



STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY AFFAIRS**

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

JEB BUSH  
 Governor

THADDEUS L. COHEN, AIA  
 Secretary

December 8, 2006

The Honorable Ben Rich, Chairman  
 St. Johns County Board of County Commissioners  
 P. O. Drawer 349  
 St. Augustine, Florida 32085-0349

Dear Chairman Rich:

The Department has completed its review of St. Johns County adopted comprehensive plan amendment (DCA 06-R1) adopted by Ordinance 2006-126 on October 31, 2006. The amendment is based on a Stipulated Settlement Agreement executed between the Department and St. Johns County (DOAH Case No. 05-1787GM), as remedial to Ordinance 2005-26 also known as Helow Intensive Commercial Site adopted on March 9, 2005 (DCA No. 05-1). The Department has determined that Ordinance No. 2006-126 meets the requirements of Chapter 163, Part II, F.S, for compliance as defined in Subsection 163.3184(1)(b), F.S. The Department is issuing a cumulative Notice of Intent to find Ordinance Nos. 2005-26 and 2006-126 in compliance. The Notice of Intent has been sent to the St. Augustine Record for publication on December 11, 2006.

The Department's Notice of Intent to find the plan amendment in compliance shall be deemed to be a final order if no timely petition challenging the plan amendment is filed. Any affected person may file a petition with the agency within 21 days after the publication of the Notice of Intent pursuant to Section 163.3184(9), F.S. No development orders or permits for a development, dependent on the amendment may be issued or commence before the amendment takes effect. 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 Department's Notice of Intent.

If this in 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 this matter through mediation, you must file the request for mediation with the administrative law judge assigned by the Division of Administrative Hearings.

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100  
 Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781  
 Internet address: <http://www.dca.state.fl.us>

CRITICAL STATE CONCERN FIELD OFFICE  
 2796 Overseas Highway, Suite 212  
 Marathon, FL 33050-2227  
 (305) 289-2402

COMMUNITY PLANNING  
 2555 Shumard Oak Boulevard  
 Tallahassee, FL 32399-2100  
 (850) 488-2356

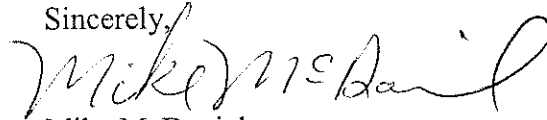
EMERGENCY MANAGEMENT  
 2555 Shumard Oak Boulevard  
 Tallahassee, FL 32399-2100  
 (850) 413-9969

HOUSING & COMMUNITY DEVELOPMENT  
 2555 Shumard Oak Boulevard  
 Tallahassee, FL 32399-2100  
 (850) 488-7956

The Honorable Ben Rich  
December 8, 2006  
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The choice of mediation will not affect the right of any party to an administrative hearing. If you have any question concerning this matter, please contact Joseph Addae-Mensa, Senior Planner, at (850) 922-1783.

Sincerely,

A handwritten signature in black ink that reads "Mike McDaniel". The signature is written in a cursive style with a large, looping initial "M".

Mike McDaniel  
Acting Chief of Comprehensive Planning  
Division of Community Planning

Enclosure: Notice of Intent

cc: Teresa Bishop, AICP, Planning Director, St. Johns County  
Ed Lehman, Growth Management Director, NEFRC

STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS CUMULATIVE NOTICE OF INTENT TO FIND THE  
ST. JOHNS COUNTY COMPREHENSIVE PLAN AMENDMENT  
AND REMEDIAL COMPREHENSIVE PLAN AMENDMENT(S) IN COMPLIANCE  
DOCKET NO.06-R1-NOI-5501-(A)-(I)


The Department issues this cumulative notice of intent to find the St. Johns County Comprehensive Plan Amendment adopted by Ordinance No(s). 2005-26 on March 9, 2005 and the remedial amendment(s) adopted by Ordinance 2006-126 on October 31, 2006 IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S.

The adopted St. Johns County Comprehensive Plan Amendment and the Department's Objections, Recommendations, and Comments Report, (if any), are available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the County Clerks Office, Administration Building, 4020 Lewis Speedway, St. Augustine, Florida 32084.

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 Remedial Amendments 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, 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 and a copy mailed or delivered to the local government. 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.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. 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. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Administration, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under 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.



Mike McDaniel, Acting Chief  
Office of Comprehensive Planning  
Division of community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100