

Board of County Commissioners

**Rural Area and Boundary
Charter Amendment**

Public Hearing

June 30, 2024



Presentation Outline

- **Background**
- **“Rural Boundary & Rural Area” Description and Map Depiction**
- **Ordinance for Charter Amendment Referendum**
- **Requested Action**



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Background

- **On June 18, 2024 the Board discussed the CRC's recommendations and agreed to move forward with the drafting of an Ordinance to submit to referendum the proposed Charter Amendment for the establishment of a Rural Boundary and Rural Area. The Board's direction included the following:**
 - Board agreed with the CRC's definition of the Rural Area with a modification
 - Board directed staff to wait until after the November 5th vote to transmit the Rural Area Comp Plan and LDC Amendments to the State
 - Board directed staff to advertise the draft ordinance for a Public Hearing on July 30, 2024

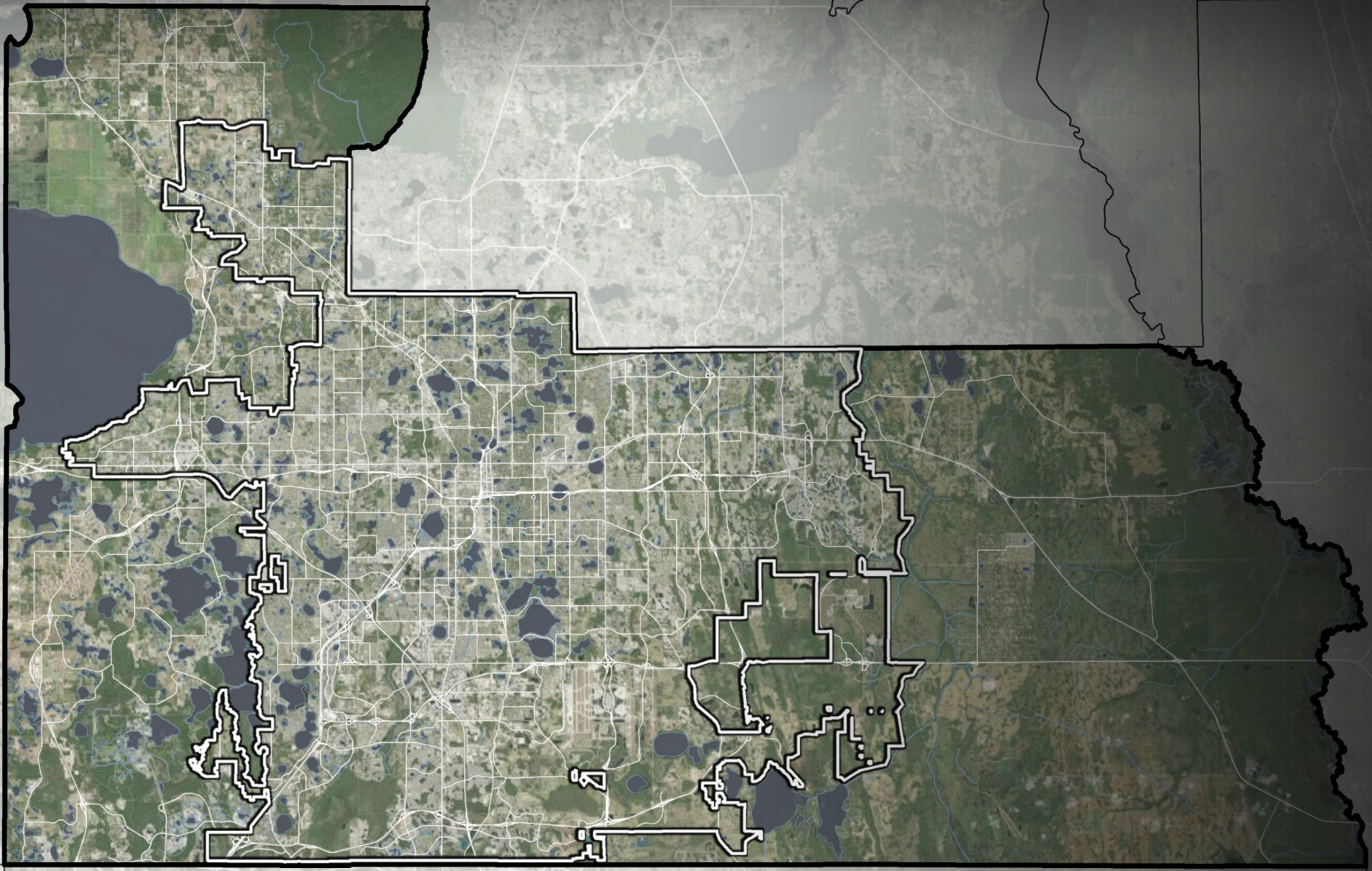


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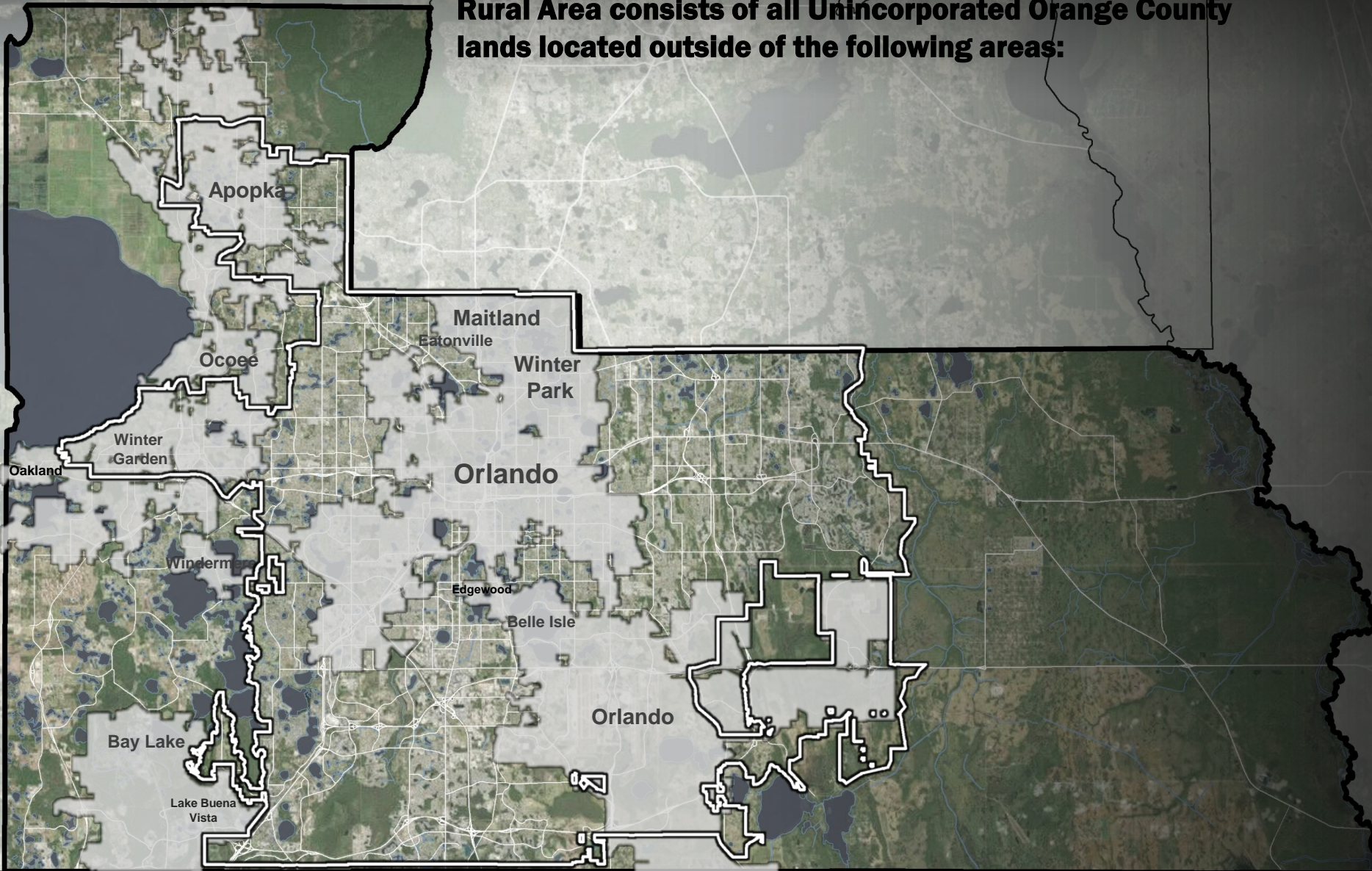
"RURAL BOUNDARY & AREA" MAP





"RURAL BOUNDARY & AREA" MAP

Rural Area consists of all Unincorporated Orange County lands located outside of the following areas:

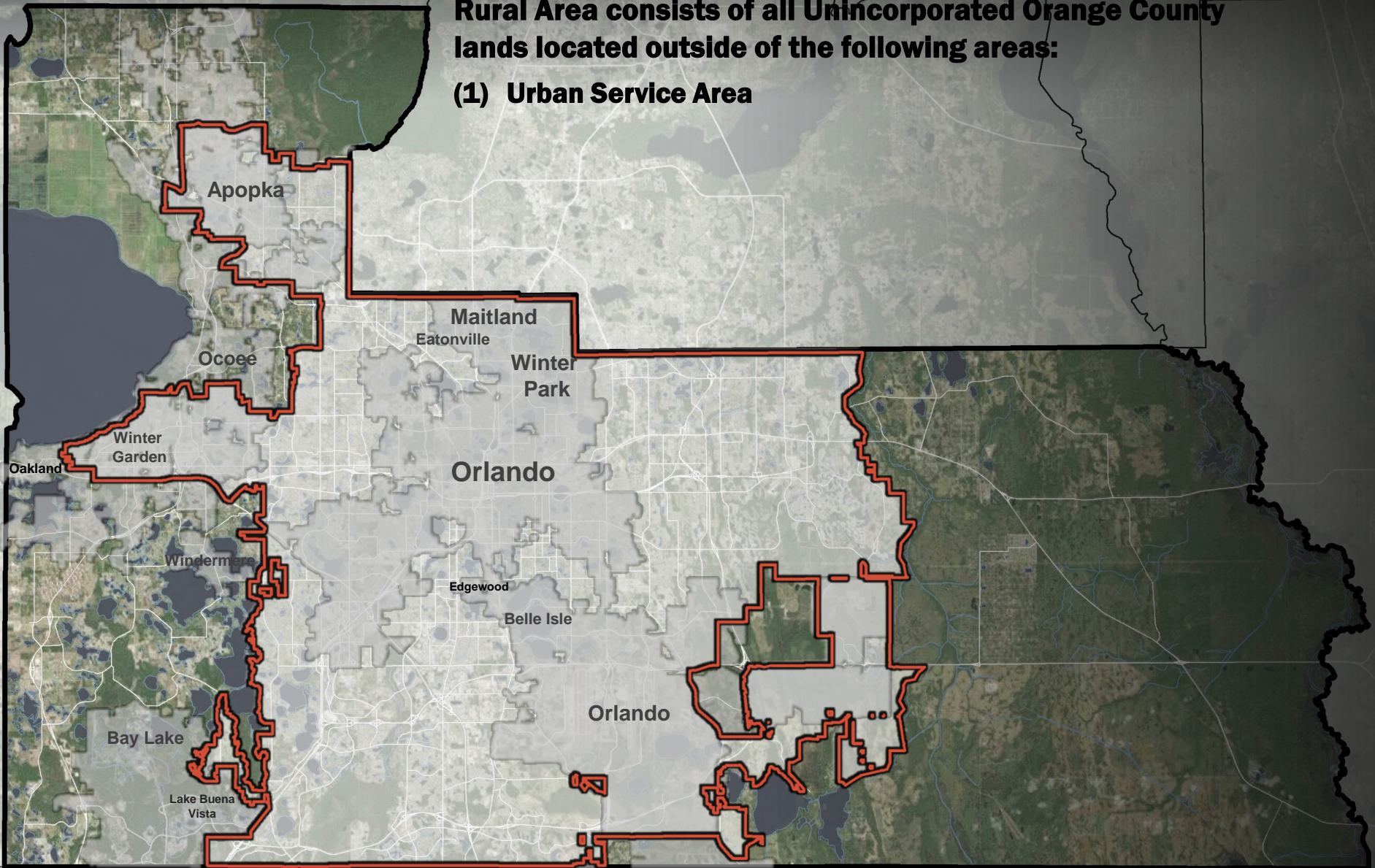




"RURAL BOUNDARY & AREA" MAP

Rural Area consists of all Unincorporated Orange County lands located outside of the following areas:

- (1) Urban Service Area**

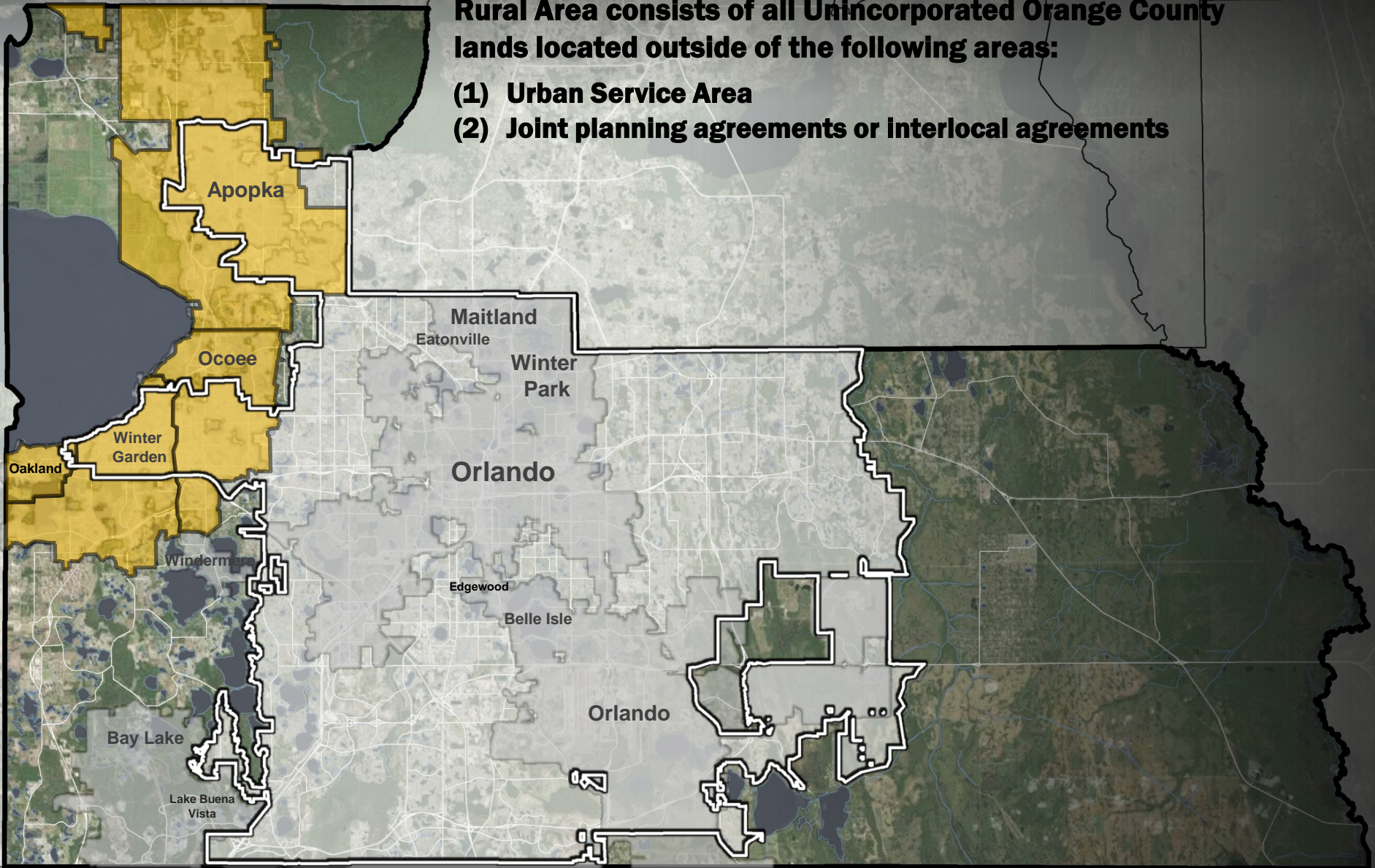




"RURAL BOUNDARY & AREA" MAP

Rural Area consists of all Unincorporated Orange County lands located outside of the following areas:

- (1) Urban Service Area**
- (2) Joint planning agreements or interlocal agreements**

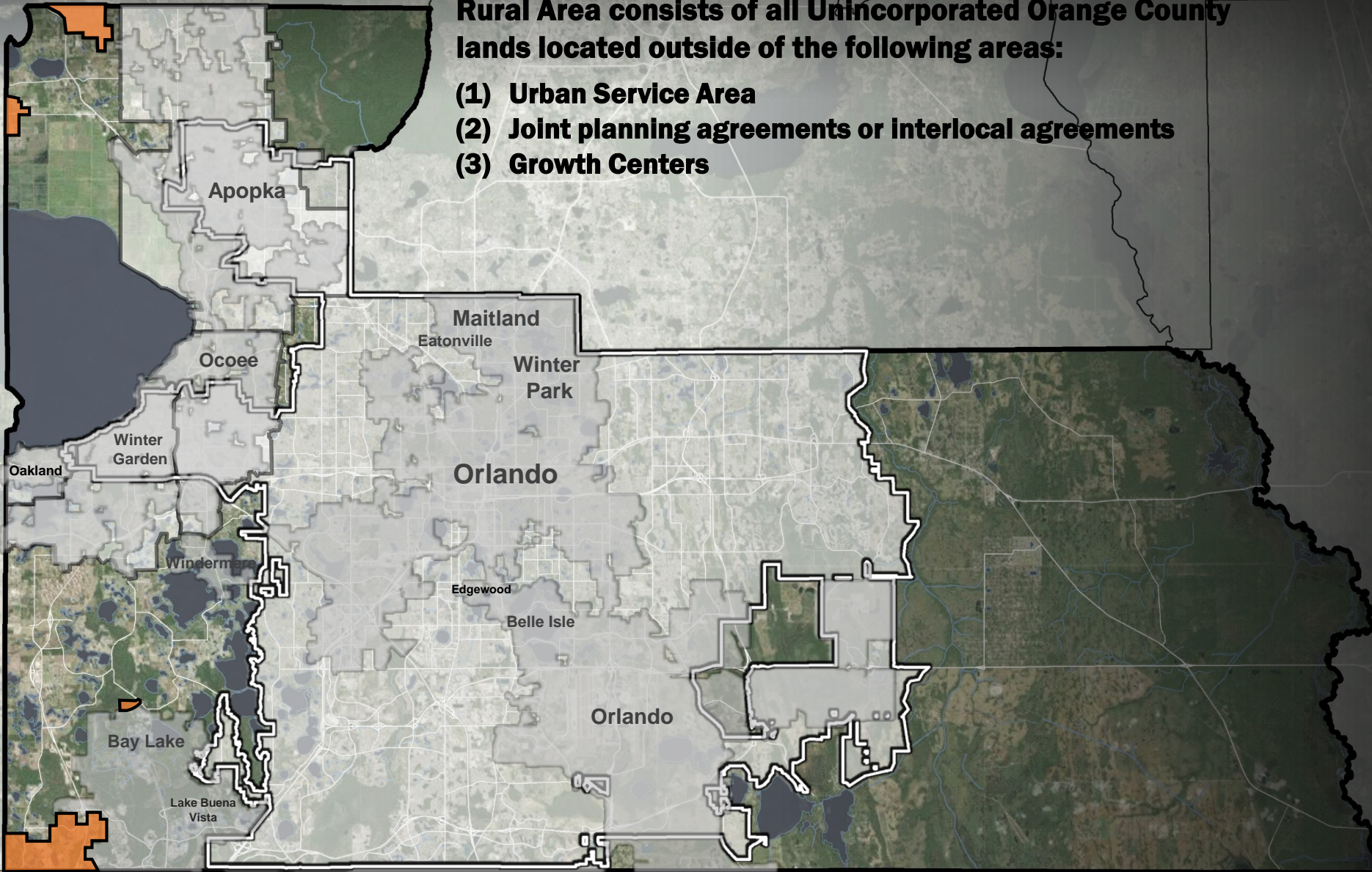




"RURAL BOUNDARY & AREA" MAP

Rural Area consists of all Unincorporated Orange County lands located outside of the following areas:

- (1) Urban Service Area
- (2) Joint planning agreements or interlocal agreements
- (3) Growth Centers

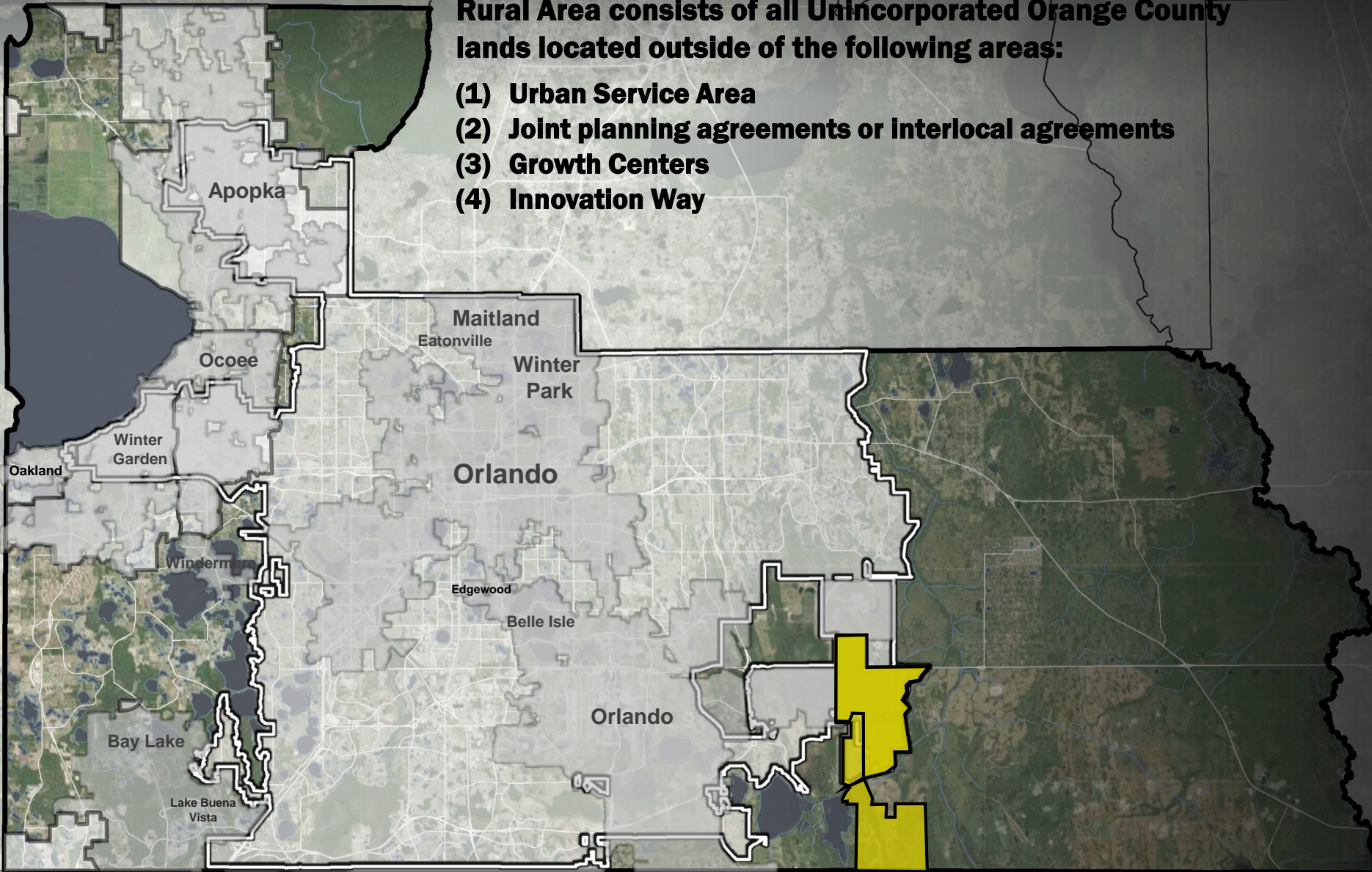




"RURAL BOUNDARY & AREA" MAP

Rural Area consists of all Unincorporated Orange County lands located outside of the following areas:

- (1) Urban Service Area
- (2) Joint planning agreements or interlocal agreements
- (3) Growth Centers
- (4) Innovation Way

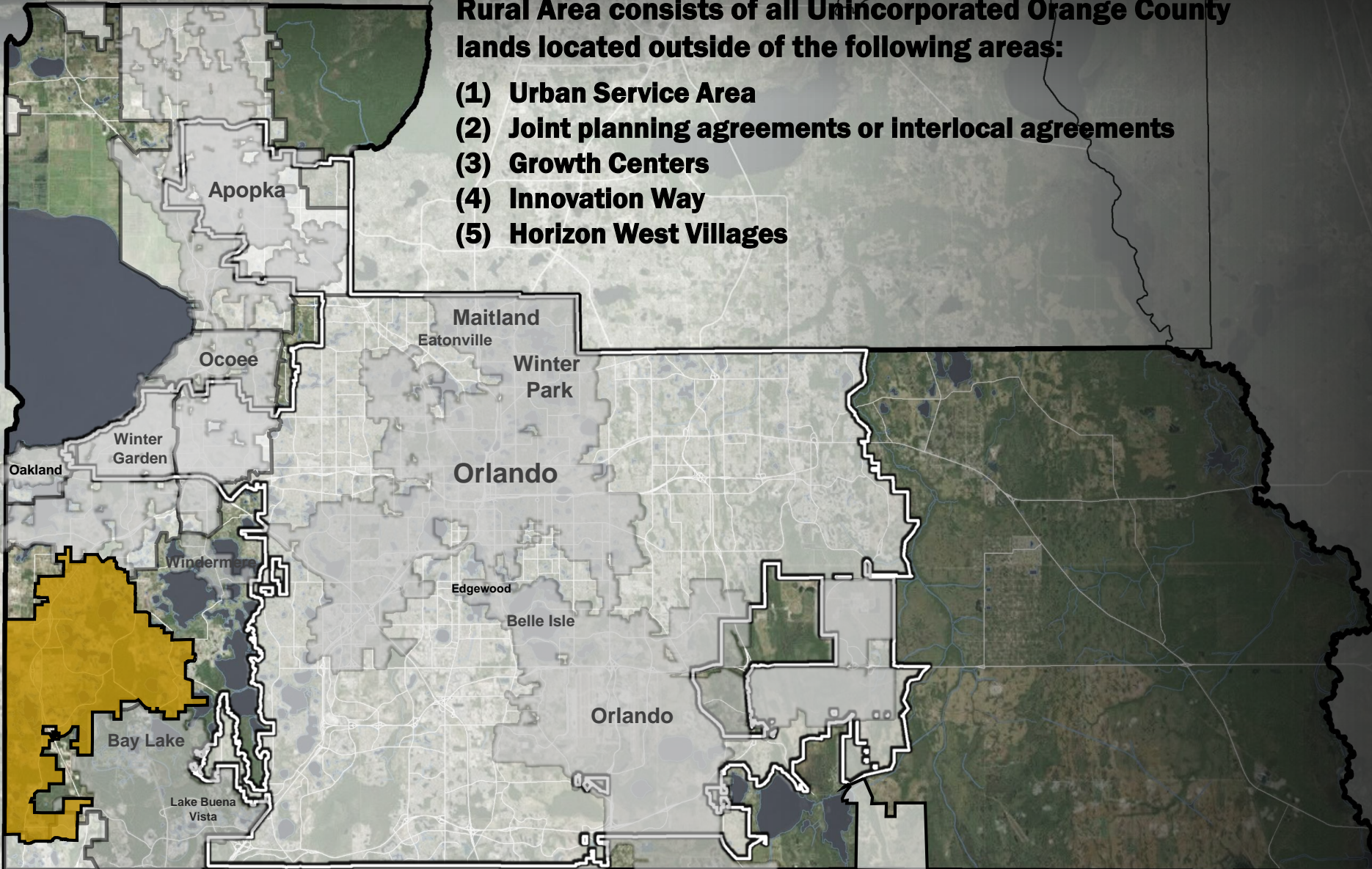




"RURAL BOUNDARY & AREA" MAP

Rural Area consists of all Unincorporated Orange County lands located outside of the following areas:

- (1) Urban Service Area
- (2) Joint planning agreements or interlocal agreements
- (3) Growth Centers
- (4) Innovation Way
- (5) Horizon West Villages

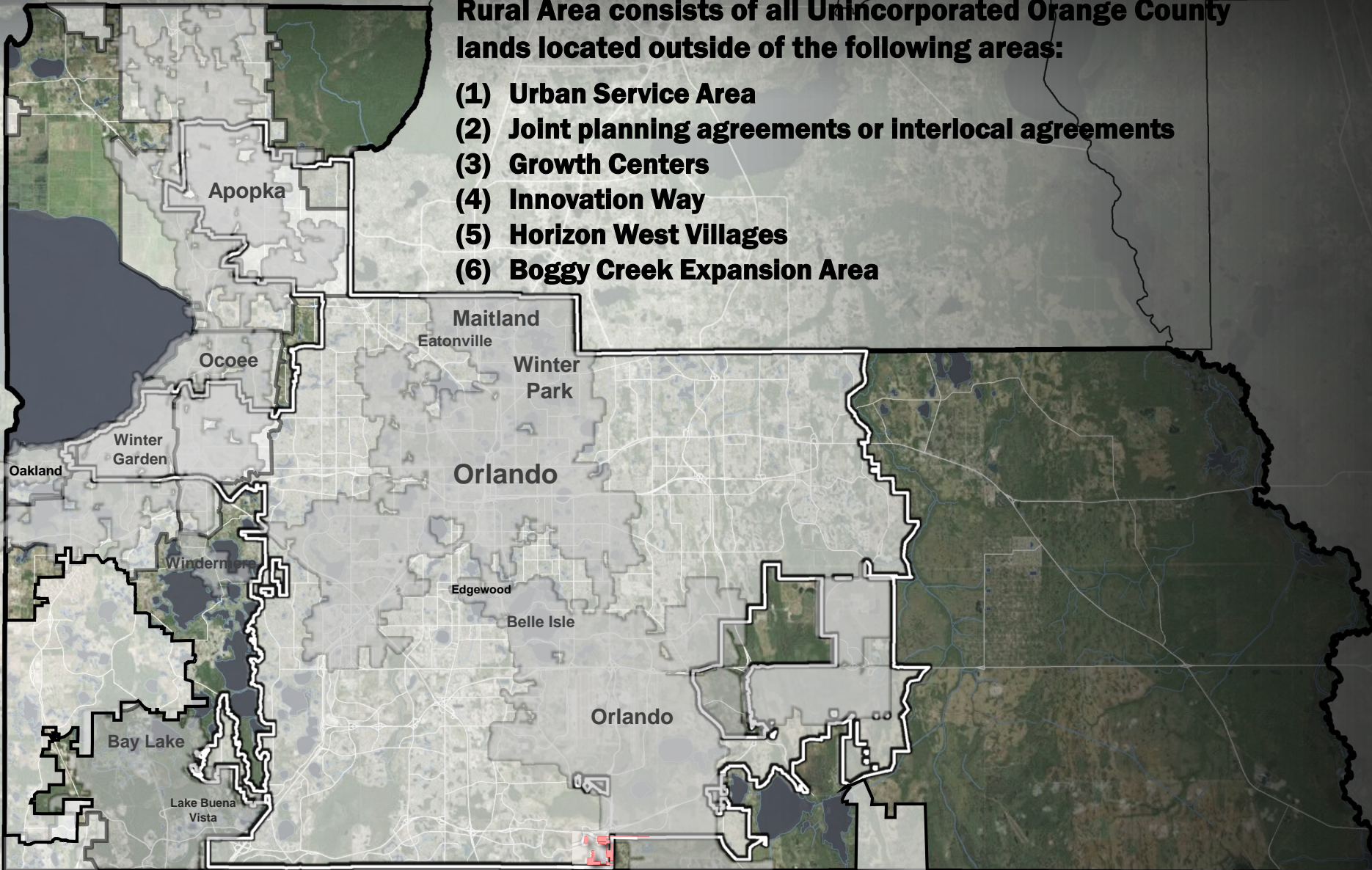




"RURAL BOUNDARY & AREA" MAP

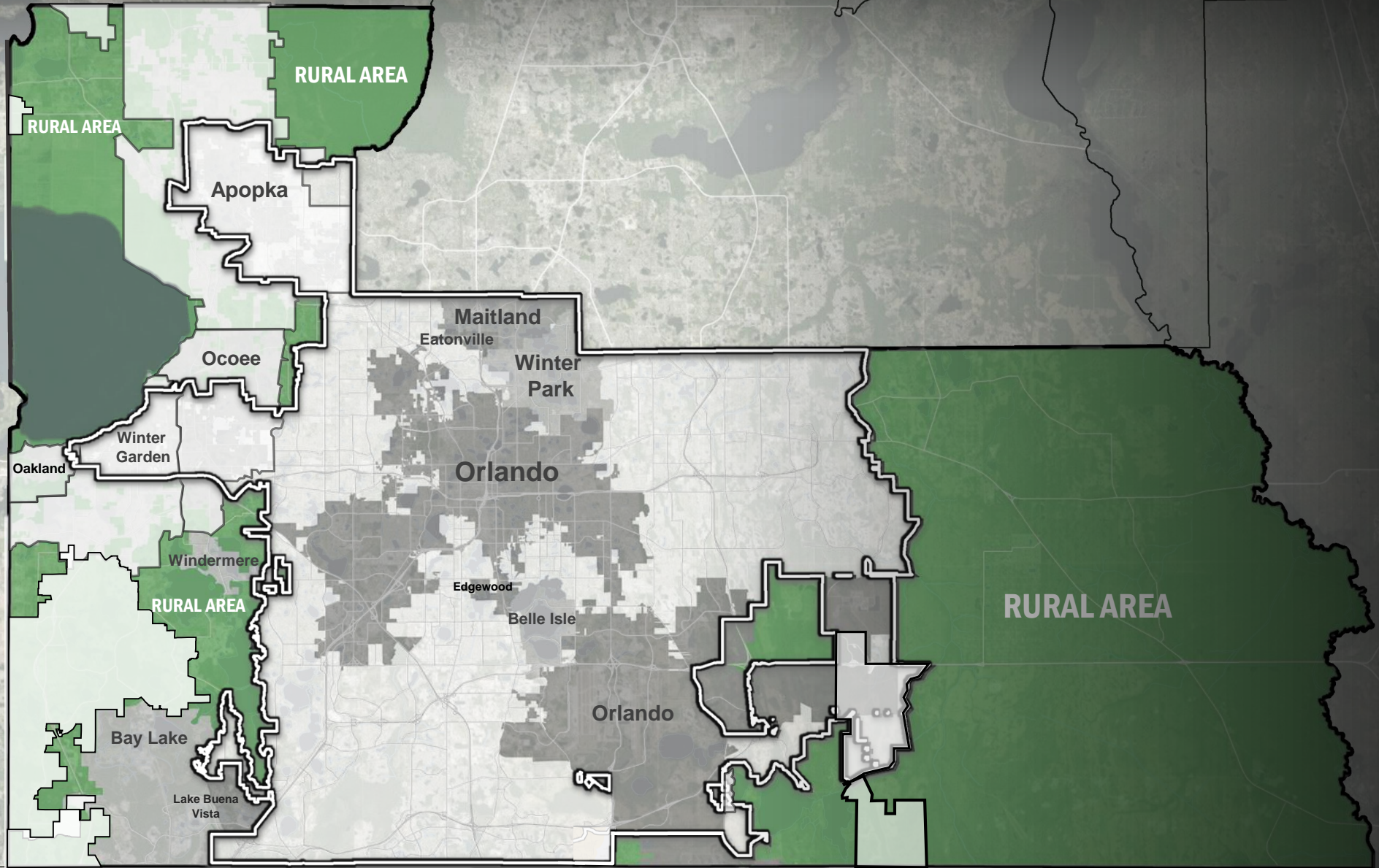
Rural Area consists of all Unincorporated Orange County lands located outside of the following areas:

- (1) Urban Service Area**
- (2) Joint planning agreements or interlocal agreements**
- (3) Growth Centers**
- (4) Innovation Way**
- (5) Horizon West Villages**
- (6) Boggy Creek Expansion Area**



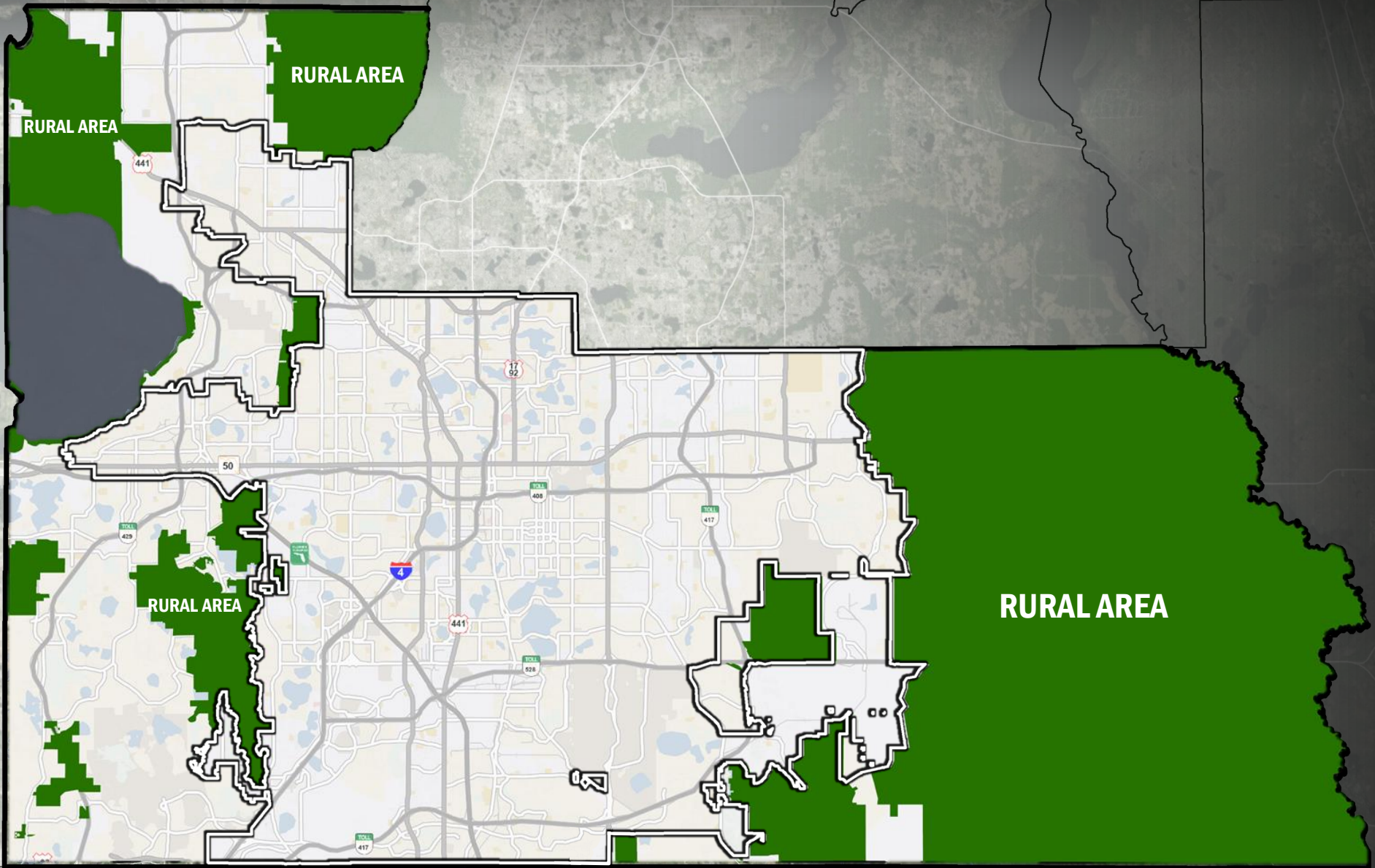


"RURAL BOUNDARY & AREA" MAP



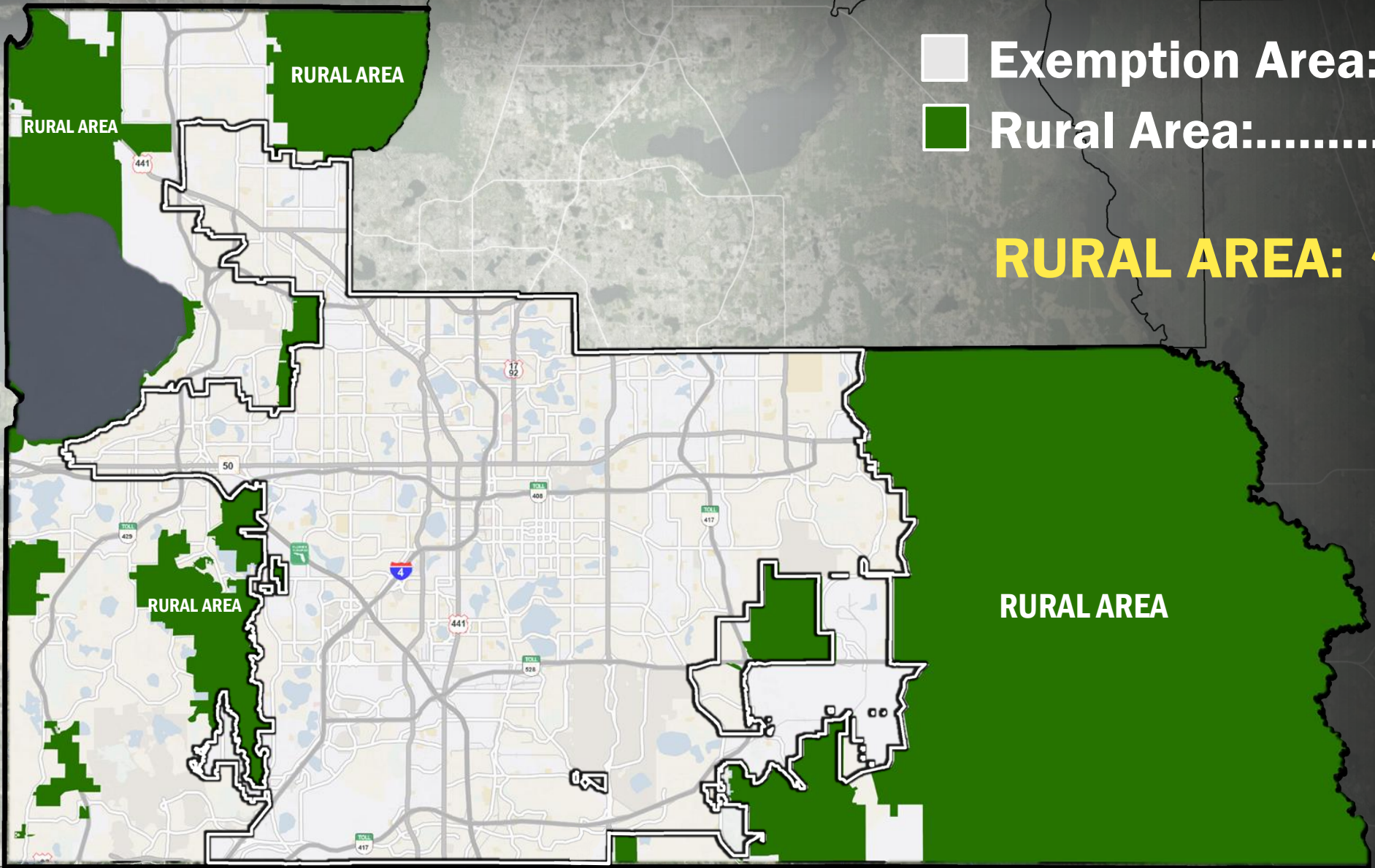


"RURAL BOUNDARY & AREA" MAP





"RURAL BOUNDARY & AREA" MAP



- Exemption Area:....294,581 ac.
- Rural Area:.....345,509 ac.

RURAL AREA: ~53.9%



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Ordinance for Charter Amendment Referendum

▪ Ordinance on Proposed Amendment to Charter

- Article VII, Section 701 authorizes the Board to propose amendments to the Charter subject to referendum at any primary, general or special election
- Referendum is called for November 5, 2024, to determine whether the Rural Area and Rural Boundary Charter amendment is approved by voters
- Notice of the referendum will be published as required by Sec. 100.342, Florida Statutes
- Mailer was sent to property owners within the proposed Rural Area



Ordinance for Charter Amendment Referendum

▪ **ORDINANCE NO. 2024-_____**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA SUBMITTING TO REFERENDUM A PROPOSED AMENDMENT TO THE CHARTER OF ORANGE COUNTY, FLORIDA; PROVIDING FOR THE ESTABLISHMENT OF A RURAL BOUNDARY AND RURAL AREA; PROVIDING FOR VOTING REQUIREMENTS; CALLING A REFERENDUM ON THE PROPOSED CHARTER AMENDMENT; PROVIDING THE BALLOT TITLE AND BALLOT SUMMARY FOR THE REFERENDUM; CONDITIONING THE EFFECTIVENESS OF THE CHARTER AMENDMENT ON VOTER APPROVAL AT THE REFERENDUM; PROVIDING FOR OTHER RELATED MATTERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATES.



Ordinance for Charter Amendment

Section 1. Charter Amendment. Section 506 of the Orange County Charter is created to read:

A. *Establishment of Rural Area and Rural Boundary.* There is hereby established a Rural Area initially consisting of all lands lying in the unincorporated County as of the effective date of this section that are located outside of the following areas as of the effective date of this section: (1) the Urban Service Area specified in the Orange County comprehensive plan; (2) municipal joint planning areas adopted by joint planning agreement or interlocal agreement; (3) Growth Centers specified in the Orange County comprehensive plan; (4) the Innovation Way Overlay specified in the Orange County comprehensive plan; (5) the Horizon West Villages specified in the Orange County comprehensive plan; and (6) the Boggy Creek Expansion Area specified in the Orange County comprehensive plan. There is hereby established a Rural Boundary, consisting of the boundary lines of the Rural Area as more delineated on that certain map titled Rural Boundary and dated July 30, 2024.



Ordinance for Charter Amendment

Section 1. Charter Amendment. Section 506 of the Orange County Charter is created to read:

B. Legal Effect of Rural Area.

- (1) After the effective date of this section, any ordinance amending the Orange County comprehensive plan that increases the allowable density or intensity within the Rural Area or any portion thereof, may be approved only by an affirmative vote of not less than a majority plus one vote of the entire membership of the board.

- (2) After the effective date of this section, the board of county commissioners may remove lands from the Rural Area only by ordinance approved by an affirmative vote of not less than a majority plus one vote of the entire membership of the board.

C. This charter amendment shall become effective upon the date of canvassing board certification of approval by a vote of the electors of Orange County.



Ordinance for Charter Amendment

Section 2. Referendum Called. *A referendum election is hereby called and ordered to be held in Orange County at the time of the next general election on November 5, 2024, to determine whether the Rural Area and Rural Boundary charter amendment is approved by the voters.*

Section 3. Notice of Referendum. *Pursuant to Section 100.342, Florida Statutes, a Notice of Referendum shall be published twice in the Orlando Sentinel, a newspaper of general circulation in the County. The publications shall occur once in the fifth week and once in the third week prior to the week which includes November 5, 2024, and contain a link to the map of the proposed Rural Boundary.*



Ordinance for Charter Amendment

Section 4. Official Ballot. Ballots to be used in the referendum shall contain a statement of the description of the proposed issue in substantially the following form:

**Orange County Charter Amendment
Establishing Rural Boundary
and Rural Area (“Area”)**

Establishing a Rural Area (unincorporated lands located outside the County’s Urban Service Area, municipal joint planning areas, Growth Centers, Innovation Way Overlay, Horizon West Villages, and Boggy Creek Expansion Area on the effective date) where County comprehensive plan amendments increasing density or intensity, and ordinances removing lands from the Rural Area, must be approved by a majority-plus-one vote of the entire membership of the County Commission.

Yes
 No



Ordinance for Charter Amendment

Section 5. Spanish Translation. *The above ballot question shall additionally appear on the ballot in Spanish and the County Attorney and Supervisor of Elections are requested to authorize, and directed to prepare, an accurate Spanish translation to be included on the ballot.*

Section 6. Payment of Referendum Expenses. *The Board authorizes the payment of lawful expenses associated with conducting the referendum, as well as the cost of providing information as permitted by Section 106.113, Florida Statutes. The Orange County Comptroller is hereby authorized and directed to disburse the funds necessary to pay such expenses.*



Ordinance for Charter Amendment

Section 7. Severability. *If any section, subsection, sentence, clause, or provision of this ordinance or the application thereof to any person or circumstance is held invalid for any reason, the invalidity shall not affect any other provision or application of this ordinance, and to this end the provisions of this ordinance are declared severable.*

Section 8. Effective Date. *This ordinance shall take effect pursuant to general law. However, Section 1 of this ordinance, Charter Amendment, shall take effect only if and when approved by a majority of the voters voting in the referendum called by the Board of County Commissioners of Orange County, Florida in Section 2 of this ordinance.*



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Action Requested

ACTION REQUESTED:

APPROVAL OF ORDINANCE SUBMITTING TO REFERENDUM A PROPOSED AMENDMENT TO THE CHARTER OF ORANGE COUNTY, FLORIDA PROVIDING FOR THE ESTABLISHMENT OF A RURAL BOUNDARY AND RURAL AREA