



PERMITTING UNDER THE LIVE LOCAL ACT

AUTHORITY

Florida Statutes Section 166.04151 provides for the development of affordable housing with administrative approvals in mixed use, commercial and industrial zoning districts at greater densities and building heights than might otherwise be allowed. **Anyone wishing to apply for a development under the Live Local Act should first read the Live Local Act to understand their rights and obligations.** Where these instructions are in conflict, the Statutes will supersede.

The Live Local Act provides that developments that meet the criteria to be considered under the Act may be entitled to the following allowances by the local government:

“A municipality may not restrict the density of a proposed development authorized under this subsection below the highest currently allowed, or allowed on July 1, 2023, density on any land in the municipality where residential development is allowed under the municipality’s land development regulations.” F.S. 166.04051(7)(b)

“A municipality may not restrict the floor area ratio of a proposed development authorized under this subsection below 150 percent of the highest currently allowed, or allowed on July 1, 2023, floor area ratio on any land in the municipality where development is allowed under the municipality’s land development regulations.” F.S. 166.04051(7)(c)

“A municipality may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed, or allowed on July 1, 2023, height for a commercial or residential building located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.” F.S. 166.04051(7)(d)1.

“If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the municipality may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed, or allowed on July 1, 2023, height for the property provided in the municipality’s land development regulations, or 3 stories, whichever is higher, not to exceed 10 stories.” F.S. 166.04051(7)(d)2.

Additional allowances for parking are listed under F.S. F.S. 166.04051(7)(f)

CITY OF BRADENTON ZONING AND LAND USE

The City of Bradenton **zoning districts** where the Live Local Act would apply include:

Form Based Code Districts:

- T4-O General Urban Open
- T5 Urban Center
- T6 Urban Core

Land Use Regulation Districts:

- UV Urban Village Arterial
- UCC Urban Commercial Corridor
- SCC Suburban Commercial Corridor
- P Professional
- I Industrial

The following are the maximum development standards under the Statutes, pursuant to City of Bradenton Codes:

- Densities are provided in the Comprehensive Plan, although there may also be densities provided in the Land Use Regulations. Under the Live Local Act, the least restrictive density limit would apply. The least restrictive density allowed by right in the City of Bradenton is 60 dwelling units per acre.
- Building height is determined by the zoning designation. The Statutes allow the highest building height within one mile. The petitioner should contact the Planning Division at planning@bradentonfl.gov and provide the address and property identification number of the development site for staff to map the location and find the highest allowable building height within one mile of the development site in the City's jurisdiction. The petitioner may also wish to refer to the City's interactive Land Development Map, available online, to find a rough estimate of the districts within one mile of the development site. Note that building height may also be limited under F.S. 166.04151(7)(d)2 and (d)3.
- Floor area ratio is limited under the Comprehensive Plan and Land Use Regulations and lot coverage is limited in the Form Based Code. The Statutes allow up to 150 percent of the highest floor area ratio currently allowed in the City. The highest allowable floor area ratio is 12, so the allowable floor area ratio under the Statutes would be 18. The Statutes also provide that lot coverage would be limited the same as the floor area ratio. The highest lot coverage is 90%. While 100% lot coverage would be allowed, required setbacks must still be met for the zoning district in which the project is located. Floor area ratio and building height limits both limit the envelop of the building and proposed developments must comply with both.

PROCESS

The following outlines the review and approval procedures for this process in the City of Bradenton.

Step 1: Zoning and Future Land Use Designation

- a. Zoning. To determine the project's zoning and future land use designation, the petitioner should visit [<https://cityofbradenton.maps.arcgis.com/apps/webappviewer/index.html?id=be8a2ced2a6846cd9599732098d70cd9>] and open the City of Bradenton Land Development Map. Once open, enter the address of the property in the search bar in the upper left corner of the screen. The map auto-populates with the zoning designations for properties located in the City. This allows you to determine if the development site is in the City and within a zoning district that qualifies under the Live Local Act.
- b. Land Use. While on the Land Development Map, on the Layer list on the right side of the screen, the Zoning - CoB layer can be turned off and the Future Land Use – CoB layer can be turned on to find the future land use designation.
- c. Measure. The Act provides for the highest allowable building height within one mile of the project. For an accurate measurement you should provide the address and property identification number to the Planning Division at planning@bradentonfl.gov. If you would like to estimate the allowable building height, the Land Development Map provides a measuring tool under the search bar which can be used to estimate a one mile radius from the development site. Allowable building heights are provided in the chart below. Staff will confirm the maximum allowable building height in the review process.

Step 2: Complete Live Local Application

The attached Live Local Form should be completed and submitted, along with any prepared plans and a survey, with your application for a preapplication conference. If you have any questions regarding the completion of the form or this process, please contact the City at planning@bradentonfl.gov.

Step 3: Preapplication conference

All new development projects in the City require a preapplication conference. Applications for a preapplication conference are completed and submitted through the City's Accela portal at [<https://cityofbradenton.com/compplan>]. The petitioner must complete and include Live Local form as part of this application. Once the application has been determined to be complete, staff will respond with a meeting date and time. The Development Review Committee meets twice a month to review development projects. One week after the meeting petitioners are provided with comments and any future steps required.

Step 4: Site Improvement Permit

All new developments require a Site Improvement Permit (SIP). This is a review process that ensures that all development regulations are being met, including drainage, parking, landscaping, lighting, traffic, solid waste, setbacks, building height and any other zoning and engineering standards. The SIP application can be made through the City's Accela portal under Planning [

prod.accela.com/BRADENTON/Default.aspx] and two hard copies are to be submitted to the Public Works Department. The SIP process must be completed and approved before proceeding to building permits.

Step 5: Form Based Code Review and Adjustments

All new development within the Form Based Code (FBC) area, which would include the T4-O, T5 and T6 districts, require a review under the required FBC standards. Should the project depart from the standards relating to setbacks and design, assuming it is compliant with all other requirements under the Live Local Act, the applicant may apply for an adjustment to the standards and proceed as directed under the Form Based Code.

Step 6: Building Permit

Provided that the project has completed Steps 1-5, and the SIP and any required adjustments have been approved, the applicant may apply for building permits.

Allowable Height by Zoning District			
Zoning District			Allowable Height
T4-O	General Urban - Open		3 stories
T5	Urban Center		5 stories
T6	Urban Core		8 stories
UV	Urban Village	Arterial	60 ft., 5 stories
		Non-Arterial	35 ft., 3 stories
		UC FLUM	95 ft., 8 stories
		UCBD FLUM	95 ft., 8 stories
UCC	Urban Commercial Corridor		35 ft., 2 stories
SCC	Suburban Commercial Corridor		35 ft., 2 stories
P	Professional		45 ft., 3 stories
I	Industrial		45 ft., 4 stories