

ORDINANCE NO. 401

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BONIFAY, FLORIDA; AMENDING THE FUTURE LAND USE ELEMENT FOR INCORPORATION OF A COMMERCIAL INTENT OVERLAY INTO THE CITY OF BONIFAY COMPREHENSIVE PLAN; ADOPTING A FUTURE LAND USE MAP AMENDMENT TO THE CITY OF BOINFAY COMPREHENSIVE PLAN AND INCORPORATING THAT CHANGE INTO THE FUTURE LAND USE MAP; ADOPTING THE FUTURE LAND USE DESIGNATION OF COMMERCIAL ON APPROXIMATELY 96.71 ACRES; ADOPTING THE FUTURE LAND USE DESIGNATION OF URBAN MIXED USE ON APPROXIMATELY 251.02 ACRES; PROVIDING FOR AUTHORITY, REPEAL OF CONFLICTING ORDINANCES; AND SETTING AN EFFECTIVE DATE.

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

WHEREAS, the City of Bonifay Planning Commission as the Local Planning Agency (LPA) for the City held a public hearing on the Comprehensive Plan Amendment on June 26, 2017, after due public notice, and considered findings and advice of all interested parties; and

WHEREAS, the City of Bonifay, Florida held an adoption public hearing on August 28, 2017 to consider the "Large Scale" Comprehensive Plan Amendment pursuant to Chapter 163.3184, Florida Statutes, with due public notice having been provided, and having reviewed and considered all comments received during the public hearing, and

WHEREAS, in exercise of its authority, the City Council of the City of Bonifay, Florida finds it necessary and desirable to adopt and does hereby adopt this Comprehensive Plan Large Scale Amendment 2017, 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 City of Bonifay, Florida as follows;

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

SECTION ONE: PURPOSE AND INTENT

This ordinance is enacted to carry out the purpose the intent of, and exercise the authority set out in, the Local Government Comprehensive Act, Sections 163.3161 through 163.3215, Florida Statutes.

SECTION TWO: TITLE OF COMPREHENSIVE PLAN AMENDMENT

This Comprehensive Plan Amendment for THE City of Bonifay, Florida shall be entitled, "City of Bonifay Comprehensive Large Scale Amendment 2017"

SECTION THREE: COMPREHENSIVE PLAN AMENDMENT ADOPTED

The City of Bonifay Large Scale Plan Amendment 2017 amending the Future Land Use Element of the City of Bonifay Comprehensive Plan and the Future Land Use map, attached hereto as Exhibit "A" is hereby adopted in the following parts:

- Elements being amended: (1) Creation of Commercial Intent Overlay in Future Land Use Element and on the Future Land Use Map
- (2) Amending Parcel ID 0618.00-000-000-001.000 from Urban Mixed Use County to 191.2 acres of Urban Mixed Use and 60.5 acres of Commercial Future Land Use
 - (3) Amending Parcel ID 1013.00-000-000-007.200 from Urban Mixed Use County to 9.38 acres of Urban Mixed Use Future Land Use.
 - (4) Amending Parcel ID 1012.00-000-000-016.000 from Commercial to 32 acres of Urban Mixed Use and 16.07 acre of Commercial Future Land Use
 - (5) Amending Parcel ID 1013.00-000-000-001.000 from Urban Mixed Use County to 18.02 acres of Urban Mixed Use and 20.14 acres of Commercial Future Land Use

SECTION FOUR: SEVERABILITY

If any provisions 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 ordinances shall remain in full force and effect.

SECTION FIVE: COPY ON FILE

An official, true copy of City of Bonifay Comprehensive Plan Large Scale Amendment 2017 as adopted shall be filed with the Clerk of the Court of the City of Bonifay, Florida.

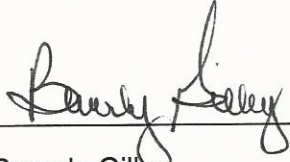
SECTION SIX: EFFECTIVE DATE

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND DULY ADOPTED BY THE with a quorum present and voting, by the City Council of the City of Bonifay, Florida, this 28th day of August, 2017.

ATTEST:

**CITY COUNCIL
OF CITY OF BONIFAY, FLORIDA**



Beverly Gilley
Clerk of City of Bonifay Court



James E. Sims, Mayor