



## **AGENDA**

### **CITY COUNCIL SPECIAL SESSION PUBLIC HEARING FOR ORDINANCE #2024-05 AND #2024-06**

**MONDAY, MAY 20, 2024 at 5:30 PM**

**Midtown Plaza, 401 McLaughlin Ave. Bonifay, FL 32425**

---

#### **I. CALL TO ORDER**

A. John Feeney:

Information regarding Ordinance #2024-05:

AN ORDINANCE OF THE CITY OF BONIFAY, FLORIDA, AMENDING THE CHARTER AND ORDINANCES OF THE CITY OF BONIFAY TO ANNEX WITHIN THE CORPORATE AREA OF THE CITY OF BONIFAY, FLORIDA, UPON ADOPTION OF SAID ORDINANCE, PROPERTY (BONIFAY MHP) BEING SITUATED IN HOLMES COUNTY, FLORIDA, IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Information regarding Ordinance #2024-06

#### **II. ADJOURN**

**Persons with disabilities needing special accommodations to participate in this proceeding should contact City Hall at (850) 547-4238, at least five days prior to the proceedings.**

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE CITY OF BONIFAY, FLORIDA, AMENDING THE CHARTER AND ORDINANCES OF THE CITY OF BONIFAY TO ANNEX WITHIN THE CORPORATE AREA OF THE CITY OF BONIFAY, FLORIDA, UPON ADOPTION OF SAID ORDINANCE, PROPERTY (BONIFAY MHP) BEING SITUATED IN HOLMES COUNTY, FLORIDA, IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

WHEREAS, there has been filed with the City of Bonifay, Florida a petition containing the names and signatures of all of the property owners in the area described hereinafter requesting annexation into the corporate area of the City of Bonifay, Florida; and,

WHEREAS, it has been determined that the property described hereinafter is reasonably compact and contiguous to the corporate area of the City of Bonifay, Florida, and it has further been determined that the annexation of said property will not result in the creation of any pocket or enclave; and

WHEREAS, the City of Bonifay, Florida, is in a position to provide municipal services to the property described herein, and that the City Council of the City of Bonifay, Florida, deems it in the best interest of the City to accept said petition and to annex said property;

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

#### Section 1

That the property described below, situated in Holmes County, Florida, be and the same is hereby annexed to and made a part of the City of Bonifay, Florida, pursuant to the voluntary annexation provisions of Section 171.044. Florida statutes, to-wit:

PARCEL B: NE ¼ OF NE 1/4, SECTION 6, TOWNSHIP 4 NORTH, RANGE 14 WEST, HOLMES COUNTY, FLORIDA. LESS THE FOLLOWING: BEGIN AT A POINT WHERE WEST LINE OF THE ABOVE DESCRIBED FORTY ACRES INTERSECTS SOUTH R/W LINE OF U.S. HIGHWAY 90, THENCE EAST 194 FEET ALONG SOUTH R/W LINE FOR POINT OF BEGINNING, THENCE S0°49'45"W 107 FEET, THENCE S26°29"W 126 FEET, THENCE N88°42'W 79.2 FEET, THENCE S00°52'W 143.17 FEET, THENCE S29°02'E 320.34 FEET, THENCE N85°51'E 623.9 FEET, THENCE N01°17'E 149.16 FEET, THENCE S88°43'E 430.29 FEET, MORE OR LESS, TO EAST LINE OF ABOVE DESCRIBED FORTY ACRES, THENCE NORTH ALONG FORTY LINE 405 FEET, MORE OR LESS, TO SOUTH R/W LINE OF U.S. HIGHWAY 90 THENCE W ALONG SOUTH R/W LINE OF U.S. HIGHWAY 90, MORE OR LESS, TO POINT OF BEGINNING, LOCATED IN HOLMES COUNTY, FLORIDA. ALSO: COMMENCE AT THE NW CORNER OF NE ¼ OF NE ¼, SECTION 6, TOWNSHIP 4 NORTH, RANGE 14 WEST AND RUN S0°48'19"W ALONG THE WEST LINE OF SAID NE ¼ OF NE ¼ 133.13 FEET TO THE SOUTH R/W LINE OF U.S. HIGHWAY 90, THENCE S88°42'45"E ALONG SAID SOUTH R/W LINE 661.89 FEET TO THE POINT OF BEGINNING, THENCE S01°17'00"W 134.0 FEET, THENCE S45°37'00"E 191.74 FEET, THENCE N01°17'E 265 FEET TO SAID SOUTH R/W LINE, THENCE N88°42'45"W ALONG SAID R/W 140 FEET TO THE POINT OF BEGINNING.

A map clearly showing the area to be annexed is attached.

Section 2

That upon this ordinance becoming effective, the property owners and any resident on the property described herein shall be entitled to all the rights, privileges and immunities as are from time to time granted to residents and property owners of the City of Bonifay, Florida, as further provided in Chapter 171, Florida Statutes, and shall further be subject to the responsibilities or residence or ownership as may from time to time be determined by the governing authority of the City of Bonifay, Florida, and the provisions of said Chapter 171, Florida Statutes.

Section 3

If any section or portion of a section of this ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to impair the validity, force, or effect of any other section or part of this ordinance.

Section 4

That all ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed and revoked.

Section 5

That this ordinance shall become effective immediately upon its passage and adoption.

INTRODUCED on first reading in the City Council on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the County Commission of Holmes County, Florida the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

CITY OF BONIFAY, FLORIDA

By: \_\_\_\_\_  
By its Mayor, Larry Cook

ATTEST:

\_\_\_\_\_  
By: Rickey Callahan, City Clerk

ORDINANCE NO. 2024-06

AN ORDINANCE OF CITY OF BONIFAY, FLORIDA, AMENDING VOLUME III OF THE CITY OF BONIFAY YEAR 2010 COMPREHENSIVE PLAN FUTURE LAND MAP SERIES, AS AMENDED; AMENDING CHAPTER 2, "FUTURE LAND USE ELEMENT." PROVIDING FOR AN AMENDMENT TO THE YEAR 2010 FUTURE LAND USE MAP, AS AMENDED, CHANGING THE FUTURE LAND USE CATEGORY OF TWO PARCELS, LOCATED ONE HWY 90, FROM RURAL RESIDENTIAL AND LOW DENSITY RESIDENTIAL TO URBAN MIXED TOTALING 31.37 (+/-) ACRES IN SECTION 6, TOWNSHIP 4 NORTH, RANGE 14 WEST, PARCEL NUMBERS 0606.01-000-000-001,200 AND 0606.01-000-000-001,000; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature adopted Chapter 163, laws of Florida, which requires the City of Bonifay to prepare and adopt and enforce a comprehensive plan; and,

WHEREAS, The City of Bonifay City Council, acting as the Planning Board, held a Public Hearing to consider Proposed Comprehensive Plan Amendment 2024-06 on May 9, 2024, and recommended the Amendment be approved by the City of Bonifay Board for adoption; and,

WHEREAS, the City of Bonifay City Council held a Public Hearing on May 20, 2024, to adopt Comprehensive Plan Amendment 2024-06, pursuant to Section 163, 3187, 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 City Council finds it necessary and desirable to adopt and does hereby adopt Comprehensive Plan Amendment 2024-06, in order to encourage the most appropriate use of land, water and resources, consistent with the public interest; and deal effectively with the future problems that may result from the use and development of land with the City of Bonifay, as follows;

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

Section 1      Purposes and Intent.

The land use designations of the above identified parcels, shall be and hereby is changed from "Rural Residential" and "Low Density Residential" to "Urban Mixed-Use" use as described in Small Scale Amendment 2024-06.

Section 2      Comprehensive Plan Amendment.

The City of Bonifay Comprehensive Plan is hereby amended to set forth in and incorporated herein by reference, and consists of a Future Land use Map Amendment.

Section 3      Severability.

If any provision of the ordinance is declared by any court of competent Jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance and the City of Bonifay Comprehensive Plan shall remain in full force and effect.

Section 4      Copy on File.

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

Section 5      Effective Date.

This effective date of this Comprehensive Plan Amendment shall be the date a final order is issued by the Florida Department of Community Affairs, or the Administrative Commission finding the amendment in compliance is accordance with Section 163.318 Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before this amendment becomes effective.

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

By: \_\_\_\_\_  
By its Mayor, Larry Cook

ATTEST:

\_\_\_\_\_  
By: Rickey Callahan, City Clerk