



2024 ORANGE COUNTY CHARTER REVIEW COMMISSION (CRC)

Sustainable Growth & Charter Cleanup Committee

County Protected Lands Amendment Final Report and Recommendation to the Charter Review Commission

May 1, 2024

Committee Members:

Eric R. Grimmer, Chair
Rishi Bagga
Dick Batchelor
Tom Callan
Chuck O'Neal
Eugene Stoccardo

Summary of Recommendation

The Sustainable Growth & Charter Cleanup Committee recommends that the CRC place the Committee's recommended County Protected Lands Amendment (attached as Exhibit "A") on the 2024 General Election ballot for consideration by the voters of Orange County.

Overview of Charter Amendment

The proposed charter amendment defines "County Protected Lands" as County owned, operated, or maintained public parks and recreation areas, and environmentally sensitive lands acquired by the County for environmental, ecological, or recreational purposes, and then requires that any County Commission action authorizing the disposition of County Protected Lands, or the change of County Protected Lands to another use, must be approved by a majority-plus-one County Commission vote.

As a result of what the Committee learned from County staff about the variety of ways the County may hold interests in such land, the language of the proposed charter amendment clarifies that references to ownership or acquisition encompass any interest in real property, whether by conveyance, dedication, grant of easement, or otherwise, and whether held solely, or in common with others.

Overview of Committee Process

At its February 19, 2024 meeting, the 2024 Orange County Charter Review Commission ("CRC") referred to the Sustainable Growth & Charter Cleanup Committee (the "Committee") a charter amendment topic proposed by citizen Valerie Anderson, initially

framed as a proposal requiring that Orange County owned conservation land and parks may only be used for the purpose for which they were originally acquired.

The Committee thereafter held multiple meetings at which it spoke with County staff from both the Parks and Recreation Division and Environmental Protection Division to learn more about existing processes relating to the acquisition, maintenance, and disposition of both County parks and recreation areas and preservation lands.

At its March 25, 2024 meeting, the Committee spoke with Kyle Kent, Assistant Manager, and Regina Ramos, Project Manager, with the Parks and Recreation Division, who discussed common instances in which County parks and recreation land may be converted to some other use, and how those decisions are typically undertaken. In this vein, the Committee came to learn that Policy R1.1.4 of the Orange County Comprehensive Plan provides the following:

R.1.1.4 Public park or recreation areas operated or maintained by Orange County shall not be converted to other uses, except by determination of the Board of County Commissioners that such conversion is in the public interest. Orange County shall seek appropriate compensation or replacement land if such land is taken.

At the same meeting, the Committee also discussed a provision of the Pinellas County Charter that designates a list of County-owned environmental lands, and then imposes a countywide referendum requirement to authorize the sale or long-term lease of such lands.

At its April 24, 2024 meeting, the Committee spoke with Environmental Protection Division Assistant Manager Elizabeth “Liz” Johnson, and Environmental Programs Administrator Beth Jackson, concerning the County’s Green PLACE program, and the County’s acquisition of environmentally sensitive lands. The Committee received an overview of the program and its acquisitions thus far, and was briefed on the variety of different arrangements under which the County may own environmentally sensitive lands, whether solely, or in common with other partners, such as the St. Johns River Water Management District. The Committee was also advised of Section 11.07.01 of the County’s Administrative Regulations, which relate to the County’s acquisition of environmentally sensitive lands. One of the conclusions of that discussion was that there are presently no unique requirements imposed on the County’s disposal of County-owned environmentally sensitive lands.

At the same meeting, the Committee generally moved away from consideration of the Pinellas County Charter countywide referendum model, and directed counsel to prepare a charter amendment based on draft language suggested by Member Stoccardo, which was in turn based on the language of Policy R1.1.4 of the Orange County Comprehensive Plan.

At its April 24, 2024 meeting, reviewed and revised the prepared charter amendment language, and by a 4-0 vote recommended the placement of the County Protected Lands Amendment attached as Exhibit "A" on the November 2024 ballot.

Exhibit “A”

Ballot Proposal: The ballot title and ballot summary for this question are as follows:

**SUPERMAJORITY COUNTY COMMISSION
VOTE TO DISPOSE OF OR CHANGE USE OF
“COUNTY PROTECTED LANDS”**

Amending the Orange County Charter to define “County Protected Lands” as County owned (in whole or in part), operated, or maintained public parks and recreation areas, and environmentally sensitive lands acquired by the County for environmental, ecological, or recreational purposes; and requiring that any County Commission action authorizing the disposition of County Protected Lands or change to another use must be approved by a majority-plus-one County Commission vote.

_____ Yes
_____ No

Text Revisions: Upon approval of this question at referendum, the following portions of the Orange County Charter are amended to read as follows:

Sec. 713. – County Protected Lands.

A. *Definition of “County Protected Lands”.* As used in this section, “County Protected Lands” means public parks and recreation areas that are owned, operated, or maintained by the county, and environmentally sensitive lands acquired by the county for environmental, ecological, or recreational purposes. References to ownership or acquisition encompass ownership or acquisition of any interest in real property, whether by conveyance, dedication, grant of easement, or otherwise, and whether held solely, or in common with others.

B. *Supermajority vote requirement.* Any action of the board authorizing the disposition of any County Protected Lands, or any portion thereof, or the change of any County Protected Lands, or any portion thereof, to another use must be approved by an affirmative vote of not less than a majority plus one of the entire membership of the board.