

APPENDIX A

DEFINITIONS

Unless specifically defined below, words or phrases used in this section shall be interpreted so as to give them the meaning they have in common usage and to give this section its most reasonable application.

Abut - To physically touch or border upon, or to share a common property line.

Accessory Sign - A permanent ground or building sign that is permitted under this Code as incidental to an existing or proposed use of land.

Accessory Use - A use of land or structure or portion thereof customarily incidental and subordinate to the principal use of the land or structure and located on the same parcel with the principal use.

Addition (To An Existing Building) - As used in Section 4.06.00, Floodplains, means any walled or roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall is separated by independent perimeter load bearing walls is new construction.

Adult Congregate Living Facility (ACLF) - A type of residential care facility, defined in Chapter 400, Part 2, Florida Statutes.

Adversely Affected Person - Any person who is suffering or will suffer an adverse impact to an interest protected or furthered by the Bonifay Comprehensive Plan, including but not limited to: interests related to health and safety; police and fire protection services; densities or intensities of development; transportation facilities; recreational facilities; educational facilities; health care facilities; equipment or services; and environmental or natural resources. The alleged adverse affect may be shared with other members of the community at large, but must exceed in degree the general interest in community good shared by all persons.

Advertising - Sign copy intended to directly or indirectly promote the sale or use of a product, service, commodity, entertainment, or real or personal property.

Area of Shallow Flooding - A designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of Special Flood Hazard - Is the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

Availability - As used in Chapter III, Concurrency, means that at a minimum the facilities and services will be provided in accordance with the standards set forth in Section 3.04.00, Adopted Levels of Service.

Base Flood - The flood having a one percent chance of being equalled or exceeded in any given year.

Breakaway Wall - A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

Building - Any structure built for support, shelter or enclosure for any occupancy or storage.

Building Sign - A sign displayed upon or attached to any part of the exterior of a building, including walls, windows, doors, parapets, marquees and roof slopes of forty-five (45) degrees or steeper.

Business Activity - Any activity conducted by any person in furtherance of such person's business (regardless of whether such business is for profit) or employment at any location other than a natural person's residence.

Code Enforcement Officer - Any authorized agent or employee of the City whose duty is to enforce and assure compliance with the codes and ordinances of the City.

Commercially Developed Parcel - A parcel of property on which there is at least one walled and roofed structure used, or designed to be used, for other than residential or agricultural purposes.

Community Residential Home - A dwelling unit licensed to serve clients of the Department of Health and Rehabilitative Services, which provides a living environment for seven (7) to fourteen (14) unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and

social needs of the residents. The term "community residential home" shall include congregate care facilities, foster homes, group care homes and child care facilities with seven (7) to fourteen (14) residents and that otherwise meet the definitional requirements of a community residential home.

Concurrency - Means that the necessary public facilities and services to maintain the adopted level of service standards are available when the impacts of development occur.

Concurrency Management System - The procedures and/or process that Bonifay uses to assure that development orders and permits are not issued unless the necessary facilities and services are available concurrent with the impacts of development.

Copy - The linguistic or graphic content of a sign.

DBH - See "Diameter at Breast Height".

Density or Gross Density - The total number of dwelling units divided by the total site area, less public right-of-way.

Developer - Any person who engages in or proposes to engage in a development activity either as the owner or as the agent of an owner of property.

Development - Any manmade change to improve for unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or permanent storage of materials.

Development Order - An order granting, denying, or granting with conditions an application for approval of a development project or activity. A distinction is made between development order, which encompasses all orders and permits, and three distinct types of development orders: preliminary development order, final development order, and development permit.

Development Order, Preliminary - Any preliminary approval which does not authorize actual construction, mining or alterations to land and/or structures. A preliminary development order may authorize a change in the allowable use of a land or a building, and may include conceptual and conditional approvals where a series of sequential approvals are required before action authorizes commencement of construction or land alteration. For purposes of this Code preliminary development orders include Future Land Use Map Amendments, Comprehensive Plan amendments which affect land use or development standards, preliminary development plan approval, and master plan approval.

Development Order, Final - The final authorization of a development project; the authorization which must be granted

prior to issuance of a development permit as defined for purposes of this Code. (The final development order authorizes the project, whereas the development permit authorizes specific components of the project, such as building construction, parking lot installation, landscaping, and the like.) For purposes of this Code the final development plan approval is the final development order.

Development Permit - Any one of the following: (a) building permit, (b) site plan, (c) final plat, and (d) any other official action of the City of Bonifay having the effect of permitting the development of land.

Diameter at Breast Height (DBH) - The standard measure of a single stemmed tree at four and one-half (4 1/2) feet above grade. When a tree has grown with cluster stems at breast height, DBH shall be equal to the sum or aggregate of the individual stems measured at four and one-half (4 1/2) feet above grade.

Drip Line - An imaginary, perpendicular line that extends downward from the outermost tips of the tree branches (i.e. crown) to the ground.

Dwelling Unit - A single housing unit providing complete, independent living facilities for one housekeeping unit, including provisions for living, sleeping, eating, cooking and sanitation.

Dwelling, Multi-Family - Any residential structure containing three (3) or more separate dwelling units.

Dwelling, Single-Family - A structure containing one dwelling unit, and not attached to any other dwelling unit by any means. A single-family unit may contain an accessory apartment pursuant to this Code.

Duplex - A structure containing two (2) separate dwelling units.

Electric Sign - Any sign containing electric wiring.

Electronic Message Center - Any sign that uses changing light to form a sign message or messages wherein the sequence of messages and the rate of change is electronically programmed.

Elevated Building - A non-basement building built to have the lowest floor elevated above ground level by means of fill, solid foundation, perimeter walls, pilings, columns (posts and piers), sheer walls, or breakaway walls.

Erect a Sign - To construct, reconstruct, build, relocate, raise, assemble, place, affix, attach, create, paint, draw, or in

any other way bring into being or establish; but it shall not include any of the foregoing activities when performed as an incident to the change of message, or routine maintenance.

Family Residential Home - A dwelling unit licensed to serve clients of the Department of Health and Rehabilitative Services, which provides a living environment for six (6) or fewer unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents. The term "family residential home" shall include congregate care facilities with six (6) or fewer residents and that otherwise meet the definitional requirements of a family day care home.

FAR - See "Floor Area Ratio".

Final Development Order - A development permit.

Flood or Flooding - A general and temporary condition of partial or complete inundation of normally dry land area from: (a) the overflow of inland or tidal waters; (b) the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Hazard Boundary Map (FHBM) - An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been designated as Zone A.

Flood Insurance Rate Map (FIRM) - An official map of a community, on which the Federal Emergency Management Agency has delineated both of the areas of a special flood hazard and the risk premiums zones applicable to the community.

Flood Insurance Study - The official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood hazard boundary-floodway map and the water surface elevation of the base flood.

Floodway - The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor - As used in Section 4.06.00, Floodplains, means the top surface of an enclosed area in a building (including basement), i.e., top of slab and concrete slab construction or top of wood flooring in wood framed construction. The term does not include the floor of a garage used solely for parking vehicles.

Floor Area Ratio - The ratio of floor area to the area of the lot. The floor area is the sum of all enclosed areas on all

floors of a building or buildings measured from the outside faces of the exterior walls, including halls, lobbies, arcades, stairways, elevator shafts, and balconies and any below grade floor area used for access and storage. Not countable as floor area are open terraces, patios, atriums and breezeways.

Frontage - The length of the property line of any one parcel along a street on which it borders.

Functional Dependent Facility - Facility which cannot be used for its intended purpose unless it is located or carried in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, ship building, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

Generator - Any person who through any act or process produces hazardous waste.

Grade - The average level of the finished surface of the ground adjacent to a tree or to the exterior wall of a building or structure.

Ground Sign - A sign that is supported by one or more columns, upright poles, or braces extended from the ground or from an object on the ground, or that is erected on the ground, where no part of the sign is attached to any part of a building.

Hazardous Waste - Solid waste, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed. Hazardous waste consists of specific wastes that exhibit ignitable, corrosive, reactive or other toxic properties as identified by the U.S. Environmental Protection Agency (EPA). The EPA has identified approximately 300 chemical compounds that possess one or more of these four properties. In addition, the EPA has identified industrial processes that are related to these chemical compounds. These chemical compounds are identified as part of the EPA's hazardous waste management system [unlisted (characteristic) hazardous waste (40 CFR part 261, subpart C) and list of hazardous waste (40 CFR part 261, subpart D)]. Specifically excluded as hazardous waste are the following: 1) Ashes and burning sludge generated from the burning of boiler fuel for the generation of electricity or steam; 2) Agricultural and silvicultural by-product material and process waste from normal farming activities; and, 3) Discarded material generated from mining and beneficiation in chemical or thermal

processing of phosphate rock and precipitant resulting from the neutralization of phosphate chemical process and non-process waters. Provided, however, that it is the express intent of this Code not to expand the definition of Hazardous Waste as defined by the Florida Statutes, as amended, or other applicable Florida Law. Any inconsistency between this definition of Hazardous Waste and that expressed by the Florida Statutes, as amended, or other applicable Florida Law shall be resolved in accordance with Florida Statutes, as amended, or other applicable Florida Law.

Highest Adjacent Grade - The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

Illuminated Sign - A sign which contains a source of light or which is designed or arranged to reflect light from an artificial source including indirect lighting, neon, incandescent lights, back-lighting, and shall also include signs with reflectors that depend upon automobile headlights for an image.

Impervious Surface Ratio - A measurement of the amount of the site that is covered by any material that substantially reduces or prevents the infiltration of stormwater into previously undeveloped land. Impervious surfaces are, but not limited to, roofs, streets, sidewalks, and parking lots paved with asphalt, concrete, compacted sand, limerock, or clay.

Improvement - Any man-made, immovable item which becomes part of, is placed upon, or is affixed to real estate.

Institutional Residential Home - A dwelling unit licensed to serve clients of the Department of Health and Rehabilitative Services, which provides a living environment for more than fourteen (14) unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional and social needs of the residents. The term "institutional residential home" shall include congregate care facilities, foster homes, group care homes and child care facilities with more than fourteen (14) residents that otherwise meet the definitional requirements of institutional residential home.

ISR - See "Impervious Surface Ratio".

Junkyard - Premises or portions thereof used for the storage or sale of used and discarded materials, including but not limited to, paper, rags, metal, building materials, appliances, household furnishings, machinery, vehicles, equipment, or parts thereof. The storage for a period of two (2) or months of two (2) or more wrecked or partly dismantled motor vehicles, parts of dismantled vehicles, or the sale of parts thereof, not capable of or not

intended to be restored to highway operating condition shall also constitute a junkyard. For the purposes of this Code, such as motor vehicle graveyards shall be considered junkyards.

Ldn - The day-night average sound level consisting of A-weighted sound levels over a 24-hour time period.

Location - A room, enclosure, building, lot, or contiguous group of lots.

Lot - A designated parcel, tract or area of land established by plat, subdivision or as otherwise allowed by law.

Manufactured Home - A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on site for one hundred and eighty consecutive days or longer and intended to be improved property.

Marquee - A structure projecting from and supported by a building which extends beyond the building line or property line and fully or partially covers a sidewalk, public entrance or other pedestrian way.

Mean Sea Level - The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the flood plane. For purposes of this Code, the term is synonymous with National Geodetic Vertical Data (NGVD).

Minor Replat - The subdivision of a single lot or parcel of land into two (2) lots or parcels, or the subdivision of a parcel into two or more lots solely for the purpose of increasing the area of two or more adjacent lots or parcels of land, where there are not roadways, drainage or other required improvements, and where the resultant lots comply with the standards of this Code.

Motor Vehicle Graveyard - Any establishment or business which is maintained, used or operated for storing, keeping, buying, or selling wrecked, scrapped, ruined, or dismantled automobiles, motor vehicles or motor vehicle parts.

Multiple Occupancy Complex - A commercial use, i.e. any use other than residential or agricultural, consisting of a parcel of property, or parcel of contiguous properties, existing as a unified or coordinated project, with a building or buildings housing more than one occupant.

Native Vegetation - Any indigenous tree, plant or shrub adapted to soil and climatic conditions occurring on-site.

New Construction - As used in Section 4.06.00, Floodplains, means structures for which the "start of construction" commenced on or after the effective date of this Code.

Occupant (Occupancy) - A commercial use, i.e. any use other than residential or agricultural.

OSR - See "Open Space Ratio".

Open Space Ratio - A measurement of the amount of the site that is devoted to recreation, resource protection, amenity, and/or landscaped buffers. Open space may include, but is not limited to, lawns, decorative planting, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, and watercourses.

Outdoor Advertising Sign - A permanent ground sign with a sign face, the bottom of which is at least 20 feet above the ground and which is at least 200 square feet in size.

Owner - A person who, or entity which, alone, jointly or severally with others, or in a representative capacity (including without limitation, an authorized agent, attorney, executor, personal representative or trustee) has legal or equitable title to any property in question, or a tenant, if the tenancy is chargeable under his lease for the maintenance of the property.

Parcel - A unit of land within legally established property lines.

Parcel or Lot of Record - As used in this Code, a parcel or lot of record shall mean: 1) Any contiguous quantity of land that is part of an approved subdivision recorded in the Office of the Clerk of the Circuit Court; or, 2) Any contiguous quantity of land which is capable of being described with such definiteness that its location and boundaries are established, and which has been so recorded in the public records in the Office of the Clerk of the Circuit Court prior to December 11, 1990; or, 3) Any contiguous quantity of land which is the subject of an agreement for deed or other instrument of conveyance properly executed prior to December 11, 1990, and which describes the parcel with such definiteness that its location and boundaries are established and recognized by Florida Law.

Permanent - Designed, constructed and intended for more than short term use.

Person - Any and all persons, natural or artificial, including any individual, firm or association; any municipal or private corporation organized or existing under the laws of the State of Florida or any other state; any governmental agency of this state or the Federal Government.

Portable Sign - Any sign which is manifestly designed to be transported by trailer or on its own wheels, including such signs even though the wheels may be removed and the remaining chassis or support structure converted to an A or T frame sign and attached temporarily or permanently to the ground.

Preliminary Development Order - Any one of the following: (a) preliminary plat; (b) development orders for Developments of regional Impact as defined in Section 380.06, F.S.

Public Facilities and Services - Those items covered by the Bonifay Comprehensive Plan, required by sec. 163.3177, F.S., and for which level of service standards must be adopted under 9J-5, F.A.C. These are: roads; sanitary sewer; solid waste; drainage; potable water; parks and recreation; and mass transit.

Recreation Vehicle - a vehicular-type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodation for recreation, camping, and travel use and including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Roof Line - A horizontal line intersecting the highest point or points of a roof.

Roof Sign - A sign placed above the roof line of a building or on or against a roof slope of less than forty-five (45) degrees.

Sign - Any writing, pictorial presentation, number, illustration, or decoration, flag, banner or pennant, or other device which is used to announce, direct attention to, identify, advertise or otherwise make anything known. The term "sign" shall not be deemed to include the terms "building" or "landscaping", or any architectural embellishment of a building not intended to communicate information.

Sign Face - The part of a sign that is or may be used for copy.

Sign Face Area - The area of any regular geometric shape which contains the entire surface area of a sign upon which copy may be placed.

Sign Structure - Any construction used or designed to support a sign.

Small Quantity Generator - Each small quantity generator or producer of hazardous waste as defined by Federal Regulations pursuant to 40 CFR Section 261.5.

Snipe Sign - Any sign made of material, including paper,

cardboard, wood and metal, when such sign is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, telephone poles or fences.

Start of Construction - As used in section 4.06.00, Floodplains, includes substantial improvement, means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within one hundred and eighty (180) days of the permit date. The actual start means the first placement of permanence construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation such as clearing, grading and filling; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Street - A public or private right of way for vehicular traffic, including highways, thoroughfares, lanes, roads, ways, and boulevards.

Structure - A walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

Subdivision - The platting of real property into three or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land.

Substantial Improvement - Any combination of repairs, reconstruction, alteration, or improvements to a structure, taking place during (the life of a structure), in which the cumulative cost equals or exceeds 50% of the market value of the structure. The market value of the structure should be (1) the appraised value of the structure prior to the start of initial repair or improvement, (2) in the case of damage, the value of the structure prior to the damage occurring. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.

Temporary - Designed, constructed, and intended to be used on a short-term basis.

Thoroughfare - As used in Section 8.05.00, Permanent Outdoor

Advertising Signs, means any street, road, expressway, freeway, or highway located within the incorporated areas of the City of Bonifay.

Tree Removal - Any intentional or unintentional act which may reasonably be expected to cause a tree to decline and die, including: (a) severing the trunk; (b) excessive pruning of the trunk or branching system; (c) mechanical damage to the branching system; (d) mechanical damage to the bark and cambium system; (e) damage to the root system by machinery, storage of materials, or soil compaction; (f) substantially changing the natural surface grade within the dripline; (g) excessive paving or building within the dripline; (h) substantially changing the natural drainage patterns of the building site in a manner reasonable expected to kill the tree; and, (i) direct or indirect application of toxic substances or fire to the tree or its root system.

Unit - That part of a multiple occupancy complex housing one occupant.

Vehicle Sign - Any sign affixed to a vehicle.

ORDINANCE NO. 281

AN ORDINANCE AMENDING ORDINANCE NO. 267 KNOWN AS THE CITY OF BONIFAY COMPREHENSIVE PLAN ORDINANCE; SETTING FORTH THE AUTHORITY FOR THE ADOPTION OF COMPREHENSIVE PLAN; ADOPTING THE CITY OF BONIFAY COMPREHENSIVE PLAN; IDENTIFYING PLAN ELEMENTS AND MAPS; PROVIDING FOR ADMINISTRATION AND PLAN IMPLEMENTATION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3161, et. seq., Florida Statutes (1989) established the Local government Comprehensive Planning and Land Development Regulation Act; and,

WHEREAS, Section 163.3167, Florida Statutes, requires each local government in the State of Florida to prepare and adopt a Comprehensive Plan as scheduled by the Department of Community Affairs; and

WHEREAS, Bonifay, Florida is now required to adopt the City of Bonifay Comprehensive Plan pursuant to the provisions of Section 163.3184(7), Florida Statutes, and

WHEREAS, Bonifay, Florida has provided for the broad dissemination of proposals and alternatives, opportunity for written comments, public hearings after due public notice, provisions for open discussion, communication programs, and consideration of and responses to public comments concerning the provisions contained in the proposed City of Bonifay Comprehensive Plan; and

WHEREAS, all data, information, documents and drafts of each comprehensive plan element or sub-element were continually disseminated in a timely manner as developed; and

WHEREAS, the public was duly advised of the presence of this data, information, documents and drafts of each comprehensive plan element or sub-element and the public was invited to provide written comment or other public participation at various scheduled public hearings; and

WHEREAS, the City of Bonifay established a citizen participation process pursuant to Chapter 163.3181, Florida Statutes, through the City of Bonifay Planning Commission to assist in the development of the City of Bonifay Comprehensive Plan; and

WHEREAS, the Public Participation Procedures of the City of Bonifay Comprehensive Plan designated the Holmes County Planning Commission as the local planning agency and set forth the duties and responsibilities of the local planning agency; and

WHEREAS, the Holmes County Planning Commission held public hearings on the proposed Holmes County and City of Bonifay Comprehensive Plan after due public notice on July 12, 1990, and considered the findings and advice of all interested parties submitting comments, and recommended the submittal of the draft Holmes County (including Bonifay) Comprehensive Plan to the Department of Community Affairs; and

WHEREAS, the Holmes County Board of County Commissioners held a public hearing on the proposed Holmes County Comprehensive Plan after due public notice on July 12, 1990, and considered the findings and advice of interested parties submitting comments, the recommendations of the Holmes County Planning Commission and upon thorough and complete consideration and deliberation, approved the draft Holmes County (including Bonifay) Comprehensive Plan for submittal to the Department of Community Affairs; and

WHEREAS, Holmes County transmitted the draft Holmes County (including Bonifay) Comprehensive Plan on July 26, 1990, to the Department of Community Affairs pursuant to Chapter 163.3184(3) and Florida Administrative Rule 9J-11; and

WHEREAS, Holmes County received the Department of Community Affairs "Objections, Recommendations, and Comments Report," and all other written or oral comments submitted by members of the public and governing agencies at public meetings held by the Holmes County Planning Commission on February 28 1991, March 19, 1991, March 26, 1991, and April 23, 1991; and

WHEREAS, the City of Bonifay City Council held a public hearing after due public notice on June 3, 1991; reviewed the written comments submitted by the Department of Community Affairs as the "Objections, Recommendations, and Comments Report," reviewed the recommendations by the Holmes County Planning Commission, County staff, and all other written or oral comments submitted by members of the public and governmental agencies; and

WHEREAS, the City of Bonifay City Council approved Ordinance No. 267, adopting the Holmes County (including Bonifay) Comprehensive Plan, on June 3, 1991; and

WHEREAS, the Department of Community Affairs ("DCA") issued a Notice of Intent to find the Holmes County (including Bonifay) Comprehensive Plan Not In Compliance on August 7, 1991; and

WHEREAS, the City of Bonifay and DCA entered into a Joint Stipulated Settlement Agreement in March, 1993, to resolve DCA's objections to the Holmes County (including Bonifay) Comprehensive Plan; and

WHEREAS, the amendments are in compliance with the Stipulated Settlement Agreement dated March, 1993; and

WHEREAS, the public hearing for the adoption of the Comprehensive Plan Amendments was advertised as required by law and the Act.

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

Section 1. The matters set forth above are incorporated herein by reference and made a part hereof.

Section 2. This ordinance shall be known as the City of Bonifay Comprehensive Plan Ordinance, First Amendment.

Section 3. The City of Bonifay Comprehensive Plan consists of the following adopted procedures, systems and elements:

- A. Public Participation Procedures
- B. Monitoring and Evaluation Procedures
- C. Concurrency Management System; and
- D. The Goals, Objectives and Policies sections of the following elements:
 1. Future Land Use Element;
 2. Traffic Circulation Element;
 3. Housing Element;
 4. Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element;
 5. Conservation Element;
 6. Recreation and Open Space Element;
 7. Intergovernmental Coordination Element; and
 8. Capital Improvements Element.

All maps and tables identified in the City of Bonifay Comprehensive Plan as part of the adopted plan are also adopted. These maps include the following:

1. Future Land Use Map;
2. Flood-prone Areas;
3. Soils Map;
4. Floodplains Map;
5. Wetlands Map;
6. Year 2001 Functional Classification of Roadways Map;
7. Year 2001 Number of Lanes and Major

Transportation Features;

- E. Responses to "Objections, Recommendations, and Comments Report incorporated in the Plan Elements."

An official, true and correct copy of all elements of the City of Bonifay Comprehensive Plan as adopted and as amended from time to time shall be maintained by the City Clerk.

Section 4. The final adoption of the City of Bonifay Comprehensive Plan Amendment in its entirety shall be deemed to take place upon adoption of this ordinance at the time of the vote of the City Council of Bonifay, Florida.

Section 5. This Council finds that the elements of the City of Bonifay Comprehensive Plan as finally adopted by this ordinance are related to and consistent with each other and that the City of Bonifay Comprehensive Plan, as amended and adopted, is internally consistent and is otherwise in compliance with the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes 1989.

Section 6. The City Clerk or his/her designee shall be responsible for the general administration of the City of Bonifay Comprehensive Plan. The City of Bonifay City Council or its designee shall be responsible for reviewing all ordinances, and pursuant to Chapter 163.3194(2) identify those which pertain to land development for submission to the City Council for their review and consideration. The County Building Inspector or his/her designee shall be responsible for evaluation of all development orders pursuant to the City of Bonifay Comprehensive Plan and shall assign duties to the appropriate subordinates or through interlocal agreements relating to this responsibility.

Section 7. This Council hereby ratifies and adopts all procedures utilized with regard to the adoption of the City of Bonifay Comprehensive Plan notwithstanding contrary provision, if any, contained in any other City ordinance.

Section 8. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 9. This ordinance shall become effective as provided by law.

ADOPTED on this 8 th day of March, 1993.

James E. [Signature]
Mayor

ATTEST:

Shirley Mitchell
City Clerk

ORDINANCE NO. 289

AN ORDINANCE AMENDING ORDINANCE NO. 281 TO REVISE THE FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENT PROJECTS IN THE CITY OF BONIFAY COMPREHENSIVE PLAN.

WHEREAS, the City of Bonifay desires to amend the Comprehensive Plan Five-Year Schedule of Capital Improvements to include potential grant projects.

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

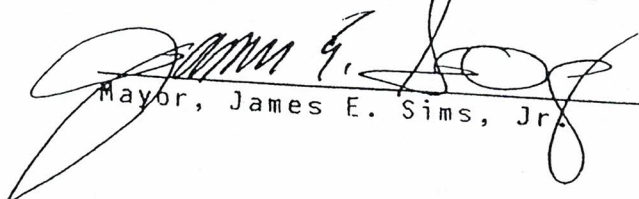
Section 1. That potential grant projects are added to the Five-Year Schedule of Capital Improvement Projects for Sanitary Sewer, Potable Water and Recreation and Open Space.

Section 2. All other sections and provisions of Ordinance No. 281 shall remain in effect as adopted.

Section 3. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

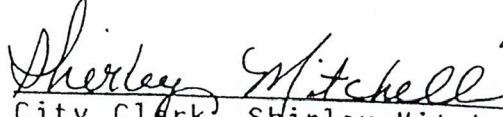
This Ordinance shall take effect immediately upon its passage and approval.

PASSED AND ADOPTED ON THIS 23 TH DAY OF May, 1994.



Mayor, James E. Sims, Jr.

ATTEST:



City Clerk, Shirley Mitchell

CITY SEAL

ORDINANCE NO. 310

AN ORDINANCE OF THE CITY OF BONIFAY OF HOLMES COUNTY, FLORIDA, AMENDING THROUGH THE "SMALL SCALE AMENDMENT PROCESS" THE ADOPTED COMPREHENSIVE PLAN OF BONIFAY, FLORIDA DATED JUNE 3, 1991, AS AMENDED, WHICH CONTROLS FUTURE LAND USE, GUIDES PUBLIC FACILITIES, AND PROTECTS NATURAL RESOURCES PURSUANT TO LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT (CHAPTER 163, FLORIDA STATUTES); PROVIDING FOR A COPY ON FILE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163 Florida Statutes empowers the City of Bonifay, Florida to prepare, amend and enforce a comprehensive plan for the development of the City; and

WHEREAS, the Bonifay City Council as the Local Planning Agency for the City held a public hearing on the Comprehensive Plan Amendment on June 14, 1999 after due public notice, and considered the findings and advise of all interested parties; and

WHEREAS, the Bonifay City Council held an adoption public hearing on June 28, 1999 to consider the "Small Scale" Comprehensive Plan Amendment 310, pursuant to Section 163.3814, Florida Statutes, with due public notice having been provided, and having reviewed and considered all comments received during the public hearing, and having provided for necessary revisions; and

WHEREAS, in exercise of its authority, the City of Bonifay finds it necessary and desirable to adopt and does hereby adopt this Comprehensive Plan Amendment 310, in order to encourage the most appropriate use of land, water and resources, consistent with the public interest, and to deal effectively with future problems that may result from the use and development of land within the City of Bonifay, Florida as follows:

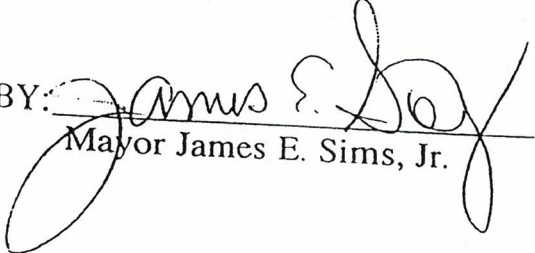
NOW THEREFORE IT BE ORDAINED by the City of Bonifay, Florida as follows:

Section 1. Purpose and Intent.

This ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 9J-5 Florida Administrative Code.

PASSED IN REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA ON THIS 28th DAY OF April 1999.

CITY OF BONIFAY

BY: 
Mayor James E. Sims, Jr.

SEAL

ATTEST:


City Clerk Shirley Mitchell

Ordinance No. 313

COMPREHENSIVE PLAN AMENDMENT 2000-1

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF BONIFAY, FLORIDA BY THE ADDITION OF POLICY NUMBER 3-21 TO THE FUTURE LAND USE ELEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BONIFAY, FLORIDA AS FOLLOWS:

Item 1.

From and after the effective date of this ordinance, the Future Land Use Element of the codified Comprehensive Plan of the City shall be amended to read as follows (new text underlined):

Policy 3-21 : The City will coordinate with the Holmes County School Board to encourage the location of schools proximate to residential and mixed use areas to the extent possible and shall seek to co-locate public facilities, such as parks, libraries, and community centers, with schools to the extent possible.

Item 2.

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Item 3.

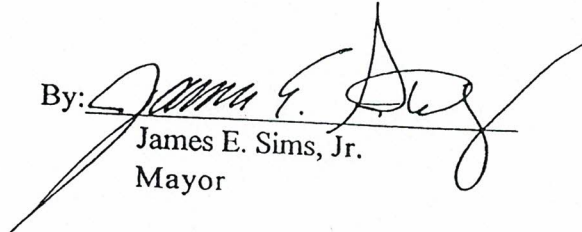
Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Item 4.

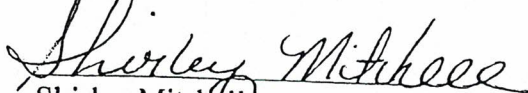
Effective Date. This Ordinance shall take effect 31 days following approval by the Florida Department of Community Affairs.

PASSED, APPROVED AND ADOPTED at the regular meeting of the City Council of the City of Bonifay, Florida, this 24th day of April, 2000.

CITY OF BONIFAY, FLORIDA

By: 
James E. Sims, Jr.
Mayor

ATTEST:


Shirley Mitchell
City Clerk