

PUBLISHED IN THE FLAGLER/PALM COAST NEWS ON AUGUST 29, 2010
STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS NOTICE OF INTENT TO FIND THE
CITY OF PALM COAST
COMPREHENSIVE PLAN AMENDMENT NOT IN COMPLIANCE
DOCKET NO. 10-2-NOI-1806-(A)-(N)

The Department gives notice of its intent to find the Amendment(s) to the Comprehensive Plan for City of Palm Coast, adopted by Ordinance No(s). 2010-07 on July 6, 2010, NOT IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S.

The adopted City of Palm Coast Comprehensive Plan Amendment and the Department's Objections, Recommendations, and Comments Report, (if any), and the Department's Statement of Intent to Find the Comprehensive Plan Amendment Not In Compliance will be available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of Palm Coast Development Services Department, 160 Cypress Point Parkway, Suite B-106, Palm Coast, Florida 32164.

This Notice of Intent and the Statement of Intent for the Comprehensive Plan Amendment 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 Administration Commission.

Affected persons may petition to intervene in this 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. Pursuant to 163.3184(10), F.S., no new issues may be alleged as a reason to find a plan 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 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, Chief
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