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ORDINANCE 2025-29 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND DEVELOPMENT REGULATIONS”, ARTICLE 4 “DEVELOPMENT STANDARDS,” SECTION 23.4-10 – OFF-STREET PARKING, PARAGRAPHS (f)(3) and (g), RELATED TO FEE-IN-LIEU OF PARKING AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

WHEREAS, as provided in Section 2(b), Article VIII of the Constitution of the State of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the “City”), enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except as expressly prohibited by law; and

WHEREAS, as provided in Section 166.021(3), Florida Statutes, the governing body of each municipality in the state has the power to enact legislation concerning any subject matter upon which the state legislature may act, except when expressly prohibited by law; and

WHEREAS, the City wishes to amend Chapter 23, Article 4 “Development Standards,” Section 23.4-10 – “Off-street parking,” paragraph (f)(3) to correct and expand upon the fee-in-lieu of parking fund; and

WHEREAS, the City wishes to amend Chapter 23, Article 4 “Development Standards,” Section 23.4-10 – “Off-street parking,” paragraph (g) to amend the requirements for electric vehicle charging infrastructure consistent with new legislation; and

WHEREAS, the Planning and Zoning Board, in its capacity as the local planning agency, considered the proposed amendments at a duly advertised public hearing; and

WHEREAS, the Historic Resources Preservation Board, in its capacity as the local planning agency, considered the proposed amendments at a duly advertised public hearing; and

WHEREAS, the City Commission has considered the proposed amendments at a duly advertised public hearing and has determined that it is in the best interest of the public health, safety, and general welfare of the City to adopt this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1: The foregoing “WHEREAS” clauses are ratified and confirmed as being true and correct and are made a specific part of this ordinance as if set forth herein.

Section 2: Chapter 23 “Land Development Regulations, Article 4 “Development Standards,” Section 23.4-10 “Off-street parking,” paragraph (f)(3) is hereby amended by adding the words shown in underline type and deleting the words struck through as follows:

- 51 3. *Fee-in-lieu of parking.* All uses on properties in the core area which do not provide the
52 required number of off-street parking spaces shall pay a fee-in-lieu of parking to the city.
53 The fee shall be held in the ~~community benefits~~ parking improvement fund to be allocated
54 toward projects identified and approved by the commission as set forth herein ~~part of the~~
55 ~~community benefits program.~~
- 56 A. *Location.* Only properties located in the core area are eligible to utilize the fee-in-lieu of
57 parking option. The core area is more particularly described as: Those properties which
58 are bounded on the west by "A" Street and on the east by Golfview Road, and on the
59 north by 2nd Avenue North, and on the south by 1st Avenue South.
- 60 B. *Payments-in lieu.* For any uses that elect to not provide any or all of the required number
61 of off-street parking spaces described in this section, the owner or developer must make
62 a payment to the city in the amount as specified in the city's annual schedule of fees and
63 charges for services.
- 64 C. Any changes in use, remodeling, building expansion or new construction that have the
65 net effect of increasing parking demand by more than twenty-five (25) percent as
66 calculated by the required parking in this section, must provide parking as required by
67 this section unless a payment-in-lieu of parking is made to the city in the amount as
68 specified in the city's annual schedule of fees and charges for services.
- 69 D. *Parking improvement fund.* All payment-in-lieu of parking fees collected shall be held
70 within the Parking improvement trust account, which shall be managed separately and
71 independently of other city funds. The fees shall be expended for parking infrastructure,
72 improvements, maintenance, and operations within the Core.

73
74
75 **Section 3:** Chapter 23 "Land Development Regulations, Article 4 "Development
76 Standards," Section 23.4-10 "Off-street parking," paragraph (g) is hereby amended by adding the
77 words shown in underline type and deleting the words struck through as follows:
78

79 g) *Electric Vehicle Charging Infrastructure.* It is the purpose of the electric vehicle charging
80 infrastructure to provide the availability of electric vehicle charging stations to residents and
81 visitors of the city.
82

- 83 1. All new commercial or mixed-use developments with at least twenty-five (25) parking
84 spaces, or existing commercial or mixed-use developments with at least twenty-five (25)
85 parking spaces that enter into either the site plan or site plan amendment process ~~are~~
86 subject to may include the following:
- 87 A. ~~Four (4) percent of the total minimum required off-street parking spaces shall be~~
88 ~~designated and outfitted as e~~Electric vehicle charging spaces. Each required electric
89 vehicle charging space at a minimum shall include the following:
- 90 1) A maintained and operational 240-volt "Level 2" charging station, with a cable
91 retraction device and/or place to hang permanent cords and connectors sufficiently
92 above the ground, and mounted at a height which places the connector a minimum
93 of thirty-six (36) inches and a maximum of forty-eight (48) inches above the ground,
94 2) Wheel stops or concrete filled steel bollards to protect the aforementioned charging
95 station,
96 3) Signage allowing only electric vehicles to park in such space and indicating that it
97 is only for electric vehicle charging purposes,
98 4) The ability for all visitors to the site to access and use such space.
- 99 B. All spaces with electric vehicle charging infrastructure shall be located in close
100 proximity to the building or facility entrance.
101

- 102 2. Any development that proposes more than twenty (20) percent of its required off-street
- 103 parking to be outfitted as electric vehicle charging spaces, or operates any amount of
- 104 charging stations as a primary use as determined by the development review official, shall
- 105 be classified as containing an "Vehicle Fueling/Charging Service Station" use as defined
- 106 in section 23.1-12 and is subject to the appropriate use approval process prior to the
- 107 operation of such charging stations per section 23.3-6.
- 108
- 109 3. Charging stations in SFR, SF/TF-14, MH-7, MF-20, MF-30, or MF-40 zoning districts shall
- 110 be for the exclusive use of the development's residents and guests that are visiting the
- 111 development's residents, and shall not be made available to the general public.
- 112

113 **Section 4:** Severability. If any section, subsection, sentence, clause, phrase or portion

114 of this Ordinance is for any reason held invalid or unconstitutional by any court of competent

115 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and

116 such holding shall not affect the validity of the remaining portions thereof.

117

118 **Section 5:** Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict

119 herewith are hereby repealed to the extent of such conflict.

120

121 **Section 6:** Codification. The sections of the ordinance may be made a part of the City

122 Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and

123 the word "ordinance" may be changed to "section", "division", or any other appropriate word.

124

125 **Section 7:** Effective Date. This ordinance shall become effective 10 days after

126 passage.

127

128 The passage of this ordinance on first reading was moved by Commissioner Segrich,

129 seconded by Vice Mayor Malega, and upon being put to a vote, the vote was as follows:

130		
131	Mayor Betty Resch	AYE
132	Vice Mayor Sarah Malega	AYE
133	Commissioner Christopher McVoy	AYE
134	Commissioner Mimi May	AYE
135	Commissioner Anthony Segrich	AYE

136

137 The Mayor thereupon declared this ordinance duly passed on first reading on the 6th day

138 of January, 2026.

139

140 The passage of this ordinance on second reading was moved by _____,

141 seconded by _____, and upon being put to a vote, the vote was as follows:

142	
143	Mayor Betty Resch
144	Vice Mayor Sarah Malega
145	Commissioner Christopher McVoy
146	Commissioner Mimi May
147	Commissioner Anthony Segrich

148

149 The Mayor thereupon declared this ordinance duly passed on the _____ day of

150 _____, 2026.

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LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk