

STATE OF FLORIDA  
DEPARTMENT OF COMMUNITY AFFAIRS  
NOTICE OF INTENT TO FIND  
THE CITY OF NORTH MIAMI  
COMPREHENSIVE PLAN AMENDMENT(S) IN COMPLIANCE  
DOCKET NO. 11-CIE1-NOI-1320-(A)-(I)

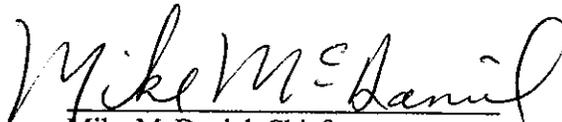
The Department gives notice of its intent to find the Amendment(s) to the Comprehensive Plan for the City of North Miami, adopted by Ordinance No. 1312 on January 11, 2011, IN COMPLIANCE, pursuant to Sections 163.3184, 163.3187 and 163.3189, F.S.

The adopted City of North Miami Comprehensive Plan Amendment(s) 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 City of North Miami, Clerk's Office, City Hall, 776 N.E. 125<sup>th</sup> Street, North Miami 33161-0850.

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 City of North Miami 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, 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 Management Services, 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, Chief  
Office of Comprehensive Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100



STATE OF FLORIDA

# DEPARTMENT OF COMMUNITY AFFAIRS

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

RICK SCOTT  
Governor

BILLY BUZZETT  
Secretary

April 12, 2011

The Honorable Andre D. Pierre, Esquire  
Mayor, City of North Miami  
776 Northeast 125 Street  
North Miami, Florida 33161

**RECEIVED**

APR 18 2011  
COMMUNITY PLANNING  
& DEVELOPMENT

Dear Mayor Pierre:

The Department of Community Affairs has completed its review of the City of North Miami Comprehensive Plan Amendment (DCA Number 11-CIE1), adopted by Ordinance Number 1312 on January 11, 2011, and determined that it meets the requirements of Chapter 163, Part II, Florida Statutes, for compliance, as defined in Subsection 163.3184(1)(b), Florida Statutes. The Department is issuing a Notice of Intent to find the Comprehensive Plan Amendment in compliance. The Notice of Intent has been sent to the *Miami Herald* for publication on April 13, 2011.

The Department's Notice of Intent to find a plan amendment in compliance shall be deemed to be a final order if no timely petition challenging the 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), Florida Statutes. No development orders, or permits for a development, dependent on the amendment, may be issued or commence before the plan amendment takes effect. Please be advised that Section 163.3184(8)(c)2, Florida Statutes, 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.

Please note that a copy of the adopted City of North Miami Comprehensive Plan Amendment and the Notice of Intent must be available for public inspection Monday through Friday, except for legal holidays, during normal business hours at the City of North Miami, 776 Northeast 125 Street, North Miami, Florida, 33161.

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. The choice of mediation will not affect the right of any party to an administrative hearing.

2555 SHUMARD OAK BOULEVARD ♦ TALLAHASSEE, FL 32399-2100  
850-488-8466 (p) ♦ 850-921-0781 (f) ♦ Website: [www.dca.state.fl.us](http://www.dca.state.fl.us)

♦ COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) ♦ FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) ♦  
♦ HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) ♦

The Honorable Andre D. Pierre, Esquire  
April 12, 2011  
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As part of the ongoing capital improvements planning process, the Department recommends the City address the following issue during the next amendment to the City's comprehensive plan.

- Policy 10.2.9 of the Public Education Facilities Element (PEFE), currently notes that "...The City hereby adopts the Miami-Dade County Public School Facilities Work Plan, effective September 5, 2007, authored by the Miami-Dade County Public School District by reference..." PEFE Policy 10.2.9 should be revised to reference the Work Plan in effect at the time of the update.

If you have any questions, please contact Bill Pable, AICP, Division of Community Planning at (850) 922-1781.

Sincerely,



Bob Dennis  
Regional Planning Administrator

BD/bp

Enclosure: Notice of Intent

cc: Maxine Calloway, Esquire, AICP, Director of Community Planning, City of North Miami  
B. Jack Osterholt, Interim Executive Director, South Florida Regional Planning Council