

NEW PORT TAMPA BAY UNIFIED
ZONING CONDITIONS

1. Land Use Designation: UMU-60.
2. Presently Zoned: PD-A, C-I
Folio #s
131173.0000 131181.0030 131181.0220 131929.0000
131176.0010 131181.0040 131880.0000 131929.0010
131181.0000 131181.0050 131911.0000 131929.0020
131181.0010 131181.0060 131926.0000 131929.0030
131181.0020 131181.0200 131926.0200 131929.0100
3. Proposed Uses:
 - a. Residential: 1,750 units (33 du/acre)
 - b. Office: 83,750 sf
 - c. Commercial: 156,250 sf
 - d. Hotel/Motel: 200 Rooms with Accessory UsesTotal Acres: 51.46 +/-
4. Parking shall be provided as surface parking or under all proposed structures, with approval of the Transportation Division.
5. Public utilities: Potable Water and Sanitary Sewer by City of Tampa.
6. Emergency access shall be provided in accordance with Fire Department regulations.
7. Construction plans relative to sea wall construction to be submitted to the appropriate agencies for review.
8. The entire project lies within Flood Zone 'A10' per F.E.M.A. FIRM Community Panel No.: 120114 0036C and 120114 0037C, dated Sept. 30, 1982.
9. See current transportation analysis in conjunction with previously approved traffic analyses from Petitions Z05-66 and Z06-01 (and Z04-90) for transportation data.
10. Building structure height is subject to permitting by the Hillsborough County Aviation Authority up to a maximum height of 201' above mean sea level. This height must include any rooftop structures such as mechanical penthouses, architectural features, etc.
11. Development on the subject property shall comply with Section 27-247, 27-248 (minimum loading requirements) by providing 12' x 30' loading spaces within proposed drive aisles. Loading spaces for WB-50 and larger vehicles will be provided within the travel lanes or parallel parking spaces of the proposed roadways subject to right of way use permits.
12. Parking shall be provided in conformance with the minimum standards of Chapter 27, Article X of the City of Tampa Land Development Code unless otherwise approved. Parking spaces will be provided in conformance with the minimum standards for ADA compliance. The entrances to parking areas shall be coordinated in such a way as to provide secured access and parking for the residents, but also to allow for parking for visitors. Appropriate bicycle parking facilities will be provided.
13. The property Owner/Developer shall provide cross access easements, as necessary, between the respective land uses within the development.
14. The property owner/developer will be approved, by the Transportation Division, for the conceptual external access points as shown on Sheet 1 of the General Development Plan, during the review of the incremental site plans. The location, design and number of any additional or modified access points into the Development from Tyson Avenue, Westshore Boulevard, Price Avenue, and Bridge Street shall be determined during the review of the incremental site plans, and shall be subject to approval by the City of Tampa Transportation Division. Access to the development will be provided in accordance with the requirements for emergency and paratransit type vehicles. Parking layout and circulation is approximate and subject to change upon approval from the City of Tampa Transportation Department.
15. The property Owner/Developer will coordinate with HARTLine and Bay Area Commuter Services (BACS) to promote multi-modal alternatives to residents and employees by distributing ridesharing information in sales, leasing or employment packages and displaying information that promotes transit vanpooling, carpooling and other commuting methods. A transit stop with amenities along Westshore Boulevard will be provided along the project frontage. A transit

stop with amenities along Gandy Boulevard (if approved by FDOT) will be provided if specifically requested from HARTLine.

16. The property Owner/Developer commits to coordinate with Hillsborough County Emergency Operations Center relative to natural disaster evacuations.
17. All solid waste storage areas shall be screened in accordance with Section 27-132 of the City of Tampa Land Development Code. If necessary, bins and compactors shall be provided within structures in accordance with the City of Tampa Solid Waste requirements and placed curbside for collection in coordination with the Solid Waste Department. Solid waste collection service will be addressed in detail during the incremental review and permitting process applicable to what is being built and the amount of refuse expected to be generated from the proposed use. All visual depictions and notations will be provided on the site plan applicable to the service to be utilized.
18. Proposed land uses within the development may be located on any development block within the project boundaries and shall be as follows:
 - a. CG uses plus retail boat sales, service and repair, dock master facilities, and a portable boatlift.
 - b. Multi-family residential, condominiums, townhomes, accessory parking, accessory recreational amenities including a marina club facility, and accessory uses in the RM-24 and CG districts.
 - c. Professional offices and restaurants.
 - d. Hotel/motel with accessory uses.
19. A master signage plan will be submitted excluding City of Tampa South Tampa Greenway Friendship Trail Signage, for review and approval during incremental plan review. The Developer will coordinate the Tampa Friendship Trail Signage design with the City's Parks Department and will mutually agree to signage type and location, consistent with the master signage plan. Waive Chapter 20, Section 20.5-13 setback requirements for signage internal to the project with exception of entrance points on Gandy Boulevard and Westshore Boulevard. However, visibility triangle requirement of Section 20.5-13(3) and 27-240 shall be complied with.
20. The Developer is proposing to provide alternative pavement materials and hardscape elements in excess of the City of Tampa standards within the proposed rights of way. Such alternative materials may include but not be limited to concrete or clay pavers, stamped concrete, cobblestone, fountains, landscape islands, stamped asphalt, statues etc. to enhance project aesthetics. The Developer shall enter into a mutually agreed to maintenance agreement with the Department of Public Works for maintenance of such materials. Cobblestone will not be used in the Friendship Trail or within the trail driveway crossings. A hold harmless agreement, between the City of Tampa and the Developer / Owner, will also be provided for the alternate materials placed in the right of way.
21. Development on the site shall comply with all applicable FEMA standards, City of Tampa Stormwater Management regulations and fire codes in effect at time of permitting. The project will provide treatment for 1/2" of stormwater on impervious areas over the entire site.
22. As determined by property Owner/Developer and in coordination with the City's landscape reviewer, additional green space/open space may be provided on the roofs of buildings, including the parking decks. These roof-top areas may be landscaped as garden areas and may also be developed with residential amenities. Such amenities may include, but shall not be limited to, swimming pools, fitness centers and equipment, and tennis courts. The property Owner/Developer shall also have the option of locating recreational amenities at ground level, between the structures. The project will meet the minimum greenspace code requirements on an overall unified project basis.
23. Landscaped and pedestrian amenities will be provided along the waterfront as part of a linear park running north-south along the uplands property adjacent to the Bay. Upon completion, this linear park will be open to the public as a pedestrian esplanade. The proposed amenities may include, but shall not be limited to, benches, fountains, walkways, and gazebos. The maintenance and operation costs of these amenities and the linear park will be borne by the New Port Tampa Bay Community Development District.
24. The project shall receive a waiver from Section 13-162.A.1.a,d,e (50% shade trees/60% native trees, 6' pervious radius around proposed trees), 13-162-A.2.a (60% native trees), 13-45.g.4A (50% tree preservation). All shade trees shall be planted in a minimum 60 sq. ft. planting space with a minimum width of 6' as an alternative method of compliance to Section 13-162.A.1.a,d,e. Developer reserves the right to provide oversized landscape islands in areas where the minimum internal tree island requirements can not be met. The property Owner/Developer is proposing to plant trees and landscaping within portions of the public street rights-of-way. If required, the property Owner/Developer shall enter into a mutually agreed to maintenance agreement with the City's Parks and Recreation Department that addresses, at a minimum, the property Owner/Developer's responsibility for maintenance of all such plant materials provided. The project shall receive a waiver from Section 13-161 (greenspace buffers along all rights-of-way or private roadways).

Buffers adjacent to roadways may be replaced with The Friendship Trail, sidewalks, promenades, etc. Developer reserves the right to furnish shade trees in sizes greater than the 2" minimum in order to offset quantity of shade trees required. The increased caliper size of a proposed shade tree shall serve as a factor that can be multiplied against the number of shade trees proposed to yield an equivalent number of shade trees.

25. With the exception of the waivers noted on this plan, development of the site will comply with Chapter 13 of the City of Tampa Land Development Code.
26. Irrigation shall be provided for all landscaping in accordance with Chapter 13 of the City of Tampa Land Development Code.
27. Finished walls and fences may be constructed within the development. Such a wall or fence shall be architecturally compatible with the structures within the development. All proposed walls, fences and landscaping will be located to comply with sight visibility triangles.
28. The property Owner/Developer reserves the right to retain the existing structures and historic uses on site throughout redevelopment. The existing structure along Tyson Avenue may be used as a construction office. The following historic uses included:
 - a. Marina support facilities (CG uses)
 - (1). Ship's store - 800 square feet
 - (2). Boat fueling facility - 20 square feet
 - (3). Boat repair facility - 8,400 square feet
 - (4). Dry boat storage - 23,490 square feet
 - b. Restaurant & bar/lounge (CG use) - 4,057 square feet.
 - c. Office (CG uses) - 2,160 square feet.
 - d. Warehouse storage building (CG use) - 8,116 square feet.
 - e. Retail gasoline sales facility (CG use) - 2,946 square feet.
29. Future development may include the use of pedestrian bridges, balconies or other monument structures over City right-of-way if approved by the City of Tampa through the encroachment process. All encroachments into the public right-of-way must be reviewed through the City's Encroachment Review process coordinated by the Right-of-way Section of the Land Development Coordination Division, prior to issuance of any permits involving the encroachment. This will include the parks department if the encroachment goes over the Friendship Trail within the public right of way. Balconies, terraces, and other building projections may overhang sidewalks and other surface areas over public access easements to be granted by the Developer at Developer's discretion.
30. Structures two stories and taller on Development Block C shall be set back from the seawall of Old Tampa Bay at least 25 feet. One-story structures that are incidental to the property shall be set back at least 10 feet from water. A zero foot (0') setback for buildings and all other uses shall be allowed along all property boundary lines abutting properties being developed under common ownership or through the use of a unified development plan, provided the development of the unified plan is determined not to be a substantial change by the Zoning Administrator.
31. A waiver from Section 27-130 shall be granted for the project to eliminate buffer and screening requirements for all land uses internal to Development Blocks A through C. Where free-standing single-use non-residential structures are located adjacent to offsite single-use residential structures, a 5' wide buffer, with 6' opaque fence and 8' tall evergreen trees 30' on center shall be provided.
32. The property Owner/Developer shall, at no cost to the City, construct/reconstruct and extend Bridge Street from Gandy Boulevard to Tyson Avenue as a part of the redevelopment of the site. The construction of Bridge Street may necessitate realignment of the existing right-of-way and the dedication of new right-of-way for that realignment, subject to approval by the City of Tampa and subject to applicable subdivision plat modifications. Should such a modification be necessary, it is the Developer's intent that any existing right-of-way that is "exchanged" for new right-of-way shall become part of the subject zoning application and thereby available for development within the subject PD-A; however, before said property can be considered part of the zoning application and available for development, the Owner/Developer, at Owner/Developer's cost, shall be required to petition the city to vacate any portion of the existing right-of-way no longer in use as a result of the realignment.

Any vacating petition shall be subject to the then existing City of Tampa review criteria for right-of-way vacating. Bridge Street shall be a public right-of-way and will be deeded to the City of Tampa. The City of Tampa will work with the Developer in expediting the review and approval of alternative design standards in connection with the design, engineering, and permitting processes for Bridge Street. When mutually agreed to by and between the Transportation Division and the Developer, waivers shall be granted to accommodate alternative design standards for design, aesthetics,

traffic calming features, and alignment of the proposed Bridge Street including traffic circles, linear/alignment offsets, and the proposed cross sections. Bridge Street, from Gandy Blvd. to Price Avenue, shall be completed by the time of the first Certificate of Occupancy for a new building, other than a sales center, is issued for the project. After obtaining certificate of occupancies for 25,000 sf of retail, 70,000 sf of office, 750 residential units, and 200 hotel rooms, or equivalent trips as shown in the equivalency matrix, the developer will be required to connect Bridge Street, from Price Avenue to Tyson Avenue, with Transportation Division's approval, across CSX property, at the developer's sole expense. Upon mutual agreement between the Transportation Division and the Developer, Bridge Street may be maintained by a CDD or HOA with all necessary easements granted to City of Tampa.

33. The Developer has successfully petitioned the City to vacate a portion of Bridge Street as more particularly described in Ordinance 2006-248. Upon the completion of Bridge Street, the Developer will request the release of the easements over this portion of Bridge Street and simultaneously dedicate to the City of Tampa the reconstructed Bridge Street right-of-way.
34. Lighting within the project shall be of a low-projection, non-glare type, designed to produce a minimum of illumination and glare beyond the project boundaries.
35. The Developer shall provide to the City of Tampa, prior to obtaining building certificates of occupancy on the southern portion of the project, either a 40' wide drainage ditch easement over the existing drainage ditch or a minimum 20' drainage easement over the proposed piped drainage outfall to Old Tampa Bay. The Developer has received construction plan approval from the City of Tampa Stormwater Division with regard to the proposed piped drainage outfall. The proposed drainage outfall location is generally depicted on the zoning plan, however, the Developer reserves the right to revise the final location/alignment subject to approval by the City of Tampa Stormwater Department. The property Owner/Developer commits to abandon the existing drainage easements on the northern portion of the project, if necessary, and to relocate them in accordance with the City of Tampa Stormwater Technical Standards. Development of the site will comply with the City of Tampa Stormwater Technical Standards.
36. The property Owner/Developer will cooperate with the City of Tampa to facilitate a pedestrian trail/bike path as a part of the proposed South Tampa Greenways Trail from the north end of the property at a point along the south side of Gandy Boulevard to the south end of the property to connect to Tyson Avenue. The property Owner/Developer will coordinate with the FDOT and the City of Tampa regarding the point of connection of the trail on the south side of Gandy Boulevard. The primary location of the trail is proposed along the waterfront Esplanade and will be a minimum 12' wide unobstructed path along the waterfront provided via a 12' dedicated public access easement. The property Owner/Developer will work with the Parks Department on proposed pavement materials and landscaping for consistency with the proposed development and to determine the final location and alignment of the trail. A portion of the trail may be constructed within the Bridge Street right-of-way and/or within a 12' dedicated public access easement. The property Owner/Developer will provide appropriate pedestrian cross walks for the trail/bike path if/where it crosses roadways within the property.
37. All buildings shall have a zero foot setback for front, side, rear and corner yards along Bridge Street and all proposed roadways internal to the project. All buildings shall be set back a minimum of 10' from all adjacent property boundaries, except where indicated on the plan unless the adjacent property owner specifically agrees in writing otherwise. All building setbacks will abide by all sight distance requirements as stated in Section 27-240.
38. The Developer will be permitted flexibility for the design of safety barriers along any proposed sidewalks or boardwalks adjacent to water bodies that will meet the intent of the applicable land development code requirements.
39. The project shall receive a waiver from Section 27-246 to reduce all drive aisles within parking garages serving residential and office land uses from 26' to 24' in width. 9' wide parking stalls will be provided in residential and office parking garages with 24' drive aisles. If 24' drive aisles are utilized in garages primarily intended for commercial use, then 10' wide parking stalls will be provided in such instances. In all parking garages and parking lots, an appropriate number of compact car spaces may be shown, as permitted by Section 27-246.
40. On-street parking along all roadways may be provided as parallel spaces and shall be a minimum of 8' wide; hereby approving a waiver from Section 27-246 (off-street parking space standards). One-way drive aisles shall provide a minimum 11' wide travel lane.
41. A turn around area, approved by the Transportation Division, shall be provided before all gated entrances.
42. Subject to the Transportation Department approval, alternative design standards from Section 22-315 may be utilized for the subject property. Driveway access for residents and visitors to residential towers and parking structures shall be designed to minimize potential traffic conflicts through the use of one way drive aisles, resident only access gates, visitor drop offs, etc., as approved by the City of Tampa Transportation Division.

43. During construction the developer will provide onsite a mechanical wheel washing device.
44. The Owner of the property has coordinated with the City of Tampa and FDOT to develop a mutually acceptable future alignment of the intersection of Bridge Street and Gandy Boulevard.
45. All proposed on-street parking, in the public right of way, can be metered or removed by the City of Tampa at any time.
46. Adjustments to the General Development Plan may be required to accommodate off-site tree protection. These adjustments shall be addressed during the permitting process.
47. If permitted, an extension of the westbound left turn lane on Gandy Boulevard at Bridge Street and the construction of an eastbound deceleration lane at the same intersection shall be designed and constructed at the sole expense of property Owner/Developer.
48. After completion of 750 condominiums, 70,000 sf of office, 25,000 sf of retail, and 200 hotel rooms or equivalent trips as shown in the equivalency matrix, a transportation mitigation amount of \$1,211,742.00 is required. The first payment will be for 13,750 sf of additional office, 131,250 sf of additional retail and 350 additional condominiums. The first mitigation payment will be 50% of the mitigation amount (\$605,871.00) and will be due at the time of the first Certificate of Occupancy for such additional development. The second payment of 25% of the mitigation amount (\$302,935.50) shall be due at the time of the Certificate of Occupancy for the 1,101st condominium. The final payment (\$302,935.50) shall be due at the time of the Certificate of Occupancy for the 1,425th condominium. The mitigation amount shall be used for transportation improvements identified and approved by the Transportation Division in the general vicinity of the site. Mitigation Payments shall be creditable against the Transportation Impact Fee as permitted by ordinance
Furthermore, the Owner/Developer shall provide a proportionate share payment of \$124,600 towards intersection improvements on Gandy Boulevard, Westshore Boulevard, and/or Bridge Street. The payment shall be required prior to the first Certificate of Occupancy for the project exclusive of the sales center building, said proportionate share payment shall be creditable against impact fees, provided such improvements are identified in the City of Tampa Transportation Impact Fee Ordinance.
49. The Developer shall, at it's sole expense, construct an extension of the existing sidewalk along the north or south side of McElroy Street, so as to extend it eastward to Westshore Boulevard, subject to the approval of the City of Tampa Transportation Division, and unless physical impediments of public facilities would prevent the construction of such a sidewalk at this location.
50. The Owner/Developer shall at no cost to the City: provide the City with a transportation and utility easement over the vacated Price Avenue right-of-way; provide a twenty foot (20') roadway within a fifty foot (50') right-of-way dedicated to the City along the eastern boundary of the property between Price Avenue and Paul Avenue; and provide an additional ten (10') feet of right-of-way along the east side of Bridge Street from Gandy Boulevard to McElroy Avenue when Bridge Street is extended southward to Tyson Street, as more particularly described in City of Tampa Ordinance 2004-257.
51. The Owner/Developer has made a payment to the City of Tampa in the amount of one million dollars (\$1,000,000) to be credited toward Transportation Impact fees due on the project.
52. If warranted during or within two years of completion of the development, traffic signals with pedestrian facilities including communications to connect to existing traffic signals and pedestrian facilities at the intersection of Gandy and Westshore Boulevard will be designed and installed at the intersections of Westshore Boulevard and Tyson Avenue, Tyson Avenue and Bridge Street, and Bridge Street and Gandy Boulevard. The Developer/Owner will pay their proportionate share of the design and installation costs of these signals if it can be demonstrated that other developments in the area are required to contribute to the subject signalization; otherwise, this Developer shall be responsible for the entire cost. Should other entities also become responsible for the design and/or construction of these improvements, the City Transportation Division will use its best efforts to facilitate a sharing of the costs amongst those entities. The cost of the design and construction of the traffic signals is not included in the mitigation payments of \$124,600.00, or \$1,211,742.00 (as a part of the rezoning of Z05-66) and is an additional cost to the developer.
53. The alternative section shown on the General Development Plan applies only to Bridge Street frontage adjacent to Folio 131908.5000.
54. Unless the City of Tampa determines that additional stormwater capacity is not required, the Developer will provide ½" of stormwater treatment for two additional 12' wide future lanes on Westshore Boulevard, for that section of roadway from Gandy Boulevard south to Tyson Avenue. The Developer will provide an access easement to the City for the proposed stormwater facility and that portion of the conveyance system on the subject property. The stormwater treatment facility and conveyance system contained within the limits of the PD-A will be designed, permitted, and maintained by the

Developer or CDD. If provided, the Developer shall receive transportation impact fee credits for the ½” of stormwater treatment for the two additional lanes on Westshore Boulevard, as allowed under the impact fee ordinance.

55. The petitioner/developer must submit an application for wastewater service to receive a commitment for service. The petitioner/developer shall be responsible for all costs required to connect to the sewer system and all costs for any improvement to the existing downstream system needed to provide capacity at the proposed connection point to be determined by appropriate Wastewater Staff for waste water generated by the proposed development.
56. The Developer shall be permitted to relocate the sanitary pump station on Price Avenue (Folio # 131926.0200) and construct a new sanitary pump station to handle wastewater for the development. Upon acceptance by the City of Tampa of the new pump station and the conveyance to the City of the land parcel on which the new pump station is located, the land at the former pump station (Folio # 131926.0200) shall be conveyed to the Developer and shall be incorporated as a part of this PD-A.
57. Parcels A and C shall have no direct access to Gandy Boulevard.
58. FDOT reserves the right, pursuant to Florida Statutes 335.18, FAC 14-96 and FAC 14-97, to stipulate permit conditions based on the circumstances presented at the time an applicable permit application is submitted to FDOT.

The above notes reflect the following waiver requests.

1. All Section 27-247, waiver of all loading requirements.
2. All Section 27-130 buffer requirements for Development Block A, B, and C.
3. Section 27-246, reduction of required drive aisle width from 26’ to 24’ in parking structures.
4. Section 27-246, reduction of required parallel parking widths from 9’ to 8’ for on street parking.
5. Section 13-162(1) and 165(f)-waive minimum shade tree and native species requirements.
6. Section 13-45(g)(4) waive fifty-percent (50%) tree retention criteria for non-wooded sites.
7. Section 13-161(a) waive landscape buffer requirements along roadways.
8. Section 13-162(a)(1)(d): Waive required protective radius from 6’ to 3’ around all recommended trees.
9. Section 20.5-13 setback requirements for signage internal to the project with exception of entrance points on Gandy Boulevard and Westshore Boulevard..