



STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY AFFAIRS**

*"Dedicated to making Florida a better place to call home"*

**CHARLIE CRIST**  
Governor

**THOMAS G. PELHAM**  
Secretary

July 11, 2007

The Honorable John Peyton, Mayor  
City of Jacksonville  
4<sup>th</sup> Floor, City Hall at St. James  
117 West Duval Street  
Jacksonville, Florida 32202-3495

RE: Letter to the Mayor – Duval County/Jacksonville 07-1 Adopted Comprehensive Plan Amendment

Dear Mayor Peyton:

The Department's attention has been drawn to a typographical error in our letter to you dated July 10, 2007 regarding the Department's compliance determination of the City of Jacksonville's adopted comprehensive plan amendment (Duval County/Jacksonville 07-1). Instead of our letter stating that the Department's "Notice of Intent has been sent to the *Florida Times Union* for publication on July 11, 2007", the letter inadvertently stated that the Department's "Notice of Intent has been sent to *The St. Augustine Record* for publication on July 11, 2007". The Department apologizes for this error. To assist you and the general public in setting the records correct, we have attached a revised letter which identifies the newspaper of publication as the "*Florida Times Union*." The Department is issuing a revised Notice of Intent for the amendment. The Notice of Intent has been sent to the *Florida Times Union* for publication on July 14, 2007.

If you have any questions concerning this matter, please contact Bill Pable, Regional Planning Administrator, at (850) 922-1781, or Joseph Addae-Mensa, Principal Planner, at (850) 922-1783.

Sincerely,

Charles Gauthier, AICP  
Director, Division of Community Planning

CG/jam

Enclosures: Revised Letter  
Revised Notice of Intent

cc: Margo Moehring, AICP, Chief, Strategic Planning, Jacksonville  
Ed Lehman, Director of Growth Management, NEFRC

2555 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-2100  
Phone: 850-488-8466/SUNCOM 278-8466 Fax: 850-921-0781/SUNCOM 291-0781  
Website: [www.dca.state.fl.us](http://www.dca.state.fl.us)



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The Honorable John Peyton, Mayor  
City of Jacksonville  
4<sup>th</sup> Floor, City Hall at St. James  
117 West Duval Street  
Jacksonville, Florida 32202-3495

Dear Mayor Peyton:

The Department has completed its review of the City of Jacksonville adopted comprehensive plan amendments adopted on May 14, 2007 and has determined that Ordinance Nos. 2007-351-E, 2007-353-E, 2007-355-E, 2007-357-E, 2007-358-E, 2007-360-E, 2007-362-E, 2007-364-E, 2007-366-E, 2007-368-E, 2007-370-E, 2007-374-E, 2007-376-E, 2007-378-E, 2007-381-E, 2007-383-E, and 2007-385-E do not meet the requirements of Chapter 163, Part II, Florida Statutes (F.S.), for compliance. The Department has determined that Ordinance Nos. 2007-372-E, 2007-380-E, 2007-387-E, 2007-389-E, 2007-390-E and 2007-391-E do meet the requirements of Chapter 163, Part II, F.S. for compliance. The Department's Notice of Intent and Statement of Intent are enclosed with this letter. The Notice of Intent has been sent to the *Florida Times Union* for publication on July 11, 2007.

In addition, the Notice of Intent and the Statement of Intent will be forwarded to the Division of Administrative Hearings of the Department of Management Services for the scheduling of an administrative hearing pursuant to Section 120.57, F.S. Please note that a copy of the City of Jacksonville adopted comprehensive plan amendments, the Department's Objections, Recommendations and Comments Report dated March 5, 2007, the Notice of Intent and the Statement of Intent must be available for public inspection, Monday through Friday, except for legal holidays, during normal business hours, at Jacksonville Planning Department, 128 East Forsyth Street, Jacksonville, Florida 32202-3325.

If the Department's compliance determination is challenged by an affected person, you will have the option of mediation pursuant to Subsection 163.3189(3)(a), F.S. If you choose to attempt to resolve the matter through mediation, you must file the request for mediation with the administrative law judge assigned by the Division of Administrative Hearings. The choice of mediation will not affect the right of any party to an administrative hearing.

2555 SHUMARD OAK BOULEVARD TALLAHASSEE, FL 32399-2100  
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AREAS OF CRITICAL STATE CONCERN FIELD OFFICE  
Phone: 305-289-2422  
Fax: 305-289-2442

HOUSING AND COMMUNITY DEVELOPMENT  
Phone: 850-488-7956/SUNCOM 278-7956  
Fax: 850-922-5623/SUNCOM 292-5623

The Honorable John Peyton  
July 11, 2007  
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Please be advised that Section 163.3184(8)(c)2, F.S., requires a local government that has an internet site to post a copy of the Department's Notice of Intent on the site within 5 days after receipt of the mailed copy of the Notice of Intent. We are interested in meeting with you or your designee, at your convenience, for the purpose of negotiating an agreement that will bring your comprehensive plan amendments into compliance. If you have any questions concerning this matter, please contact Bill Pable, Regional Planning Administrator, at (850) 922-1781, or Joseph Addae-Mensa, Principal Planner, at (850) 922-1783.

Sincerely,



Charles Gauthier, AICP  
Director, Division of Community Planning

CG/jam

Enclosures: Notice of Intent  
Statement of Intent

cc: Margo Moehring, AICP, Chief, Strategic Planning, Jacksonville  
Ed Lehman, Director of Growth Management, NEFRC

**AMENDED WITH CORRECTIONS**  
STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
NOTICE OF INTENT TO FIND THE DUVAL JACKSONVILLE  
COMPREHENSIVE PLAN AMENDMENTS ADOPTED BY ORDINANCE NO(s).  
2007-351-E, 2007-353-E, 2007-355-E, 2007-357-E, 2007-358-E, 2007-360-E, 2007-362-E, 2007-364-E,  
2007-366-E, 2007-368-E, 2007-370-E, 2007-374-E, 2007-376-E, 2007-378-E, 2007-381-E,  
2007-383-E, and 2007-385-E  
NOT IN COMPLIANCE  
AND THE COMPREHENSIVE PLAN AMENDMENTS ADOPTED BY  
ORDINANCE NO(s). 2007-372-E, 2007-380-E, 2007-387-E, 2007-389-E, 2007-390-E and 2007-391-E  
IN COMPLIANCE.  
DOCKET NO. 07-1-NOI-1601-(A)-(N)

The Department gives notice of its intent to find the Amendment(s) to the Comprehensive Plan for Duval Jacksonville, adopted by Ordinance No(s). 2007-351-E, 2007-353-E, 2007-355-E, 2007-357-E, 2007-358-E, 2007-360-E, 2007-362-E, 2007-364-E, 2007-366-E, 2007-368-E, 2007-370-E, 2007-374-E, 2007-376-E, 2007-378-E, 2007-381-E, 2007-383-E, and 2007-385-E on May 14, 2007 NOT IN COMPLIANCE and Ordinance No(s). 2007-372-E, 2007-380-E, 2007-387-E, 2007-389-E, 2007-390-E and 2007-391-E on May 14, 2007 IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S.

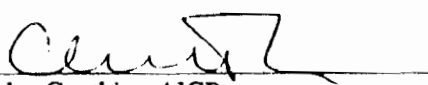
The adopted Duval Jacksonville Comprehensive Plan Amendment(s), the Department's Objections, Recommendations, and Comments Report (if any), and the Department's Statement of Intent to find the Comprehensive Plan Amendment(s) Not In Compliance will be available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Jacksonville Planning Department, 128 East Forsyth Street, Jacksonville, Florida 32202-3325.

Any affected person, as defined in Section 163.3184, F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Amendment(s) to the Duval Jacksonville Comprehensive Plan are In Compliance, as defined in Subsection 163.3184(1), F.S. The petition must be filed within twenty-one (21) days after publication of this notice, a copy must be mailed or delivered to the local government and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

This Notice of Intent and the Statement of Intent for those amendment(s) found Not In Compliance will be forwarded by petition to the Division of Administrative Hearings (DOAH) of the Department of Management Services for the scheduling of an Administrative Hearing pursuant to Sections 120.569 and 120.57, F.S. The purpose of the administrative hearing will be to present evidence and testimony on the noncompliance issues alleged by the Department in its Objections, Recommendations, and Comments Report and Statement of Intent in order to secure a recommended order for forwarding to the Administration Commission.

Affected persons may petition to intervene in either proceeding referenced above. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. Pursuant to Section 163.3184(10), F.S., no new issues may be alleged as a reason to find a plan amendment not in compliance in a petition to intervene filed more than twenty one (21) days after publication of this notice unless the petitioner establishes good cause for not alleging such new issues within the twenty one (21) day time period. The petition for intervention shall be filed at DOAH, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060, and a copy mailed or delivered to the local government and the Department. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing pursuant to Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

After an administrative hearing petition is timely filed, mediation is available pursuant to Subsection 163.3189(3)(a), F.S., to any affected person who is made a party to the proceeding by filing that request with the administrative law judge assigned by the Division of Administrative Hearings. The choice of mediation shall not affect a party's right to an administrative hearing.

  
Charles Gauthier, AICP  
Director, Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100