



Hillsborough County City-County Planning Commission

Memorandum

September 12, 2023

To: Board Members, Board of County Commissioners

From: Melissa Lienhard, AICP, Planning Commission staff

Re: Initial Consideration of HC/CPA 23-15, a Privately Initiated Comprehensive Plan Text Amendment of the Energy Industrial Park (EIP) section of the Future Land Use Element

Pursuant to the Comprehensive Plan Amendment Procedures Manual for Unincorporated Hillsborough County (Procedures Manual), once a privately initiated text amendment to the *Unincorporated Hillsborough County Comprehensive Plan* is applied for, Planning Commission staff will schedule the item for initial consideration at a meeting of the Board of County Commissioners (BOCC). The Procedures Manual further states:

The Planning Commission will prepare a report to accompany the application that shall include, at a minimum, the following information:

- a. A determination of resources needed for adequate review*
- b. A recommendation on timeframe to review the amendment*
- c. A recommendation on additional public outreach to be conducted by the applicant beyond what is required by this manual.*

A determination of resources needed for adequate review

The proposed amendment can be adequately reviewed with existing staff resources. Typically, many of these items would be required in a privately initiated Comprehensive Plan Map Amendment. However, in this instance, the following items have been found appropriate due to the fact that the proposed text change applies to one specific geographical area rather than applying to properties countywide. The following items have been determined as needed in order to adequately review the proposed amendment:

- An applicant analysis of how the request is consistent with the Comprehensive Plan, including but not limited to, the adopted EIP Objectives and Policies in the Future Land Use Element;
- An applicant report analyzing the compatibility of the proposed text amendment with the surrounding land use pattern found in the area surrounding the subject property;
- An applicant analysis of the current renewable energy production market, including but not limited to a rationale for supporting development that does not primarily focus on renewable energy; and



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Tampa, FL, 33602

- Detailed information on how the remaining EIP area not subject to the text amendment will be able to address the goal of renewable energy production and the EIP Objectives and Policies.
- Additional data may be requested if necessary to provide for an adequate review.

A recommendation on timeframe to review the amendment

Per applicable requirements, Planning Commission staff has determined a recommended timeframe to review the amendment. It is recommended that once all the supplemental items listed above are submitted and found sufficient and the additional community meeting occurs, then the item will be scheduled into a plan amendment cycle and dates set for a public hearing with the Planning Commission and a transmittal hearing with the BOCC.

If the Board so desires and directs a concurrent Major Modification of PD 10-0692, and the Major Modification application is submitted and found sufficient, this may result in an extension to the recommended timeframe based on the need to coordinate the overall review.

A recommendation on additional public outreach to be conducted by the applicant

Per the Procedures Manual requirements, Planning Commission has determined the following additional outreach be conducted by the applicant beyond what is already required by the Procedures Manual:

- It is the applicant's responsibility to hold at least one additional neighborhood meeting in addition to what is required by the Procedures Manual for map amendments. This meeting shall be open to the public and at an ADA accessible location near to the EIP site, which is generally located south of State Road 60, between Dover Road and Turkey Creek Road.
- The applicant will be responsible for mailed notice of the neighborhood meetings consistent with the Procedures Manual. In addition, Planning Commission staff will send out an email blast to the Valrico Community Plan communication list detailing the neighborhood meeting information. These mailed and emailed notices will be sent out at least 10 days prior to the meeting date.
- Once the applicant has determined the date, time and location of the additional community meeting, the applicant shall provide this information to Planning Commission staff no later than 20 calendar days prior to the community meeting date. Please note: it is expected that the attendance will be above average based upon community interest, so the applicant should accommodate accordingly.
- The applicant will be responsible for all costs associated with all mailed notices.
- The applicant shall provide Planning Commission staff with a sign in sheet from the meeting as well as a summary of topics discussed, and a summary of comments made by the public.
- The applicant shall follow the map amendment requirements outlined in the Procedures Manual for signage and mailed notices for all public hearings. Additionally, a sign shall be posted at the following locations: (1) at the southeast quadrant of the Dover Road and State Road 60 intersection; (2) at the southwest quadrant of the Turkey Creek Road and State Road 60 intersection; (3) at the northwest quadrant of the Durant Road and Turkey Creek Road intersection; and (4) along Dover Road at the southwestern boundary of the EIP site (north of White Cliff Place). The signs shall be visible at all times from the aforementioned roadways.

The Procedures Manual also addresses the process for the meeting wherein the initial consideration by the BOCC is to be made:

At the scheduled meeting, the applicant will be afforded time to make a presentation and public testimony will be permitted.

Following board discussion, the BOCC shall take one of the following actions after review of the report by the Planning Commission and testimony provided by the applicant:

- a. Motion to take no further action on the application. A refund of 80% of the amount of the application fee will be provided should this occur.*
- b. Motion to allow the application to proceed for review and public hearing in accordance with the procedures outlined herein. Said motion shall address the Planning Commission's recommendations on the review timeframes, public outreach and provision of additional resources (if applicable).*

If you have any questions regarding this assessment or need further information, please contact Melissa Lienhard at (813) 547-4364.

Attachments: Application and proposed text



**Hillsborough County
City-County
Planning Commission**

Comprehensive Plan Amendment Application

This Comprehensive Plan Amendment (CPA) application provides the data and analysis required for the review of a proposed Comprehensive Plan Amendment, in accordance with the Hillsborough County City-County Planning Commission ("Planning Commission") Procedures Manual and Chapter 163, Florida Statutes.

A pre-application meeting must take place no later than 7 (seven) days prior to the filing deadline for the Plan Amendment.

Pre-Application Meeting: _____ / _____
(Signature of Planning Staff) (Date)

_____ / _____
(Signature of property owner/agent representative) (Date)

Property Owner/Applicant Information

Name(s)

Address

City State Zip Code

Email Address Phone Number

Agent/Representative Information

Name(s)

Address

City State Zip Code

Email Address Phone Number

Jurisdiction in which proposed Comprehensive Plan Amendment is located:

Unincorporated Hillsborough County

City of Tampa

City of Temple Terrace

City of Plant City

Type of request (check all that apply):

Future Land Use Map Amendment

Small-Scale Map Amendment (<10 acres)

Regular Map Amendment (>10 acres)

Urban Service Area Boundary Change

Text Amendment (Goals, Objectives, and Policies of the Comprehensive Plan)

Goal/Objective/Policy No. _____

Description of Property (for map amendments only):

Property Information		Future Land Use Designation		
Folio Number	Address	Acres	Adopted	Requested

Total acres: _____

Map Amendments Only:

Is the subject site, or a portion of the subject site, located within the Coastal High Hazard Area (CHHA)?

Yes No

Unincorporated Hillsborough County Plan Amendments Only:

Is the subject site located within the Urban Service Area (USA)?

Yes No

Map Amendments Only:

Development trend in the surrounding area (within one mile of the subject site in Tampa, Temple Terrace and Plant City; within five miles of the subject site in unincorporated Hillsborough County):

Map Amendments Only:

Is there a pending application on the property, or do you anticipate applying for other applications? (Example: Rezoning, Land Development Code Amendment, etc):

Yes: _____

No

Justification for the proposed Map or Text Amendment (i.e, infrastructure, supporting policies, transit availability, etc):

For Office Use Only:

Plan Amendment No.: _____

Date Received: _____

Received by: _____

Memorandum of Understanding

Between
Hillsborough County City-County Planning Commission
and

Applicant/Authorized Representative (Print): Christopher S. McNeal, Agent

1. **Purpose.** The purpose of this Memorandum of Understanding (MOU) is to establish the terms and conditions governing submittal and administration of the Plan Amendment.
2. **Responsibilities of the Applicant.**
 - a. The applicant and/or their authorized representative (“Applicant”) shall be responsible for submitting all required documentation for the Plan Amendment and compliance with the procedures and requirements set forth in the Plan Amendment Procedures Manual.
 - b. The Applicant is responsible for payment of legal advertising fees per the deadlines outlined in the Procedures Manual. If payment is not timely received, the Plan Amendment will not be included in the public hearing agenda, and additional advertising fees will become due for rescheduling the public hearing.
 - c. If the Applicant is proposing a plan amendment category that allows consideration of a residential use, the Applicant is responsible for, and will pay to the Hillsborough County School Board, a review fee for an “Adequate Facilities Analysis”, upon request by the School Board. Receipt of this payment is due to Planning Commission staff no less than thirty (30) days after submission of the Plan Amendment application.
 - d. If the Applicant desires to make a presentation to the Planning Commission utilizing electronic media, the media must be provided to the Planning Commission at least 2 business days prior the public hearing.
 - e. The Applicant shall be responsible for all noticing required by the Plan Amendment Procedures Manual.
 - f. The Applicant understands the procedures for a “Continuation of Plan Amendment Requests” and “Withdrawal, Denial, and Resubmittal of a Plan Amendment Application” set forth in the Plan Amendment Procedures Manual.
3. **City of Tampa, Plant City, and Temple Terrace ONLY: Withdrawal/Termination.** After submission of the application, staff conducts a seven (7) day sufficiency review period. A full refund will only be issued if the application is withdrawn within the seven (7) day sufficiency review period.



/ 7/3/2023

(Signature of property owner/agent representative) (Date)

Policy 1.10: Energy Industrial Park-Urban Service Area (EIP-USA)

The Urban Service Area may be expanded to include Energy Industrial Parks and will be categorized as Energy Industrial Park – Urban Service Area (EIP-USA) only if they are adjacent and contiguous to the existing Urban Service Area. Free standing EIP-USAs not adjacent to the existing USA will not be allowed. Within such EIP-USA areas, specific parcels may be identified that are suitable for EIP designation; provided, however, that the location of property within the EIP-USA does not qualify it as an urban service area pursuant to 163.3164(29), F.S.,(2009) and therefore is not a TCEA pursuant to 163.3180(5)(b), F.S., (2009), and does not exempt the property from the DRI program pursuant to 380.06(29), F.S.(2009), provided however, nothing stated herein shall limit the application of local ordinances that relate to levels of service for property located within an Urban Service Area. All of the criteria of Policy 2.2 shall be met when an area is considered for EIP-USA inclusion.

ENERGY INDUSTRIAL PARK

Goal

Provide for an Energy Industrial Park category to meet existing and future economic needs for renewable alternative energy, resource recovery and energy research needs in an environmentally responsible and economical manner in the County. An Energy Industrial Park will combine non-nuclear and other clean alternative energy generating technology, alternative energy research, educational/institutional facilities, manufacturing, distribution and ancillary service uses in one location to serve Hillsborough County residents and further the alternative energy technology knowledge base available. Industrial, warehousing, research, manufacturing, and distribution uses that find it advantageous to be located within the EIP are also permitted.

Location

Objective 58: Hillsborough County shall provide for an Energy Industrial Park (EIP) Future Land Use Category (which includes alternative energy, resource recovery, industrial, processing, manufacturing, warehousing, distribution, educational/institutional, research, ancillary Retail/Commercial and Office uses, and utility uses) that is located within an area that promotes sustainable development and that is within close proximity to areas that will support the agricultural product needs of renewable energy production facilities within the development.

Policy: 58.1

The Energy Industrial Park will be located in an area meeting the following criteria:

- Within the Energy Industrial Park Urban Service Area (EIP-USA), which is adjacent to an existing Urban Service Area (refer to Policy 59.12); or within the existing Urban Service Area as it exists on August 5, 2010.
- Furthers sustainability goals by avoiding development of inappropriate sites, channels development to areas with existing infrastructure, and provides for redevelopment of damaged sites (such as formerly mined areas).

- Adjacent to and with direct access to a major arterial road.
- Within one mile of electrical transmission grid lines, [and](#)
- Within an area in which public utilities including potable water, sewer, and reclaimed water can be made available for connection to service the needs of the site.

Policy 58.2:

Placement of future Energy Industrial Parks shall be encouraged in areas adjacent to rail to serve the types of uses found in such a facility.

Development Standards

Objective 59: The Energy Industrial Park (EIP) shall require set minimum development standards to ensure a sustainable project within the community.

Policy 59.1:

The EIP shall consist, at a minimum, of a mix of renewable alternative energy production and renewable alternative energy, resource recovery, and research type facilities with educational and employment uses to create a sustainable, viable economic base. The EIP can also include industrial, agricultural, warehouse, distribution, processing, commercial, institutional, and utility uses and ancillary Retail/Commercial and Office. The intent of the category, however, is an emphasis on renewable energy producing facilities [and as such, the category requires such facilities be constructed first](#). More specifically, the EIP shall meet the following minimums and maximums:

1. Minimum of 40 percent of the gross land area within the EIP shall be specifically for Alternative energy production, resource recovery facilities, agricultural, processing, research facilities supporting such uses or the manufacture and/or distribution of such technologies (Collectively the Energy Uses). The Park will include Facilities that generate energy from renewable (i.e.: sustainable) energy technologies which may include Biomass-to-energy, Wind, Solar, or Aquaculture and Municipal Solid Waste to Energy. Because this field is ever changing, other renewable alternative energy technologies shall also be permitted as they are deemed feasible and become available.
2. Renewable alternative energy production or research includes but is not limited to the following uses: agriculture, aquaculture, solar technology, windmills [\(or similar machines designed for the capture of wind power\)](#), renewable energy research facilities and supporting structures and facilities such as greenhouses, silos, barns, warehouses, classrooms, research laboratories, etc.
3. Industrial, Research, Manufacturing, Institutional, Warehousing, and Distribution facilities that find it advantageous to locate next to renewable energy production and/or renewable energy research type facilities shall also be permitted. Such uses shall not exceed 30 percent of overall net land area. Overall net acreage includes all contiguous portions of land owned or controlled by the same entity within the EIP designation, calculated by excluding right-of-way, wetlands, stormwater management areas, and

environmental preservation areas dedicated to the public. The Planned Development (PD) zoning shall outline the phasing of the project in order to insure that no more than 30 percent of the allowable non-renewable energy oriented Industrial, Research, Manufacturing, Institutional, Warehousing, and Distribution uses obtain Certificate of Occupancy before the Renewable Energy Producing Facilities, as defined in the PD conditions, are constructed and are ready to operate in accordance with Hillsborough County Building Department permits. ~~before a Certificate of Occupancy can be issued for any non-renewable energy oriented Industrial, Research, Manufacturing, Institutional, Warehousing, and Distribution use. Additionally, the Planned Development (PD) zoning shall provide specific production outputs for at least two (2) Energy Uses, and further provide that the developer shall construct either (i) two (2) Renewable Energy Producing Facilities with the stated production outputs, or (ii) one (1) Renewable Energy Producing Facility with double the production output stated therein.~~

4. Retail/Commercial and Office uses shall be ancillary to Energy Uses, or to Industrial, Research, Manufacturing, Institutional, Warehousing and Distribution uses and shall not exceed 10 percent of the gross land area. The Planned Development (PD) zoning shall outline the phasing of the project in order to insure that no more than 30 percent of the allowable retail/Commercial and Office uses obtain Certificate of Occupancy before the Renewable Energy Producing Facilities, as defined in the PD conditions, are constructed and are ready to operate in accordance with Hillsborough County Building Department permits ~~before a Certificate of Occupancy can be issued for any Retail/Commercial use.~~ Additionally, the Planned Development (PD) zoning shall provide specific production outputs for at least two (2) Energy Uses, and further provide that the developer shall construct either (i) two (2) Renewable Energy Producing Facilities with the stated production outputs, or (ii) one (1) Renewable Energy Production Facility with double the production output stated therein.
5. Retail/Commercial uses shall be located in clusters near or at the entries to the project or within the project rather than in a strip commercial development arrangement.

Policy 59.2:

To promote the development and maintenance of agriculture to strengthen the agricultural economy, agricultural and aquaculture uses shall be encouraged in and around the Energy Industrial Park.

Policy 59.3

Development within any EIP shall conform to the following criteria:

1. Development within the Energy Industrial Park should strive to meet the standards set forth for Leadership in Energy and Environmental Design (LEED) certification (or an equivalent standard).
2. Buffering is required where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Where adjacent to single family residential uses or zoning, a minimum buffer greater than that required by the Land Development Code shall be provided. The width and type shall be determined within the applicable Planned Development (PD) zoning.

3. Direct access shall be required to a major arterial [or collector](#) roadway.
4. The maximum floor area ratio shall not exceed 0.50 for Energy Uses and [0.35](#) for Industrial, Research, Manufacturing, Institutional, Warehousing and Distribution facilities. Ancillary Retail/Commercial and Office uses shall not exceed a 0.25 FAR.
5. Residential uses except for security and lodging ancillary to research, energy and education functions shall not be allowed within this district.

Policy 59.4:

A site plan controlled Planned Development (PD) zoning district shall be required for all new and expanded Energy Industrial Parks.

Policy 59.5:

Energy Industrial Park developments shall be served by public water and wastewater services.

Policy 59.6:

Energy Industrial Park developments shall be served by reclaimed water services.

Policy 59.7:

All capital improvement costs associated with the provision of public facilities and services as determined by the appropriate regulatory agency or public service provider, including, but not limited to, public water and wastewater shall be the responsibility of the developer of an Energy Industrial Park and not the responsibility of Hillsborough County. This does not preclude the potential opportunities of Public/Private options, obtaining of grants or alternative funding. All necessary public facilities and services shall be provided concurrent with the development.

Policy 59.8:

Child care facilities in conjunction with Energy Industrial Park employment generating activities will not count towards a project's overall intensity calculations.

Policy 59.9:

Ancillary Retail/Commercial and Office activities allowed on site may be freestanding but are subject to all other requirements of the EIP plan category.

Policy 59.10:

All EIP development proposals shall address effective multi-modal transportation systems including provisions for carpooling, vanpooling, mass transit, bicycling, and walking, where feasible as part of the site plan controlled zoning process.

PROPOSED SITE SPECIFIC POLICY

Policy 59.11:

The EIP land use designation within Sections 26, 27, 28, 33, 34, and 35 Township 29, and Range 21 shall provide the following features:

1. Intensities shall transition from greater intensities in the northwest and along SR 60 to more agriculture uses in the east and south reflecting the adjacent urban/suburban and rural areas.
2. Buffering/screening adjacent to existing residential uses along South Dover Road and along the southern property boundary shall include preservation of existing vegetation and topographic features (or as may be required or modified by any applicable reviewing agencies)
3. Open space may include buffers and wetlands but shall not be less than 15% of the total project area.
4. The primary Industrial, Research, Manufacturing, Institutional, Warehousing, Distribution and Ancillary Retail/Commercial and Office facilities shall be limited to the 700 acres in the northwestern portion of the property, and along SR 60, and/or along Turkey Creek Road as designated on the General Site Plan.
5. EIP property south of the existing CSX railroad tracks is limited to agricultural and aquacultural uses including support uses and facilities.
6. Any resource recovery facilities including biomass facilities shall be located north of the existing CSX railroad tracks.
7. Research facilities may be located anywhere on site.
8. Retail/Commercial shall be located in clusters near or at the entries to the project or internal to the project rather than in a strip commercial development arrangement and are not permitted on SR 60 east of Turkey Creek.
9. Uses on site shall be phased to ensure all impacts are adequately addressed as part of construction of that particular phase. Significant improvements shall be included, in the CIE as part of the annual CIE update.
10. Any proposed development on this site that is not consistent with the above policy standards of this EIP will require the submittal and approval of a Comprehensive Plan map amendment.
11. The development of uses other than agricultural uses, Energy Uses or research facilities, as defined by Section 59.1.1 and 2. shall be limited and phased as follows:
 - a. Through January 1, 2016, no Building Permits may be issued for development (other than for agricultural uses, Energy Uses or research facilities) in excess of a cumulative maximum of 2,550,000 square feet of development as follows: 1,250,000 SF Industrial Park and 1,250,000 SF of Warehouse along with 50,000 SF of Ancillary Retail/Commercial and Office. Security housing, or lodging ancillary to research, energy and education functions of the project is allowed and shall be subject to a FAR of 0.50 and shall not be subject to residential dwelling unit criteria.
 - b. After January 1, 2016, development of uses (other than Agricultural uses, Energy Uses or research facilities), is limited to a maximum cumulative total of 7,350,000 SF

of Industrial, Manufacturing, Institutional, Warehousing, and Distribution and ancillary Retail/Commercial and Office uses. Security housing, or lodging ancillary to research, energy and education functions of the project is allowed and shall be subject to a FAR of 0.50 and shall not be subject to residential dwelling unit criteria.

12. Should development of any of these uses which are subject to DRI review be at or above the 100% DRI threshold then in effect but are less than 120% of the threshold, such development along with any development aggregable pursuant to 380.0651(4), F.S., may be subject to DRI review. Should any of these uses which are subject to DRI review be at or above the 120% DRI threshold they along with any development aggregable pursuant to 380.0651(4), F.S., shall be required to undergo DRI review.
13. The PD zoning approval shall include a staggered work shift plan to minimize peak morning and evening traffic impacts for the development.

Policy 59.12:

Energy Industrial Park-Urban Service Area (EIP-USA)

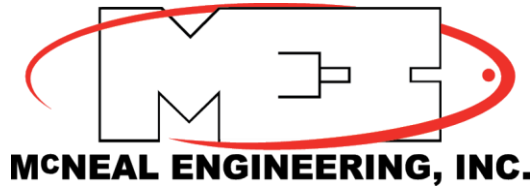
The Urban Service Area is expanded to include the EIP land use designation within Sections 26, 27, 28, 33, 34, and 35 Township 29, and Range. This Energy Industrial Park will be categorized as Energy Industrial Park – Urban Service Area (EIP-USA) The EIP-USA area identifies parcels suitable for EIP designation; provided, however, that the location of property within the EIP-USA does not qualify it as an urban service area pursuant to 163.3164(29), F.S., (2009) and therefore is not a TCEA pursuant to 163.3180(5)(b), F.S., (2009) and does not exempt the property from the DRI program pursuant to 380.06(29), F.S. (2009), provided however, nothing stated herein shall limit the application of local ordinances that relate to levels of service for property located within an Urban Service Area. All of the criteria of Policy 2.2 shall be met when an area is considered for EIP-USA inclusion.

GOVERNMENTAL COORDINATION

Objective: 60: Development and operation of the Energy Industrial Park shall be coordinated with all appropriate Federal, State, regional and local agency regulations, including but not limited to the U.S. Army Corps of Engineers, Department of Environmental Protection, Department of Natural Resources, and Southwest Florida Water Management District.

Policy 60.1:

The County shall encourage and review all policies to identify incentives for economic investment within an Energy Industrial Park. This may include creation of a Community Development District, Tax Increment Financing Districts, Industrial Revenue Bonds, and other special funding and infrastructure funding tools.



Hillsborough County
Planning Commission
601 E Kennedy Blvd
Tampa, FL 33602

Re: **TURKEY CREEK**
SW Quad Turkey Creek Rd & SR 60, Dover
Hillsborough County
Folio #86121.0000, 86122.0000, 86128.0000,
86131.5000, 86131.7000, 86132.0000,
86803.0000, 86808.0000, 86842.0000, &
86842.2000
#23-15

Attn: Karla Llanos, Planning Commission

MEI File #21-061
July 12, 2023

COMPREHENSIVE PLAN TEXT AMENDMENT

Karla:

We are in receipt of your email Request for Additional Information for the above referenced project. The following items are being submitted for your review and records

1. Please explain the request and the consistency with the vision/goal of EIP.

Response: An approval of the request would allow for a 30% portion of the EIP approved non-renewable energy uses (i.e. Industrial, Research, Manufacturing, Institutional, Warehousing, Distribution, Retail/Commercial, and Office facilities/uses) to be constructed prior to renewable energy element being required. This does not change the EIP vision or goal; therefore, is consistent with the plan.

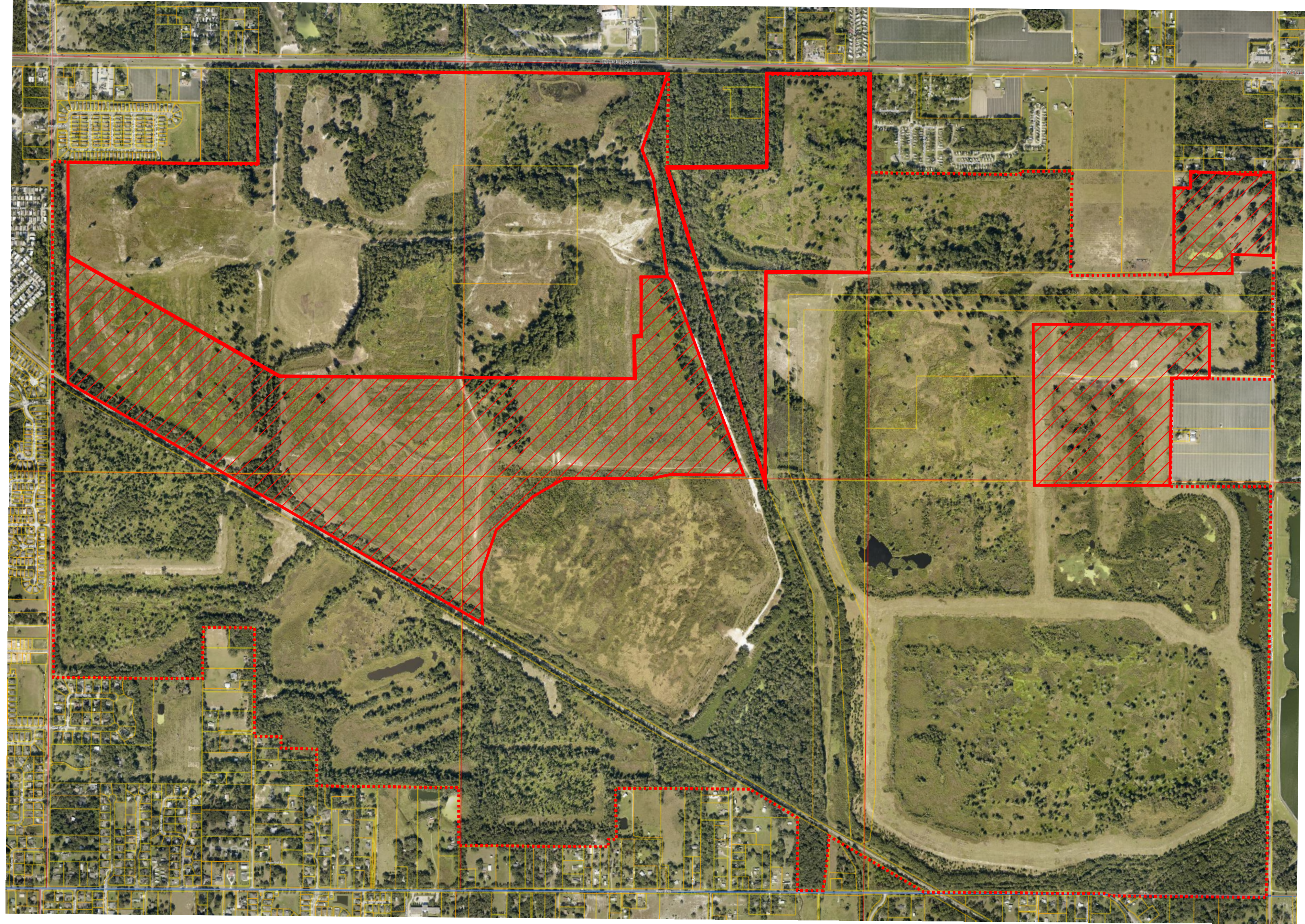
2. Please provide an Aerial Map identifying the areas that will be affected by the proposed changes.

Response: See attached two aerial exhibits that show the overall limits of the EIP and the area affected by the proposed changes. Please note there are two areas (i.e. Pocket G and a portion of Pocket H) that are being requested for the approved uses in addition to the areas already approved (i.e. Pockets A, B and C).

Sincerely,

Christopher S. McNeal, PE
MCNEAL ENGINEERING, INC.

c: Turkey Creek Preserve LLC c/o Dennis Carlton, Jr via email



NOTE: THIS PLAN IS FOR DISCUSSION PURPOSES ONLY. SUBJECT TO FINAL SURVEYS, DESIGN, ENGINEERING AND REGULATORY REVIEW

DEVELOPMENT STANDARDS

1. AGRICULTURAL USES ARE THOSE OF THE AR ZONING DISTRICT.
2. COMMERCIAL USES ARE THOSE OF THE C-G ZONING DISTRICT.
3. INDUSTRIAL USES ARE THOSE OF THE I ZONING DISTRICT.
4. EDUCATIONAL USES (FOR ELEMENTARY THROUGH UNIVERSITY LEVEL INSTRUCTION) INCLUDING CLASSROOMS AND LABORATORIES ARE PERMITTED IN ANY POCKET EXCEPT I AND J.
5. SECURITY/CARE TAKER HOUSING, OR LODGING ANCILLARY TO RESEARCH, ENERGY AND EDUCATION FUNCTIONS OF THE PROJECT IS ALLOWED, BUT LIMITED TO 200 UNITS.
6. DEVELOPMENT STANDARDS ARE PROVIDED IN THE ZONING CONDITIONS.
7. BUFFERING AND SCREENING INTERNAL TO THE SITE IS NOT REQUIRED.
8. RAIL YARDS TO SERVE THE USES ARE PERMITTED IN ANY POCKET EXCEPT E, I, AND J.
9. AGRICULTURAL, EDUCATIONAL, RESEARCH AND RENEWABLE ENERGY PRODUCING USES ARE PERMITTED IN ALL POCKETS EXCEPT I AND J AND BIOMASS IS PROPOSED ONLY IN H. WETLAND MITIGATION, RETENTION, AND OPEN SPACE IS PERMITTED ANYWHERE ON SITE.

COMPREHENSIVE PLAN COMPLIANCE TABLE

Generalized Uses	Acres	Maximum FAR	Applicable Pockets	% Gross	% Net	Required By Plan	Notes
Energy Uses - Renewable Alternative Energy, Resource Recovery (Biomass), Energy research, Agricultural uses	1,783.50	0.80	D, F, G, H, and parts of B and C	50%	70%	40% of gross min	While not a comprehensive plan restriction, through the zoning plan, the applicant commits to place the Resource Recovery (Biomass) facility only within the designated area in pocket H.
Energy Uses - Renewable Alternative Energy, Energy research, Agricultural uses, but NO Resource Recovery (Biomass)	383.04	0.80		13%	17%		Resource Recovery Facilities (Biomass) are not permitted within this area. Some or all of this area may be used for wetland mitigation areas relocated from elsewhere on site subject to review and approval by EPC.
Industrial, Research, Manufacturing, Warehousing and Distribution	659.77	0.35	A, B, and C	22%	28%	30% of net max 10% of gross max	The non-energy/non-research/non-agricultural uses in A, B and C cannot exceed 700 acres.
Ancillary commercial and Office	40.23	0.25	A	1%	2%		
Exterior Buffers	121.50	N/A	I, J	4%	5%		
Total	2,978.04			100%			
Estimated acreage of right-of-way, wetlands, stormwater management areas and environmental protection areas dedicated to the public will not exceed	845.00		Any pocket	22%			These uses can occur in any pocket subject to permitting.
Open Space will not be less than 15% of the gross land area	448.71		Any pocket including all of I and J	15%	15%		

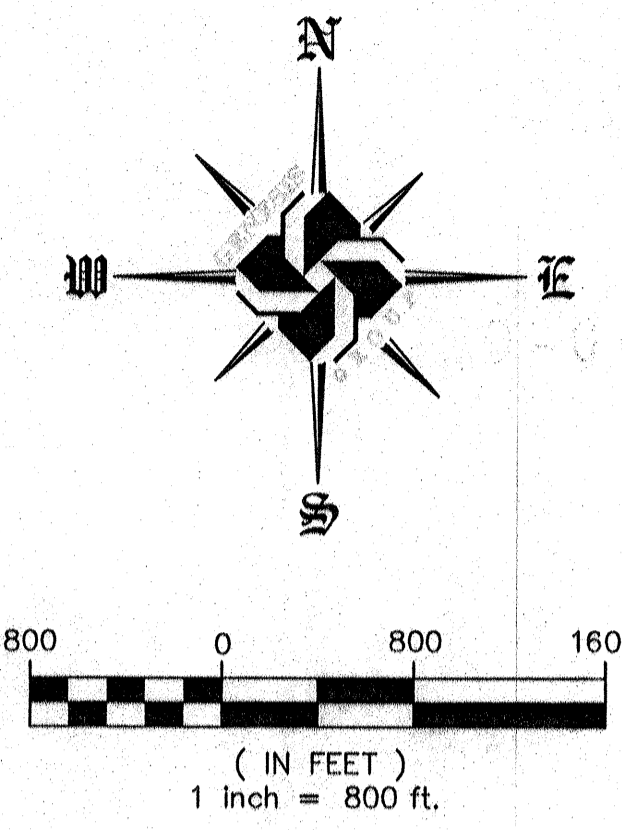
SITE DATA TABLE FOR POCKETS A, B AND C

Uses	Acres	Max FAR	Phase 1 Max Sq Ft	Phase 1 Max FAR	Maximum Build Out	FAR at Max Build Out	Maximum allowable by Plan
Industrial, Research, Manufacturing, Warehousing and Distribution	659.77	0.35	2,500,000	0.00	7,000,000	0.24	0.35
Ancillary commercial and Office	40.23	0.25	50,000	0.03	360,000	0.20	0.25
Total	700.00		2,550,000	0.03	7,360,000	0.24	

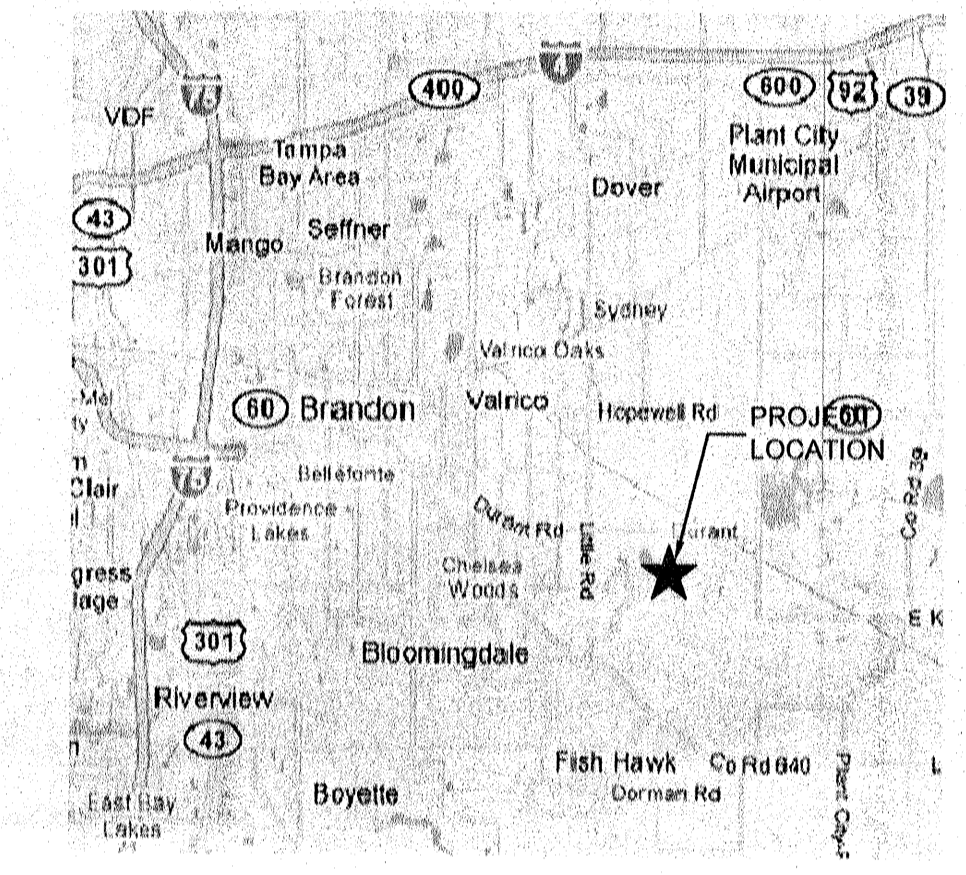
NOTE: THE ABOVE TABLE ONLY PERTAINS TO THE PORTIONS OF A, B, AND C THAT ARE FOR NON-ENERGY PRODUCING, NON-RESEARCH, NON-AGRICULTURAL USES

*Pockets G & a portion of H, as designated in the site plan below, may be used for this Use. If this option is utilized, Pocket C allowable density to be reduced accordingly.

A = 40.23 AC
B (UNHATCHED) = 521.77 AC
A+B = 562 AC
C = 136 AC
TOTAL = 700 AC



VICINITY MAP



LEGEND

- PROJECT BOUNDARY
- 150' STUDY AREA
- PARCEL LINES
- FUTURE LAND USE BOUNDARIES
- PROPOSED INTERNAL ROADWAY/DRIVE AISLE/PARKING AREAS PER LDC STANDARDS
- RAILROAD TRACKS
- PROPOSED VEHICULAR ACCESS
- EXISTING ACCESS
- POTENTIAL CROSS ACCESS BETWEEN DEVELOPMENT POCKETS
- ACCESS THAT PERMITS TRUCK TRAFFIC
- LIMITS OF BIOMASS FACILITY
- POTENTIAL WETLANDS - MAY BE RELOCATED; SUBJECT TO MITIGATION AND PERMITTING BY EPC
- PROPOSED DEVELOPMENT POCKET
- COMP PLAN LABEL 10-0692
- ZONING LABEL RECEIVED

A
AR-1/5
RSC-2

RECEIVED
SEP 24 2010
PLANNING & GROWTH
MANAGEMENT

- NOTES**
1. PUBLIC WATER AND SEWER WILL BE UTILIZED.
 2. THE PROJECT WILL BE WITHIN THE EIP USA.
 3. THE SITE IS WITHIN THE SURFACE WATER PROTECTION SPECIAL DESIGNATION.
 4. THERE ARE NO COMMUNITY PLANS PERTINENT TO THE SITE.
 5. DEVELOPMENT STANDARDS ARE PROVIDED FOR IN THE ZONING CONDITIONS.
 6. THE SIZE AND DIMENSIONS OF ALL POTENTIAL WETLAND AREAS ARE CONCEPTUAL AND SUBJECT TO BE RELOCATED BASED ON REVIEW, COMMENT AND PERMITTING BY EPC.

DESIGNED BY	CJM	PROJECT NUMBER	6082-005
DRAWN BY	CJM	SCALE	AS SHOWN
CHECKED BY	KM	PRINT DATE	

GENESIS GROUP
FROM VISION TO REALITY
3910 US HIGHWAY 301 NORTH, SUITE 140, TAMPA, FL 33619
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FL Lic 0008880

IMPERIUM DEVELOPMENT, INC.
AS DEVELOPER FOR IMPERIUM ENERGY, LLC

ZONING PLAN

INFINITUS RENEWABLE ENERGY PARK

1 OF 2

Scale: 1/8" = 100' (06-43-08 EST)
 P:\Projects\10-0692\10-0692-005-ZONING-PLAN-AL72.DWG

HILLSBOROUGH COUNTY, FLORIDA
 ZONING REQUEST AR & AS-1 TO PD
 PETITION FILE NUMBER: RZ 10-0692 ER
 ZHM HEARING DATE: AUGUST 23, 2010
 BOCC MEETING DATE: OCTOBER 12, 2010

This is to certify that this Site Development Plan has been reviewed by the Board of County Commissioners and the following action taken:
 APPROVED WITH CONDITIONS AS NOTED: and attached to certified site plan.

1-12-11 DATE
 CHAIRMAN/VICE CHAIRMAN
 BOARD OF COUNTY COMMISSIONERS
 Beverly Anne Miller
 ATTEST: DEPUTY CLERK
 PAT FRANK
 CLERK OF THE CIRCUIT COURT

1-12-11 DATE

BOARD OF COUNTY COMMISSIONERS
 HILLSBOROUGH COUNTY FLORIDA
 DOCUMENT NO. 11-0046

PETITION NUMBER: RZ 10-0692 ER
 MEETING DATE: October 12, 2010
 DATE TYPED: October 13, 2010

FINAL CONDITIONS OF APPROVAL

Approval - Approval of the request, subject to the conditions listed below, is based on the general site plan submitted August 3, 2010.

- The Planned Development (PD) is approved for an Energy Industrial Park (EIP) as described in the Future Land Use Element of the Hillsborough Comprehensive Plan. The primary use is for a Resource Recovery Facility as defined by the Land Development Code (LDC). As stated in the Comprehensive Plan EIP policy, Energy Uses are defined as alternative energy production, resource recovery facilities, agricultural, processing, research facilities supporting such uses or the manufacture and/or distribution of such technologies. A minimum of 40 percent of the gross PD land area shall be developed with Energy Uses.

The project shall be phased such that no less than two of the Energy Uses, are constructed and are ready to operate in accordance with Hillsborough County Building Department permits before a Certificate of Occupancy can be issued for any non-renewable energy oriented Industrial, Research, Manufacturing, Institutional, Warehousing, and Distribution use or Retail/Commercial use. Further, all of the public improvement facilities required pursuant to the Energy Use Building Department Permits must be accepted for maintenance, and all of the private Improvement Facilities completed and inspected, as required herein; or alternatively, construction plans for all Improvement Facilities must be approved by the County, and a Financial Guarantee in the amount of 125 percent of the cost to construct the remaining Improvement Facilities is in proper order.*

Any building permits for restricted uses filed prior to two Energy Uses being in compliance with the above requirements shall include documentation from the permit applicant acknowledging that final permit approvals (i.e., Certificates of Occupancy) from the County will not be issued until such time that the above requirements for the two Energy Uses are satisfied. If applicable, said documentation shall also include verification that third party end users of the building(s) have been notified of the above permit restrictions.

The Renewable Energy Producing Facilities, which may be chosen by the developer, are

TYPE	MINIMUM
Wind	500 KW
Solar	1 Megawatt
Biomass Gasification	30 Megawatts
Aquaculture	1,000,000 Pounds
Hydroponics	200,000 Pounds
Algae Systems	15 Acres

The applicant will submit documentation certifying that these minimum standards have been met.

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The approved uses for each pocket are as follows:

- Pockets A, B, C (limited to a total of 700 gross acres identified within these 3 Pockets) Industrial, Research, Manufacturing, Warehousing and Distribution and Ancillary Commercial and Office Uses or Energy Uses; Maximum of 7,350,000 square feet of building area at build out; Maximum of 2,550,000 square feet of building area allowed in Phase 1 (only applies to non-Energy Uses), subject to the following:
 - 1,250,000 square feet of Industrial,
 - 1,250,000 square feet of warehousing,
 - 50,000 square feet of commercial/office

Phase 2 shall not occur until after January 1, 2016;

2,550,001 - 7,350,000 square feet
 Prior to any Phase 2 development approvals, the developer shall submit a request to the Florida Department of Community Affairs (DCA) for a determination as to whether or not development must undergo Development of Regional Impact (DRI) review. If DCA determines that the project is a DRI, then the developer shall submit an Application for Development Approval (DRI review) within 12 months of the determination by DCA. In lieu of seeking a determination from DCA, the Developer can submit an Application for Development Approval for Phase 2.

- Pockets D, F, G, H and parts of B and C - Energy Uses as defined herein and one Helistop;
 - Resource Recovery (Biomass) Facilities and Helistop shall only be permitted in Pocket H and shall not be permitted within 1,200 feet of the southern property boundary;
 - Two Energy Uses shall be built subject to the above regulation,*
 - These uses shall occur on a minimum of 40 percent of total gross land area of the PD;
- Pocket E - Renewable Alternative Energy, Energy Research, Agricultural uses;
- Pockets I and J - Exterior Buffers;
- Open Space shall represent a minimum of 15 percent of the total acreage of the PD, as described by the EIP Comprehensive Plan policy;
- Research personnel lodging qualifies as student housing and is ancillary to research, energy and education functions and is a permitted use. Up to 200 units shall be permitted;

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- Ancillary Commercial and Office uses are those permitted in the Commercial, General (CG), unless otherwise prohibited herein;
 - Open storage shall be permitted as accessory to the primary use only; open storage shall not be permitted for commercial and/or office use;
 - Communication Facilities, Wireless;
 - Agricultural use shall be permitted in all Pockets and are those uses permitted in the AR zoning district;
 - Industrial/Manufacturing/Warehousing/Distribution uses are those permitted in the M zoning district, including the emergency temporary storage of debris, unless otherwise referenced herein. Emergency temporary storage of debris is permitted in Pocket H;
 - The following uses are prohibited: Hotels and motels, junkyards, and temporary labor pools.
- A Site Data Table shall be included with each Land Development Code (LDC) Site Development permit application submittal. The table shall document compliance with the percentages of uses and the locations and restrictions as outlined in Condition 1.
 - The development standards shall be as follows, unless otherwise referenced herein;
 - Floor Area Ratio (FAR)
 - 0.25 percent commercial/office
 - 0.35 percent for non-energy uses
 - 0.50 percent for all other uses
 - Resource Recovery Facility
 - LDC Section 6.11.84 regulations
 - Helistop, Private Use
 - LDC Section 6.11.47 regulations
 - Communication Facilities, Wireless
 - LDC Section 6.11.29 regulations, except as referenced herein
 - Agricultural uses
 - AR zoning district standards
 - Commercial/Office uses/Lodging
 - CG zoning district standards
 - Industrial/Manufacturing/Warehousing/Distribution
 - M zoning district standards, unless otherwise referenced herein
 - Commercial/office/lodging structures with a permitted height greater than 20 feet shall be setback an additional two feet for every one foot of structure height over 20 feet, except as referenced herein with a maximum of 50 feet.
 - For M uses and the Energy Production Facilities in Parcels B and D, the 2-to-1 ratio shall apply up to 50 feet, over 50 feet in height, the setback shall be 4 feet for every 1 foot of structure height over 50 feet adjacent to a property line containing a residential use, otherwise the 2-to-1 ratio applies. For Energy Production Facilities located in Parcel H, the 2-foot setback for every 1-foot of structure height will be measured from

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- Buffer 1 and not the property line, as long as it does not conflict with the following 1,200 foot setback. The two to one setback does not apply adjacent to interior property lines or the TECO power line corridor.
- The Resource Recovery (Biomass) Facility and the Helistop (in the location identified on the site plan) shall only be permitted in Pocket H
- The Resource Recovery (Biomass) Facility shall not be permitted within 1,200 feet of the southern property boundary in Pocket H
- The existing berms located along the western and southern property boundaries shall remain and are subject to the EIP Comprehensive Plan policy
- A 200-foot buffer/screen that includes the existing berm identified as Pockets I and J shall not be removed and be maintained as open space as described in the EIP Comprehensive Plan policy
- Communication towers, windmills, and solar trees may be up to 300 feet high; setback 2 feet for every 1 foot of structure height; the structures cannot be placed in the buffer of Pockets B, E, or I and the setback is measured from the buffer line and not the property line. These uses shall not be permitted in Pockets C, F, G and J. These uses shall not be located within 600 feet from the property line where a residence is located. This setback does not apply when adjacent to interior property lines or the TECO power line corridor.
- Prior to using Turkey Creek Road for hauling, contact the Hillsborough County Public Works Department to determine the condition and maintenance of Turkey Creek Road. If the County portion of the Turkey Creek Road haul route falls below acceptable standards, as determined by the Hillsborough County Public Works Department all hauling on Turkey Creek Road shall cease. Prior to resuming hauling on Turkey Creek Road, the haul route shall be repaired to Hillsborough County Public Works Department acceptable standards.
- Truck traffic is subject to compliance with the County Truck Route Plan. Trucks leaving the site on Turkey Creek Road shall only proceed to the north.
- Per the EIP Comprehensive Plan policy, all non-secured facilities shall demonstrate vehicular and pedestrian connectivity between uses and pockets throughout the PD as Site Development plans are submitted.
- The general design, number and location of the access point(s) shall be regulated by the Hillsborough County Access Management regulations as found in the Land Development Code (Land Development Code Section 6.04). The design and construction of curb cuts are subject to approval by the Hillsborough County Planning and Growth Management Department. Final design, if approved by Hillsborough County Planning and Growth Management Department may include, but is not limited to: left turn lanes, acceleration lane(s) and deceleration lane(s). Access points may be restricted in movements.

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- The applicant may be required to improve/widen Turkey Creek Road adjacent to the site to Hillsborough County Transportation Technical Manual standards. If the Developer can provide signed and sealed documentation that the current pavement and right-of-way width on Turkey Creek Road meets the current standards for a two lane rural collector roadway, the Developer may not be required to dedicate right-of-way or widen the roadway.
- The Developer shall provide vehicular and pedestrian internal cross-access to all parcels within the site. All pedestrian cross-access shall be paved to the project boundary and designed to County standards and be identified on the preliminary site plan, except for secured parcels.
- The Developer shall provide for vehicular cross-access from Parcel A to the adjacent western commercial property.
- Prior to preliminary site plan approval, Developer shall provide a traffic analysis, signed by a Professional Engineer, showing the length of the left and right turn lanes needed to serve development traffic at the project driveways. The access related turn lanes shall be constructed to FDOT and/or Hillsborough County standards. The Developer shall be required to construct the following improvements:
 - Driveway A - Construct/Extend Eastbound right lane and westbound left turn lane on SR 60.
 - Driveway B - Construct/Extend Eastbound right lane and westbound left turn lane on SR 60.
 - Driveway C - Construct/Extend Eastbound right lane and westbound left turn lane on SR 60.
 - Driveway D - Construct/Extend Eastbound right lane and westbound left turn lane on SR 60.
 - Driveway G - Construct/Extend Northbound left turn lane on SR 60.
- If warranted and approved by FDOT, the developer shall install a traffic signal at the intersection of SR 60 and Driveway A and Driveway C.
- Prior to LDC Site Development submittal, the developer shall meet with HART staff regarding the specifics of the transit vehicle circulation system, the location for a transit vehicle staging area, the two bus stop locations within the development, installation of a shelter and other required transit amenities, and the necessary easements.
- An evaluation of the property supports the presumption that listed animal species may occur or have restricted activity zones throughout the property. Pursuant to the Land Development Code (LDC), a wildlife survey of any endangered, threatened or species of special concern in accordance with the Florida Fish and Wildlife Conservation Commission Wildlife

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- Methodology Guidelines shall be required. This survey information must be provided upon submittal of the preliminary plans through the Land Development Code's Site Development or Subdivision process. Essential Wildlife Habitat as defined by the LDC must be addressed, if applicable, in consideration of the Site Plan and area of influence being reviewed.
- Natural Resources staff identified a number of significant trees, including Grand Oaks on the site. The developer shall meet with staff prior to submittal of preliminary site plans to design (or mitigate) for these trees.
 - The post-development condition depicted in the proposed zoning plan depicts wetland impacts that have not been authorized by the Executive Director of the EPC. Approval of a site plan that depicts wetland impacts does not provide reliance that any wetland impacts, depicted or otherwise, will be authorized. Likewise, any proposed alteration to existing approved wetland mitigation on the site must be approved via submittal of a revised mitigation plan for approval by EPC staff and signature of a new mitigation agreement by the owner/applicant and the Executive Director. No reliance is provided through the zoning review process that the revised mitigation plan will be approved.
 - Wetland limits shown are to be considered as conceptual only. Wetlands that are not depicted exist within the project boundary.
 - Please note that informational comments offered by EPC staff dated July 8, 2010 are still applicable to the revised site plan submitted to PGM on July 30, 2010.
 - The applicant has adjusted the location of the northern proposed crossing of Turkey Creek to avoid areas currently designated as wetland mitigation for wetland impacts associated with Turkey Creek Preserve. A conservation easement has not yet been recorded but is required over wetland mitigation areas; however, the potential exists for revising the mitigation plan and relocating the wetland mitigation such that the areas along Turkey Creek would no longer be designated as mitigation. In this case, those areas would no longer be required to be under conservation easement. As noted in the recommended condition above, there is no reliance that revisions to the existing mitigation plan will be approved.
 - Be advised that in accordance with Chapter 1-10 the Air Division does not regulate aircraft noise, nor do our comments take into account the provisions detailed in the Hillsborough County Land Development Code or the perspectives of nearby property owners. Please consider the comments below as suggestions that may minimize sound levels received by the nearby residential and commercial properties:
 - If the helicopter has not yet been purchased, limit the request to a model or type of helicopter that is considered to be less noisy by industry standards.
 - Limit the helicopter's direction of departure and approach to avoid noise-sensitive areas.
 - Equip the aircraft with sound-suppressing devices, if available.

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- Limit the amount of time the aircraft is on the ground with the rotor turning.
 - Require that the helicopter operate only during daytime hours.
 - Because residential land uses are located within approximately one-half mile of the proposed helipad site on the northern and eastern boundaries, the applicant should consider relocating the helipad site to an optimal area, farthest away from all surrounding residences.
- Be advised that the applicant must conform to the Rules of the EPC during helipad construction and site preparation.
 - All open burning for initial land clearing for commercial development is prohibited unless approved and authorized by EPC.
 - Construction activities occurring between the hours of 7 a.m. and 6 p.m. Monday through Friday, 8 a.m. and 6 p.m. Saturday, and 10 a.m. and 6 p.m. Sunday are exempt if reasonable precautions are taken to abate the noise from those activities. Reasonable precautions shall include but not be limited to noise abatement measures such as enclosure of the noise source, use of acoustical blankets, and change in work practice. Construction activities occurring at all other times shall be subject to the Rules.
 - The Applicant must use reasonable precautions to control dust emissions during construction. They may include, but are not limited to: application of water or dust suppressants, curtailing activities during high winds, limiting speed or vehicle travel on exposed soils.
 - The above Air Management Division comments are not all-inclusive and could be amended based on additional data or further review. Please be advised, these comments do not exempt the applicant from any permitting or notification requirements. It is the responsibility of the applicant to know and comply with all applicable rules and regulations on a continuing basis.
 - Approval of this rezoning petition by Hillsborough County does not constitute a guarantee that the Environmental Protection Commission approvals/permits necessary for the development as proposed will be issued, does not itself serve to justify any impacts to wetlands, and does not grant any implied or vested right to environmental approvals.
 - If the notes and/or graphic on the site plan are in conflict with specific zoning conditions and/or the Land Development Code (LDC) regulations, the more restrictive regulation shall apply, unless specifically conditioned otherwise. References to development standards of the LDC in the above stated conditions shall be interpreted as the regulations in effect at the time of preliminary site plan/plat approval.

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- The Development of the project shall proceed in strict accordance with the terms and conditions contained in the Development Order, the General Site Plan, the land use conditions contained herein, and all applicable rules, regulations, and ordinances of Hillsborough County.
- Effective as of February 1, 1990, this development order/permit shall meet the concurrency requirements of Chapter 163, Part II, Florida Statutes. Approval of this development order/permit does not constitute a guarantee that there will be public facilities at the time of application for subsequent development orders or permits to allow issuance of such development orders or permits.

