated occupancy date;
- (j) A site plan, if deemed appropriate by HICS.

The general form of such Notice is shown in Exhibit E, which form may be changed by HICS, from time to time, without prior notice.

- (2) The developer of a DRI scale project shall be required to submit, in addition to the Notice, a transportation analysis in accordance with Section 4(Y) below. For the purposes of the transportation analysis, the determination of whether a proposed project is of DRI scale or non-DRI scale shall be made as follows:

(a) The initial administrative review and determination shall be made by HICS based upon:

- 1. The standards and presumptions established by Chapter 380, and
- 2. The rules of the Florida Department of Administration, Chapter 27(F), Land Planning, and
- 3. Such standards as may be promulgated by the City Council by ordinance, consistent with (a)(1) and (a)(2) above, as these may from time to time be amended.

(b) Within seven days of its determination of the project's DRI status, HICS shall advise the City Council.

(c) City Council, at its next regularly scheduled meeting following receipt of the HICS' determination, shall either:

- 1. Approve the HICS' determination, by resolution, or
- 2. Set a public hearing, within 14 days, at which public hearing the HICS' determination will be reviewed.

(d) The final decision on the determination of whether a project is of DRI scale or not shall be made by City Council, by resolution.

- (3) The units of measure for utility and service demands of each land use type are provided in Exhibits F through H hereto. This information shall be kept current by HICS to maintain an ongoing accounting of land use intensities, to compute the utility/service demands of the proposed development and to determine whether public and/or private utility/service facilities are available to support the proposed developments. These units of measure shall serve as a guide for planning purposes. If a proposed development will have rates of generation, more or less than that shown in Exhibits F through H,

then the Notice must so indicate to HICS. HICS will review the proposed rates of generation and if accepted, such rates shall be used in making any necessary determinations, and if the proposed development is approved, such rates shall be used in adjusting the remaining utility or service capacities.

(4) That HICS shall conduct a review of the Notice and within seven (7) days after receipt of the Notice, HICS shall notify the developer of the determination by HICS of:

- (a) The DRI or non-DRI status of the project for purposes of whether a transportation analysis in accordance with Section 4(Y) below, is required;
- (b) The findings with respect to land use categories, land use thresholds and the adequacy of utility/service support facilities and capacities for the proposed development;
- (c) Any deviation from this Order, and whether that deviation is a substantial deviation or not; and
- (5) If a project exceeds one or more thresholds, the developer can work with the responsible City departments to bring the proposed development within the threshold surplus capacity. If existing capacities will not be adequate, the City Council shall be advised:
 - (a) That additional capacity is required, or
 - (b) That HICS has made a trade-off determination in accordance with Section 4(D) above.

The City Council may act to increase capacities or to approve a trade-off determination so that the project can be approved by HICS.

(6) HICS, with approval of City Council, shall place reasonable time limits on all development approvals to insure that threshold capacities are not being unduly reduced by developers "stockpiling" or "banking" capacities. City Council may, by ordinance, adopt guidelines to assist HICS in establishing these reasonable time limits. City Council may determine in such ordinance, that reasonable time limits may not need to be placed on all developments, regardless of size.

G. Notwithstanding this Order, the City shall have the authority to assess projects either inside or outside the CBD, for measurable impacts on City utility/services or transportation facilities, in accordance with any laws, ordinances, regulations or rules that either now exist or may exist in the future.

H. The responsible entity for water supply, waste water and solid waste is the City. The source facilities for water supply include the City well fields, the Hillsborough River and other water source facilities that may be acquired by the City from time to time. The waste water source facility will be the Hooker's Point Advanced Treatment Facility. The solid waste source facility will be the McKay Bay Resource Recovery Facility. The responsible entity for electric service is Tampa Electric Company and the source facilities include all existing and planned generating facilities of the company.

I. The responsible entities set out in 4(H) above shall provide capacity for the CBD, by phases, as projected below: