



Interoffice Memorandum

November 17, 2021

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

FROM: Jon V. Weiss, P.E., Director
Planning, Environmental and Development Services

CONTACT PERSON: **Misty Mills**
Assistant Project Manager
(407) 836-5570

SUBJECT: November 30, 2021 – Public Hearing
First Amendment to Joint Planning Area Interlocal Agreement
between Orange County and the City of Ocoee

The adopted Joint Planning Area Agreement (Agreement) between Orange County and the City of Ocoee establishes boundaries for the Joint Planning Area (JPA) and depicts allowable land use designations upon annexation into the City. Both the County and the City must approve changes to the JPA Joint Land Use Map. The current Agreement has existed since December 3, 2019, and has never been amended.

The proposed first amendment to the JPA Land Use Map changes the future land use designation from Low Density Residential to Industrial on the properties bearing the Parcel ID 07-22-28-0000-00-026, 07-22-28-0000-00-096, 07-22-28-0000-00-024, and 07-22-28-0000-00-066. These parcels are in the County. They may be annexed into the City at some future point, and staff would be supportive of the city changing the future land use as part of the annexation.

The City of Ocoee approved the First Amendment to the Joint Planning Area Agreement between Orange County and the City of Ocoee on October 19, 2021.

ACTION REQUESTED: Approval and execution of First Amendment to Joint Planning Area Agreement between Orange County and the City of Ocoee. District 2.

c: Joel Prinsell, Deputy County Attorney
Chris Testerman, Deputy County Administrator
Alberto A. Vargas, MArch., Manager, Planning Division
Gregory Golgowski, AICP, Chief Planner, Planning Division

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

THIS FIRST AMENDMENT TO JOINT PLANNING AREA AGREEMENT (the “**First Amendment**”) is made and entered into this ____ day of _____, 2021, 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 (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 First 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 County and the City have considered this First Amendment and made recommendations to the Orange County Board of County Commissioners and the Ocoee City Commission, respectively; and

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

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 County and the City hereby agree as follows:

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

Section 2. Authority. This First 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 First 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 Light Industrial of the properties bearing Parcel ID numbers 07-22-28-0000-00-026, 07-22-28-0000-00-096, 07-22-28-0000-00-024 and 07-22-28-0000-00-066, as further identified 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 County and the City have executed this First Amendment on behalf of the County and the City, respectively, and have set their seals hereto as of the date set forth above.

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: _____

WITNESSES:

[Signature]
Name: Ruthy Heard

[Signature]
Name: Amber Landry

CITY OF OCOEE, a Florida municipal corporation

[Signature]
By: RUSTY JOHNSON
Mayor
Date: October 19, 2021

[Signature]
Attest: Melanie Sibbitt
Melanie Sibbitt, City Clerk
Date: October 19, 2021

FOR USE AND RELIANCE ONLY BY
THE CITY OF OCOEE, FLORIDA;
APPROVED AS TO FORM AND
LEGALITY this 19th day of OCT.,
2021.

APPROVED BY THE OCOEE CITY
COMMISSION AT A MEETING HELD
ON October 19, 2021,
UNDER AGENDA ITEM NO. 5a.

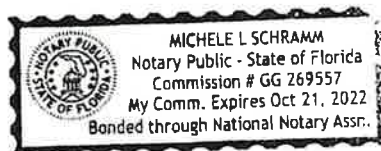
SHUFFIELD, LOWMAN & WILSON,
P.A.

By: [Signature]
City Attorney

STATE FLORIDA
COUNTY OF ORANGE

I HEREBY CERTIFY that on this day, before me, 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, a Florida municipal corporation, 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 19th day of October, 2021.
(seal)



[Signature]
Signature of Notary
Michele Schramm
Name of Notary (type, printed or stamped)
My Commission expires on: _____

(Parcel ID 07-22-28-0000-00-026)

Exhibit A: Parcel 072228000000026 Surrounding Future Land Use Map




OCOE
TAMAS

Support Services
Department

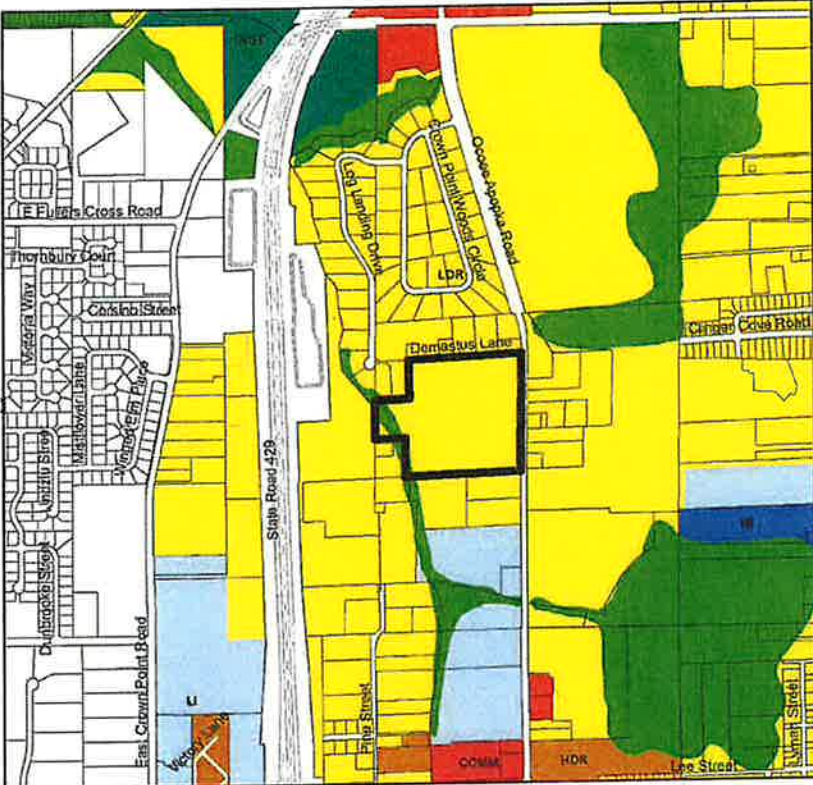
0 250 500 1,000
Feet

Created: August 2021

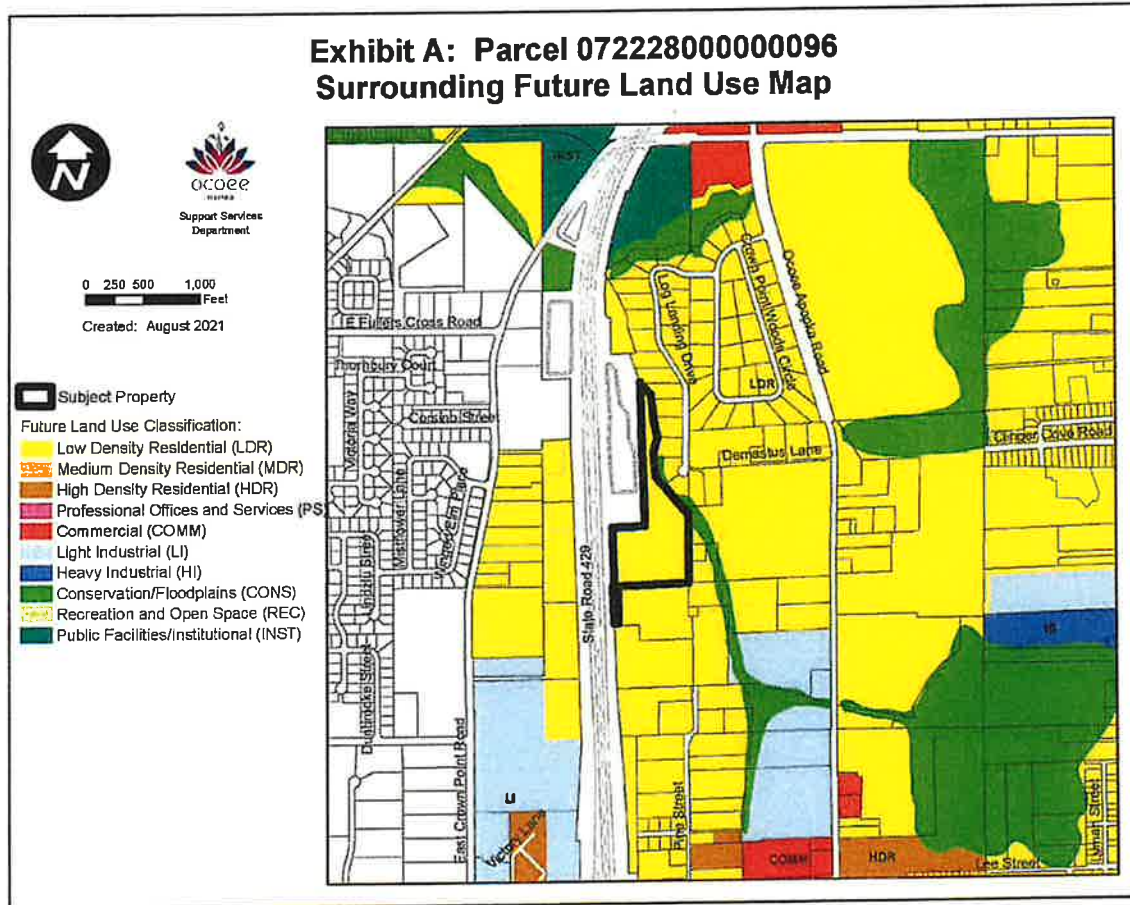
 Subject Property

Future Land Use Classification:

- Low Density Residential (LDR)
- Medium Density Residential (MDR)
- High Density Residential (HDR)
- Professional Offices and Services (PS)
- Commercial (COMM)
- Light Industrial (LI)
- Heavy Industrial (HI)
- Conservation/Floodplains (CONS)
- Recreation and Open Space (REC)
- Public Facilities/Institutional (INST)



(Parcel ID 07-22-28-0000-00-096)



(Parcel ID 07-22-28-0000-00-066)

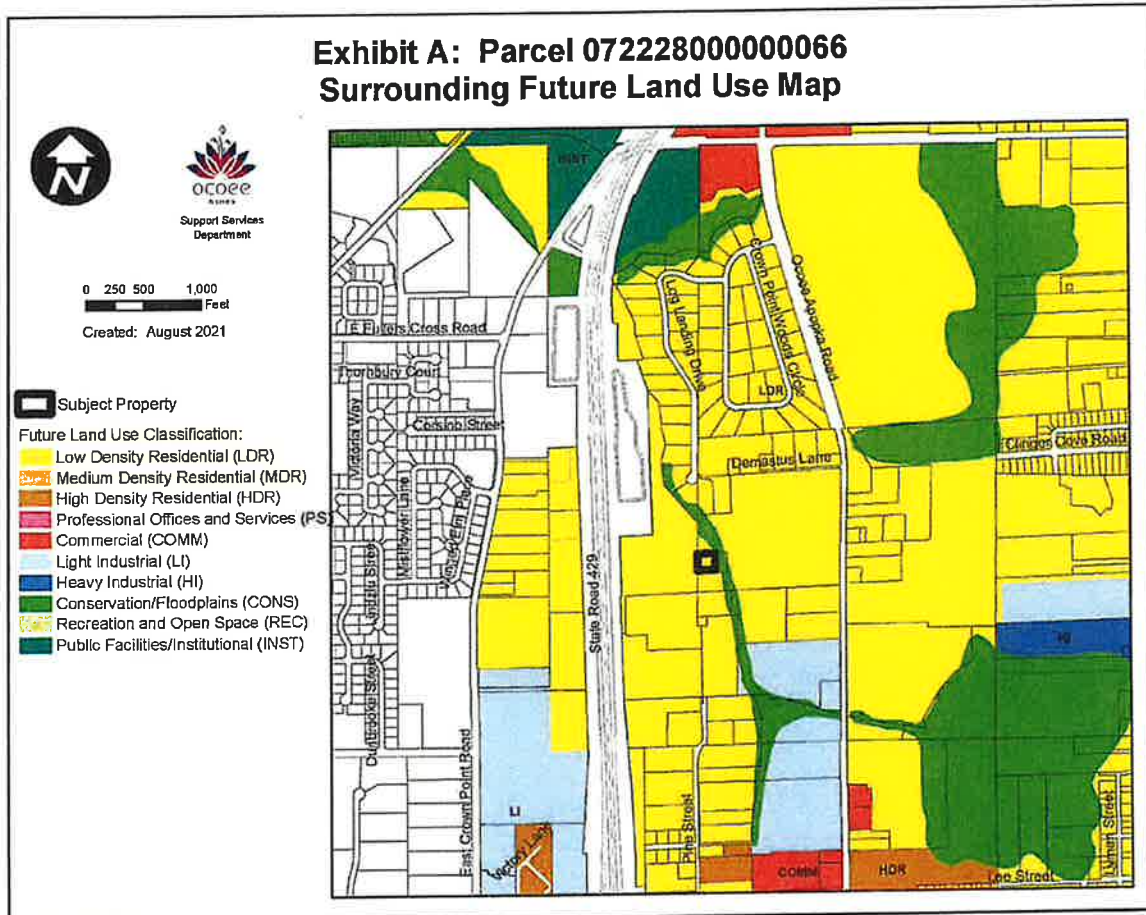


EXHIBIT "B"

