

BCC Mtg. Date: Nov. 30, 2021

**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 30th day of November, 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.

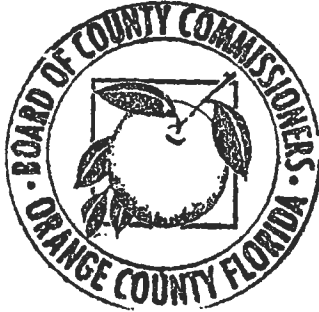
IN WITNESS WHEREOF, the County and the City have executed this First Amendment on behalf of the County and the City, respectively, and have set their seals hereto as of the date set forth above.

ORANGE COUNTY, FLORIDA

By: Board of County Commissioners

By: *Raymond B. Brown*  
for Jerry L. Demings  
Orange County Mayor

Date: November 30, 2021



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

By: *Katie Smith*  
Deputy Clerk  
Date: November 30, 2021

**WITNESSES:**

*Kathy Heard*  
Name: Kathy Heard

*Amber Landry*  
Name: Amber Landry

**FOR USE AND RELIANCE ONLY BY  
THE CITY OF OCOEE, FLORIDA;  
APPROVED AS TO FORM AND  
LEGALITY this 19<sup>th</sup> day of Oct,  
2021.**

**SHUFFIELD, LOWMAN & WILSON,  
P.A.**

By: *[Signature]*  
City Attorney

**STATE FLORIDA  
COUNTY OF ORANGE**

**CITY OF OCOEE, a Florida municipal  
corporation**

By: *[Signature]*  
RUSTY JOHNSON  
Mayor

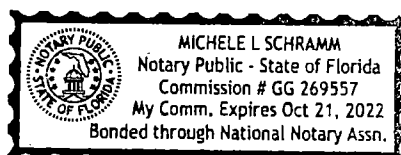
Date: October 19, 2021

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

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

**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.

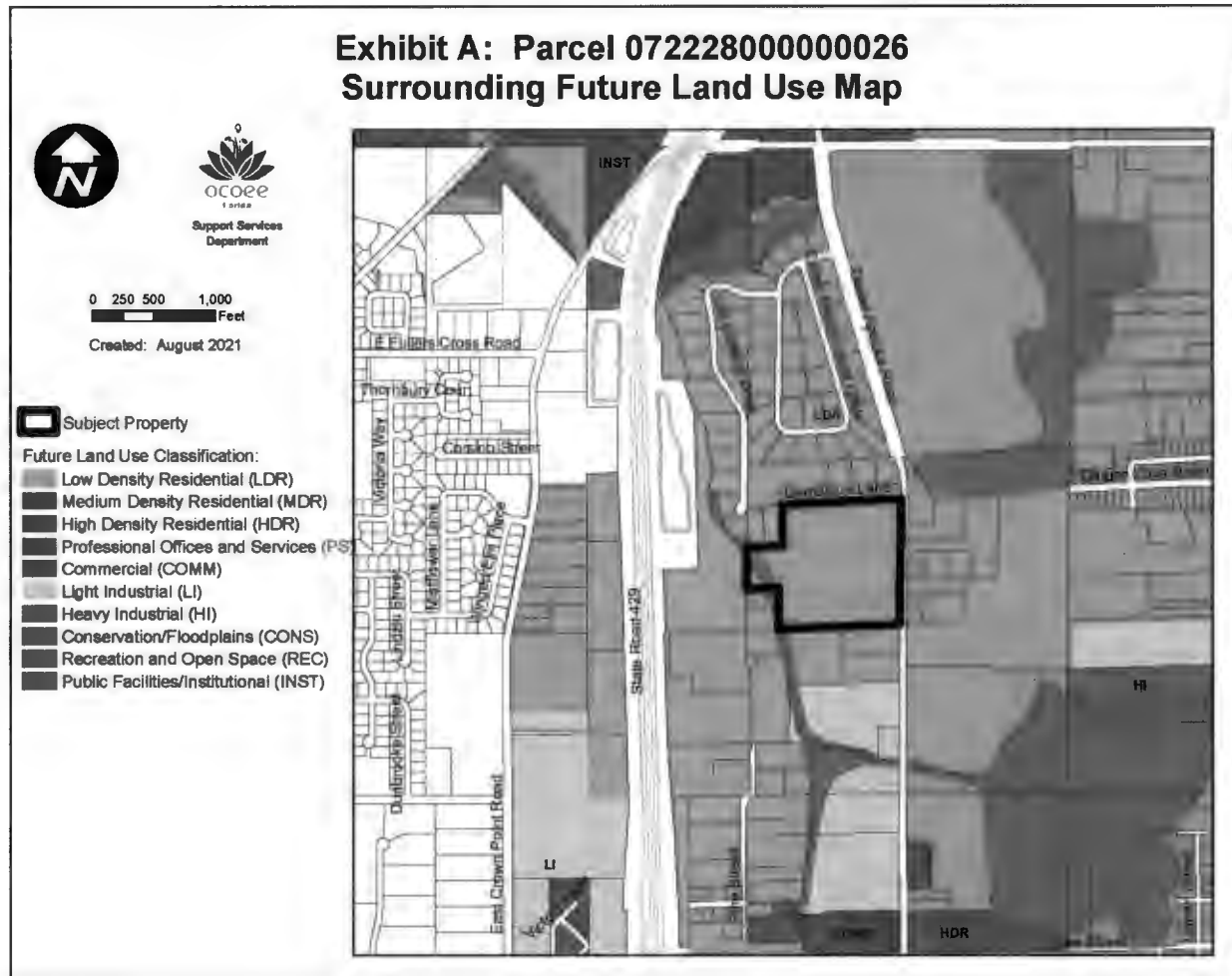
**WITNESS** my hand and official seal in the County and State last aforesaid this 19<sup>th</sup> day of October, 2021.  
(seal)



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

## EXHIBIT "A"

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



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

**City of Ocoee**  
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 (P5)
- Commercial (COMM)
- Light Industrial (LI)
- Heavy Industrial (HI)
- Conservation/Floodplains (CONS)
- Recreation and Open Space (REC)
- Public Facilities/Institutional (INST)



The map shows the subject property (highlighted in black) located near State Road 429 and the intersection of E. Evers Cross Road. The surrounding area is classified as Medium Density Residential (MDR) and High Density Residential (HDR). The map also shows the location of the subject property relative to the city limits and the surrounding land use classification.

(Parcel ID 07-22-28-0000-00-024)



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


### Exhibit A: Parcel 072228000000066 Surrounding Future Land Use Map











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)





## EXHIBIT "B"

### (JPA Future Land Use Map)

