
BILL COWLES
Supervisor of Elections
Orange County, Florida



OUR MISSION IS TO:
Ensure the integrity of the electoral process.
Enhance public confidence.
Encourage citizen participation.

To: Emily Bonilla
From: Bill Cowles, Supervisor of Elections
Re: Orange County Petition under Section 601, Charter
Date: April 26, 2018

We have received and reviewed your revised R.U.R.A.L. Orange County Charter Initiative Petition Form dated April 26, 2018. The petition form contains each of the elements required for this office to subsequently verify the petition. Accordingly, the Supervisor has determined that the form on which the signatures will be affixed may proceed pursuant to Section 602(A) of the Orange County Charter, as amended in 2016. The Supervisor of Elections expresses no opinion and is not responsible for the contents of the petition.

Pursuant to the 2016 Charter Amendments, please note the following dates and pertinent information in reference to your Charter Initiative Petition:

The beginning of the petition drive period commences on the date of this correspondence. If sufficient signatures are obtained, the SOE shall verify and submit a written report to the Board. The dates by which the process must be completed to allow for ballot placement for the 2018 Elections are as follows:

150 days prior to August 28, 2018 Primary Election- March 31, 2018
150 days prior to November 6, 2018 General Election- June 9, 2018

The petition must be signed by 10% of the electors in each County Commission District as of January 1 of the year in which the petition was initiated. Additionally, once 1% of the electors in each district have signed the petition, the SOE shall notify the Board, the Comptroller, and the Legal Review Panel. These totals are as follows:

CC District	Total	10%	1%
One	144,439	14,444	1,444
Two	125,704	12,570	1,257
Three	138,538	13,854	1,385
Four	146,604	14,660	1,466
Five	146,755	14,676	1,468
Six	101,494	10,149	1,015

Within twenty days of the 1% notification by the SOE, the Comptroller shall prepare and transmit to the Board, SOE, and sponsor of the petition a financial impact statement (not exceeding seventy-five words). The sponsor shall then prepare and submit to the SOE a revised petition form containing the financial impact statement. The SOE shall then, within fifteen days, render a determination on the form of the revised petition. A public hearing shall be held by the Board within sixty days after notification of legality by the Legal Review Panel.

A handwritten signature in blue ink, appearing to read "Bill Cowles" with a circled "C" at the beginning. To the right of the signature, there is a handwritten note in parentheses: "(for Bill Cowles)".

Bill Cowles
Orange County Supervisor of Elections

Cc: Jeffrey Newton, County Attorney, Orange County
Phil Diamond, Orange County Comptroller

Orange County Charter Initiative Petition Form

Note: - All information on this form, including your signature, becomes a public record upon receipt by the Supervisor of Elections.

- Per Florida law it is a first-degree misdemeanor, punishable as provided in s. 775.082 or 775.083, Fla. Stat., to knowingly sign more than one petition form for an issue.

- If all requested information on this form is not complete, the form will not be valid.

Your Name: _____ **County** ORANGE

Please Print Name as it appears on your Voter Information Card

Your Address: _____ **City:** _____ **Zip:** _____

Please change my legal residence address on my voter registration record to the above residence address (check box, if applicable).

Date of Birth: _____ **OR Voter Registration Number:** _____

I am a registered Florida voter and hereby petition Orange County to place the following proposed initiative on the ballot.

BALLOT TITLE: REFORMING PLANNING BY REQUIRING GREATER-THAN-MAJORITY VOTE, AND PREEMPTING SOME MUNICIPAL ORDINANCES

BALLOT SUMMARY: Reforming the charter to provide fiscal and land use sustainability standards, allow fourteen days for review, and require a super-majority vote for legislative land use decisions; require fiscal neutrality and a unanimity-minus-one vote for legislative land use decisions outside of the Urban Service Area; and preempt municipal planning for lands outside of the Urban Service Area which may be annexed in the future.

TITULO DE LA PAPELETA: REFORMA DE LA PLANIFICACIÓN POR REQUERIMIENTO DE VOTO DE MAYORÍA CALIFICADA Y EXCEPCIÓN A ALGUNAS ORDENANZAS MUNICIPALES

RESUMEN DE LA PAPELETA: Reforma del estatuto municipal para proporcionar normas fiscales y de sostenibilidad del uso de la tierra, permitir catorce días para revisión, y requerir una votación por mayoría calificada para las decisiones legislativas sobre el uso de la tierra; requerir la neutralidad fiscal y una votación por unanimidad menos uno para las decisiones legislativas sobre el uso de la tierra fuera del Área de Servicio Urbano; y eximir la planificación municipal para las tierras fuera del Área de Servicio Urbano que pueden ser anexadas en el futuro.

Full Text of The Proposed Initiative:

Section 1. The title of Article V is amended to read:

ARTICLE V. - PLANNING, AND ZONING, COMMISSION AND BOARD OF ZONING ADJUSTMENT AND ANNEXATION

Section 2. A new section 506 is added to read:

Sec. 506. - Fiscal and land use sustainability

A. Legislative land use decisions are decisions of the board of county commissioners which affect the use or development of land and result in the formulation of a general rule of policy, such that a decision prescribes a requirement with respect to orders to be made in the future. Adoption or amendment of the Orange County Comprehensive Plan is a legislative land use decision.

B. Legislative land use decisions must be consistent with the following policies.

1. The county will facilitate efficient and cost-effective provision of services, ensure adequate public facilities are available concurrently with new development, and be fiscally conservative in planning for growth.
2. The county will ensure sustainable economic growth which meets the needs of the present without compromising the ability of future generations to meet their needs.
3. The county will plan in order to protect natural and manmade resources and maintain, through orderly growth and development, the character, stability, and quality of life for present and future county residents.
4. The county will plan in order to protect rural communities which are an integral part of the metropolitan region and provide a rural lifestyle, productive agriculture, natural landscapes, and environmental services.

C. Engagement and process for legislative land use decision making

1. Legislative land use decisions must be made on a positive or negative vote on a proposal which has been available to the public at least fourteen days prior to a board of county commissioners decision on the proposal. Proposals shall not be changed in the fourteen days prior to the advertised public hearing. This allows residents, the

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board of county commissioners, and affected parties to fairly evaluate proposals and supporting data and analysis.

2. Vote by board of county commissioners

(a) The board of county commissioners may make a legislative land use decision only by an affirmative vote of a majority plus one of the full membership of the board of county commissioners.

(b) However, the board of county commissioners may make a legislative land use decision which adds lands to the Urban Service Area, or increases the allowable land use density or intensity on lands lying outside the Urban Service Area, only when such action is fiscally neutral and only by an affirmative vote of a unanimity minus one vote of the full membership of the board of county commissioners. For the purposes of this paragraph, "Urban Service Area" means that area identified as Urban Service Area in the Orange County, Florida 2010-2030 Comprehensive Plan Future Land Use Map Series effective on August 18, 2016.

Section 3. Section 704 is amended to read:

Sec. 704. - Conflict of county ordinances with municipal ordinances; preemption.

A. Except as provided in this section, no county ordinance shall be effective within a municipality if the municipality maintains an ordinance covering the same subject matter, activity or conduct as the county ordinance.

B. County ordinances shall be effective within municipalities and shall prevail over municipal ordinances when:

1. The county sets minimum standards for (a) regulating adult entertainment, and (b) protecting the environment by prohibiting or regulating air or water pollution, and (c) prohibiting or regulating simulated gambling or gambling, but only to the extent that such minimum standards are stricter than the applicable municipal standards.

2. The county ordinances provide that the county's and any municipality's rezonings or comprehensive-plan amendments (or both) that increase residential density are effective only upon approval by the governing boards of all significantly affected local governments when:

(a) The attendance zone for any public school to be affected by the increase in residential density lies only partly inside a municipality; and

(b) The school district cannot certify to the governing boards of all significantly affected local governments that the school, the attendance zone for which straddles a municipal boundary, can accommodate the additional students that will result from the increase in residential density.

The ordinance shall provide that the above-described rezonings and comprehensive-plan amendments take effect only upon approval of each significantly affected local government, whether the county or any municipality therein. The ordinance may include exceptions for de minimis impacts to the affected school(s) and such terms, requirements, limitations, exceptions, and other provisions that may be necessary or useful to protect property rights, comply with applicable law, and carry out the intent and purposes of this subsection.

Should a court of competent jurisdiction hold, after all appeals, that the ordinance does not afford the municipalities the same opportunity as the county to approve or deny the aforementioned comprehensive-plan amendments and rezonings when they are significantly affected local governments, the ordinance shall terminate and be of no further force and effect.

3. The Orange County Comprehensive Plan establishes development densities and intensities for lands lying outside the Urban Service Area except that this preemption does not apply to land that is within a municipality prior to April 23, 2018.

C. The intent of this section is that no person within a municipality shall be governed simultaneously by two sets of ordinances covering the same subject matter, activity or conduct, except in matters of minimum adult-entertainment standards, or pollution regulatory standards, or simulated gambling or gambling prohibitions or standards, or rezoning or comprehensive-plan amendments that affect public schools with attendance zones that straddle any municipal boundary, or comprehensive plan standards for land use density or intensity on lands which are outside the Urban Development Area and annexed into a municipality after April 23, 2018. In absence of an ordinance within a municipality on a subject, the county ordinance on that subject shall govern.

SIGNATURE OF REGISTERED VOTER: _____ DATE OF SIGNATURE: _____

Paid political advertisement paid for and approved by Residents United for Rural Area Longevity (R.U.R.A.L.), 524 Meridale Avenue, Orlando, Florida 32803

Petition gatherers must complete the following Petition Gatherer's Affidavit:

Petition Gatherer's Name _____

Petition Gatherer's Address _____

Petition Gatherer - Paid Voluntary (Check appropriate response) If paid, by whom _____

If paid, check appropriate response: Hourly basis Per-signature basis Other basis (specify) _____

By my signature below, as petition gatherer, I verify that the petition was signed in my presence, that the petition signer had sufficient time to read the petition language, and that I believe the signature on the petition to be the genuine signature of the petition signer. Under penalties of perjury, I declare that I have read the foregoing Petition Gatherer's Affidavit and that the facts stated in it are true.

Petition Gatherer's Signature: _____