

**STATE OF FLORIDA  
DEPARTMENT OF ECONOMIC OPPORTUNITY**

DEPARTMENT OF COMMUNITY AFFAIRS,

Petitioner,

vs.

DOAH Case No. 11-0049GM

CITY OF PANAMA CITY,

Respondent,

and

BEAR CREEK TIMBER, LLC,

Intervenor.

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**FINAL ORDER**

An Administrative Law Judge of the Division of Administrative Hearings has entered an Order Relinquishing Jurisdiction And Closing File in this proceeding.

**BACKGROUND**

This is a proceeding to determine whether a portion of Panama City (City) Comprehensive Plan Amendment 10-2, adopted by Ordinance Nos. 2372.2 and 2383.1, on October 26, 2010, is "in compliance" with the Community Planning Act, Ch. 163, Part II, Florida Statutes (2011) (the "Act").

The Department of Community Affairs and the City entered into a Stipulated Settlement Agreement which required the City to adopt a certain remedial amendment. The City adopted Remedial Amendment 11-R1 by Ordinance Nos. 2418 and 2419 on May 24, 2011, and the Remedial Amendment was not challenged by a timely petition.

The Parties subsequently filed a Joint Motion For Order Relinquishing Jurisdiction. The Administrative Law Judge issued his Order Relinquishing Jurisdiction And Closing File, and relinquished jurisdiction to the Department of Community Affairs.

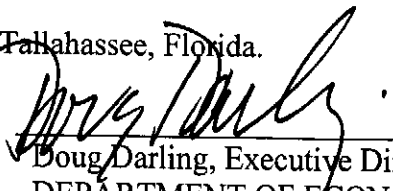
Effective October 1, 2011, the state land planning agency duties, powers and functions of the Department of Community Affairs were transferred to the Department of Economic Opportunity.

ORDER

WHEREFORE, it is ORDERED that:

- A. Panama City Comprehensive Plan Amendment 10-2, as modified by Remedial Amendment 11-R1, is determined to be in compliance with the Act, and
- B. The above-captioned proceeding is DISMISSED.

DONE AND ORDERED in Tallahassee, Florida.

  
\_\_\_\_\_  
Doug Darling, Executive Director  
DEPARTMENT OF ECONOMIC OPPORTUNITY

NOTICE OF RIGHTS

EACH PARTY IS HEREBY ADVISED OF ITS RIGHT TO SEEK JUDICIAL REVIEW OF THIS FINAL ORDER PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND FLORIDA RULES OF APPELLATE PROCEDURE 9.030(b)(1)(C) AND 9.110.

TO INITIATE AN APPEAL OF THIS ORDER, A NOTICE OF APPEAL MUST BE FILED WITH THE DEPARTMENT'S AGENCY CLERK, OFFICE OF THE GENERAL COUNSEL - CALDWELL BUILDING, 107 EAST MADISON STREET, MSC 110, TALLAHASSEE, FLORIDA 32399-4128 WITHIN 30 DAYS OF THE DAY THIS ORDER IS FILED WITH THE AGENCY CLERK. THE NOTICE OF APPEAL MUST BE SUBSTANTIALLY IN THE FORM PRESCRIBED BY FLORIDA RULE OF APPELLATE PROCEDURE 9.900(a). A COPY OF THE NOTICE OF APPEAL MUST BE FILED WITH THE APPROPRIATE DISTRICT COURT OF APPEAL AND MUST BE ACCOMPANIED BY THE FILING FEE SPECIFIED IN SECTION 35.22(3), FLORIDA STATUTES.

YOU WAIVE YOUR RIGHT TO JUDICIAL REVIEW IF THE NOTICE OF APPEAL IS NOT TIMELY FILED WITH THE AGENCY CLERK AND THE APPROPRIATE DISTRICT COURT OF APPEAL.

MEDIATION UNDER SECTION 120.573, FLA. STAT., IS NOT AVAILABLE WITH RESPECT TO THE ISSUES RESOLVED BY THIS ORDER.

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing has been filed with the undersigned Agency Clerk of the Department of Economic Development, and that true and correct copies have been furnished to the persons listed below in the manner described, on this 19<sup>th</sup> day of October, 2011.



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The Honorable Bram D. E. Canter  
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