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City of Bonifay
Planning and Development Services Division
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Date: 08/20/2025
To: City of Bonifay City Council
From: John Feeney, PE – Alday Howell Engineering, Inc.
RE: Memo – Mixed Use Future Land Use

To whom it may concern,

This memo is written to bring attention to Policy 5.1.d of the City of Bonifay Comprehensive Plan. It has come to our attention that the recent rewrite of the Comprehensive Plan may have unintentionally limited the allowable uses for parcels in this district to a great degree.

Issues Identified

Per the previous edition of the Comprehensive Plan, allowable uses in this district included the following:
“Land uses allowed within the Urban Mixed Use Land Use Designation include all residential development, neighborhood commercial, commercial, public/semi-public/educational, PUD, and public utilities.”

With the updated language, the allowable uses are as follows:

“Mix of Uses - Properties within this category must develop with a mix of at least two uses, one of 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.”

In specific, it is the phrase “must develop with a mix of at least two uses, one of which is required to be residential.” that poses the largest issue. It is our understanding that this language means that every parcel within this district *must* have a mixture of two uses on the parcel. For example, a residential use and a commercial use. Based on that language, it is our interpretation that all previous parcels that only developed one use, allowable under the old version of the Comprehensive Plan, are now legally non-conforming, as they do not have a mix of uses per the new Comprehensive Plan. Additionally, any changes made to these parcels means that the parcels must be brought into conformity with the language in the Comprehensive Plan (LDRs 9.01.03.A), requiring an additional use to be developed on the parcels. More clearly, it’s now a requirement that any new development on parcels already in this district, or changed into this district, now must include a multitude of different uses, which poses undesired strain on developers by removing standalone residential/commercial developments in this district.

There is also the phrase of “Residential uses shall comprise a minimum of 50% of the development.” This requirement is not quantified in any way, and it is not clear if “50%” refers to total floor area, Floor Area Ratio, number of uses/buildings, and so on.

It is also not clear how stringent the "...the land uses do not have to be developed at the same time..." requirement is. It is our understanding, based on this language, that a developer could indicate their intent to build a second use, but never do so, as there is not a time requirement. In this case, the requirement to develop two individual uses is not enforceable, and leads to unnecessary confusion.

Statutory Requirements

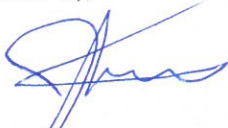
The City of Bonifay, as well as all of Holmes County, is classified as a DR-4806 Hurricane Debby County, and as such is pursuant to Florida Statutes 252.422, created via Florida Senate Bill 180, adopted on 06/30/2025. This statute, among other things, specifies that municipalities may not enact more restrictive or burdensome amendments to its comprehensive plan or land development regulations. As the intent of this memo is to lessen the burden of the current Mixed Use requirements, our recommendations are in line with this statutory requirement.

Recommended Actions

Planning Staff seeks Council guidance on whether to amend Policy 5.1.d to clarify measurement and phasing, to incorporate exemptions and standards in the upcoming LDC update, or to generally amend the section to be less restrictive while still maintaining the mixed-use character of the district. It is our recommendation to amend policy 5.1.d to more accurately reflect the intentions of the Urban Mixed Use Flu District as described in the previous iteration of the Comprehensive Plan, and to clearly quantify methods of measurements and timelines, if any.

Other potential changes could include keeping the requirement to split the residential uses and non-residential uses, but changing the requirement to be applied cumulatively to the category as a whole, rather than individually per development.

Sincerely,

A handwritten signature in blue ink, appearing to read "John Feeney", with a stylized flourish at the end.

John Feeney, PE
City of Bonifay Consultant Planning Official

single-family and multi-family dwellings.

- (4) Height- Building height cannot exceed 75 feet.

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 low intensity 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 of 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.
- (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.

e. Public/Semi-Public/Educational

- (1) Intent - The "public/semi-public/educational" land use category is intended for activities and facilities of public or private primary or secondary schools, vocational and technical schools, and colleges and universities licensed by the Florida Department of Education; structures or lands that are owned, leased, or operated by a government entity, such as civic and community centers, recreation centers, hospitals and public health facilities, libraries, police stations, fire stations, airports, and government administration buildings; and systems or facilities for transportation, sewer, solid waste, drainage, and potable water.
- (2) Density - No more than sixteen units per acre.
- (3) Intensity - No more than seventy percent (70%) lot coverage.
- (4) Height- No more than 50 feet.