

**CITY OF OCOEE  
COMPREHENSIVE PLAN**

**INTERGOVERNMENTAL COORDINATION ELEMENT  
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## **I. INTRODUCTION**

In 1975, the Florida Legislature enacted the Local Government Comprehensive Planning Act (Chapter 163, Part II, Florida Statutes). This law required all units of local government to prepare a comprehensive plan by 1980. Pursuant to this mandate, the City of Ocoee adopted a plan for the incorporated area of the City.

The 1985 Local Government Comprehensive Planning and Land Development Regulation Act substantially amended the requirements for preparation of local government comprehensive plans. This law, commonly referred to as the Growth Management Act, requires that all Plans meet certain minimum criteria and that a Capital Improvement Element be prepared to determine the costs and revenues associated with implementing the Plan.

The Comprehensive Plan for the City of Ocoee includes eight parts called Elements. These Elements are as follows.

1. Future Land Use
2. Transportation
3. Housing
4. Infrastructure
5. Conservation
6. Recreation and Open Space
7. Intergovernmental Coordination
8. Capital Improvements

The Intergovernmental Coordination Element is structured according to the following format: 1) Inventory, 2) Analysis, and 3) Goals, Objectives, and Policies. The inventory data is presented in a generalized fashion, highlighting current intergovernmental coordination activities of Ocoee, including the mechanisms utilized and the responsible municipal official. Analyses are performed on a more specific basis, by Comprehensive Plan element. Finally, specific means of implementing intergovernmental coordination needs are presented in the goals, objectives, and policies section.

The City of Ocoee wants to take the initiative in intergovernmental coordination of such major issues as annexation, water conservation, housing, solid waste management and land use compatibility with neighboring cities and the unincorporated County neighborhoods.

The purpose of the Intergovernmental Coordination Element is to identify and resolve incompatible goals, objectives, and policies and development proposed in local government comprehensive plans and to determine and respond to the needs for coordination processes and procedures with adjacent local governments, and regional and state agencies.

## **II. INVENTORY**

### **A. Identification of Coordinating Entities**

Pursuant to Chapter 9J-5.015, Florida Administrative Codes (FAC), the following organizations, utilities, and governmental entities have been identified as being involved in the planning and coordinating aspect of the City of Ocoee's Comprehensive Plan.

#### **Adjacent Municipalities**

- ❖ City of Apopka
- ❖ Town of Windermere
- ❖ City of Winter Garden
- ❖ City of Orlando

#### **Orange County**

- ❖ Orange County Board of County Commissioners
- ❖ Orange County School Board

#### **Regional Authorities**

- ❖ East Central Florida Regional Planning Council
- ❖ St. Johns River Water Management District
- ❖ Orlando Urban Area Metropolitan Planning Organization (OUA/MPO)

#### **State Agencies**

- ❖ Department of Transportation (DOT)
- ❖ Department of Environmental Protection (DEP)
- ❖ Department of Natural Resources (DNR)
- ❖ Department of Community Affairs (DCA)
- ❖ Department of Education
- ❖ Department of Health and Rehabilitative Services (HRS)
- ❖ Department of Commerce
- ❖ Executive Office of the Governor (EOG)
- ❖ Division of Historical Resources

**Federal Agencies**

- ❖ Department of Justice
- ❖ Department of Transportation
- ❖ Environmental Protection Agency
- ❖ Department of Commerce
- ❖ Department of the Interior
- ❖ Department of Defense
- ❖ Department of Health and Human Services
- ❖ Department of Housing and Urban Development
- ❖ Department of Education
- ❖ Federal Emergency Management Agency

**Public/Private Utilities**

- ❖ Florida Power Corporation
- ❖ Southern Bell
- ❖ United Telephone
- ❖ Cablevision of Central Florida
- ❖ Telesat Cablevision

**B. Existing Coordination Mechanisms**

Pursuant to Chapter 9J-5.015 (1)(a), a brief description of existing coordination mechanisms, where applicable, and the nature of the relationship (regulatory, advisory, etc.) is provided in the following text. The City of Ocoee has a number of existing contracts and formal agreements with various entities for the provision of services. These agreements are as follows.

**Orange County**

- ❖ Joint planning area agreement
- ❖ Agreement to provide sewer service to adjacent areas outside the City
- ❖ Cooperative Right-of-Way agreements
- ❖ Technical assistance agreement with the Orange County Planning Department
- ❖ Water Service Territorial Agreement for Lake Whitney Development
- ❖ Interlocal with Apopka - Fire and Rescue Mutual Aid
- ❖ Mutual Aid Agreement with Osceola Sheriff's Department

**Town of Windermere**

- ❖ City of Ocoee will provide maintenance services for the Town's vehicles
- ❖ City of Ocoee provides fire protection to the Town

**City of Winter Garden**

- ❖ Mutual aid agreement that secures mutual aid in law enforcement and provides that each party will assist each other in law enforcement emergencies by providing personnel and equipment as specified in the contract.

**Public/Private Utilities**

- ❖ Maintenance agreement with the Florida Department of Transportation to maintain state roads
- ❖ Ordinance number 786 grants a cable franchise to Cablevision of Central Florida
- ❖ Ordinance number 88-41 grants a cable franchise to Telesat Cablevision
- ❖ Ordinance number 511 grants an electric franchise to Florida Power Corporation
- ❖ Ordinance number 490 grants a gas franchise to the Lake Apopka Natural Gas District

**C. Coordination with Local Governments****Orange County School Board**

The School Board coordinates with the City of Ocoee and other municipalities in regard to bond issues related to the acquisition and construction of facilities. In matters of safety and discipline, the School Board cooperates with the City of Ocoee Police Department.

**Orange County Sheriff's Office**

The City has a mutual aid agreement with the Sheriff's Department where both parties provide personnel and equipment upon request by either party.

## **D. Coordination with Regional Entities**

### **East Central Florida Regional Planning Council**

The East Central Florida Regional Planning Council (ECFRPC) was organized pursuant to Chapter 186.504 and 186.505, Florida Statutes (FS) as defined in Chapters 29, 163, and 38, FS. ECFRPC is organized for the purpose of providing a means wherein local governments in East Central Florida, through its membership, can cooperatively plan for the future of the region. The region includes all of Brevard, Lake, Orange, Osceola, Seminole and Volusia Counties.

The Council exercises the powers, duties, functions, and responsibilities for conducting planning and coordinating review and assistance activities and functions enumerated by the legislature. As a state designated clearinghouse review agency, the ECFRPC is responsible for review of all state and federal grant applications, dredge and fill permit applications and Developments of Regional Impact (DRIs), as well as the responsibility to ensure that the City's Comprehensive Plan is consistent with the Comprehensive Regional Policy Plan.

The Council also provides a forum for informal mediation to resolve conflicts or inconsistencies arising from development of growth among the cities and counties in the region. The office of the City Manager and the City of Ocoee City Commission are the offices with primary responsibility.

### **St. Johns River and South Florida Water Management Districts**

There are five water management districts in Florida. The districts were created by the Water Resources Act of 1972 (Chapter 373, FS). The City of Ocoee is located within the St. Johns River Water Management District (SJRWMD) and the South Florida Water Management District (SFWMD). The purpose of the water management districts is to purchase and manage lands; engage in technical investigation; develop water resource plans; regulate surface water management facilities and consumptive use of water, artificial aquifer recharge and well construction; and engage in aquatic weed control. The SJRWMD provides technical support and data to the City. The City Manager's Office is primarily responsible for coordinating with SJRWMD.

### **Orlando Urban Area Metropolitan Planning Organization**

The City of Ocoee is a member of Orlando MetroPlan, the Orlando Urban Area Metropolitan Planning Organization (MPO) for the Central Florida region. MPOs are federally mandated to coordinate regional transportation planning. Orlando MetroPlan's Board is comprised of representatives from agencies throughout Orange, Osceola, and Seminole Counties. These agencies include local governments and airports, Orlando-Orange County Expressway Authority, Central Florida Regional Transportation Authority, and the Greater Orlando Aviation Authority. The MPO committees include the Transportation Technical Committee, Citizens Advisory Committee, Bicycle/Pedestrian Advisory Committee, Municipal Advisory Committee, and the Transportation Disadvantaged Local Coordinating Board.

The MPO is responsible for the implementation of the local transportation planning process by setting transportation goals, objectives, and policies for the area. The MPO is also responsible for review and approval of all plans, reports and documents developed in the transportation planning process. The Transportation Department of the ECFRPC has been designated to serve as staff to the MPO. In this capacity, the Council planners collect and analyze data, prepare plans and reports, and provide other services.

## **E. Coordination with State Agencies**

State and federal agencies have regulatory and review powers over various types of development within the municipal boundaries of the City.

### **Florida Department of Transportation**

The Florida Department of Transportation (FDOT) was created by the Governmental Reorganization Act of 1969. It operates under the authority of Chapters 334-339 and 341, FS. FDOT is responsible for coordinating the planning of all modes of transportation on land, sea, and air and for constructing and maintaining the state highway system. The State Transportation Engineer coordinates project development in the seven districts throughout Florida. The District Engineers manage and administer the Department's work program and systems maintenance.

Urban transportation system plans are developed jointly by FDOT and the MPO. Technical and administrative dealings among these legally designated planning agencies are established to conform with federal regulations and have been formalized through interlocal transportation planning agreements.

### **Florida Department of Environmental Protection**

The Florida Department of Environmental Protection (DEP) was created in 1975 under Chapter 75-22, Laws of Florida. DEP is the principal agency for the implementation of state environmental policies and laws. The Department establishes standards for the protection of natural systems through the permitting process of activities that may impact the environment, including permitting and monitoring potential sources of pollution and discharges for compliance with state standards. In the event of non-compliance or violation, the DEP has the authority to take enforcement action.

The DEP manages eight environmental regulatory programs: Water Quality, Water Quantity, Potable Water, Solid Waste, Air Quality, Noise Control, Coastal Zone Management, and Power Plant Sitings. DEP programs are administered mainly through field offices located throughout the state. However, the Water Quantity Program is managed through the five regional Water Management Districts.

The functions of the DEP and its districts are coordinated through using joint application procedures. DEP permitting programs require coordination with the Florida Department of Natural Resources and the U.S. Army Corps of Engineers. In administering the Water

Quality Program, DEP assists local governments in obtaining grants for sewage treatment facilities and loans for other pollution control projects.

### **Florida Department of Natural Resources**

The Florida Department of Natural Resources (DNR) was created by the Governmental Reorganization Act of 1969 pursuant to Section 20.25, FS. DNR carries out the following responsibilities: preserve, manage, protect, and regulate the use of coastal and marine resources and provide basic scientific data for sound management policies; perform law enforcement functions relating to fishermen and vessels, seafood purveyors, motor boats, pollution spills, and smuggling contraband; perform functions pertaining to navigation districts and waterway development, aquatic plant control, geology, preservation, protection, and management of lands owned and held by the state, and determination of coastal and inland sovereign boundaries; and develop and implement a comprehensive, multi-purpose outdoor recreation and conservation program for the State.

At the local level, the DNR supervise several river and coastal authorities, and navigation districts. The Department also provides financial and technical assistance to local governments for enhancement of recreational programs and facilities, and participates in local shoreline restoration and protection projects.

### **Florida Department of Community Affairs**

The Florida Department of Community Affairs (DCA) was created by the Governmental Reorganization Act of 1969, pursuant to Section 20.18, FS. The DCA serves as the state land planning agency and the state agency for advising the Governor on policies and programs for improving the criminal justice system in the State. As the state land planning agency, the DCA reviews comprehensive plans for the State's 11 regional planning councils. In addition, DCA reviews and approves local government comprehensive plans and amendments.

In the area of criminal justice planning, DCA provides technical assistance to local governments, state agencies, and public and private agencies. DCA also reviews local applications for federal criminal justice grants and administers awarded funds. The DCA is also responsible for assisting local communities and other units of local government in defining and responding to problems in the area of housing, community development and building codes and standards.

DCA coordinates and supervises the review of Developments of Regional Impact and applications for development through the Division of Resource Planning and Management. This division also reviews Local Government Comprehensive Plans for consistency with the regional plans and the State Plan. DCA is also responsible for determining the consistency of local emergency management plans with regional plans through the Division of Emergency Management.

### **Florida Department of Education**

The Florida Department of Education was created in 1885 and was established in its present form in 1969 under Article IX, Section 2 of the Constitution of the State of Florida and Section 20.15, FS. The Department develops comprehensive objectives for public education, policies for the efficient operation of all phases of public education, and all required rules and regulations for the enforcement of school codes.

The State Board of Education consists of the Governor and Cabinet, with an elected Commissioner of Education who serves as the chief executive officer of the Department. Four divisions and four boards oversee the operation of public and private educational institutions from the primary grades through the university system including the Florida School for the Deaf and Blind.

The Department coordinates with all levels of government in carrying out each phase of the educational program and exercises general supervision over all divisions and boards to ensure coordination of educational plans and programs, and to resolve controversies. The Office of the City Manager is primarily responsible for coordination with the Florida Department of Education.

### **Florida Department of Health and Rehabilitative Services**

The Florida Department of Health and Rehabilitative Services (HRS) was created by the Governmental Reorganization Act of 1969, pursuant to Section 20.19, FS. The Department administers programs in the areas of health, mental health, retardation, youth services, children's medical services, social and economic services, vocational rehabilitation, and aging and adult services.

All of the Department's health, social and rehabilitative services are provided through 11 statewide service districts. Departmental services are coordinated with those of other public and private agencies in each district through advisory councils. The Department also contains the state health planning and development agency which is charged with the planning of Florida's Health System Agencies and establishing state health policy. The Office of the City Manager is primarily responsible for coordination with the Florida Department of Health and Rehabilitative Services.

### **Florida Department of Commerce**

The Florida Department of Commerce was created by the Government Reorganization Act of 1969, pursuant to Section 20.17, FS. The Department of Commerce is responsible for the guidance, stimulation, and promotion of economic development within the state, as it relates to industry, marketing and international development. The Department also provides state leadership in the development and promotion of the tourist industry.

Through its five field offices the Department assists regional and local governments in economic planning activities and in applying for funds in support of economic development programs. The Department also serves as liaison between the State and

Florida businesses, and between the State and the Caribbean, South and Central American concerns. The Division of Tourism coordinates national and international ad campaigns, and assists municipalities, chambers of commerce and other tourist oriented entities in formulating cooperative promotional programs. The Office of the City Manager is primarily responsible for coordination with the Florida Department of Commerce.

### **Executive Office of the Governor**

The Executive Office of the Governor (EOG) was created in 1972 under Section 14.201 FS. The functions of the EOG apply mainly to preparation of the annual executive budget and legislative agenda of the Governor, and review of state agency plans and programs. Another major responsibility is the preparation, development and revision of the State Comprehensive Plan.

The EOG also gathers data on the state energy resources and administers the State's role in petroleum allocation and conservation. The EOG is directed by an administrative commission composed of the Governor and Cabinet. The Office coordinates planning among federal, state, regional, and local levels of government and those of other states. The Office also coordinates all state agency planning and programming activities, serves as the state planning and development clearinghouse, and designates regional and area clearinghouse review agencies. The EOG also serves as liaison between the state and federal officials, agencies, and members of Congress. The Office of the City Manager is primarily responsible for coordination with the Executive Office of the Governor.

### **Division of Historical Resources**

In order to allow historical renovation, the standards as set by this state agency will be followed.

## **F. Coordination with Federal Agencies**

### **U.S. Department of Justice**

The U.S. Department of Justice (DOJ) was established in 1870 under 16 Statute 162; 28, United States Constitution (U.S.C.) 501, 503. The DOJ plays a key role in the protection of the public from criminals and subversion, in providing and ensuring the healthy competition of business, in safeguarding the consumer, and in enforcing drug, immigration, and naturalization laws. The Department also protects citizens through its efforts for effective law enforcement, crime prevention, crime detection, and prosecution and rehabilitation of offenders. DOJ also represents the government on legal matters.

The Department is comprised of a number of agencies that provide financial and technical assistance to state and local governments for improvement of correctional systems, drug control capabilities, and general law enforcement and criminal justice. Forms of technical assistance range from training of personnel to developing data base and communication systems. The Office of the City Manager is primarily responsible for coordinating with the U.S. Department of Justice.

### **U.S. Department of Transportation**

The U.S. Department of Transportation (USDOT) was established in 1966 under 80 Statute 391; 49 U.S.C. 1651. USDOT establishes the nation's overall transportation policy in regards to highway planning, development, construction, urban mass transit, railroads, aviation, and the safety of airports, ports, and waterways, highways, and oil and gas pipelines.

The Department consists of several administrations, a number of which provide financial assistance to state, regional, and/or local agencies for various transportation projects and programs, such as funding to the states for highway improvement, traffic operations and highway safety programs. Financial assistance is also provided for capital and operating expenses, technical studies, managerial training, research and development projects and demonstration projects. The Office of the City Manager is primarily responsible for coordinating with the U.S. Department of Transportation.

### **U.S. Environmental Protection Agency**

The Environmental Protection Agency (EPA) was established in 1970 pursuant to Reorganization Plan Number 3 of 1970. The purpose of the EPA is to protect and enhance the environment through control and abatement of pollution in the areas of water, air, solid waste, noise, radiation and toxic substances. The Agency integrates a variety of research, monitoring, standard setting, and enforcement activities.

The Agency coordinates and supports research and anti-pollution activities by state and local governments, public and private groups and educational institutions. The development of local programs for pollution abatement is accomplished through the EPA's ten regional offices. The Agency also reinforces efforts among other federal agencies with respect to the impact their operations may have upon the environment. The Office of the City Manager is primarily responsible for coordinating with the EPA.

### **U.S. Department of Commerce**

The U.S. Department of Commerce was titled as such in 1913 under 37 Statute 736; 15 U.S.C. 1501, which reorganized the Department of Commerce and Labor created under 32 Statute 825; 15 U.S.C. 1501. The Department serves and facilitates the nation's economic development and technological advancement.

The Department offers assistance and information to domestic and international business: provides social and economic statistics and analyses for business and government planners; assists in the development of the U.S. Merchant Marine; provides research and promotes the increased use of science and technology in the development of the economy; promotes foreign tourism; provides assistance to speed the development of economically underdeveloped areas of the nation; seeks to improve the understanding of the earth's physical environment and oceanic life; and assists in the growth and development of minority businesses.

The Department encompasses a number of agencies that provide technical assistance and financial aid to state and local government. The Economic Development Administration focuses on areas of excessive unemployment, while the National Oceanic and Atmospheric Administration awards grants to states for developing and carrying out plans for management of their coastal zones. All levels of government utilize data provided by the Department's Bureau of the Census. The Office of the City Manager is primarily responsible for coordinating with the U.S. Department of Commerce.

### **U.S. Department of the Interior**

The U.S. Department of the Interior was created in 1849 under 9 Statute 395; 43 U.S.C. 1451. The Department administers most federally owned and managed public lands and natural resources; including water, mineral, fish and wildlife. Jurisdictional responsibilities include the coordination of federal and state recreation programs, the preservation and administration of the nation's scenic and historic areas, operation of conservation and youth training programs, reclamation of lands, hydroelectric power systems, and administration of programs for native Americans.

State and local governments can receive financial and/or technical assistance from the Department for a number of activities including: fish and wildlife restoration and management projects, surveys and research related to topography, geology, and water and mineral resources; historic preservation; acquisition of critical natural areas; acquisition and development of parks; enhancement and restoration of local recreational systems; Indian Affairs programs; and development of coal resources. The Office of the City Manager is primarily responsible for coordinating with the U.S. Department of the Interior.

### **U.S. Department of Defense**

The U.S. Department of Defense was established as an executive department of the U.S. Government by the National Security Act Amendments of 1949, 63 Statute 578; 5 U.S.C. 101. Through the Department, specifically the U.S. Army Corps of Engineers, the Defense Department administers permitting programs designed to protect water quality and environmentally valuable wetland resources, to prevent alteration or obstruction of navigable waters, and to control the dumping of dredged material into ocean waters. The types of activities requiring permits include excavating and filling, construction, and work in ocean waters such as beach nourishment.

The Corp's programs are administered through 37 districts nationwide. Florida falls within the Jacksonville and Mobile, Alabama districts. Due to overlapping legal jurisdictions, the Corps and the Florida Departments of Environmental Protection and Natural Resources jointly review permit applications, issue joint public notices, and where possible, hold joint public hearings. The Office of the City Manager is primarily responsible for coordinating with the U.S. Department of Defense.

### **U.S. Department of Housing and Urban Development**

The U.S. Department of Housing and Urban Development (HUD) was established by the Housing and Urban Development Act of 1965, 79 Statute 667; 42 U.S.C. 3531-3537. The Department is the principal federal agency responsibility for programs related to housing needs, fair housing opportunities and improving and developing the nation's communities. The HUD administers mortgage insurance programs; rental subsidy programs; anti-discriminatory activities related to housing; and programs that assist in neighborhood rehabilitation.

The Department stresses the role of states, cities, counties, and other units of local government in the solution of housing and community development problems through a number of program functions. Activities, such as Urban Development Action Grants, assist local governments in maintaining and improving the availability of housing and the preservation and rehabilitation of local communities. Programs of research studies, testing and demonstrations are carried out through the awarding of grants, cooperative agreements and contracts with industry, educational institutions and units of local government. The Office of the City Manager is primarily responsible for coordinating with HUD.

### **U.S. Department of Health and Human Services (DHHS)**

The U.S. Department of Health and Human Services (DHHS) was created in 1953 as the Department of Health, Education, and Welfare and redesignated in 1979 under its current name by the Department of Education Reorganization Act, 93 Statute 695; 20 U.S.C. 3508. In addition to the Social Security system, the Department administers a broad range of social service and human development programs oriented toward the elderly, children of low-income families, persons with physical and/or mental handicaps, runaway youths, and native Americans.

The Department conducts the following health-related functions: provides national leadership and administration for a program of federal, state, and area-wide health planning and health delivery systems; supports education for the health professions; conducts and supports research in the fields of medicine and related sciences; protects the health of the nation against impure foods, drugs, and cosmetics; and administers Medicaid and Medicare programs.

Ten regional offices represent the Department in official interactions with state and local governments. Grants and technical assistance are available for the development of local health resources and the improvement of local social service systems. For example, state agencies may receive funding to establish community service programs. This is accomplished through the designation and funding of area agencies on aging such as the role played by the East Central Florida Regional Planning Council. The Office of the City Manager is primarily responsible for coordinating with the U.S. Department of Health and Human Services.

## **U.S. Department of Education**

The U.S. Department of Education was created in 1979 under the Department of Education Organization Act, 93 Statute 668; 20 U.S.C. 3401. The Department establishes national education policy and administers and coordinates most federal assistance to education. An intergovernmental advisory council on education, composed of elected officials, educators, parents and students makes recommendations to the Secretary of the Department and the President for improvement of the administration of federal education programs.

The Department administers grants and technical assistance to state educational agencies and/or local school districts for a variety of purposes, including: the elimination of segregation and discrimination; special programs such as Drug and Alcohol Abuse education; vocational and technical training; special programs and services to assist the handicapped; and support of post-secondary institutions and students. The Department also provides some financial support to federally aided institutions, including colleges for the deaf and blind. The Office of the City Manager is primarily responsible for coordinating with the U.S. Department of Education.

## **Federal Emergency Management Agency**

Federal Emergency Management Agency (FEMA) was established under Reorganization Plan Number 3 of 1978 and Executive Orders 12147 and 12148. FEMA facilitates multiple use of emergency preparedness and response sources at all levels of government in preparing for and responding to natural, manmade and nuclear emergencies. FEMA integrates activities related to hazard mitigation, preparedness planning, relief operations and recovery assistance into a comprehensive framework.

Ten regional offices are the primary means by which the agency administers and manages programs carried out at state and local levels. Programs of assistance are available to state and local governments and other eligible jurisdictions in declared disasters or emergencies. In order to minimize potential damage in flood hazard areas, the Agency works closely with officials at all levels of government through the National Flood Insurance Program.

The Agency also develops and disseminates materials concerning fire services and provides training in civil management preparedness activities to federal, state and local government personnel. The Office of the City Manager is primarily responsible for coordinating with FEMA.

## **G. Coordination with Utility Companies**

The Office of the City Manager is primarily responsible for coordinating with utility companies. The following utilities coordinate their activities with the City of Ocoee through franchise agreements or by City ordinance.

### **Florida Power Corporation**

Florida Power Corporation (FPC) has a franchise agreement with the City to provide electricity for residential, commercial and industrial uses. FPC is regulated by the Florida Public Service Commission.

### **Southern Bell**

Southern Bell has a franchise agreement with the City to provide phone service to areas within the City. Southern Bell is regulated by the Florida Public Service Commission.

### **United Telephone**

United Telephone of Florida has a franchise agreement with the City to provide phone service to areas within the City. United Telephone is regulated by the Florida Public Service Commission.

### **Sprint**

Sprint of Florida has a franchise agreement with the City to provide service to areas within the City. Sprint is regulated by the Florida Public Service Commission.

### **Cablevision of Central Florida**

Cablevision of Central Florida has a franchise agreement to provide cable television service to the City.

### **Telesat Cablevision**

Telesat Cablevision has a franchise agreement to provide cable television service to the City.

### **Lake Apopka Natural Gas District**

The Lake Apopka Natural Gas District has a franchise agreement to provide natural gas to the City.

### **III. ANALYSIS**

Pursuant to Chapter 9J-5.005(2) this Element will discuss the effectiveness of existing coordination mechanisms which are used to further intergovernmental coordination; identify and discuss specific problems and needs within each element of the Comprehensive Plan which would benefit from additional coordination; compare the growth and development proposed in the plan with appropriate comprehensive regional policies in order to evaluate the needs for additional coordination; and, coordinate the Plan with the rules, principals, and guidelines for development in any area of critical state concern falling within the local governments jurisdiction.

#### **A. Effectiveness of Existing Coordination Mechanisms**

At the present time, all contracts and agreements have proven to be effective. No changes will be required. All interlocal agreement with adjacent municipalities are effective.

##### **Orange County**

The City of Ocoee and Orange County has been coordinating with one another based upon the 1987 "Joint Comprehensive Planning Area Interlocal Agreement (Reserve Planning Area)." On February 11, 1994, the two jurisdictions adopted a new "Joint Planning Area Agreement" (see Figure 2) which has proven to be effective. The authority to create a new JPA through an interlocal agreement is conferred to the City and County by Chapters 125,163,164, and 166, Florida Statutes, as well and by their respective local government charters. In addition, the City and the County will work together in the areas of right-of-way reservations for County roads, planning activities, and Sheriff's Office activities.

##### **Joint Planning Area (JPA) Agreement**

In general, the JPA Agreement will facilitate increased intergovernmental coordination, the evaluation of development impacts, the mitigation of extra jurisdictional impacts, and the timely resolution of inter jurisdictional disputes. The outline below highlights some of the more notable provisions of the JPA agreement.

Unless the JPA Agreement is abrogated, no property located outside of the JPA may be annexed during the term of the Agreement unless the boundaries of the JPA are modified to include the subject property. This would require County Commission approval as well as City Commission approval.

The Gotha and Clarcona Rural Settlements, in particular are protected from City encroachment. In return, the county promises not to contest any annexations found by the City to be consistent with the JPA agreement. Through adoptions of the JPA agreement, Orange County has granted the City of Ocoee extrajurisdictional, comprehensive planning authority for properties within the JPA.

The JPA agreement also specifies the conditions in which water and sewer service will be provided to properties situated within the Ocoee service area. After annexations, those properties located outside the City's Water/ Sewer Territory will, where feasible, be provided with service through Orange County. If the county is unable to provide service in a timely manner, the County shall request wholesale service from the City, in order to clarify the process under which the property may secure utilities, Ocoee adopted resolutions #94-10 which stipulates the conditions under which service will be provided.

The City and County have both agreed to amend their respective Comprehensive Plans to incorporate the following provisions of the JPA:

1. Section (9)(C)(1) requires that the City incorporate into the JPA into the Intergovernmental Coordination Element of its Comprehensive Plan by reference and that all provisions of the Comprehensive Policy Plan inconsistent with the JPA to be amended.
2. Section (9)(C)(2) requires that appropriate Ocoee Comprehensive Plan maps be revised to reflect the City's current corporate limits; the limits should include the Challenges Annexation Areas but not the Disputed annexation Areas, as outlined in Section 6(D) of the JPA agreement.
3. Section (9)(C)(3) requires the City amend its Future Land Use Map in order to relinquish all extrajurisdictional, comprehensive planning authority for these lands which are both outside the JPA and corporate limits.
4. Section (9)(C)(4) requires that the City amend its Future land Use map and other appropriate Comprehensive Plans maps to show the boundaries of the JPA.
5. Pursuant to Section 8 (B), the City will amend its Future Land Use Mao to reflect the extrajurisdictional future land use map designations which have been mutually agreed upon by the City and the County as shown on Exhibit B of Appendix E.
6. Section 9(D)(1) requires that the County incorporate, by reference, the JPA agreement into the Intergovernmental Coordination Element of its Comprehensive Plan and amend all provisions of the County Comprehensive Policy Plan inconsistent with the JPA agreement.
7. Sections 9(D)(2) requires that the County amend its Comprehensive Plan maps to reflect the City City's current corporate limits; including the Challenged Annexation Areas and excluding the Disputed Annexations Areas.
8. Section 9(D)(3) requires that the County amend its Future Land Use Map to show the boundaries of the JPA; and
9. Section 9(D)(4) requires that the County create transitions zones allowing up to (2) dwelling units per acre in those areas of unincorporated Orange County, which abuts the outer boundary of the JPA and area also outside of the JPA.

Once the Comprehensive Plan amendments have been approved by the State Land Planning Agency, both the City and County have agreed that any future actions by either party which is contrary to the JPA agreement shall also be inconsistent with both the City and County, pursuant to Sections 163.3171 (1), Florida Statutes.

### **Sewer and Water Territorial Agreements**

The JPA negotiations with Orange County also entailed changes to the Water and Sewer Territorial Agreements. The existing territorial agreements remain intact, but the boundaries of the territories were amended. As illustrated in Figures 15 and 16 in the Infrastructure Element, the water and sewer territories are coterminous. It should be noted that not all areas could be annexed by the City of Ocoee will be served by City utilities. In addition, some properties located outside of the JPA will be served by City water and sewer because they are located in the City's utility service area. Like the JPA Agreement, these Water and Sewer Territorial Agreements also outline the procedures for resolving intergovernmental disputes promptly.

### **Cooperative Right-of-Way Agreements**

In addition to the Cooperative Right-of-Way Agreements, Section 14 of the JPA agreement states that Orange County will consider right-of-way improvements when requested by the City as long as the improvements are built at no expense to the County.

### **Settlement Agreements**

The City and the County have also executed two settlement agreements to resolve all issues related to the challenged and disputed annexations and rezoning.

### **Orange County School Board**

The City cooperates with the Orange County School Board on a regular basis on issues related to bond issues and the acquisition and construction of school facilities. The coordination mechanisms have proven to be effective and require no changes.

### **Coordination with Regional and State Agencies**

As a new member of the East Central Florida Regional Planning Council, the City of Ocoee coordinates and communicates with the Council on a regular basis. The Council serves as the state-designated regional clearinghouse. As such, it reviews all grant and permit applications submitted for regional impacts which effect the City.

Through the permitting process and the allocation of federal and state grant funds, the City communicates and coordinates with various federal and state agencies that have regulatory and review jurisdiction over development in the City. In addition, the City actively participates in activities sponsored by the MPO. These existing mechanisms have served the City well and require no changes.

### **Coordination with Utilities**

The provision of utility services in the form of electric, telecommunication, and community antenna systems are provided through formal franchise agreements. These existing mechanisms have proven to be effective and need no changes.

## **B. Intergovernmental Coordination and Plan Elements**

This section discusses specific problems and needs within each element of the Comprehensive Plan which would benefit from improved or additional intergovernmental coordination.

### **Future Land Use Element**

The City of Ocoee is located approximately 10 miles west of Orlando. The character of the community is residential, however, a trend towards commercial and industrial land uses is becoming prevalent. The City shares common borders with the Town of Windermere, the Cities of Apopka and Winter Garden and the unincorporated areas of Orange County.

**ISSUE:** Prevention and elimination of incompatible land uses along common borders.

**FINDINGS:** The City of Ocoee should coordinate and consult with the Town of Windermere, Cities of Apopka and Winter Garden and the County to ensure that future changes in zoning and land use along common borders reflect the types of land uses typical of those areas. The City shall continue to coordinate with Orange County on all annexation, rezoning, de-annexation, developments of regional impact, and comprehensive plan text and map and land use amendments, pursuant to Section 13 of the JPA Agreement.

### **Transportation Element**

The City of Ocoee is located in one of the most rapidly growing areas in the State of Florida. There are several arterial roads within the Ocoee area. These include SR 50, Kissimmee Avenue, Silver Star Road, Ocoee-Apopka Road, Clarcona-Ocoee Road, and Apopka-Vineland Road.

**ISSUE:** Traffic Circulation Improvements

**FINDINGS:** The City of Ocoee is not fiscally responsible for addressing all the transportation improvements identified in the Transportation Element for the City. Both Orange County and FDOT have financial responsibility for county and state roads located in the City. It is therefore critical that the City coordinate and review transportation improvement plans and programs proposed by the County and the State. The preservation and protection of rights-of-way should be coordinated to integrate efficiently with County and State plans, and address LOS standards, collectors with LOS D, arterials with LOS D, and limited access facilities with LOS D.

## **Housing Element**

The City of Ocoee is a residential community that is seeing rapid growth in the area of single-family and multi-family residential developments. The City is serving as a bedroom community for the Orlando Area Standard Metropolitan Statistical Area (SMSA). Existing residences are adequately maintained and substandard housing is virtually non-existent.

Specifically, as the City is not equipped to actually provide low and moderate income housing, it must coordinate with Orange County and its Community Development Department, which operates a Housing Assistance Program. Coordination should consist primarily of sharing of building and construction data with the County, introducing representatives of the private housing industry to the County, and distributing information on the County's services to those interested in such housing.

There are no public housing units within the City, nor are there any foster care facilities. The Ocoee Guest Home is a group home located on Franklin Street in the City.

ISSUE: Availability of Affordable Housing

FINDINGS: The City will continue to work with local housing authorities to assist in the provision of affordable housing.

## **Infrastructure Element**

ISSUE: Sanitary Sewer

FINDINGS: The City of Ocoee owns and maintains the sanitary sewer system. The City will continue to coordinate with the FDEP for permitting and monitoring requirements. The City shall provide sewer services to those properties located within Ocoee's Sewer Territory, pursuant to the Sewer Territorial Agreement and Section 10 of the JPA agreement. The LOS Standard should be 270 gallons per day per ERU.

ISSUE: Solid Waste

FINDINGS: The City collects its solid waste and it is disposed at an Orange County transfer facility. The City needs to ensure that the provision of this service is included in County plans for future construction and/or acquisition of these facilities.

ISSUE: Potable Water

FINDINGS: The City provides potable water through its own system of wells and distribution. The City will continue to work with the SJRWMD and the FDEP for permitting and water quality monitoring requirements. The City shall provide sewer services to those properties located within Ocoee's Water Territory, pursuant to the Water Territorial Agreement and Section 10 of the JPA agreement. The LOS Standard should be 300 gallons per day per ERU.

**ISSUE: Hazardous Waste**

**FINDINGS:** The City shall coordinate with Orange County, ECFRPC, and DEP to inform and educate the public and private concerns in the City on the proper methods of collecting and disposing of such wastes.

**ISSUE: Natural Groundwater Aquifer Recharge**

**FINDINGS:** The large percentage of the land in Ocoee is considered to be "high recharge areas" to the Floridan Aquifer. A City wide groundwater aquifer recharge plan will be developed to aid in aquifer recharge volumes upon completion and receipt of the SJRWMD's plan. Included in the aquifer recharge plan will be development guidelines and regulations for development in high recharge areas. The City of Ocoee will continue to work with the SJRWMD, SFWMD, the EPA, and the FDEP in natural groundwater aquifer protection policies.

**Conservation Element****ISSUE: Air Quality**

**FINDINGS:** The City shall continue to cooperate with Orange County Environmental Protection Division to ensure the continued high ambient air quality found in the City.

**ISSUE: Surface Water Bodies**

**FINDINGS:** There are numerous lakes within the City. It is important that the City continue to coordinate with DEP, DNR, SFWMD, and SJRWMD to reduce stormwater runoff and agricultural runoff.

**ISSUE: Floral and Faunal Communities**

**FINDINGS:** The City shall identify all ecological communities and shall work to identify all species considered to be endangered or threatened. The City shall continue to cooperate with the Florida Department of Agriculture and Consumer Services, the U.S. Fish and Wildlife Services, the Florida Fish and Wildlife Conservation Commission, and the Florida Committee on Rare and Endangered Plants and Animals, and the Florida Department of Agriculture.

**ISSUE: Natural Reservations**

**FINDINGS:** The City shall continue to preserve and maintain the natural reservations identified in the Conservation and Recreation and Open Space Elements.

## **Recreation and Open Space Element**

As one of Orange County's prime municipalities, the City of Ocoee is experiencing tremendous growth. The City's function as a bedroom community for the Orlando Area SMSA and its location amongst the rolling hills and pristine lakes of the Mt. Dora Ridge, ensures the most attractive and readily accessible environment for recreational activities. The LOS Standard should be 4 acres per 1,000 population.

ISSUE: Recreation and Open Space Level of Service Standards

FINDINGS: The City of Ocoee shall adopt the level of service standards as defined in the Recreation and Open Space Element.

ISSUE: Maintenance and coordination of recreational facilities

FINDINGS: The City of Ocoee shall coordinate with Orange County, the Orange County School Board, the Cities of Apopka and Winter Garden and the Town of Windermere to ensure that the existing and planned recreational resources are used for maximum benefit.

ISSUE: Preservation and Acquisition of Open Space

FINDINGS: The City shall coordinate with Orange County and the State to protect the natural resources and open space of the City and to acquire additional property that may become available for open space.

#### IV. GOALS, OBJECTIVES, AND POLICIES

**GOAL: CONTINUE TO IMPROVE INTERGOVERNMENTAL COORDINATION THROUGH THE IMPLEMENTATION OF INTERLOCAL AGREEMENTS AND OTHER FORMAL AND INFORMAL AGREEMENTS TO RESOLVE CONFLICTS REGARDING; SCHOOL AND PUBLIC FACILITY SITING, PROBLEM LAND USES, AND ANNEXATION.**

Objective 1: The City shall continue to coordinate the comprehensive plan with the plans of local government agencies providing services but not having regulatory authority over the use of the land, with the comprehensive plans of adjacent municipalities and the County to reduce and/or eliminate the duplication of services (9J-5.015 (3)(B)(1), FAC).

Policy 1.1: The Joint Planning Area (JPA) Agreement, as amended, is hereby incorporated, by reference, into the Intergovernmental Coordination Element.

Policy 1.2: Future growth and development patterns in the City and, the Joint Planning Area (JPA) (upon annexation) will be guided by the JPA Agreement and JPA Land Use Map, as amended (Figure 2).

Policy 1.3: The City shall notify Orange County on all annexation, rezoning, de-annexation, developments of regional impact, and comprehensive plan text and map and land use amendments within ten (10) business days of receipt of the applications or initiation of such action by the City per Section 13, Notices of Certain Applications, of the Joint Planning Area Agreement.

Policy 1.4: The City shall consider requests for voluntary annexation into the City when those lands are contiguous to the existing City limits, when services can be properly provided and when proposed uses are compatible with the City's Comprehensive Plan and the Joint Planning Area (JPA) Agreement. For the purpose of this Policy, an annexation shall be considered a logical extension if it is within the limits of the JPA and meets the requirements of Chapter 171, Florida Statutes. The boundaries of the JPA are illustrated on the Future Land Use Map (Figure 2). Services will be considered as being properly provided if the existing or planned public facilities can support the land uses and densities proposed in the area to be annexed consistent with the level of service standards set forth in this plan (9J-5.015(3)(c)(4), FAC).

Policy 1.5: The City shall continue to coordinate the planning activities mandated by the comprehensive plan with adjacent local governments, school boards, other units of local government providing services but not having regulatory authority over the use of land, the region, and the state (9J-5.015 (3)(c)(1), FAC).

Policy 1.6: The City will continue to coordinate with the Orange County School Board, the East Central Florida Regional Planning Council, the St. Johns River Water Management District, and other State or Federal agencies and any other special districts on projects that fall within their "jurisdictions" or are multi-

jurisdictional in "nature" to identify and resolve any conflicts with the City's Comprehensive Plan, and in turn, amend the plan as needed to ensure coordination.

Policy 1.7: The City shall maintain and revise as necessary the following agreements:

- Joint Planning Area Agreement
- Orange County/City of Ocoee Water Service Territorial Agreement
- Orange County/City of Ocoee Sewer Territorial Agreement
- Orange County Utilities/City of Ocoee Reclaimed Water Territorial Agreement
- Conserv II Agreement for the Delivery of Reclaimed Water
- Water Conserv II Agreement for the Delivery of Water
- City of Winter Garden Interlocal Agreement
- City of Ocoee/Forest Lake Golf Course Agreement
- Ocoee Pines Potable Water Service Agreement

Policy 1.8: The City shall pursue dialogue with adjacent municipalities with an interlocal agreement being the expected outcome to accomplish recognition of the City's established Utility service area boundary.

Policy 1.9: The City shall maintain a Water Supply Facilities Work Plan for at least a ten (10) year planning period to address water supply facilities and infrastructure requirements to serve existing and future development within the City's potable water service area.

Policy 1.10: The Water Supply Facilities Work Plan shall be prepared in accordance with State of Florida Statutes.

Policy 1.11: The Water Supply Facilities Work Plan shall be reviewed bi-annually and shall be updated within 18 months of an update to the CFWI Regional Water Supply Plan that affects the City.

Policy 1.12: The City shall work with the Water Management Districts, during updates to their regional water supply plans and water supply assessments as well as other water-supply related initiatives facilitated by the Districts that affect the City.

Objective 2: The city shall continue to coordinate the impacts of development proposed in the comprehensive plan upon development in adjacent municipalities, the county, the East Central Florida Regional Planning Council and the State (9J-5.015(3)(b)(2), FAC).

Policy 2.1: The City will initiate informal mediation by filing with the East Central Florida Regional Planning Council a written request for mediation assistance in instances where the resolution of issues requiring intergovernmental concurrence

has not been achieved pursuant to Chapter 186.509, Florida Statutes (9J-5.015(3)(c)(2), FAC).

Policy 2.2: The City will continue to coordinate with adjacent local governments with the provision of services, information, and in resolving annexation issues (9J-5.015(3)(c)(3), FAC).

Policy 2.3: The City will review the relationship of the proposed development to the existing comprehensive plans of adjacent local governments (9J-5.015(3)(c)(5) & (7), FAC).

Policy 2.4: The City will conduct a review of its local standards with regard to problematic land uses to determine whether any conflicts exist between its regulations and neighboring jurisdictions regulations and what can be done to resolve any conflicts found.

Policy 2.5: The City will continue coordinate with the County to minimizing the external affects of problem land uses, including, but not limited to the generation of excessive noise, smell, light, and traffic, within and along the boundaries of the Joint Planning Area (9J-5.015(3)(c)(13), FAC).

Policy 2.6 The City will coordinate with the Florida Department of Environmental Protection, the Florida Department of Health and the Orange County Department of Health regarding the Wastewater Facility Plan as it relates to Wekiva Act compliance.

Objective 3: The City will continue to coordinate with State, Regional, or Local entities having operational and maintenance responsibilities for public facilities when establishing level of service standard for associated public facilities and the location and extension of public facilities subject to concurrency (9J-5.015(3)(b)(3), FAC).

Policy 3.1: The City will coordinate the planning and decision-making process of the extension and location of public facilities subject to concurrency with State, Regional, or Local entities providing facilities and services but not having regulatory authority over the use of land (9J-5.015(3)(c)(11), FAC).

Policy 3.2: The City will continue notify Orange County of annexations in an effort to coordinate the development of countywide population projections, which include expected growth within the Joint Planning Area.

Policy 3.3: City staff will coordinate annually with the County to determine the need to extend water and sewer within each respective unincorporated area of Orange County served by the City.

Policy 3.4: The City will forward updated population projections, as they become available, from the Comprehensive Plan to the School Board so they can consider

projected growth and development as it relates to the future need for schools in 5,10 and 20-year facility plans (9J-5.015(3)(c)(12), FAC).

Policy 3.5: The City will continue to work with Orange County Public Schools in planning for public school sites within the City's jurisdiction to ensure consistency with the Comprehensive Plan. This will include the review of the five-, ten-, and twenty-year facility plans of Orange County Public Schools as well as responding as needed to site specific plans to locate new schools or expand existing schools (9J-5.015(3)(c)(12), FAC).

Policy 3.6: The City will utilize the countywide planning process, or other appropriate mitigation process, in the review and recommendation of any necessary modification to the agreed upon school siting process due to intergovernmental conflicts or to address any needed refinements to reflect current statutory requirements.

Policy 3.7: The City will review Orange County Public Schools' annually updated 5-year work program and the 10, and 20-year facility work programs to coordinate those plans with the Ocoee Comprehensive Plan.

Policy 3.8: The City will continue to attend regional water planning seminars, committee meetings, and conferences in support of regional water planning initiatives.

Objective 4: Within one year of adoption of the amended Intergovernmental Coordination Element, the City will adopt interlocal agreements or other formally executed agreements with governmental service providers pursuant to the requirements of Section 163.3177(6)(h)(2), FS.

Policy 4.1: The City will amend the Intergovernmental Coordination Element to include the joint process for collaborative planning and decision making regarding, population projections, school siting, and the location and extension of facilities subject to concurrency. The process will be outlined in a formally executed agreement pursuant to the requirements of Section 163.3177(6)(h)(2), FS, (9J-5.015 (b)(5), FAC).

Objective 5: The City shall, throughout the planning period, coordinate with Orange County Public Schools (OCPS) to ensure that sufficient school capacity is available to support proposed development and that necessary infrastructure is available to accommodate new schools.

Policy 5.1.1: The City shall designate a representative to serve on the OCPS Technical Planning Committee to discuss issues and formulate recommendations regarding the coordination of land use and schools.

Policy 5.1.2: The City shall provide projected development data to OCPS on a regular basis to assist in development of a long-range planning model to project student enrollment.

Policy 5.1.3: As a member of the OCPS Technical Planning Committee, the City shall review OCPS model projections for consistency with the City's projections and, if necessary, shall recommend additions or modifications to the model results.

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City of Ocoee-Orange County  
Joint Planning Area Agreement  
February 11, 1994

1<sup>st</sup> Amendment to Agreement  
August 4, 1998

1<sup>st</sup> Amendment to Land Use Map  
August 4, 1998

2<sup>nd</sup> Amendment to Agreement  
January 19, 1999

3<sup>rd</sup> Amendment to Agreement  
November 2, 1999

4<sup>th</sup> Amendment to Agreement  
November 14, 2000

5<sup>th</sup> Amendment to Agreement  
July 15, 2003

6<sup>th</sup> Amendment to Agreement  
July 15, 2003

7<sup>th</sup> Amendment to Agreement  
February 10, 2004

8<sup>th</sup> Amendment to Agreement  
February 10, 2004

9<sup>th</sup> Amendment to Agreement  
February 10, 2004

10<sup>th</sup> Amendment to Agreement  
February 10, 2004

11<sup>th</sup> Amendment to Agreement  
April 6, 2004

12<sup>th</sup> Amendment to Agreement  
August 4, 2004

13<sup>th</sup> Amendment to Agreement  
November 29, 2005

14<sup>th</sup> Amendment to Agreement  
January 27, 2009

15<sup>th</sup> Amendment to Agreement  
January 27, 2009

16<sup>th</sup> Amendment to Agreement  
December 4, 2009

17<sup>th</sup> Amendment to Agreement  
May 7, 2013

18<sup>th</sup> Amendment to Agreement  
April 25, 2014

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