

Appendix 10.3

Zoning Descriptions

10.3 Zoning Descriptions

The current zoning district designation for the entire Seminole Generating Station (SGS) site, including the area for the proposed Seminole Combined-Cycle Facility (SCCF), is Planned Unit Development (PUD). The Putnam County Board of County Commissioners (BOCC) adopted the PUD designation for the SGS site, including the SCCF, on March 14, 2017 (Putnam County Ordinance No. 2017-6).

This appendix contains copies of excerpts from the Putnam County Land Development Code for the PUD zoning district designation, Ordinance No. 2017-6, and the March 14, 2017, Development Agreement between SECI and Putnam County.

Land Development Code

 [Article 01: General Provisions](#)

 [Article 02: Permitted Uses](#)

 [Article 03: Supplemental Use Regulations](#)

 [Article 04: Overlay & Floating Zones](#)

 [Article 04: Figure 4.1 AHNZ](#)

 [Article 04: Map 4-1 Airport Notification Zone](#)

 [Article 04: Map 4-2 Height Notification Zone](#)

 [Article 04: Map 4-3 Airport Airspace Plan](#)

 [Article 04: Map 4-4 FLU Airport Residential Restriction Zone](#)

 [Article 04: Map 4-5 Palatka Municipal Airport Education Use Restricted Area](#)

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ARTICLE 4 OVERLAY ZONES AND PLANNED UNIT DEVELOPMENT DISTRICTS

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ARTICLE 2 PERMITTED USES

SECTION 2.01 GENERALLY

2.01.01 -- Purpose: This Article establishes zoning districts; establishes the relationship between the County's Future Land Use Map and Zoning Map; establishes the relationship between the residential densities set forth in the Future Land Use Element of Putnam County's Comprehensive Plan and the zoning districts that permit residential uses; provides a list of Use Categories; and establishes the Use Categories, as well as certain uses and structures that may be allowed within each zoning district. It also provides regulations for accessory and temporary structures and uses. The zoning districts and list of allowed uses and structures are intended to provide for coordinated and orderly growth by implementing the Future Land Use Map and related Comprehensive Plan goals, objectives and policies regarding land use, including the intensity and density of the allowed uses. The location, timing, density and intensity of any proposed development in a given zoning district may be further defined in other provisions of this Code, including Article 3 (Supplemental Use Regulations); Article 4 (Overlay and Floating Zones; Article 6 (Resource Protection Standards); Article 7 (Development Design and Improvement Standards) and Article 12 (Administration and Enforcement).

2.01.02 -- Zoning Districts Established; Zoning Maps Adopted: The County is divided into zoning districts on a set of zoning maps kept and maintained by the Planning & Development Services Department. The zoning districts listed below are delineated on the County's Zoning District Map dated April 26, 2005. The County's Zoning District Map is declared a part of this Code, and may be amended from time to time as provided for under Section 12.11 of this Code.

ZONING DISTRICT	ABBREVIATION
Agriculture	A
Agriculture Estate	AE
Residential Estate	RE
Residential-1	R-1
Residential-2	R-2
Residential-3	R-3
Residential-4	R-4
Residential-Mobile Home Park	RMH
Commercial Professional Office	CPO
Commercial, Neighborhood	C-1
Commercial, Light	C-2
Commercial, General	C-3
Commercial, Intensive	C-4
Industrial, Light	IL
Industrial, Heavy	IH
Mining	M
Public Use, Light	P-1
Public Use, Heavy	P-2
Conservation	CN
Planned Unit Development	PUD

TABLE 2.01A: ZONING DISTRICTS THAT MAY BE ALLOWED IN THE FUTURE LAND USE CATEGORIES (1-1-16)

FUTURE LAND USE CATEGORIES	ZONING DISTRICTS																		
	RE	R-1, R-1A, R-1HA	R-2, R-2H A	R-3	R-4	RM H	AE	AG	CN	CP O C-1	C-2	C-3	C-4	IL	IH	P1	P2	M	PUD
Urban Service (US)	X	X	X	X	X	X	1	1		X	X	X	X	X	X	X	X		X
Urban Reserve (UR)	X	X	X	X	X	X	1	1		X	X	X	X	X	X	X	X		X
Low Density Res. (LDR)	X	X	X	X	X	X	1	1		X	X	X	X	X	X	X	X		X
Rural Center (RC)	X	X	X	X	X	X	1	1		X	X	X	X	X	X	X	X		X
Rural Residential (RR)	X	X	X			2	X	1		X						X			X
Commercial (CR)							1	1		X	X	X	X			X	X		X
Industrial (IN)							1	1						X	X	X	X		X
Mining (MI)							X	X								X	X	X	X
Public Facilities (PF)																X	X		X
Agricultural I (A1)	2	2	2				X	X								X	X		X
Agricultural II (A2)	2	2	2				X	X								X	X		X
Conservation (CN)									X							X			X

Generally: The table is for illustrative purposes only. Each specific land use in the County, including the over-all development scheme for each use, should be analyzed for consistency with the entire Comprehensive Plan, regardless of the zoning district. Compliance with the requirements of the zoning district is only one step in that consistency analysis. Density and intensity of uses within zoning categories are subject to development standards in Article 7, supplemental regulations in Article 3, additional restrictions for overlay zones in Article 4, and resource protection standards in Article 6.

1- Property located in this future land use category may continue to be used as allowed by indicated zoning district, but property located in this future land use category may not be changed or rezoned to the indicated zoning district.

2- Lots in vested subdivisions or existing lots of record may be assigned a zoning in which the use of lots, the lot dimensions, and lot area generally comply with the standards of the assigned zoning district, notwithstanding the density requirements of the future land use category.

**ARTICLE 4
OVERLAY ZONES
AND PLANNED UNIT DEVELOPMENT DISTRICTS**

SECTION 4.01 PURPOSE -- The purpose of this Section is to describe overlay zones and Planned Unit Development districts used to impose special development standards in certain areas. The location of overlay zones and Planned Unit Development districts is established by the County based on the need for special development standards in specified areas. The overlay zones and Planned Unit Development districts impose additional or different development standards than those that would otherwise apply in a conventional zoning district.

4.01.01 – Definitions.

- a. **Planned Unit Development (PUD):** Land under unified control, planned and constructed as a whole in a single unified development or in approved phases. PUD's may include a variety of land uses and types of dwelling units as well as related uses and facilities. There is no minimum acreage size required for a PUD.
- b. **Overlay Zone:** A district that encompasses one (1) or more underlying zones and that imposes additional or alternative requirements above that stipulated for the underlying zones.

SECTION 4.02 PLANNED UNIT DEVELOPMENT (PUD)

4.02.01 – Purpose and Intent of the PUD Zoning District

- a. The PUD zoning district is established by Policy A.1.9.3.C of the Putnam County Comprehensive Plan. It is the purpose of this district to provide a method for landowners or developers to submit unique proposals which may not be provided for or allowed in the other zoning districts otherwise established by this Code. The PUD zoning district allows a mix of residential and nonresidential uses and/or unique design features which might otherwise not be allowed in one of the other listed districts, but that otherwise conform to the Putnam County Comprehensive Plan.
- b. These PUD provisions are intended to promote flexibility of design and integration of uses and structures, while at the same time retaining in the Board of County Commissioners (hereinafter "county commission") the absolute authority to establish limitations and regulations thereon for the benefit of the public health, welfare and safety. By encouraging flexibility while retaining control by the County Commission, the PUD is designed to accomplish one or more of the following:
 1. Permit innovative residential, nonresidential, and mixed-use developments provide for an integration of housing types and accommodation of changing lifestyles within neighborhoods; and provide for design that encourages internal and external convenient and comfortable travel by foot, bicycle, and transit through such strategies as various street widths compatible with the type of development project proposed, modest setbacks, front porches, connected streets, multiple connections to nearby land uses, and mixed uses.
 2. Provide flexibility to meet changing needs, technologies, economics and consumer preferences.

3. Preserve to the greatest extent possible, and utilize in a harmonious fashion, existing and outstanding landscape features and scenic vistas.
 4. Lower development and building costs by permitting smaller networks of utilities, and the use of more economical development patterns and shared facilities.
 5. Achieve overall coordinated building and facility relationships and infill development, and eliminate the negative impacts of unplanned and piecemeal development.
 6. Enhance the combination and coordination of architectural styles, building forms and building relationships within the development.
 7. Promote the use of traditional, quality-of-life design features, such as pedestrian scale, parking located to the side or rear of buildings, connected streets, terminated vistas, front porches, recessed garages, alleys, aligned building facades that face the street, and formal landscaping along streets and sidewalks.
 8. Provide an efficient public process for considering large scale, complex developments where the proposed development is of such size, scale, complexity, and/or unique design that it would be inconvenient and inefficient to process such a proposal outside the PUD process.
- c. All building code, housing code and other land use regulations of this Code are applicable to a PUD; unless otherwise approved within the PUD Ordinance.

4.02.02 – Justification and Minimum Requirements for Rezoning to Planned Unit Development.

- a. An applicant for a PUD rezoning must present evidence in the PUD Narrative that the rezoning to PUD is justified by one or more of the following:
 1. The proposed development is unique. Although it does not fit within an existing zoning district, it is consistent with the county comprehensive plan. The land use designation on the Future Land Use Map of the Comprehensive Plan shall be such that it allows the proposed activity of the PUD prior to any application for rezoning to this designation being accepted.
 2. The proposed development is of such size, scale, complexity, and/or unique design that it would be inconvenient and inefficient to process such a proposal outside the PUD process.
 3. The nature of the proposed use at a specific site requires specialized design characteristics to preserve and protect neighborhood character, environmental concerns and other concerns unique to the immediate area, consistent with comprehensive plan policies.
- b. If a PUD proposal is found to be justified as required by subsection (a) above, the applicant for the PUD rezoning must further present evidence in the aforementioned PUD Narrative that the rezoning to PUD meets the following standards:

1. The density and/or intensity, character and type of development proposed in the development plan is consistent with the Comprehensive Plan, future land use map and the concurrency management system, and the development plan meets one or more of the objectives set forth in section 4.02.01 b above.
2. The land uses proposed within a PUD are compatible with the terrain and the existing and planned uses of properties surrounding the PUD. An evaluation of the external compatibility of a PUD should be based on the following factors: (1) adjacent existing and proposed uses, (2) design of the development to avoid undue noise, odor, traffic or other nuisances and other nuisances and dangers to abutting property owners; (3) traffic circulation to ensure the transportation system and streets are of sufficient width and capacity to serve the demands created by the development; and (4) density and/or intensity including type and size of structures and/or units and height shall be considered to address compatibility.
3. The residential density of the PUD must comply with the density limitations for each land use category in accordance with the point score factors set forth in Policy A.1.9.4 of the Comprehensive Plan.
4. Usable open spaces, plazas and recreation areas provided within a PUD must be consistent with the policies of the comprehensive plan and must be sufficient to provide appropriate recreational opportunities, protect sensitive environmental areas, conserve areas of unique beauty or historical significance, enhance neighborhood design, and encourage compatible and cooperative relationships between adjoining land uses.
5. The site of the PUD must be suitable for use in the manner proposed without hazards to persons either on or off the site from the likelihood of increased flooding, erosion or other dangers.
6. Every dwelling unit or other use permitted in the PUD shall have access to a public street either directly or by way of a private road, pedestrian way, court or other area which is either dedicated to public use or is a common area guaranteeing access. Permitted uses are not required to front on a dedicated public road, but at a minimum, private roads and other access ways shall be required to be constructed so as to ensure that they are safe and maintainable. To that end, all roads within any PUD, public and/or private, shall be constructed in accordance with Putnam County Public Works Department standards. Connection to existing or planned adjacent streets is required, where applicable and feasible to minimize adverse traffic impacts.
7. Sufficient off-street and on-street parking for bicycles, automobiles and other vehicles must be provided. Parking areas must be constructed in accordance with the standards outlined in Article 7 of this Code, and any deviations must be specifically identified and approved by the county commission to ensure that they are safe and maintainable and that they allow for sufficient privacy for adjoining uses. The design of a PUD should, whenever feasible, incorporate appropriate pedestrian and bicycle access ways so as to provide for a variety of mobility opportunities. Connection to all sidewalks, greenways, trails, bikeways, and transit stops along the perimeter of the PUD is required. Where existing perimeter sidewalks do not exist, sidewalks shall be provided by the development unless otherwise approved within the PUD Ordinance.
8. Utilities and essential public services, including but not limited to, sanitary sewer,

potable water, fire abatement services or appurtenances, solid waste, and other services must be available and have capacity to serve the development.

4.02.03 – Application Requirements For Rezoning to PUD

- a. The standard rezoning applications requirements of Sections 12.11.01 and 12.11.02 shall apply to a request to rezone to PUD, except as follows:
 1. In addition to the standard rezoning application and submittals, the applicant shall submit a PUD Report describing the PUD and setting for the manner in which the proposed PUD complies with the requirements of Section 4.02.02 of this Code.
 2. Development Review Committee: Prior to any public hearings, the PUD application, including the development plan, shall be reviewed by the Development Review Committee.
- b. The PUD Ordinance must include the following:
 1. Written findings complying with subparagraph 4.02.03.c below;
 2. The PUD Agreement;
 3. The development plan for the PUD;
 4. The schedule for development of the PUD;
 5. The legal description of the area within the PUD; and
 6. Language requiring:
 - a. That the proposed development shall proceed in accordance with the PUD Ordinance, the development plan for the PUD, the schedule for development of the PUD, and such conditions and safeguards as many be established by the Board of County Commissioners in such ordinance.
 - b. That the proposed development will be completed according to plans approved by the PUD Ordinance, and that there will be continuing operating and maintenance such areas, functions and facilities as are not to be provided, operated or maintained by the County pursuant to written agreement.
 - c. That any commitments made in the application or approved PUD Report shall be binding on the Applicant's successors in title or interest.
- c. The Board's decision to adopt the ordinance must be based on the findings listed below.
 1. The request for a rezoning to PUD is consistent with the Comprehensive Plan.
 2. The PUD meets the general intent of the County's Land Development Code even though it differs in one or more respects from the usual application of the standards in the Code.

3. The PUD accomplishes one or more of the purposes listed in Section 4.02.01 of this Code and the applicable policies of the Comprehensive Plan.
 4. The PUD complies with standards for applicability listed in Section 4.02.02.a of this Code.
 5. The PUD complies with standards for development standards listed in Section 4.02.02.b of this Code.
 6. The PUD is either not being placed in an area of agricultural land use, or if placed in an area of agricultural land use, the activity of the PUD will be consistent with policies of the Comprehensive Plan with regard to development in agriculture lands.
- d. Specific development plans must be submitted according to the schedule adopted as part of the PUD Ordinance. Such development plans shall be in the form of a subdivision plat or a site plan, as applicable.
- In the case where a PUD involves one or more subdivision plats, final development plans must follow the general requirements for subdivision approval provided in Article 12 of this code. The staff, committees and boards reviewing the subdivision plats must find the plats consistent with the PUD Ordinance and all other applicable standards of this Code. In order to facilitate minor adjustments, changes which comply with the following criteria may be approved by the Planning and Development Services Director:
- (a) The number of subdivision lots is the same or less and are located in the same general location.
 - (b) The open space is in the same general location and in the same amount, or greater amount.
 - (c) The streets follow approximately the same layout.
 - (d) There is no change in the use.
 - (e) Extension of time limits for development for periods not exceeding one year upon showing good cause, submission of a development status report and submission of a revised schedule of development.
2. For all mixed use or non-residential PUD developments, the staff, committees and boards shall review the plans under either the Class I, II or III development review processes in sections 12.03 and 12.04 of this Code and they must find the site plans consistent with the PUD Ordinance. The Department can allow for concurrent review under the PUD and development review processes where appropriate. In order to facilitate minor adjustments, changes which comply with the following criteria may be approved by the Planning and Development Services Director:
- (a) The number of dwelling units is the same or less.
 - (b) The open space is in the same general location and in the same amount, or greater amount.
 - (c) The floor area of the buildings is the same or less.
 - (d) The streets follow approximately the same layout.
 - (e) Access points for the project site are the same or less in number and in the same general location.

- (f) Extension of time limits for development for periods not exceeding one year upon showing good cause, submission of a development status report and submission of a revised schedule of development.

e. Time Limits.

1. The development of the PUD must proceed according to the schedule for development included in the PUD Ordinance. If the development does not commence within the time frame specified in the PUD Ordinance, or in the case of a phased development, a phase of development does not commence within the time frame specified in the PUD Ordinance, the ordinance shall become invalid and no further development shall be permitted. Where no time frames have been specified the expiration date shall be twenty-four (24) months from the date of adoption of the PUD Ordinance. If time limits contained in the approved PUD are not complied with and not extended for good cause, the County Commission may initiate rezoning of the property or any part of it, and/or amend the approved PUD development plan, so as to best protect adjoining properties and the public health, safety or welfare. County staff shall initiate action to rezone the property to another appropriate zoning district by following the rezoning procedure described in Article 12 of this Code. No development shall be permitted under an expired PUD.
 2. Extensions of time: Applicants may request extensions of time on PUD Ordinances. Such extensions may be granted for a maximum of up to two (2) years per extension request. Extensions may be granted only upon a showing by the applicant that reasonable efforts have been made towards securing the required permits and commencing work on the project, that any proposed amendment of the development plan will serve to the benefit of the County and the project, and the extension is based upon good cause, as determined by the County Commission. Such requests shall be heard by the Board of County Commissioners pursuant to Article 12 of this Code unless otherwise administratively approved as a minor modification. Any such extension shall not automatically extend the normal expiration date of a Certificate of Concurrence, building permit, site plan approval, development agreement or other development order. Failure to complete phasing on schedule shall require a new concurrence review and obligation to obtain the appropriate Certificate of Concurrence reservation pursuant to Article 5 of this Code, where applicable.
- f. Permits. All construction in the development of a PUD shall proceed only under applicable permits issued by the County and any other regulatory department or agency. No building permit, certificate, or other document authorizing construction or occupancy within a PUD shall be issued except in accordance with the approved development plan.

4.02.04 – Unified control.

- a. All land included in any PUD shall be under the complete, unified, legal, otherwise-encumbered control of the applicant, whether the applicant be an individual, partnership, corporation, other entity, group or agency.
- b. Upon request of the county administrator or designee, the applicant shall furnish the county sufficient evidence to the satisfaction of the county attorney that the applicant is in the complete, legal and unified control of the entire area of the proposed PUD.
- c. Upon request of the county administrator or designee, the applicant shall provide the county,

for approval by the county attorney, all agreements, contracts, guarantees and other necessary documents and information that may be required by the county attorney to assure the county that the development project may be lawfully completed according to the plans sought to be approved.

- d. If any such documents are requested, the application shall not be considered by the county commission until the county attorney has certified in writing that the legal requirements of this section have been fully met. The County Attorney may require the applicant to provide an opinion of its attorney to the same effect. The applicant shall acknowledge within the application that the applicant and any successors and assigns in title and/or interest shall be bound by any commitments made in the adopted PUD ordinance unless otherwise approved by the Board of County Commissioners.

4.02.05 – Phasing.

- a. The county commission may permit or require the phasing or staging of a PUD.
- b. When provisions for phasing are included in the development plan, each phase must be so planned and so related to previous development, surrounding properties and the available public facilities and services that a failure to proceed with subsequent phases will have no adverse impact on the PUD or surrounding properties.
- c. Concurrency certification is not reserved by PUD phasing. Article 5 of the Land Development Code establishes the process for obtaining a certificate of concurrency that is subject to the level of service requirements of the Putnam County Comprehensive Plan and Land Development Code.

4.02.06 Application For Development Review

Applications for development review of a PUD shall be available from the Planning and Development Services Department (hereafter, the “Department”). The completed application shall be signed by all owners of the property subject to the proposal, and, where applicable, their agent; all signatures shall be notarized. Signatures by other parties will be accepted only with notarized proof of legal authorization by the owners. In a case of corporate ownership, the authorized signature shall be accompanied by a notation of the signer's office in the corporation.—All applications will be required to comply with the following submittal requirements and where applicable and necessary additional submittal requirements as specified by the Director of Planning and Development Services and Public Works Director.

- a. The application shall include documents and drawings showing:
 - 1. Name, address and telephone number of owner.
 - 2. Legal description of property involved;
 - 3. Parcel identification numbers;
 - 4. Description of intended use.
 - 5. Description of proposed development activities.
 - 6. Location and linear dimensions and size of parcel.
 - 7. Development plans for all proposed project activities.
 - 8. A site plan drawn to scale. Each site plan sheet shall show (a) the north arrow (b) the graphic scale (c) the drawing date (d) all existing and proposed structures with the setbacks from each other and the property line (e) the lot coverage, and (f) the proposed parking and landscaping.

- b. Where applicable to the development activity proposed, the Department may require the following to be submitted as part of the application:
1. Building, structure, sidewalk and pavement location, height and setback;
 2. Location, length and width of proposed driveways and driveway alignment with driveways on surrounding land;
 3. A map of vegetative cover including the location and identity by common name of all protected trees. Groups of trees to be protected may be designated as "clusters" with the estimated total number noted;
 4. Floor plan for existing and proposed structures;
 5. A detailed landscape plan meeting or exceeding the requirements of this Code for all new or existing uses;
 6. Sign plans, including the location of signs on the site; dimensions of all signs, including maximum square footage, height and width; and distance from the ground to the bottom of the sign display area (including borders); and
 7. Survey of property.
- c. Other material deemed by the Department to be relevant to the proposed PUD.

4.02.07 Specific Submittal Requirements for Final Development Plan

In addition to the requirements of section 12.05.03, all final development plans for Class II and III developments shall include the specific information required by Section 12.05.04 of this Code unless otherwise determined to be unnecessary by the Department.

4.02.08 Master Plan: A master plan is required for any development that is to be developed in phases. A master plan shall provide the information required by Section 12.05.05 for the entire development.

SECTION 4.03 AIRPORT OVERLAY REGULATIONS

4.03.01 – Purpose: The purpose of this section is to establish height limitations and land use limitations in Putnam County around Palatka Municipal Airport in order to prevent the creation of obstructions or other land uses that may be hazardous to airport and aircraft operations. It is recognized that airports present an increased risk to the public's health, safety and well-being due to aviation noise and the potential for an aviation accident. As a result, this section identifies overlay zones that provide height restrictions based on obstruction standards established by Federal Aviation Administration (FAA) and Florida Department of Transportation (FDOT); and land use limitations based on sensitivity to aviation generated noise, the increased risk of injury to persons or property in the event of an aircraft accident and the increased risk to aviation due to certain uses:

- Airport Height Notification Zone (See Figure 4.1 and Map 4.2 in Appendix IV)
- Educational Facility Restriction Zone (Map 4.4 and 4.5 in Appendix IV);
- Residential and Educational Restriction Zone (Maps 4.4 in Appendix IV); and
- Runway Protection Zones
- Use Notification Zone

ORDINANCE NO. 2017-⁶
AMENDING COUNTY ZONING MAP

AN ORDINANCE OF THE COUNTY OF PUTNAM, STATE OF FLORIDA, AMENDING THE PUTNAM COUNTY ZONING MAP FOR A CERTAIN PARCELS OF LAND FROM "AG" AND "PUD" TO "PUD"; ESTABLISHING CONDITIONS FOR THE USE UNDER THE PUD ZONING; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE (CASE NO.PUD16-006):

WHEREAS, the Board of County Commissioners of Putnam County, Florida, is authorized under Chapters 125 and 163, Florida Statutes, to enact zoning regulations and a zoning map to protect the health, safety and welfare of the citizens of Putnam County; and

WHEREAS, the Board of County Commissioners of Putnam County previously adopted the Putnam County Land Development Code and the official Zoning Map by Ordinance2009-30, and subsequently adopted certain amendments thereto; and

WHEREAS, Seminole Electric Cooperative, Inc. (SECI) has requested an amendment to the Putnam County Zoning Map for 1,996± acres of real property of land more particularly described in Exhibit "A" and depicted as Exhibit "B" to allow for the construction and operation of a new gas-fired combined cycle electrical generation facility to be located south of the existing Units 1 & 2 and to maintain consistent land use and zoning designation on all SECI owned property; and

WHEREAS, All development within the Planned Unit Development shall proceed in accordance with the terms and conditions set forth in the Development Agreement for SEMINOLE ELECTRIC COOPERATIVE, INC. AMENDMENT OF SEMINOLE GENERATING STATION PUD DEVELOPMENT AGREEMENT attached hereto as Exhibit "C"; and

WHEREAS, the Planning Commission, the designated Local Planning Agency for Putnam County, held a duly noticed public hearing regarding the proposed Zoning Map Amendment on December 14, 2016, and found the proposed rezoning consistent with the Putnam County Comprehensive Plan and recommended approval of same; and

WHEREAS, the Board of County Commissioners of Putnam County held a duly noticed public hearing on March 14, 2017, to consider this same proposed amendment; and

WHEREAS, the Board of County Commissioners determined that the proposed amendment of the Zoning Map is consistent with the Putnam County Comprehensive Plan and is in the best interest of the public health, safety and welfare of the general public and the orderly development of the district and the neighboring property;

NOW THEREFORE, BE IT ORDAINED by the Putnam County Board of County Commissioners, Putnam County, Florida, in a meeting assembled on the 14th day of March 2017:

SECTION 1. AMENDMENT OF ZONING MAP

- A. Pursuant to the application, supporting documents and analysis prepared by the applicant and County Staff, the recommendations and findings of the Planning Commission, and the evidence presented to this Board, the Board of County Commissioners finds, in addition to the findings set forth in the recitals above:
- (1) The proposed amendment to the Putnam County Zoning Map from Agriculture (AG) and Planned Unit Development (PUD) to Planned Unit Development (PUD) zoning is consistent with the Comprehensive Plan;
 - (2) The Zoning Map amendment to PUD (Planned Unit Development), as proposed by the applicant, will not adversely affect the orderly development of the zoning district or the adjacent and surrounding properties;
 - (3) The Zoning Map amendment to Planned Unit Development (PUD), as proposed by the applicant, will not adversely affect the health and safety of the residents in the area or be detrimental to the natural environment;
 - (4) The Zoning Map amendment is consistent with the applicability standards and development standards of Section 4.02 of the Land Development Code.
- B. The official Zoning Map for Putnam County, Florida, as adopted and incorporated into the Land Development Code under Ordinance 2009-30, is hereby amended to rezone the following real property from Agriculture (AG) and Planned Unit Development (PUD) to Planned Unit Development (PUD) in accordance with and subject to the terms and conditions of this Ordinance:

SECTION 2. SEVERABILITY

If any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate and such holdings shall not affect the validity of the remaining portions.

SECTION 3. INCLUSIONS IN THE ORDINANCE

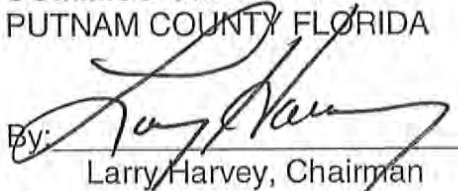
The provisions of this Ordinance shall become and be made part of Putnam County Land Development Code and Zoning Map, as amended.

SECTION 4. EFFECTIVE DATE

The Ordinance shall take effect immediately upon receipt of official acknowledgement from the Florida Department of State.

DONE, ORDERED AND ADOPTED this 14th day of March, 2017.

BOARD OF COUNTY
COMMISSIONERS
PUTNAM COUNTY FLORIDA

By: 

Larry Harvey, Chairman

ATTEST:


Tim Smith, Clerk of Court



ORDINANCE NO. 2017-6

EXHIBIT A

Legal Description – Seminole Electric Cooperative, Inc.; Palatka Plant Site

The South one-half (S1/2) of the Northeast quarter (NE1/4) of the Southeast quarter (SE1/4) and Southeast quarter (SE1/4) of the Southeast quarter (SE1/4) and the Northwest quarter (NW1/4) of the Southeast quarter (SE1/4) and the Southeast quarter (SE1/4) of the Southwest quarter (SW1/4) of Section 31, Township 8 South, Range 27 East, Putnam County, Florida.

The West one-half (W1/2) of the West one-half (W1/2) of Section 5, Township 9 South, Range 27 East, Putnam County, Florida.

All of Section 6, lying East of the Seaboard Coast Line Railroad, in Township 9 South, Range 27 East, Putnam County, Florida.

All of Section 7, Township 9 South, Range 27 East, Putnam County, Florida.

The West one-half (W1/2) of the West one-half (W1/2) and the South three-quarters of the East one-half (E1/2) of the West one-half (W1/2) and the South three-quarters (S3/4) of the West one-half (W1/2) of the East one-half (E1/2) of Section 8, Township 9 South, Range 27 East, Putnam County, Florida.

Government Lot 4, or the Northwest quarter (NW1/4) of the Northwest quarter (NW 1/4), and the West 66 feet of Government Lot 5, or the West 66 feet of the Southwest quarter (SW1/4) of the Northwest quarter (NW1/4) of Section 17, Township 9 South, Range 27 East, Putnam County, Florida.

Government Lots 1 and 2, or the North one-half (N1/2) of the Northeast quarter (NE1/4), of Section 18, Township 9 South, Range 27 East, Putnam County, Florida.

The Southeast quarter (SE1/4) of the Southeast quarter (SE1/4) lying East of the East line of the Seaboard Coast Line Railroad, Section 1, Township 9 South, Range 26 East, Putnam County, Florida.

The Northeast quarter (NE1/4) of the Northeast quarter (NE1/4), lying East of the East line of the Seaboard Coast Line Railroad, Section 12, Township 9 South, Range 26 East, Putnam County, Florida.

Begin at the Point of Intersection of the South Right-of-Way Line of State Road 209 and the East Line of the Southwest quarter (SW1/4) of Section 18, Township 9 South, Range 27 East, thence run West along the South Right-of-Way Line of said State Road 209 a distance of 200 feet to the Point of Beginning of the land herein described; from said Point of Beginning, run South to the St. John's River and Point A, thence begin again at the Point of Beginning and run West along the said South Right-of-Way line of State Road 209 a distance of 200 feet, thence run South to the St. John's River, thence run North and Easterly along said River to Point A, thence run North from Point A to the Point of Beginning of the land herein described.

The Southwest quarter (SW1/4) of the Southeast quarter (SE1/4) of Section 31, Township 8 South, Range 27 East, in Putnam County, Florida.

A pipeline easement lying in Section 18, Township 9 South, Range 27 East, in Putnam County, Florida, more particularly described as follows:

Commencing at a Concrete Monument marking the apparent Southwest corner of Government Lot 2 in Section 18, Township 9 South, Range 27 East; said corner being the Point of Beginning of the herein described easement; run thence S. 08deg.05'06" W., a distance of 1,303.03 feet to the North right-of-way of S. R. 209; thence S. 89deg.39'25"W., along said road right-of-way, a distance of 101.09 feet; thence N. 08deg.05'06" E., a distance of 2,014.47 feet; thence S. 00deg.05'02" E., a distance of 703.77 feet to the Point of Beginning. Containing 3.8 acres more or less; and

A part of Government Lot 3 and 6, of Section 18, Township 9 South, Range 27 East, Putnam County, Florida; being more particularly described as follows:

Begin at the Southeast corner of said Government Lot 3 and run thence N.00deg.23'49"W., along the East line thereof 19.90 feet to the POINT OF BEGINNING; thence continue N.00deg.23'49"W., along said east line, 681.94 feet, thence S. 08deg05'06" W., 22.68 feet to the northwesterly most corner of an easement described in OR 369, page 1907 to 1913 of the Public Records of Putnam County, Florida; thence S.00deg.06'11"E., along the easterly line of said easement 706.24 feet to a concrete monument at the northeasterly most corner of said easement and referred to as the "apparent" SW corner of Government Lot 2 on a sketch at page 1913 of said Public Records; thence N.08deg.05'06"E., 47.24 feet to the Point of Beginning. Containing 0.08 of an acre; and

A submerged sovereignty land easement lying in Section 18, Township 9 South, Range 27 East, in Putnam County, Florida, more particularly described as follows:

Commencing at a concrete monument at the "apparent" southwest corner of Government Lot 2 of Section 18, Township 9 South, Range 27 East; run thence S.00deg.05'02"E., 1354.97 feet to the South right-of-way of SR 209, as now layed out and in use; thence S.89deg.39'25"W., 194.63 feet along the South right-of-way of SR 209 to a concrete monument; thence S.00deg.51'00"E., 948.60 feet to a found concrete monument on the water's edge of the St. Johns River and the Point of Beginning of the herein described easement; thence continue S.00deg.51'00"E., 347.60 feet from the Point of Beginning; thence S.35deg.19'53"E., 611.07 feet thence S.54deg.40'07"W., 50.00 feet; thence N.35deg.19'53"W., 487.17 feet; thence S.88deg.59'07"W., 224.70 feet; thence N.01deg.00'53"W., 400.00 feet to a found concrete monument on the water's edge of the St. Johns River; thence Northeasterly along the St. Johns River, 212.06 feet to a found concrete monument and the Point of Beginning. Containing 2.7 acres, more or less.
(LESS AND EXCEPT "LAFARGE PARCEL")

Legal Description: (LAFARGE PARCEL (exception))

A part of Section 6, Township 9 South, Range 27 East, Putnam County, Florida; being more particularly described as follows:

Commence at a concrete monument found at the Northwest corner of said Section 6 and run thence N.88deg.55'26"E., along the North boundary of said Section, 1253.74 feet to a concrete monument found (PLS 1824) on the Easterly right-of-way line of the CSX Railroad, thence S.08deg.30'25"W. along said right-of-way line, 941.22 feet to a concrete monument (PLS 1824) and the POINT OF BEGINNING; thence continue S.08deg.30'25"W., along said right-of-way line, 1400.00 feet to a concrete monument (PLS 1824), thence East 56.67 feet to a concrete monument (PLS 1824), thence SOUTH 995.00 feet to a concrete monument (PLS 1824), thence East 200.00 feet, thence South 200.00 feet, thence West 200.00 feet to a concrete monument (PLS 1824), thence South 1049.85 feet to a concrete monument (PLS 1824) at the beginning of a curve, concave Northeasterly and having a radius of 625.00 feet, thence southeasterly along and with the arc of said curve through a central angle of 90deg.00'00", a distance of 981.75 feet to a concrete monument (PLS 1824) at the end of said curve, thence East 834.83 feet to a concrete monument (PLS 1824), thence North 1700.00 feet to a concrete monument (PLS 1824), thence West 600.00 feet to a concrete monument (PLS 1824), thence North 741.09 feet to a concrete monument (PLS 1824), thence N.21deg.22'09"W., 1947.39 feet to the POINT OF BEGINNING.

Containing 88.312 acres, more or less.

WITH

A part of Government Lots 3 and 6, Section 18, Township 9 South, Range 27 East, Putnam County, Florida, being more particularly described as follows:

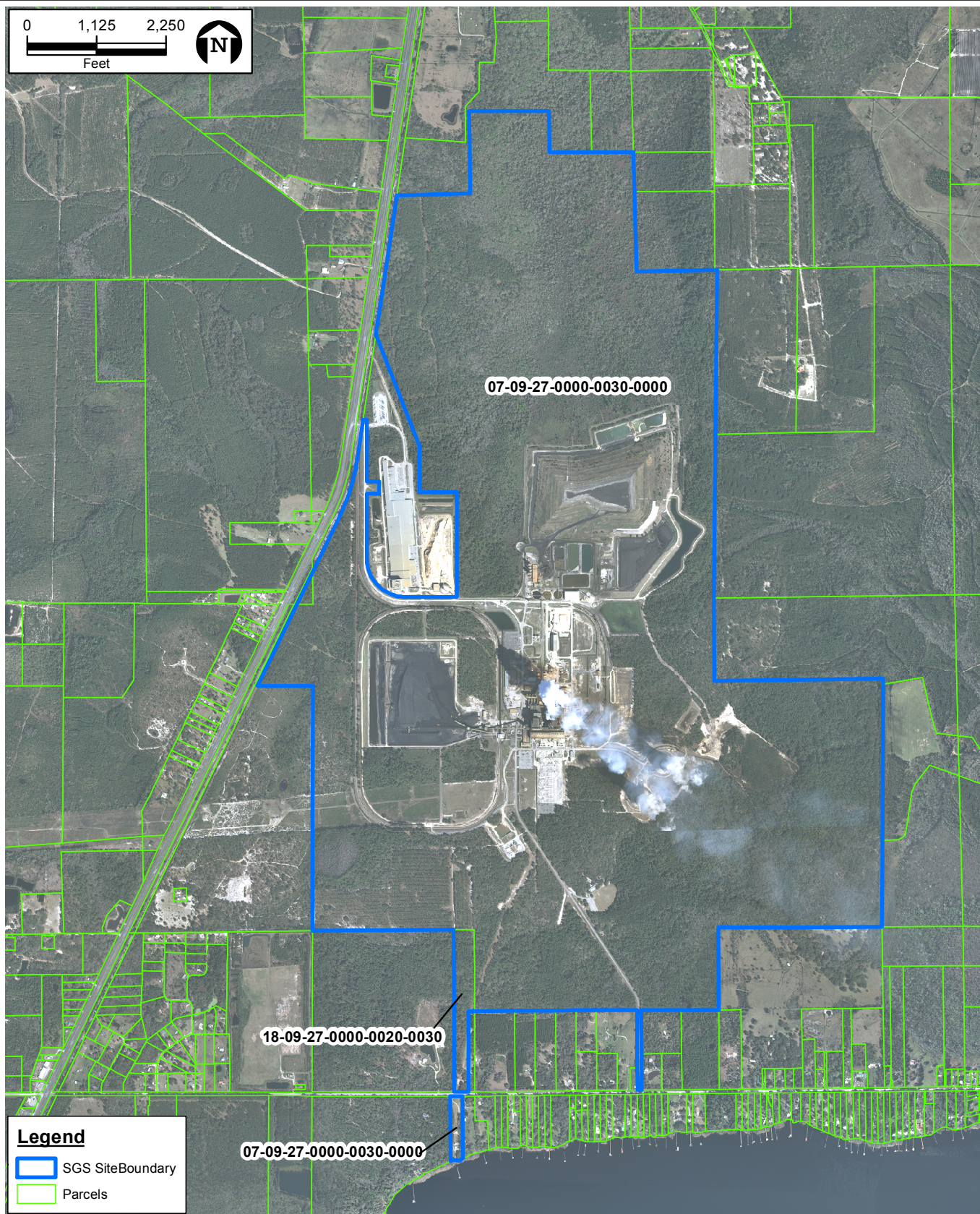
For a Point of Beginning, commence at the northeasterly corner of said Government Lot 3; thence S 00 degrees 41'00" E, along the easterly lines of said Government Lots 3 and 6, a distance of 2642.14 feet to the northerly right of way line of West River Road as now established as a 66 foot wide right of way; thence S 89 degrees 07'25" W, along said northerly right of way line of West River Road, a distance of 358.42 feet to the easterly line of the lands described in Official Records Book 1119, page 1281 of the Public Records of said county, said lands described in Official Records Book 1119, page 1281 being as originally surveyed and monumented and shown on map of survey by William B. Snyder, Land Surveyor, Florida Registration Number 5284, certified to Charles J. Smith, dated December 29, 2006; thence N 00 degrees 12'13" W, along said easterly line of the lands described in Official Records Book 1119, page 1281, a distance of 1499.74 feet to the northeasterly corner of said lands described in Official Records Book 1119, page 1281; thence continue N 00 degrees 12'13" W, along the northerly projection of said easterly line of the lands described in Official Records Book 1119, page 1281; a distance of 1141.43 feet to the northerly line of said Government Lot 3; thence N 88 degrees 55'50" E, along said northerly line of Government Lot 3, a distance of 336.31 feet to the Point of Beginning.

Containing 21.06 acres, more or less.

(LESS AND EXCEPT THE EAST 100 FT OF GOVERNMENT LOT 6)

ORDINANCE NO. 2017-6

EXHIBIT B



PARCEL MAP
SEMINOLE ELECTRIC COOPERATIVE
PUTNAM COUNTY, FLORIDA

Sources: Putnam County, 2015; FDOT Aerial Photograph, 2014; ECT, 2016.

ECT Environmental
Consulting &
Technology, Inc.

ORDINANCE NO. 2017-6

EXHIBIT C

DEVELOPMENT AGREEMENT

DEVELOPMENT AGREEMENT
SEMINOLE ELECTRIC COOPERATIVE, INC.
AMENDMENT OF
SEMINOLE GENERATING STATION PUD

This Development Agreement is entered this 14 day of March, 2017, by and between SEMINOLE ELECTRIC COOPERATIVE, INC., a Florida corporation, hereinafter referred to as "SECI" and the BOARD OF COUNTY COMMISSIONERS in and for PUTNAM COUNTY, a political subdivision of the State of Florida, hereinafter referred to as "COUNTY."

PREAMBLE

WHEREAS, on May 23, 1978, the Putnam County Board of County Commissioners (BOCC) adopted Ordinance PUD-78-002 approving the rezoning of certain parcels within the COUNTY to Planned Unit Development (PUD) in anticipation of SECI seeking certification, under the Florida Electrical Power Plant Siting Act (PPSA), Chapter 403, Part II, Florida Statutes, for its now existing coal-fired electrical power generating station (Units 1 and 2); and,

WHEREAS, on September 18, 1979, the Governor and Cabinet, sitting as the Siting Certification Board, entered an order approving the construction of Units 1 and 2 pursuant to the PPSA; and,

WHEREAS, SECI commenced operation of Unit 1 in 1984 and Unit 2 in 1985, and those units continue to be in operation; and,

WHEREAS, on January 10, 2006, the BOCC adopted Ordinance No. 2006-02 approving amendment of PUD-78-002 to allow for construction of a third coal-fired electric

generating unit at the existing generating station, which ultimately was not constructed¹; and,

WHEREAS, in anticipation of SECI's potential application for certification of a combined cycle natural gas-fired unit at its Putnam County generating facility site ("Site"), in early 2017, SECI has submitted an application to the COUNTY to amend its existing PUD zoning approval to construct and operate new natural gas combined cycle generation on the Site and to assure, as required under the PPSA, that the proposed Site is "consisten[t] . . . with existing land use plans and zoning ordinances;" and,

WHEREAS, the Site, including existing Units 1 and 2, is located exclusively in the unincorporated area of the COUNTY, and,

WHEREAS, contemporaneous with this PUD Amendment the COUNTY amended its Future Land Use Map to designate the Site Public Facility which allows electrical power plants on lands with such a designation; and,

WHEREAS, construction and operation of new combined cycle natural gas-fired generation, shall be fully evaluated under the PPSA during which the COUNTY may participate as a party; and,

WHEREAS, the COUNTY and SECI wish to set forth, in this Development Agreement, any and all information required by the COUNTY under Section 4.02.3.b.6.(a) - (c), of the Putnam County Land Development Code (LDC) and further wish to articulate a mutual understanding as to how the PUD Amendment process and the statutory siting process may work together to assure that the Site is consistent with existing county land use plans and zoning ordinances and fully address the environmental impact resulting from

¹ Additional PUD Amendments include the following: on July 22, 1980, the PUD was amended (Ordinance PUD-80-001) to add an additional forty (40) acre out-parcel, at the north end of the SECI property. On December 14, 1999, Ordinance 99-29 amended the PUD to allow construction of a gypsum plant on a subparcel north of the existing plant. By deed dated February 18, 2000, SECI conveyed the subparcel to Lafarge Corporation.

construction and operation of the facility, including air and water quality, fish and wildlife, and the water resources and other natural resources of the State and COUNTY.

NOW, **THEREFORE**, the parties hereto do agree as follows:

ARTICLE 1: PROPERTY OWNERSHIP AND DESCRIPTION

1.1 PURPOSE:

The purpose of this article is to set forth the location and ownership interests in the property subject to the PUD Amendment and to provide a general description of the existing Seminole Generating Station PUD and the nature of the PUD zoning amendment requested.

1.2 LEGAL DESCRIPTION

The legal description of the property is attached hereto and incorporated herein as Exhibit A to this Development Agreement.

1.3 PROPERTY OWNERSHIP

The property is owned by SECI, a Florida Corporation.

1.4. GENERAL DESCRIPTION

The Site comprises approximately 1,996 total acres situated east of U. S. Highway 17 and north of County Road 209 and lying in Section 31, Township 8 South, Range 27 East and Sections 5, 6, 7, 8, 17 and 18, Township 9 South, Range 27 East, and Sections 1 and 12, Township 9 South, Range 26 East, Putnam County, Florida; and includes approximately 4.5 acres lying south of CR 209 within Section 18, Township 9 South, and Range 27 East. The property is accessed from US 17 and CR 209.

1.4.1. Main Power Plant Operations North of CR 209

Existing structures at the plant are typical of coal-fired steam generating power facilities in Florida the most prominent of which are the two 450 feet tall hyperbolic cooling towers and the existing stack which is 675 feet tall. Units 1 and 2 are located in the central portion of the Site. The Site is undeveloped except for Units 1 and 2 and ancillary facilities.

The undeveloped portions of the Site are primarily forested wetlands and uplands. The existing plant is a 1300 megawatt facility comprised of two 650 megawatt generating units. Output from the plant is distributed across associated transmission lines through various distribution systems (owned by nine electric cooperative members) that in turn deliver electricity to individuals and businesses in 42 of Florida's 67 counties. Over 1.6 million people are served by the Seminole Generating Station from the Florida panhandle to the southwest portion of the state.

1.4.2. Underground Cooling System Pipes and Pump House South of CR 209

The portion of the Site lying south of CR 209 accommodates a pump house and underground pipes necessary to operate the power plant cooling system. This portion of the Site includes approximately 212 feet of frontage on the St. Johns River which also serves as the northernmost boundary of a sovereign submerged land lease, from the State of Florida to SECI, which accommodates the power plant cooling water intake pipe. The underground pipes needed for the power plant cooling system run north through a 21-acre portion of the Site, to the main power plant facility.

1.4.3 Site Boundary

A Parcel Map depicting the Site boundary is attached as Exhibit B.

ARTICLE 2: PROJECT DEVELOPMENT AND CONDITIONS

2.1 PURPOSE

The purpose of this section is to describe the project plan of development, the proposed land uses and structures included in the project, any applicable standards and conditions of use of the Seminole Generating Station PUD, and the integration of those standards and conditions with the PPSA review process. Subject to the PPSA review process, and ultimate approval by the Governor and Cabinet sitting as the Siting Board or the Secretary of the Florida Department of Environmental Protection (FDEP), the project

will be completed substantially in accord with the PUD Master Plan, entitled "Concept Site Plan" attached as Exhibit C hereto, any applicable conditions of certification arising from the PPSA review process, and the following provisions of this Development Agreement. The final site plan for purposes of constructing and operating the new unit shall be the final site plan as certified under the PPSA², based upon the detailed review process under the PPSA, and as approved by order of the Governor and Cabinet sitting as the power plant Siting Board or FDEP.

2.2 GENERAL

Adoption of an ordinance by the BOCC, approving the proposed amendment to the Seminole Generating Station PUD, serves as confirmation by the COUNTY that the proposed Site, for the purpose of adding potential combined cycle natural gas-fired generation and its accessory and associated facilities, is consistent and in compliance with existing land use plans and zoning ordinances of the COUNTY as required under the PPSA. Upon filing a notice of intent to be a party, pursuant to Section 403.508(4) of the PPSA, the COUNTY shall subsequently participate as a party to the site certification proceedings which include additional opportunities for the COUNTY to review and comment upon issues related to the project as summarized in Exhibit D.

2.3 Relationship of Site Certification - County Development Plan Review

Because the addition of new generation at the Site is subject to the PPSA certification process, upon approval of the requested PUD Amendment, and this Development Agreement, by the COUNTY, the Class III Preliminary and Final Development Plan Review process will be addressed by the COUNTY'S participation in the

² The Concept Site Plan in Exhibit C reflects the footprint of the new unit at its greatest extent. The final generation capacity, size, and orientation of structures and accessory uses will be determined by the final order of certification under the PPSA.

site certification proceedings, and in any agency report the COUNTY may submit under Section 403.507(2) of the PPSA, such that the issuance of an order granting final site certification, signed by the Governor or FDEP Secretary, shall constitute approval for SECI to construct and operate potential new generation consistent with this Development Agreement, the site certification, and any applicable conditions of certification.

2.4 PROJECT PLAN AND USE

Subject to certification under the PPSA, the PUD Amendment shall allow construction of a new combined cycle natural gas-fired generating unit substantially as set forth in the Concept Site Plan, attached as Exhibit C. The new unit shall lie primarily south of existing Units 1 and 2. The new combined cycle unit as reflected on the Concept Site Plan may generate up to 1130 megawatts (net). The COUNTY recognizes, however, that the new unit may ultimately have a generating capacity less than 1130 megawatts and occupy a footprint smaller than that reflected on the Concept Site Plan. Subject to PPSA certification, the new unit and associated facilities may include, among others, the construction or installation of one or two combustion turbine generators; one or two heat recovery steam generators; a steam turbine generator; electrical equipment enclosures; one or two exhaust stacks; an administration building that will include a control room for operating the plant and maintenance area; a warehouse; a switchyard expansion; parking; a fuel gas metering and regulation yard; fuel gas compressors if required; a mechanical draft cooling tower; aboveground service fire water storage tank and water treatment storage tank(s); aqueous ammonia tank(s); stormwater management system/stormwater pond(s); piping tie-ins and other facilities necessary to integrate with existing intake and discharge water infrastructure and existing wastewater treatment facility; and other appurtenant equipment necessary for the proper operation of the facility. The project may also include off-Site associated linear facilities, which are consistent with the Comprehensive Plan and

LDC and are not subject to this Development Agreement. The new mechanical draft cooling tower, as proposed, will be up to 450 feet in length, approximately 130 feet in width and approximately 50 feet in height and, unlike the 450-foot tall hyperbolic cooling towers for Units 1 and 2, should not be visible from offsite. The new stack(s) will be up to approximately 200 feet in height, significantly less than the height of the existing 675-foot stack. Temporary staging areas (laydown) will vary in location on-Site as needed to facilitate construction.

As part of its application for site certification under the PPSA, SECI shall conduct a traffic analysis in accordance with Florida Department of Transportation (FDOT) and COUNTY standards to ensure efficient and safe traffic flow. If all necessary approvals and authorizations are obtained, SECI shall implement traffic improvements and controls as identified in the traffic analysis, or as otherwise approved and authorized by entities with approval or authorization authority, such that the improvements and controls are in place to support peak construction workforce traffic. These improvements and controls shall include any improvements necessary to ensure that additional traffic from the new unit does not cause applicable roadway segments to operate below the adopted level of service. During the PPSA process, the COUNTY may propose additional improvements it deems necessary based on COUNTY substantive requirements.

A natural vegetative buffer will be maintained on the Site the width of which shall be that required under Section 7.03.03 of the LDC. Along the southern boundary of the Site, north of West River Road, the buffer shall be twice the maximum required under the LDC or sixty (60) feet. Existing vegetation within the buffer shall be maintained but for wildfire management or selected tree thinning in accordance with established silviculture practice. Clear cutting of the natural vegetative buffer will not be allowed.

2.5 DEVELOPMENT STANDARDS

The project shall be constructed consistent and in compliance with the Comprehensive Plan and LDC, this Development Agreement, as may be approved by the BOCC, the order granting final site certification and any applicable conditions of certification. The certification shall authorize SECI to construct and operate the proposed electrical power plant, subject only to the conditions of certification set forth in such certification and the issuance of department (FDEP) licenses or permits required under any federally delegated or approved permit program, or any other necessary permits or approvals.

ARTICLE 3. SUPPLEMENTAL REQUIREMENTS

3.1 PURPOSE

The purpose of this section is to articulate a mutual understanding as to the manner by which certain aspects of the potential new combined cycle natural gas-fired generation will be addressed by SECI and the COUNTY and integrated into the site certification process in which the COUNTY shall participate as a reviewing agency and may participate as a party.

3.2 RESOURCE PROTECTION STANDARDS

The FDEP acts as the coordinating agency throughout the site certification process. DEP's Siting Coordination Office (SCO) is responsible for collecting, reviewing and coordinating all information necessary for state and local agencies to fully participate as parties and ultimately for the Governor and Cabinet, sitting as the Siting Board, or the FDEP Secretary to make an informed decision as to the appropriateness of the Site for construction of an electrical power plant. To assure that the application process is orderly and thorough, the FDEP SCO has prepared a draft "Application Instruction Guide: Electrical Power Plant Sites and Associated Facilities, Electrical Transmission Lines,"

available online, which sets forth a detailed and comprehensive list of issues that each applicant must address when seeking site certification. Major categories of topics include: Need for Power and the Proposed Facilities; Site and Vicinity Characterization; The Plant and Directly Associated Facilities; Environmental Effects of Site Preparation and Plant and Associated Facilities Construction; Effects of Plant Operation; Economic and Social Effects of Plant Construction and Operation; Site and Design Alternatives; Electrical Transmission Lines; Appendices with Coordination (a list of individuals within federal, state, regional, and local government agencies who were contacted to provide input to this project); Federal Permit Applications and Approvals, Zoning Descriptions, Environmental Resource Permit Application, Land Use Plan Descriptions, Existing State Permits, and Monitoring Programs.

Based upon the breadth of the application process, and the scope of the information that must be distributed to each reviewing agency, including the COUNTY, and because the COUNTY intends to participate in the site certification process, any provisions of Article 6 of the Putnam County LDC, entitled "Resource Protection Standards," not already addressed in this Development Agreement and incorporated documents, may be addressed by the COUNTY through its participation in the statutory site certification process.

3.3 DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS

Consistent with Section 3.2 hereinabove, any provisions of Article 7 of the Putnam County LDC, entitled "Development Design and Improvement Standards" not already addressed in this Development Agreement and incorporated documents, may be addressed by the COUNTY through its participation in the site certification process.

3.4 BUILDING CODE

Structures and facilities directly involved in the generation, transmission, or distribution of electricity are exempt from the Florida Building Code and Chapter 8, Putnam County Code pursuant to Section 553.73(10)(f), Florida Statutes. Portions of structures and

facilities used as office or warehouse facilities shall be constructed in accordance with Chapter 8, Putnam County Code. SECI shall not, however, be required to obtain building permits for any facilities certified under the PPSA pursuant to section 403.511(1), Florida Statutes.

3.5 TIME LIMIT FOR PROJECT COMPLETION

SECI and the COUNTY recognize that construction of a power generating unit is a multi-year process and so long as SECI is acting pursuant to the authority of the site certification, any approved modification thereof, and any applicable conditions of certification, there shall be no pre-determined time limit as to the start or completion of the project. The parties acknowledge that, if SECI chooses to pursue new combined cycle generation, it is the current intent of SECI to complete construction and place the unit into commercial operation by 2021.

3.6 MODIFICATION OF CERTIFICATION

To the extent SECI may seek to modify or amend its certification as allowed under the PPSA, no further amendment of the Seminole Generating Station PUD shall be required if the PPSA would not otherwise require a determination that the modification or amendment is in compliance and consistent with existing land use plans and zoning ordinances. Additionally, SECI asserts, and the COUNTY acknowledges, that electrical generating units are designed, engineered and constructed in such a manner that adjustments in building dimensions, the location of buildings in relation to one another, and the location of supporting uses in relation to the required buildings and structures, may have to be adjusted, e.g., to maximize efficiency or to accommodate design improvements deemed necessary during detailed design, permitting, or construction. To the extent that any such adjustments do not change the intensity or nature of the use, modify setbacks, or render the construction substantively inconsistent with the Concept Site Plan attached hereto, the

COUNTY will not require that SECI seek further amendment of the Seminole Generating Station PUD. The COUNTY further acknowledges that the attached Concept Site Plan is based on a natural gas-fired combined cycle facility of up to 1130 megawatts. The new unit may ultimately have a generating capacity less than 1130 megawatts and occupy a footprint smaller than that reflected on the Concept Site Plan, with associated and ancillary facilities adjusted accordingly. This potential is specifically contemplated by this Development Agreement and shall not require further amendment of the Seminole Generating Station PUD.

3.7 HEIRS, SUCCESSORS AND ASSIGNS

This Development Agreement shall be binding upon the parties hereto, their successors in interest, heirs, assigns and personal representatives.

ARTICLE 4 AGREEMENT

4.1 ENTIRE AGREEMENT

This document and any exhibits attached hereto and incorporated herein shall constitute the entire Development Agreement between SECI and the COUNTY for purposes of satisfying Section 4.02.03.b.6. of the Putnam County LDC.

4.2 AMENDMENTS

No modification, amendment or alteration in the terms or conditions herein shall be effective unless contained in a written document executed with the same formality.

4.3 JURISDICTION

Jurisdiction as to any dispute arising from this Development agreement lies in Putnam County, Florida.

4.4 NOTICES

All notices given pursuant to the terms of this Development Agreement, or which either party may desire to provide hereunder, shall be in writing and delivered personally,

by overnight carrier, or by U.S. Mail, return receipt requested, to:

Seminole Electric Cooperative, Inc.
c/o Lewis Snyder
Regulatory Environmental Director
Post Office Box 272000
Tampa, Florida 33688-2000

Stacey Manning, Putnam County Attorney
2509 Crill Ave
Palatka, Florida 32177

4.5 EFFECTIVE DATE

This Development Agreement shall become effective upon approval by the BOCC.

APPROVED BY ACTION OF THE PUTNAM COUNTY BOARD OF COUNTY
COMMISSIONERS, this _____ day of _____, 2017.

[Signatures Pages to Follow]

PUTNAM COUNTY, BOARD OF COUNTY COMMISSIONERS

By: _____

Larry Harvey

Larry Harvey, Chair

Print name

STATE OF FLORIDA
COUNTY OF PUTNAM

The foregoing instrument was acknowledged before me, this 14th day of March,
2017, by Larry Harvey who ✓ is personally known to me or who
_____ produced _____ as identification.

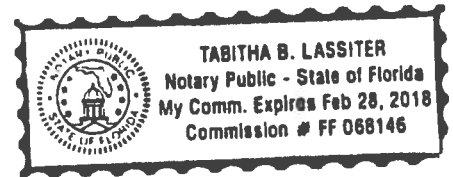
Tabitha B. Lassiter

Notary, Signature

Notary Commission No.:

Notary, Print/Type

My Commission Expires:



SEMINOLE ELECTRIC COOPERATIVE, INC.

By: _____

ITS: _____

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me, this 13 day of March,
2017, by Jones Frazer who _____ is personally known to me or who
_____ produced DL Driver License as identification.

Notary, Signature

Notary Commission No.:

Notary, Print/Type

My Commission Expires:



Angel A. Ferreira Suarez
Notary Public
State of Florida
My Commission Expires 3/20/2020
Commission No. FF 972944

DEVELOPMENT AGREEMENT

EXHIBIT A

LEGAL DESCRIPTION

Legal Description - Seminole Electric Cooperative, Inc.; Palatka Plant Site

The South one-half (S1/2) of the Northeast quarter (NE1/4) of the Southeast quarter (SE1/4) and Southeast quarter (SE1/4) of the Southeast quarter (SE1/4) and the Northwest quarter (NW1/4) of the Southeast quarter (SE1/4) and the Southeast quarter (SE1/4) of the Southwest quarter (SW1/4) of Section 31, Township 8 South, Range 27 East, Putnam County, Florida.

The West one-half (W1/2) of the West one-half (W1/2) of Section 5, Township 9 South, Range 27 Putnam County, Florida.

All of Section 6, lying East of the Seaboard Coast Line Railroad, in Township 9 South, Range 27 East Putnam County, Florida.

All of Section 7, Township 9 South, Range 27 East, Putnam County, Florida.

The West one-half (W1/2) of the West one-half (W1/2) and the South three-quarters of the East one-half (E1/2) of the West one-half (W1/2) and the South three-quarters (S3/4) of the West one-half (W1/2) of the East one-half (E1/2) of Section 8, Township 9 South, Range 27 East, Putnam County, Florida.

Government Lot 4, or the Northwest quarter (NW1/4) of the Northwest quarter (NW 1/4), and the West 66 feet of Government Lot 5, or the West 66 feet of the Southwest quarter (SW1/4) of the Northwest quarter (NW1/4) of Section 17, Township 9 South, Range 27 East, Putnam County, Florida.

Government Lots 1 and 2, or the North one-half (N1/2) of the Northeast quarter (NE1/4), of Section 18, Township 9 South, Range 27 East, Putnam County, Florida.

The Southeast quarter (SE1/4) of the Southeast quarter (SE1/4) lying East of the East line of the Seaboard Coast Line Railroad, Section 1, Township 9 South, Range 26 East, Putnam County, Florida.

The Northeast quarter (NE1/4) of the Northeast quarter (NE1/4), lying East of the East line of the Seaboard Coast Line Railroad, Section 12, Township 9 South, Range 26 East, Putnam County, Florida.

Begin at the Point of Intersection of the South Right-of-Way Line of State Road 209 and the East Line of the Southwest quarter (SW1/4) of Section 18, Township 9 South, Range 27 East, thence run West along the South Right-of-Way Line of said State Road 209 a distance of 200 feet to the Point of Beginning of the land herein described; from said Point of Beginning, run South to the St. John's River and Point A, thence begin again at the Point of Beginning and run West along the said South Right-of-Way line of State Road 209 a distance of 200 feet, thence run South to the St. John's River, thence run North and Easterly along said River to Point A, thence run North from Point A to the Point of Beginning of the land herein described.

The Southwest quarter (SW1/4) of the Southeast quarter (SE1/4) of Section 31, Township 8 South, Range 27 East, in Putnam County, Florida.

A pipeline easement lying in Section 18, Township 9 South, Range 27 East, in Putnam County, Florida, more particularly described as follows:

Commencing at a Concrete Monument marking the apparent Southwest corner of Government Lot 2 in Section 18, Township 9 South, Range 27 East; said corner being the Point of Beginning of the herein described easement; run thence S. 08deg.05'06" W., a distance of 1,303.03 feet to the North right-of-way of S. R. 209; thence S. 89deg.39'25"W., along said road right-of-way, a distance of 101.09 feet; thence N. 08deg.05'08" E., a distance of 2,014.47 feet; thence S. 00deg.05'02" E., a distance of 703.77 feet to the Point of Beginning. Containing 3.8 acres more or less; and

A part of Government Lot 3 and 6, of Section 18, Township 9 South, Range 27 East, Putnam County, Florida; being more particularly described as follows:

Begin at the Southeast corner of said Government Lot 3 and run thence N.00deg.23'49"W., along the East line thereof 19.90 feet to the POINT OF BEGINNING; thence continue N.00deg.23'49"W., along said east line, 881.94 feet, thence S. 08deg.05'08" W., 22.68 feet to the northwesterly most corner of an easement described in OR 369, page 1907 to 1913 of the Public Records of Putnam County, Florida; thence S.00deg.06'11"E., along the easterly line of said easement 706.24 feet to a concrete monument at the northeasterly most corner of said easement and referred to as the "apparent" SW corner of Government Lot 2 on a sketch at page 1913 of said Public Records; thence N.08deg.05'08"E., 47.24 feet to the Point of Beginning. Containing 0.08 of an acre; and

A submerged sovereignty land easement lying in Section 18, Township 9 South, Range 27 East, in Putnam County, Florida, more particularly described as follows:

Commencing at a concrete monument at the "apparent" southwest corner of Government Lot 2 of Section 18, Township 9 South, Range 27 East; run thence S.00deg.05'02"E., 1354.07 feet to the South right-of-way of SR 209, as now layed out and in use; thence S.89deg.39'28"W., 194.83 feet along the South right-of-way of SR 209 to a concrete monument; thence S.00deg.51'00"E., 948.80 feet to a found concrete monument on the water's edge of the St. Johns River and the Point of Beginning of the herein described easement; thence continue S.00deg.51'00"E., 347.80 feet from the Point of Beginning; thence S.35deg.19'53"E., 811.07 feet thence S.54deg.40'07"W., 50.00 feet; thence N.35deg.19'53"W., 487.17 feet; thence S.88deg.59'07"W., 224.70 feet; thence N.01deg.00'53"W., 400.00 feet to a found concrete monument on the water's edge of the St. Johns River; thence Northeasterly along the St. Johns River, 212.08 feet to a found concrete monument and the Point of Beginning. Containing 2.7 acres, more or less.
(LESS AND EXCEPT "LAFARGE PARCEL")

Legal Description: (LAFARGE PARCEL (exception))

A part of Section 6, Township 9 South, Range 27 East, Putnam County, Florida; being more particularly described as follows:

Commence at a concrete monument found at the Northwest corner of said Section 6 and run thence N.88deg.55'26"E., along the North boundary of said Section, 1253.74 feet to a concrete monument found (PLS 1824) on the Easterly right-of-way line of the CSX Railroad, thence S.08deg.30'25"W. along said right-of-way line, 941.22 feet to a concrete monument (PLS 1824) and the POINT OF BEGINNING; thence continue S.08deg.30'25"W., along said right-of-way line, 1400.00 feet to a concrete monument (PLS 1824), thence East 58.87 feet to a concrete monument (PLS 1824), thence SOUTH 995.00 feet to a concrete monument (PLS 1824), thence East 200.00 feet, thence South 200.00 feet, thence West 200.00 feet to a concrete monument (PLS 1824), thence South 1049.85 feet to a concrete monument (PLS 1824) at the beginning of a curve, concave Northeasterly and having a radius of 825.00 feet, thence southeasterly along and with the arc of said curve through a central angle of 90deg.00'00", a distance of 981.75 feet to a concrete monument (PLS 1824) at the end of said curve, thence East 834.83 feet to a concrete monument (PLS 1824), thence North 1700.00 feet to a concrete monument (PLS 1824), thence West 800.00 feet to a concrete monument (PLS 1824), thence North 741.09 feet to a concrete monument (PLS 1824), thence N.21deg.22'09"W., 1947.38 feet to the POINT OF BEGINNING.

Containing 88.312 acres, more or less.

WITH

A part of Government Lots 3 and 6, Section 18, Township 9 South, Range 27 East, Putnam County, Florida, being more particularly described as follows:

For a Point of Beginning, commence at the northeasterly corner of said Government Lot 3; thence S00 degrees 41'00" E, along the easterly lines of said Government Lots 3 and 6, a distance of 2642.14 feet to the northerly right of way line of West River Road as now established as a 66 foot wide right of way; thence S88 degrees 07'25" W, along said northerly right of way line of West River Road, a distance of 358.42 feet to the easterly line of the lands described in Official Records Book 1119, page 1281 of the Public Records of said county, said lands described in Official Records Book 1119, page 1281 being as originally surveyed and monumented and shown on map of survey by William B. Snyder, Land Surveyor, Florida Registration Number 5284, certified to Charles J. Smith, dated December 29, 2006; thence N 00 degrees 12'13" W, along said easterly line of the lands described in Official Records Book 1119, page 1281, a distance of 1499.74 feet to the northeasterly corner of said lands described in Official Records Book 1119, page 1281; thence continue N00 degrees 12'13" W, along the northerly projection of said easterly line of the lands described in Official Records Book 1119, page 1281; a distance of 1141.43 feet to the northerly line of said Government Lot 3; thence N 88 degrees 55'50" E, along said northerly line of Government Lot 3, a distance of 336.31 feet to the Point of Beginning.

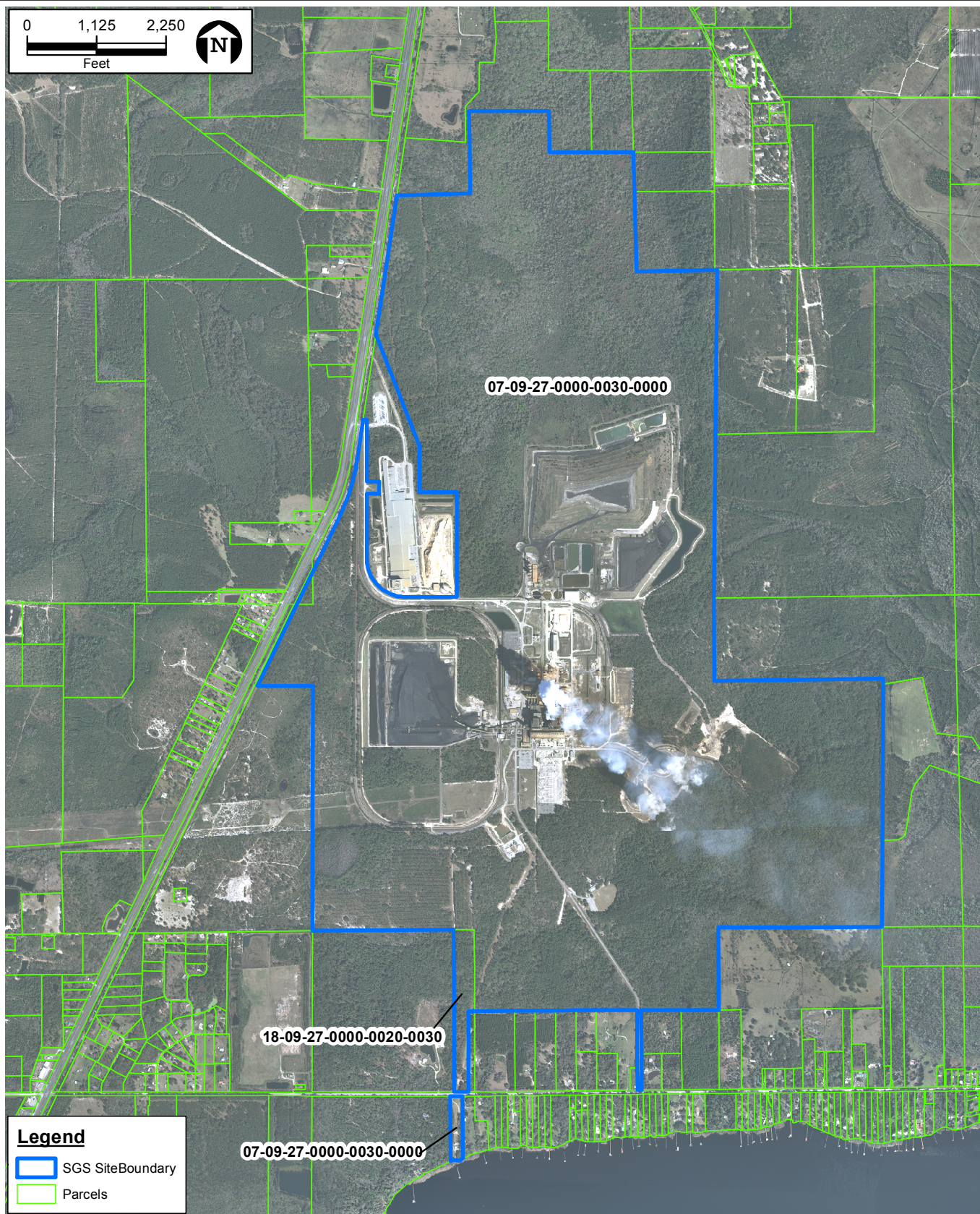
Containing 21.06 acres, more or less.

(LESS AND EXCEPT THE EAST 100 FT OF GOVERNMENT LOT 6)

DEVELOPMENT AGREEMENT

EXHIBIT B

PARCEL MAP

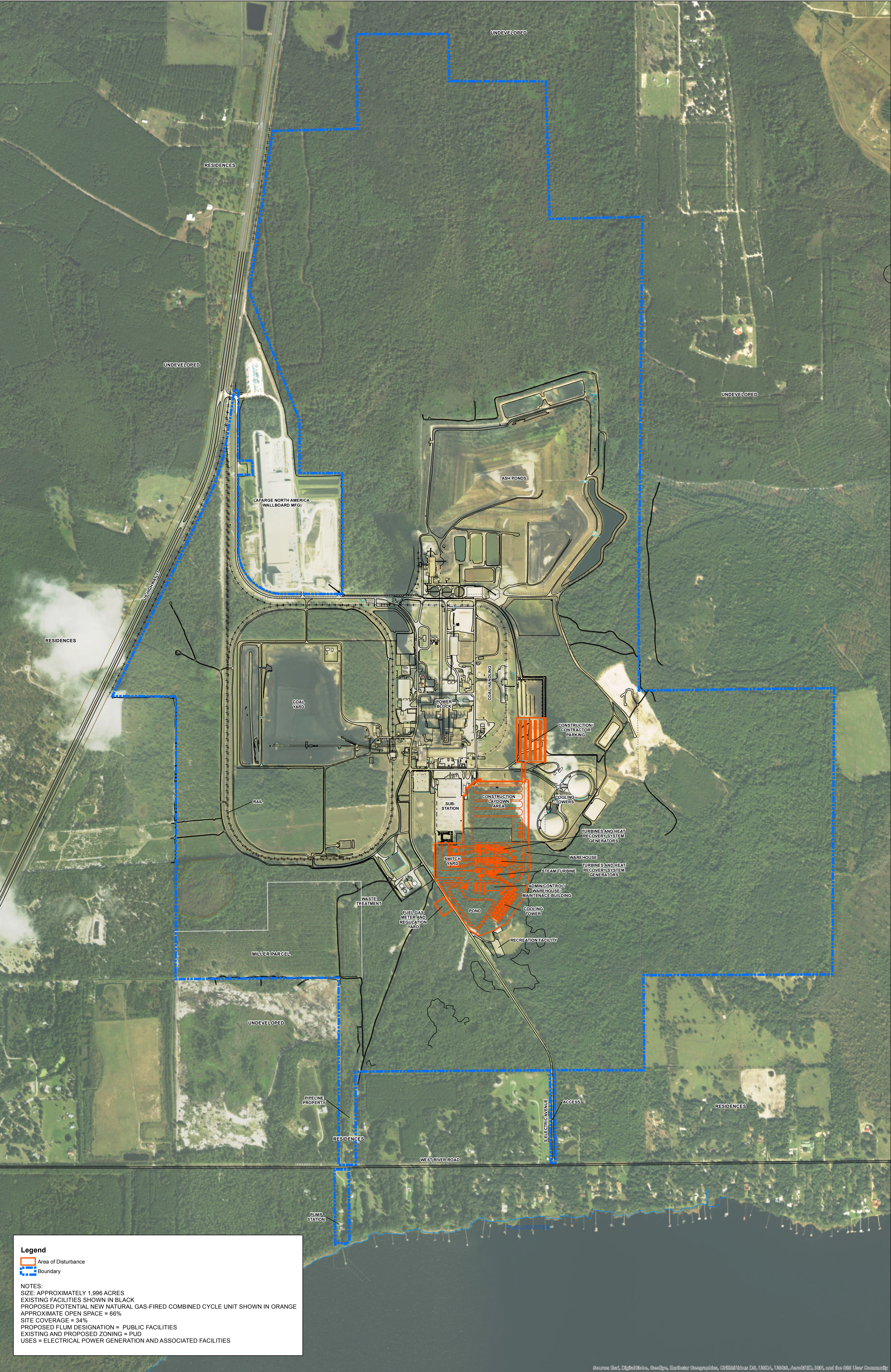


PARCEL MAP
SEMINOLE ELECTRIC COOPERATIVE
PUTNAM COUNTY, FLORIDA

Sources: Putnam County, 2015; FDOT Aerial Photograph, 2014; ECT, 2016.

ECT Environmental
Consulting &
Technology, Inc.

DEVELOPMENT AGREEMENT
EXHIBIT C
CONCEPT SITE PLAN



Sources: Black & Veatch, 2016; ECT, 2016

Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

SEMINOLE GENERATING STATION
890 NORTH HIGHWAY 17
PUTNAM COUNTY, FLORIDA

CONCEPT SITE PLAN
SGS PUD

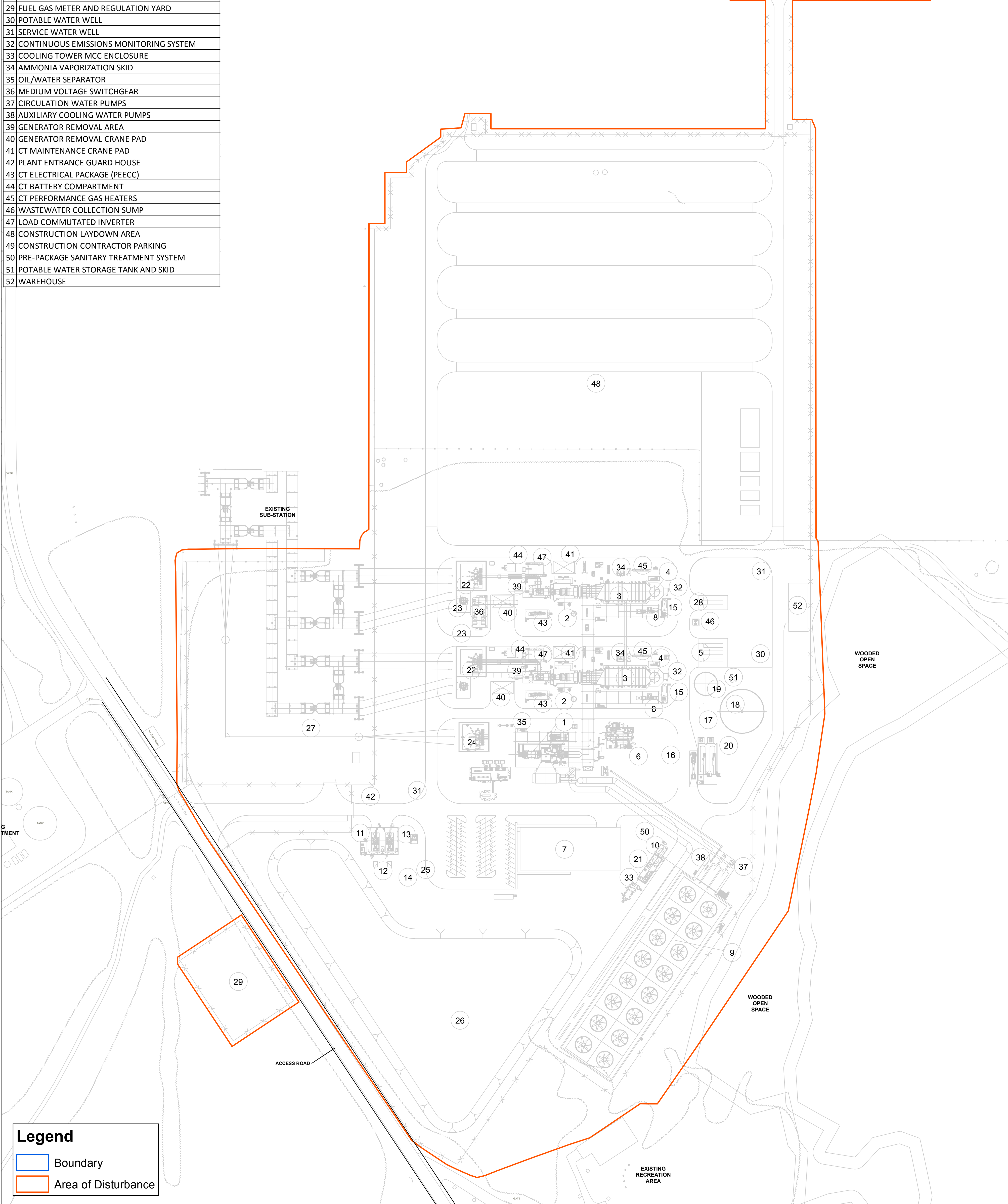


CONCEPT SITE PLAN

Drawn By:	JES	Revision:	0
Checked by:	DLS	Project No.:	150658-0500
Date:	10/13/2016	Scale:	1 inch = 600 feet

Sheet No.
1

THE CONCEPT SITE PLAN REFLECTS THE FOOTPRINT OF THE NEW UNIT AT ITS GREATEST EXTENT. THE FINAL GENERATION CAPACITY, SIZE, AND ORIENTATION OF STRUCTURES AND ACCESSORY USES WILL BE DETERMINED BY THE POWER PLANT SITING ACT.

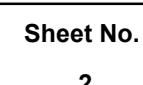


A horizontal scale bar with markings at 0, 50, 100, 200, 300, and 400 feet.

Sources: USDA FSA, 2015; Black & Veatch, 2016; ECT, 2016

CONCEPT SITE PLAN

Potential New Natural Gas-Fired Combined Cycle Unit



Date: 11/17/2016	Scale: 1 inch = 100 feet
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DEVELOPMENT AGREEMENT
EXHIBIT D
SUMMARY OF POWER PLANT SITING ACT
REVIEW PROCESS

SUMMARY OF POWER PLANT SITING ACT REVIEW PROCESS

1. Completeness (Section 403.5066, F.S.)

As a reviewing agency within the site certification process under the PPSA, within thirty (30) days after SECI distributes its application for site certification, the COUNTY shall file a statement with DEP with a recommendation as to completeness of the application. This statement may be used as a vehicle to identify information the COUNTY deems necessary for review of the application as to matters within the COUNTY's jurisdiction.

2. Preliminary Statement of Issues (Section 403.507(1), F.S.)

As a reviewing agency within the site certification process under the PPSA, the COUNTY may file a preliminary statement of issues within forty (40) days after SECI's application for site certification is deemed complete (by DEP). This statement may be used as a vehicle to identify particular matters the COUNTY requests to be taken in consideration during the site certification process.

3. Land Use Consistency (Sections 403.50665 and 403.508, F.S.)

Under the PPSA, within 45 days of SECI's filing of an application for site certification under the PPSA, the COUNTY must issue a determination as to the "consistency of the site, and any associated facilities that are not exempt from the requirements of land use plans and zoning ordinances under chapter 163 and 380.04(3), with existing land use plans and zoning ordinances that were in effect on the date the application was filed." If a substantially affected person disputes the COUNTY'S determination, a designated administrative law judge (ALJ), from the Florida Division of Administrative Hearings, shall conduct a land use hearing in the county of the proposed site within 30 days after receipt of a petition for a land use hearing. The sole issue for determination at the land use hearing shall be whether or not the proposed site or nonexempt

associated facility is consistent and in compliance with existing land use plans and zoning ordinances. If a hearing is held, the ALJ will submit a recommended order, specifically on the issue of land use, to the Siting Board. The Siting Board will enter a final order as to consistency with Putnam County's land use plans and zoning ordinances.

4. Report From County (Section 403.507(2)(a)3., F.S.)

Within one hundred (100) days of SECI's application for site certification being deemed complete (by DEP), the COUNTY shall, as the local government agency within whose jurisdiction the proposed electrical power plant lies, prepare a report as to the consistency of the proposed electrical power plant with all applicable local ordinances, regulations, standards, or criteria that apply to the proposed electrical power plant, including any applicable local environmental regulations. The COUNTY's agency report should include notice of any COUNTY nonprocedural requirements from which a variance or other relief is necessary in order for the electrical power plant to be certified, a recommendation for approval or denial of the application, and any proposed conditions of certification it deems necessary for the final certification of the project to assure compliance with the COUNTY's adopted ordinances and standards.

4. Certification Hearing (Sections 403.508(2)-(6), 403.509, F.S.)

A certification hearing will be held by the ALJ within two hundred and sixty-five (265) days of SECI filing the application for certification. The hearing will be held at a location in proximity to the site. All reviewing agencies, including the COUNTY, may participate in the hearing as parties to the site certification proceedings upon filing a notice of intent to be a party on or before the 90th day prior to the certification hearing. Additional parties may be allowed to intervene in the proceedings or provide oral or written comment to the Administrative Law Judge as allowed by the PPSA. After completion of the certification hearing, the administrative law judge must file a recommended order with the

Siting Board within forty-five (45) days after the filing of the hearing transcript. Each party may file a proposed recommended order for the ALJ's consideration prior to the ALJ issuing the recommended order to the Siting Board. If all parties stipulate that there are no disputed issues of fact or law to be raised at the certification hearing, the ALJ may cancel the certification hearing.

5. Certification (Sections 403.509 through 403.511, F.S.)

Within sixty (60) days after receipt of the designated ALJ's recommended order, the Siting Board will act upon the application by written order, approving certification of the existing site for the proposed electrical power plant or denying the issuance of a certificate, in accordance with the terms of the PPSA, and stating the reasons for issuance or denial. If the certification hearing is cancelled, within forty (40) days of cancellation, the DEP Secretary shall issue a written order on the application. A final order of certification under the PPSA constitutes the sole license of the state and any agency, including the COUNTY, as to the approval of the site and the construction and operation of the proposed electrical power plant, subject to any conditions of certification contained in the order and subject to any separate federally-required permits and other exceptions in section 403.511, F.S.

The Florida Electrical Power Plant Siting Act is set out in full at Chapter 403, Part II, Florida Statutes.