

BCC Mtg. Date: September 27, 2022

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

**THIS THIRD AMENDMENT TO JOINT PLANNING AREA AGREEMENT** (the “**Third Amendment**”) is made and entered into this 27th day of September, 2022, 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, (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 Third 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 Third 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 Third 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 Third 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 Third 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 High Density Residential of the property bearing Parcel ID number 05-22-28-0000-00-029 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.

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IN WITNESS WHEREOF, the County and the City have executed this Third 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*  
for JERRY L. DEMINGS  
Orange County Mayor

Date: January 19, 2023

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

By: *Katie Smith*  
Deputy Clerk  
Date: January 19, 2023

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**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 16<sup>th</sup> day of AUG.,  
2022.**

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

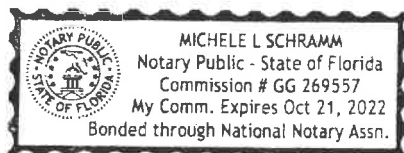
By: [Signature]  
City Attorney

**STATE FLORIDA  
COUNTY OF ORANGE**

**I HEREBY CERTIFY** that on this day, before me, 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 16<sup>th</sup> day of August, 2022.

(seal)



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

By: [Signature]  
RUSTY JOHNSON  
Mayor

Date: August 16, 2022

Attest: [Signature]  
Melanie Sibbitt, City Clerk  
Date: August 16, 2022

**APPROVED BY THE OCOEE CITY  
COMMISSION AT A MEETING HELD  
ON August 16, 2022,  
UNDER AGENDA ITEM NO. 17.**

[Signature]  
Signature of Notary

Name of Notary (type, printed or stamped)

My Commission expires on: \_\_\_\_\_

**EXHIBIT "A"**

**Parcel ID 05-22-28-0000-00-029**

BEGINNING AT A POINT 30 FEET NORTH OF THE SOUTHWEST CORNER OF THE WEST ONE HALF OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 5, TOWNSHIP 22 SOUTH, RANGE 28 EAST, PROCEED NORTH 89°16'00" EAST 400 FEET, THENCE NORTH 550 FEET, THENCE WESTERLY 400 FEET, THENCE SOUTHERLY 558 FEET ALONG THE WEST LINE TO THE POINT OF BEGINNING, AND LYING AND BEING IN ORANGE COUNTY, FLORIDA.

## JPA Future Land Use Map

