

RESOLUTION NO. 1 PROPOSING CHARTER AMENDMENT

A RESOLUTION OF THE 2023-2024 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, PROPOSING AMENDMENT OF THE COUNTY HOME RULE CHARTER TO PROVIDE: FOR THE REQUIREMENT OF A SUPERMAJORITY VOTE OF THE SEMINOLE COUNTY BOARD OF COUNTY COMMISSIONERS IN ORDER TO REMOVE PROPERTY FROM THE COUNTY’S DESIGNATED “RURAL AREA” OR CHANGE THE FUTURE LAND USE DESIGNATION OF “RURAL LANDS,” AS THOSE TERMS ARE DEFINED IN ARTICLE V OF THE CHARTER

WHEREAS, Section 4.2(B), Seminole County Home Rule Charter, provides that a Charter Review Commission periodically shall review the Charter, and propose amendments which may be advisable for placement on the general election ballot for voter approval; and

WHEREAS, hearings have been held to inform the public and receive suggestions regarding this and other amendments proposed to be made to the Seminole County Home Rule Charter; and

WHEREAS, the Seminole County Home Rule Charter provides Seminole County with all powers of local self-government not inconsistent with the Constitution and law of Florida; and

WHEREAS, passage of this Resolution will allow the voters of Seminole County to adopt or reject the Amendment proposed herein at a special election in conjunction with the general election to be held on November 5, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE 2023-2024 CHARTER REVIEW COMMISSION OF SEMINOLE COUNTY, FLORIDA, THAT:

Section 1 – Adoption of Amendments:

Subject to the approval of the electors at a special election to be held in conjunction with the general election on November 5, 2024, as required by the Constitution, Laws of Florida, and Section 4.2(B) of the Seminole County Home Rule Charter, the Seminole County Home Rule Charter is amended at Article V to read:

Section 5.2(B) Removal of Property from Rural Area.

The Board of County Commissioners may remove property from the "Rural Area" and amend the Rural Boundary accordingly, by ordinance whenever, in the opinion of the Board, such a change is necessary. Any vote to remove property from the Rural Area or amend the Rural Boundary, however, shall only be by Supermajority vote of the Board of County Commissioners. Nothing herein shall authorize the County Commission to expand the "Rural Area" beyond the area contained in the above referenced legal description. (Ord. No. 2004-36 § 3, eff. 11-03-04).

C. Future Land Use Designations.

From and after the effective date of this section the future land use designations contained in the Seminole County Comprehensive Plan shall control the density and intensity of development on all Rural Lands, as that term is defined herein. The Board of County Commissioners must approve all changes to the future land use designations of all Rural Lands, regardless of whether some or all of the Rural Lands are located within a municipality. (Ord. No. 2004-36 § 3, eff. 11-03-04). Any vote to change the future land use designations of any Rural Lands, however, shall only be by Supermajority vote of the Board of County Commissioners.

E. Definition. Supermajority Vote. The requirement that, for the Board of County Commissioners to take action on a matter pending before them, at least a majority plus one of entire membership of the Board of County Commissioners must vote in the affirmative to take such action.

Section 2. Referendum.

On November 5, 2024, a special election shall be held in accordance with the requirements of the Constitution and Laws of Florida, and Section 4.2(B)(5) Seminole County Home Rule Charter, in

Commented [DS1]: Robby and Meloney: We could use a broader introductory clause as to what the definitions mean, just as we have done in the proposed amendment re Natural, Park, and other conservation lands.
David

Commented [DS2]: Robby and Meloney: I had to include a definition of Supermajority Vote here because this likely would be a separate proposed Charter Amendment so that if one of the proposed amendments did not pass, then the definition of a Supermajority would not be left out.
David

Commented [DS3]: Robby: Please note that I have changed the language slightly here. Where the Ordinance says "at least four (4) of the five (5) Commissioners must vote in the affirmative to take such action," I am trying to deal with the situation where, for example, a vacancy might exist due to illness, death, etc., as to one or commissioners. Someone could argue that the "entire membership" in those circumstances would still be 5 commissioners. We should discuss this with the CRC Commissioners.

conjunction with the general election. The ballot pertaining to this proposed Charter Amendment shall read as follows:

Shall the Seminole County Charter be revised to require the vote of a Supermajority (i.e., a majority plus one) of the members of the Seminole County Board of County Commissioners in order to remove property from the County’s “Rural Area;” amend the Rural Boundary; or change the future land use designation of property located in the Rural Area?

Section 3 – Effective Date:

If approved by a majority of electors voting on the matter, this Charter Amendment shall become effective on _____, and shall be incorporated into the Charter with any necessary renumbering or re-lettering of its provisions.

Section 4 – Submission to the Board of County Commissioners of Seminole County, Florida:

This Resolution and proposed amendment shall be delivered to the Board of County Commissioners of Seminole County, Florida, in accordance with Section 4.2(B)(5), Seminole County Home Rule Charter, for placement on the general election ballot to be held on November 5, 2024.

APPROVED AND ADOPTED by the Seminole County Charter Review Commission on this __ day of _____, 2024.

By: John Horan
Chairman, Seminole County Charter Review Commission