

## Interoffice Memorandum

**DATE:** March 6, 2025

**TO:** Mayor Jerry L. Demings and County Commissioners

**THROUGH:** N/A

**FROM:** Tanya Wilson, AICP, Director Planning, Environmental, and Development Services Department

**CONTACT:** Misty Mills, Senior Planner

**PHONE:** (407) 836-5435

**DIVISION:** Planning Division

**ACTION REQUESTED:**

Approval and execution of Fourth Amendment to Joint Planning Area Agreement between Orange County and the City of Ocoee. District 2. (Planning Division)

**PROJECT:** Fourth Amendment to the Joint Planning Area Agreement between Orange County and the City of Ocoee

**PURPOSE:** The City of Ocoee requests a Fourth Amendment to the Joint Planning Area Agreement (Agreement) between Orange County and the City of Ocoee, initially adopted December 3, 2019, and subsequently amended three times. Specifically, the request is to amend the Joint Planning Area Land Use Map.

The Joint Planning Area (JPA) Agreement, establishes the lands that are logical candidates for annexation, along with agreed upon procedures for annexation. Section 5. Joint Planning Area Land Use Map, references Exhibit "B" the Joint Planning Area Land Use Map which depicts allowable land use designations that are intended to apply to future property annexed into the City. Per the Agreement, any amendment to JPA Land Use Map must be approved at separate advertised public hearings by both the Ocoee City Commission and the Orange County Board of County Commissioners. The amendment to the agreement requires a recommendation from the Local Planning Agency (LPA) i.e. The Planning and Zoning Commission. The LPA considered the request February 20, 2025, and recommended approval.

The requested Land Use Map amendment is a proposal to change the future land use designation from Low Density Residential (LDR) to Commercial (C) on seven parcels, assigned Parcel ID numbers 07-22-28-0000-00-074, 07-22-28-0000-00-105, 07-22-28-

**BUDGET: N/A**

**FOURTH AMENDMENT TO JOINT PLANNING AREA AGREEMENT  
BETWEEN ORANGE COUNTY AND THE CITY OF OCOEE**

**THIS FOURTH AMENDMENT TO JOINT PLANNING AREA AGREEMENT** (the “**Fourth Amendment**”) is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by and between **ORANGE COUNTY, FLORIDA**, a political subdivision of the State of Florida (the “**County**”) and the **CITY OF OCOEE**, a Florida municipal corporation (the “**City**”).

**RECITALS**

**WHEREAS**, the County and the City have entered into that certain Joint Planning Area Agreement, dated December 3, 2019, as amended by that certain First Amendment and that certain Second Amendment to Joint Planning Area Agreement both dated on November 30, 2021, and that certain Third Amendment to the Joint Planning Area Agreement dated on September 27, 2022, (collectively, the “**Joint Planning Area Agreement**”); and

**WHEREAS**, the Joint Planning Area Agreement relates to property described therein which is located in and around the boundaries of the City (the “**Joint Planning Area**”); and

**WHEREAS**, the County and the City each exercise comprehensive planning authority pursuant to Chapter 163, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, and enforce land development regulations to regulate the development of land within the respective areas of jurisdiction of each party; and

**WHEREAS**, the County and the City have the authority to enter into this Fourth Amendment pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act in general and Section 163.3171, Florida Statutes, in particular; and

**WHEREAS**, the provisions of the Joint Planning Area Agreement set forth certain procedures for amending the future land use designations shown on the Joint Planning Area Land Use Map (the “**JPA Land Use Map**”); and

**WHEREAS**, The County and the City desire to change the future land use designation on certain properties that are subject to the Joint Planning Area Agreement; and

**WHEREAS**, the local planning agencies of both the City and the County have considered this Fourth Amendment and made recommendations to the Ocoee City Commission and the Orange County Board of County Commissioners, respectively;

**WHEREAS**, pursuant to Section 163.3171(3), Florida Statutes, and the Joint Planning Area Agreement, this Fourth Amendment has been approved at advertised public hearings by a majority vote of both the Ocoee City Commission and the Orange County Board of County Commissioners.

**NOW, THEREFORE,** in consideration of the covenants made by each party to the other and of the mutual advantages to be realized by the parties hereto, the receipt and sufficiency of which is hereby acknowledged, the City and the County hereby agree as follows:

**Section 1.     Recitals.**   The above Recitals are true and correct and are incorporated herein by reference.

**Section 2.     Authority.**   This Fourth Amendment is entered into pursuant to (1) Chapters 125, 163 and 166, Florida Statutes, (2) the general authority of Section 163.01, Florida Statutes, relating to interlocal agreements, (3) the Charters of the County and the City, and (4) the Joint Planning Area Agreement.

**Section 3.     Definitions.** All terms and phrases used in this Fourth Amendment shall be as defined in the Joint Planning Area Agreement unless otherwise indicated.

**Section 4.     Joint Planning Area Land Use Map.** The Joint Planning Area Land Use Map, as set forth in Exhibit "B" to the Joint Planning Area Agreement, is hereby amended and replaced with the **Exhibit "B"** attached hereto and by this reference made a part hereof. The amendment to the JPA Land Use Map changes the future land use designation from Low Density Residential to Commercial of the properties bearing Parcel ID numbers 07-22-28-0000-00-074, 07-22-28-0000-00-105, 07-22-28-0000-00-039, 07-22-28-0000-00-041, 07-22-28-0000-00-043, 07-22-28-0000-00-057, and 07-22-28-0000-00-060 and as further described in **Exhibit "A"** attached hereto and by this reference made a part hereof.

**Section 5.     Continuing Effect.** Except as expressly set forth herein, the Joint Planning Area Agreement remains unchanged and in full force and effect.

**IN WITNESS WHEREOF,** the City and the County have executed this Fourth Amendment on behalf of the City and the County, respectively, and have set their seals hereto as of the date set forth above.

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Signed, sealed and delivered in the Presence of:

By: Miranda Justice  
Print Name: Miranda Justice

By: Angel Torres  
Print Name: Angel Torres

CITY:

**CITY OF OCOEE, FLORIDA**

By: Rusty Johnson  
Rusty Johnson, Mayor

Attest: Melanie Sibbitt  
Melanie Sibbitt, City Clerk

(SEAL)

**FOR USE AND RELIANCE ONLY BY  
THE CITY OF OCOEE, FLORIDA.**

Approved as to form and legality  
this 4<sup>th</sup> day of February, 2025.

**APPROVED BY THE CITY OF OCOEE  
COMMISSION AT A MEETING HELD  
ON February 4, 2025 UNDER  
AGENDA ITEM NO. 10.**

**FISHBACK DOMINICK**

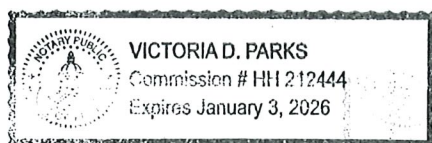
By: Richard Geller  
Richard Geller, City Attorney

**STATE OF FLORIDA  
COUNTY OF ORANGE**

I HEREBY CERTIFY that on this day, before me, by means of ☒ physical presence or ☐ online notarization, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared **RUSTY JOHNSON** and **MELANIE SIBBITT**, personally known to me to be the Mayor and City Clerk, respectively, of the **CITY OF OCOEE, FLORIDA**, and that they severally acknowledged executing the same in the presence of two subscribing witnesses, freely and voluntarily under authority duly vested in them by said municipality.

WITNESS my hand and official seal in the County and State last aforesaid this 4<sup>th</sup> day of February, 2025.

Victoria D. Parks  
Signature of Notary



Name of Notary (typed, printed or stamped)  
Commission Number (if not legible on seal): HH 212444  
Commission expires (if not legible on seal): Jan. 3, 2026

**ORANGE COUNTY, FLORIDA**

**By: Board of County Commissioners**

By: \_\_\_\_\_

JERRY L. DEMINGS

Orange County Mayor

Date: \_\_\_\_\_

ATTEST: Phil Diamond, County Comptroller  
As Clerk of the Board of County Commissioners

By: \_\_\_\_\_

Deputy Clerk

Date: \_\_\_\_\_

**EXHIBIT "A"**

**Parcel ID Numbers**

**07-22-28-0000-00-057 (6.09 ACRES)**

BEG SW COR NE1/4 OF SE1/4 N 349.5 FT E 663 FT S 353.9 FT W 663.8 FT TO POB & N 50 FT OF S 125 FT OF E1/2 OF NE1/4 OF SE1/4 OF SEC 07-22-28

**07-22-28-0000-00-041 (2.23 ACRES)**

BEG 574.86 FT S 1 DEG W FROM CENTER OF SEC RUN N 87 DEG E 219.78 FT N 1 DEG E 214.5 FT N 87 DEG E 239.66 FT TH S 1 DEG W 314.53 FT S 87 DEG W 458.80 FT N 100 FT TO POB (LESS W 30 FT RD R/W) IN SEC 07-22-28

**07-22-28-0000-00-039 (2.10 ACRES)**

BEG NW COR OF SE1/4 RUN S 8.71 CHS E 3.33 CHS N 3.35 CHS NWLY TO BEG & NE1/4 OF SW1/4 E OF RD SEC 07-22-28

**07-22-28-0000-00-043 (5.02 ACRES)**

FROM THE NW COR OF NW1/4 OF SE1/4 RUN S 1 DEG W 674.86 FT N 87 DEG E 0.98 FT FOR POB THN N 87 DEG E 458.80 FT N 1 DEG E 314.53 FT N 87 DEG E 283.06 FT S 1 DEG W 650.10 FT S 87 DEG W 221.90 FT N 1 DEG E 228.76 FT W 519.27 FT N 1 DEG E 104.17 FT TO POB (LESS W 30 FT RD R/W) IN SEC 07-22-28

**07-22-28-0000-00-105 (1.18 ACRES)**

(NOTE: AGRICULTURAL PORTION OF FOLLOWING DESCRIBED PROPERTY) FROM THE CENTER OF SEC RUN S 01 DEG W 779.03 FT TH N 88 DEG E 1.48 FT FOR POB TH N 88 DEG E 519.27 FT S 01 DEG W 228.76 FT S 87 DEG W 27 FT N 01 DEG W 3.91 FT S 88 DEG W 318.03 FT N 01 DEG E 125 FT S 88 DEG W 173.77 FT N 01 DEG E 100 FT TO POB IN SEC 07-22-28 (LESS RD R/W ON W)

**07-22-28-0000-00-060 (1.08 ACRES)**

BEG AT SE COR OF NE1/4 OF SE1/4 RUN W 656 FT N 75 FT E 656 FT S 75 FT TO POB (LESS E 30 FT FOR R/W) IN SEC 07-22-28

AND

**07-22-28-0000-00-074 (1.00 ACRE)**

(NOTE: HX PORTION OF FOLLOWING DESCRIBED PROPERTY) FROM THE CENTER OF SEC RUN S 01 DEG W 779.03 FT TH N 88 DEG E 1.48 FT FOR POB TH N 88 DEG E 519.27 FT S 01 DEG W 228.76 FT S 87 DEG W 27 FT N 01 DEG W 3.91 FT S 88 DEG W 318.03 FT N 01 DEG E 125 FT S 88 DEG W 173.77 FT N 01 DEG E 100 FT TO POB IN SEC 07-22-28 (LESS RD R/W ON W)



# **EXHIBIT "B"** **JPA Future Land Use Map**

