

Board of County Commissioners

SCHOOL OVERCROWDING CHARTER PROVISION RE- APPROVAL

June 19, 2012





- Purpose
- Chronology
- Charter Provision
- Requested action (ballot language)



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Purpose:

Charter sec. 704 B.2. provides

“..... This paragraph 2 shall be offered to the electors for re-approval at referendum at the General Election in 2012.....”

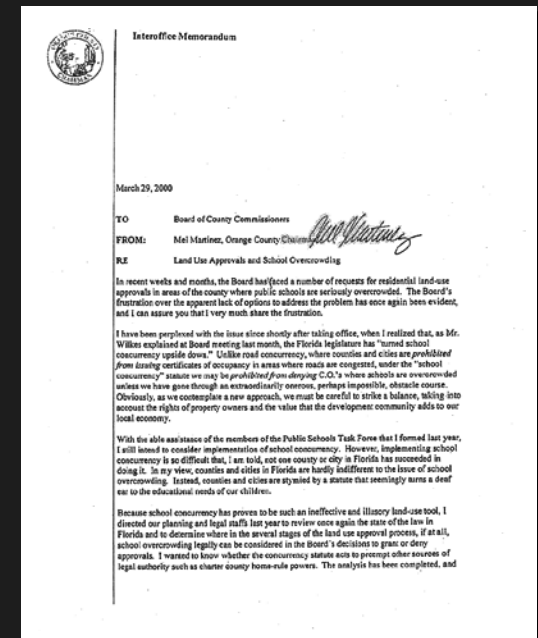


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Chronology



- 2000: Martinez Memorandum
- 2004: Charter amendment passes
- 2005: Charter interlocal agreement
- 2005: SB 360 – mandatory school concurrency
- 2006: Countywide ordinance adopted
- 2008: School concurrency plan amendments adopted
- 2011: HB 7207 – school concurrency through local comp plans and ILA
- 2012: Re-approve Charter provision



2000

2004

2005

2006

2008

2011

2012

SCHOOL CAPACITY

SCHOOL CONCURRENCY



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What the charter provision is/does:

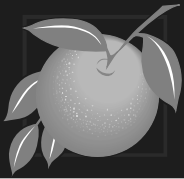
- Authorizes countywide ordinance (pre-empting municipal ordinances) governing certain comprehensive plan amendments and rezonings
- For comprehensive plan amendments or rezonings that increase residential density and affect schools that serve more than one jurisdiction:



- Capacity analysis from OCPS
- OCPS must certify capacity is available, or if insufficient capacity, developer enters into Capacity Enhancement Agreement (CEA) with OCPS
- Mitigation



- If insufficient capacity, or OCPS cannot certify future capacity through CEA or mitigation, comp plan amendment or rezoning becomes effective only upon approval of all significantly affected local governments



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Requested action:

Approve ordinance to place the ballot title and question on the November 6, 2012, general election ballot.



REQUIRE COUNTY AND MUNICIPAL APPROVAL OF ZONING OR COMPREHENSIVE PLAN AMENDMENTS AFFECTING OVERCROWDED SCHOOLS.

Shall the Orange County Charter provision be re-approved to allow the continued effectiveness of the ordinance requiring that rezonings or comprehensive plan amendments (or both) (1) that increase residential density in an overcrowded school zone and (2) for which the school district cannot accommodate the expected additional students, take effect only upon approval by each local government located within the boundaries of that school zone?