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CITY COUNCIL AGENDA ITEM REPORT

DATE: November 1, 2023

SUBMITTED BY: Robin Singer, Planning & Community Development

ITEM TYPE: Ordinance

AGENDA SECTION: BUSINESS/ADVERTISING, PETITIONS, HEARINGS & COMMUNICATIONS

SUBJECT: Ordinance 4017 - SECOND READING AND PUBLIC HEARING

AN ORDINANCE OF THE CITY OF BRADENTON, FLORIDA, AMENDING THE BRADENTON FORM BASED CODE TO CREATE ARTICLE 1, SECTION 1.12, BUILDING HEIGHT INCENTIVES, TO PROVIDE A TIME LIMITED HEIGHT INCENTIVE IN THE T5 AND T6 ZONING DISTRICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

SUGGESTED ACTION: Adopt Ordinance 4017 on Second Reading

Is this item Quasijudicial?

No

Does this item require a public hearing?

Yes

EXPLANATION:

This Ordinance is intended to provide time limited incentives to allow greater building height in the downtown in order to promote faster redevelopment. The concept of an incentive program was discussed at the August 9, 2023 City Council Workshop.

Ordinance 4017 will adopt an incentive program into the Form Based Code (FBC)

to accomplish the following:

- The incentives will apply to T5 and T6 properties west of 1st Street East, with exceptions;
- The program will allow the workforce housing bonus or adjustments to height in the T6 district, without the provision of workforce housing or contribution into the fund;
- The height bonuses for T6 properties will be allowed for T5 properties;
- Garage levels above the first floor will not be counted as stories, with restrictions;
- To be eligible for these incentives, petitions will require City Council approval before December 31, 2028 and commence development before December 31, 2033;
- Petitions will be subject to the review criteria for adjustments in the FBC;
- City Council has the authority to modify, extend or terminate the program, subject to the preservation of vested rights;

The Planning Commission reviewed this Ordinance at their September 20, 2023 meeting and voted 6-0 to recommend approval. The staff report provides a review of the Ordinance and a summary of comments from the Planning Commission.

City Council passed the Ordinance on First Reading at the October 11, 2023 meeting. The description of the affected area has been slightly modified since First Reading.

FINANCIAL IMPACT:

No impact to City's budget

ATTORNEY REVIEW/RECOMMENDATION:

Reviewed by the City Attorney

SUGGESTED MOTION:

Motion to approve Ordinance 4017.

ATTACHMENTS:

[Ordinance 4017](#)

[Staff Report](#)

[9-20-2023 Planning Commission Draft Minutes](#)

[Business Impact Estimate for Ordinance 4017](#)