

ORDINANCE NO. 2026-02

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA, AMENDING THE CITY OF BONIFAY COMPREHENSIVE PLAN BY REVISING POLICY 5.1.d RELATING TO THE MIXED USE FUTURE LAND USE CATEGORY, PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Bonifay adopted its Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, and periodically updates that plan to guide growth and development; and

WHEREAS, recent text in the Mixed Use category has been interpreted to require multiple uses on each individual parcel, which is more restrictive than intended and has created uncertainty for infill and redevelopment; and

WHEREAS, the City Council finds it in the public interest to clarify that mixed use is achieved across the Mixed Use category over time without requiring more than one use on an individual parcel, while retaining established caps for density, intensity, and height; and

WHEREAS, the amendments set forth herein are consistent with and further the goals, objectives, and policies of the Comprehensive Plan and are adopted in accordance with Section 163.3184, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA:

Section 1. Adoption of Amendment to Policy 5.1.d

The City Council hereby amends the City of Bonifay Comprehensive Plan by revising Policy 5.1.d Mixed Use to read as set forth and underlined in "Exhibit A", which is attached to and incorporated in this Ordinance. The current language for Policy 5.1.d Mixed Use, as amended, is hereby stricken as shown in the Exhibit. Additions are shown by underline and deletions by strikethrough.

Section 2. Conflicts

All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

Section 3. Severability

If any section, subsection, sentence, clause, phrase or other portion of this Ordinance, or any particular application thereof shall be held void, invalid or unconstitutional by any court, administrative agency, or other body with appropriate jurisdiction, the remaining sections, subsections, sentences, clauses, or phrases and their application shall not be affected and shall remain in full force and effect.

Section 4. Scrivener's Errors

Upon adoption, the City Clerk is directed to codify the amendment in the City's Comprehensive Plan and to make necessary conforming edits, including table of contents and cross references. Staff is further directed to prepare any Land Development Code updates necessary to implement this policy.

Section 5. Authority

This Ordinance is adopted pursuant to the home rule powers of the City of Bonifay and applicable provisions of Florida law, including Chapter 163, Part II, Florida Statutes.

Section 6. Effective Date and Readings

This Ordinance shall become effective in accordance with Section 163.3184, Florida Statutes. For a text amendment subject to state review, the effective date shall be the date a final order is issued by the state land planning agency or the Administration Commission finding the amendment in compliance. If no challenge is filed, the effective date shall be 31 days after adoption or upon receipt of notice from the state land planning agency that the amendment is in compliance, as applicable.

INTRODUCED on first reading in the City Council on the ____ day of _____, _____.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the City Council of City of Bonifay, Florida the ___ day of _____, _____.

CITY OF BONIFAY, FLORIDA

Larry Cook, Mayor

ATTEST:

Jessie Chaney, City Clerk

EXHIBIT A

d. Mixed Use

(1) Intent - To provide areas for an attractive and functional mix of residential, professional office, neighborhood commercial, schools, churches, and other similar land uses. Compatibility shall be applied to redevelopment sites and projects within the ~~urban~~ mixed use category to ensure that redeveloped sites do not create an unacceptable negative impact on adjacent properties and the surrounding neighborhood.

~~(2) Mix of Uses – Properties within this category must develop with a mix of at least two uses, one if which is required to be residential. Residential uses shall comprise a minimum of 50% of the development. The remainder uses may be non-residential. All of the land uses do not have to be developed at the same time, nor is one land use a prerequisite to another land use.~~

(2) Permitted uses - Residential uses including single family, townhome, duplex, multifamily, accessory residential, mobile home parks and mobile home subdivisions. Non-residential uses include neighborhood and general commercial, offices, restaurants and food service, lodging, clinics and medical facilities, personal services, indoor and outdoor recreation, civic and educational, houses of worship, public utilities, and essential services. PUDs are allowed and encouraged in this category.

(3) Density - The maximum density is ten (10) units per acre.

(4) Intensity - The maximum intensity is ninety (90) percent on non- residential developments.

(5) Height- The maximum height is 75 feet.

(6) Access and services - Areas in this district should be served by central water and sewer where available or planned.