



Interoffice Memorandum

September 29, 2021

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

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

CONTACT PERSON: **Gregory Golgowski, AICP**
Chief Planner
(407) 836-5624

SUBJECT: October 12, 2021 – Public Hearing
First Amendment to Joint Planning Area Interlocal Agreement
between Orange County and the City of Mount Dora

The adopted Joint Planning Area Interlocal Agreement between Orange County and the City of Mount Dora, (Agreement) establishes boundaries for the Joint Planning Area (JPA), depicts allowable land use designations, and requires all development in the JPA comply with certain design standards of the City. Both the County and the City must approve changes to the JPA Joint Land Use Map and text revisions. The current Agreement has existed since November 12, 1996, and has never been amended.

The First Amendment to the Agreement will amend the text and revise the Conceptual Map in order to accommodate the concurrent Future Land Use Map (FLUM) amendment #2021-1-A-2-1, if the FLUM amendment is adopted by the Board. The Conceptual Map update will replace the previously-permitted Office designation with Low-Medium Density Residential designation, allowing up to five dwelling units per acre.

The City of Mount Dora approved the First Amendment to the Joint Planning Area Interlocal Agreement between Orange County and the City of Mount Dora on September 7, 2021.

ACTION REQUESTED: Approval and execution of First Amendment to Joint Planning Area Interlocal Agreement between Orange County and the City of Mount Dora. 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 INTERLOCAL AGREEMENT
BETWEEN
ORANGE COUNTY
AND
THE CITY OF MOUNT DORA**

THIS FIRST AMENDMENT TO THE JOINT PLANNING AREA INTERLOCAL AGREEMENT (“First Amendment”) is made and entered into between **ORANGE COUNTY, FLORIDA**, a Charter County and political subdivision of the State of Florida, (the “County”), and the **CITY OF MOUNT DORA, FLORIDA**, a Florida municipal corporation (the “City”).

RECITALS

WHEREAS, the County and the City entered into a certain Joint Planning Area Interlocal Agreement (“Agreement”) on November 19, 1996, with the purpose of engaging in coordinated planning of an approximately 1,265-acre area located in Orange County and adjacent to the City’s municipal boundaries;

WHEREAS, The Parks of Mt. Dora, LLC (“Parks of Mt. Dora”), has applied to Orange County for a future land use map amendment for an approximately 63-acre parcel of property within Orange County, described as Parcel Identification Number 04-20-27-0000-00-001 (“Property”), from Growth Center-Planned Development-Office/Low-Medium Density Residential (GC-PD-O/LMDR) to Growth Center-Planned Development-Low-Medium Density Residential (GC-PD/LMDR) (Orange County Future Land Use Map Amendment Number 2021-1-A-2-1);

WHEREAS, the Parks of Mt. Dora’s requested future land use map amendment necessitates that the County and the City amend the existing Joint Planning Area Conceptual Map (“JPACM”) to change the designation on the JPACM for the Property from Office and Low-Medium Density to Low-Medium Density Residential;

First Amendment to the Joint Planning Area Interlocal Agreement between Orange County and the City of Mount Dora

WHEREAS, if the future land use map amendment is adopted by the County, the Parks of Mt. Dora intends to seek to rezone the Property to construct up to 188 single family detached dwelling units on the Property, consistent with the Low-Medium Density Residential designation;

WHEREAS, the adoption of the Parks at Mt. Dora's pending future land use map amendment application before the County is contingent upon the County and the City entering into this First Amendment; and

WHEREAS, pursuant to Section 163.3171(3), Florida Statutes (2021), this First Amendment has been approved by the Mount Dora City Council and the Orange County Board of County Commissioners at separate advertised public hearings.

NOW THEREFORE, in consideration of the premises and the mutual covenants contained herein, 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 (2021), and (2) the Agreement.

Section 3. Amendment of JPACM. The Agreement is hereby amended to delete the **Exhibit "A,"** JPACM, in its entirety and replace the same with **Exhibit "A,"** the revised JPACM, attached hereto. The sole purpose for substituting the new Exhibit "A" with a revised JPACM is to change the designation for the Property from Low-Medium Density and Office to Low-Medium Density Residential. Accordingly, **Exhibit "A"** attached hereto shall supersede the JPACM, attached to the Agreement.

First Amendment to the Joint Planning Area Interlocal Agreement between Orange County and the City of Mount Dora

Section 4. No Third Party Beneficiaries. Nothing in this First Amendment, expressed or implied, is intended or shall be construed to confer upon or give any person or entity, including The Parks of Mt. Dora, or neighboring property owners, any right, remedy, or claim under or by reason of this First Amendment or any provisions or conditions hereof, other than the parties hereto.

Section 5. Remaining Provisions Unchanged. Except as expressly set forth herein, all other provisions of the Agreement shall remain unchanged and in full force and effect.

Section 6. Effective Date. This First Amendment shall become effective upon the date of approval by the Board of County Commissioners or the date of approval by the City Council, whichever date is later.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

First Amendment to the Joint Planning Area Interlocal Agreement between Orange County and the City of Mount Dora

IN WITNESS WHEREOF, the County and the City have approved and executed this First Amendment on the dates inscribed below.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor

Date: _____, 2021

ATTEST: Phil Diamond, CPA, County
Comptroller as Clerk of Board of County
Commissioners

By: _____
Deputy Clerk

First Amendment to the Joint Planning Area Interlocal Agreement between Orange County and the City of Mount Dora

CITY OF MOUNT DORA, a Florida
Municipal Corporation

By: 
Cathy T. Hoechst
Mayor of the City of Mount Dora, Florida

Date: September 7, 2021

ATTEST:


Jessica Burnham
City Clerk

For the use and reliance of City of Mount Dora only.
Approved as to form and legal sufficiency.

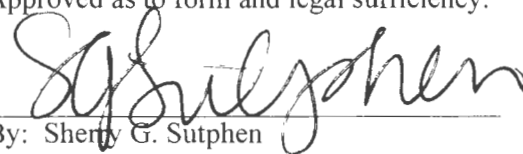

By: Sherry G. Sutphen
City Attorney

EXHIBIT "A"

