

HOMETOWN DEMOCRACY

MAKING SENSE OF IT



Presentation to:
Lee County Bar Association – Land Use Division
August 27th, 2009 - Fort Myers





WHAT IS HOMETOWN DEMOCRACY?

Hometown Democracy refers to a proposed constitutional amendment that would require a public referendum any time a local government adopted or amended its Comprehensive Plan



ORIGINS OF HOMETOWN DEMOCRACY

- ❖ Response to flaws in Florida's Growth Management legislation
- ❖ Stop the “bullying” of government officials
- ❖ Stop or slow growth throughout Florida
- ❖ Puts land use decisions in hands of voting public



TRUE OR FALSE?

1. Will lead to more lobbying by special interest groups
2. Will lead to better land use decisions
3. Will protect property values & neighborhoods
4. Will impact the provision of essential services
5. Will reduce jobs and economic growth



TRUE OR FALSE?

6. Will cost the taxpayers very little money
7. Will discourage meaningful public participation
8. Will protect natural areas & scenic beauty
9. Will reduce the accountability of elected officials
10. Will eliminate sprawl



WHAT IS THE STATUS?

- ❖ Needed 676,811 verified petitions by January 31, 2010 to get it on the election ballot as a referendum
- ❖ In June 2009, it was determined that the initiative had enough valid signatures and *will be* on the 2010 ballot as Amendment 4
- ❖ Initiative will need 60% of eligible voter approval to pass



AMENDMENT 4 BALLOT TITLE

“REFERENDA REQUIRED FOR
ADOPTION AND AMENDMENT OF
LOCAL GOVERNMENT
COMPREHENSIVE LAND USE PLANS”



BALLOT SUMMARY

“Establishes that before a local government may adopt a new comprehensive land use plan, or amend a comprehensive land use plan, the proposed plan or amendment shall be subject to vote of the electors of the local government by referendum, following preparation by the local planning agency, consideration by the governing body and notice. Provides definitions.”



WHAT HAPPENS IF IT GETS APPROVED?

- ❖ Initiative would become effective immediately
- ❖ Any Comprehensive Plan amendments in process would be subject to a vote by referendum during the next regular election
- ❖ If approved, Florida Legislature could repeal the Growth Management Act which would negate Hometown Democracy
- ❖ Legislature could create new regulations



HOMETOWN DEMOCRACY 101

- ❖ Would require that the public vote on any Comprehensive Plan Amendment that a local jurisdiction approves
- ❖ Would include Text Amendments, and both Small-Scale and Large-Scale Map Amendments



HOMETOWN DEMOCRACY 101 (*Cont.*)

- ❖ Lee County has 27 Amendments scheduled for transmittal in 2009
- ❖ Following economic recovery, Floridians for Smarter Growth anticipate between 200-300 land-use referendums each year for local voters



HOMETOWN DEMOCRACY 101 (*Cont.*)

- ❖ Additional voting responsibilities for the general public
- ❖ Additional public relations responsibilities for consultants
- ❖ Additional time and expenses for applicants
- ❖ Additional expenses for taxpayers if challenged



CASE STUDY: ST. PETE BEACH

- ❖ Group called “Citizens for Responsible Growth” organized in 2005 to rescind changes to the Comprehensive Plan which allowed for increased density/intensity
- ❖ Referendum passed in 2006 by small majority that requires voter approval for:
 - 1) Any change to the Comprehensive Plan involving more than 5 acres
 - 2) Any land development proposal for increased height
 - 3) Any proposal for a Community Redevelopment Area



CASE STUDY: ST. PETE BEACH

- ❖ Another activist group emerged – Save Our Little Village (SOLV)
- ❖ Effectively organized local government and passed new referendum in 2008
- ❖ Allowed for increased density and height, similar to the original amendment rescinded in 2006
- ❖ Did not repeal the requirement for voter approval



CASE STUDY: ST. PETE BEACH

- ❖ Resulted in six (6) pending lawsuits
- ❖ Cost the City almost \$500,000 in additional legal fees since 2005
- ❖ Additional tax payer dollars towards the cost of referendums
- ❖ One lawsuit has placed a temporary hold on the issuance of building permits



CASE STUDY: ST. PETE BEACH

- ❖ No opportunity for economic development
- ❖ Huge cost to tax payers
- ❖ Increased frustration between community groups and the government



WHY ARE WE HERE?

- ❖ To suggest that you familiarize yourself with Hometown Democracy and educate your clientele
- ❖ To encourage you to vote responsibly
- ❖ To ask you to make informed decisions



FOR MORE INFORMATION

❖ *PROPONENTS*

❖ *Florida Hometown Democracy*

www.floridahometowndemocracy.com

❖ *OPPONENTS*

❖ *Floridians for Smarter Growth*

(www.Florida2010.org)

YES
 NO

Thank you!

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