

ORDINANCE 2026-11 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 "LAND DEVELOPMENT REGULATIONS", ARTICLE 1 "GENERAL PROVISIONS," DIVISION 2 "DEFINITIONS," SECTION 23.1-12 DEFINITIONS, TO ADD A DEFINITION; AND ARTICLE 5 "SUPPLEMENTAL REGULATIONS," SUBSECTION 23.5-1.i) NONCONFORMING SIGNS, RELATED TO POLE SIGNS; 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 5 "Supplemental Regulations," Section 23.5-1 – "Signs," subsection i) to provide greater flexibility regarding nonconforming pole signs within the City; 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 reviewed the proposed amendments 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 1 "General Provisions," Division 2 "Definitions," Section 23.1-12 "Definitions," is hereby amended by adding thereto a definition to read as follows:

Sign face: The primary outer surface or panel of a sign that displays the visual graphics, text, or branding and strictly includes the display area and the frame or trim that outlines it and excludes the structural supports, poles, and mounting hardware that hold the sign up.

Section 3: Chapter 23 "Land Development Regulations, Article 5 "Supplemental Regulations," Section 23.5-1 "Signs," subsection i) is hereby amended by adding the words shown in underline type and deleting the words struck through as follows:

- i) *Nonconforming signs.* All signs in existence upon August 16, 2013 which violate any provision shall constitute a nonconforming sign.
 1. Any nonconforming sign in existence prior to August 16, 2013 or which is destroyed or damaged to the extent of fifty (50) percent or more as determined by the building official, or is altered or replaced, shall not be repaired, reinstalled, altered or replaced unless and until said sign has been made to conform to all applicable regulations of this section. Changing the sign face alone does not constitute alteration or replacement of the sign requiring conformity with this section.
 2. Any nonconforming pole sign may be repaired, reinstalled, or replaced, like for like, without alteration to the original design until such time as the property owner wishes to replace the pole sign with a conforming sign. Once the nonconforming pole sign is replaced with a conforming sign, the ability to maintain the nonconformity is lost. Changing the sign face alone does not constitute alteration of the original design requiring conformity with this section.
 3. ~~All nonconforming signs shall be removed or made to conform within five (5) years from the date such sign(s) shall become nonconforming or December 31, 2019, except that nonconforming billboards shall be removed or made to conform within ten (10) years from the date such sign(s) shall become nonconforming. Notwithstanding the above, billboards which are the subject of a settlement of litigation, between the city and the billboard owner, which was filed before the adoption of these LDR's (August 6, 2013) may be altered or replaced as set forth in the approved settlement agreement and shall be removed or made to conform on the earliest date as set forth in the approved settlement or twenty (20) years, whichever is later.~~
 4. Any nonconforming sign previously approved by variance may continue in existence as permitted.

Section 4: Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 5: Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6: Codification. The sections of the ordinance may be made a part of the City Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

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

The passage of this ordinance on first reading was moved by Commissioner Segrich, seconded by Commissioner Malega, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch	ABSENT
Vice Mayor Mimi May	AYE
Commissioner Christopher McVoy	AYE

Commissioner Sarah Malega AYE
Commissioner Anthony Segrich AYE

The Mayor thereupon declared this ordinance duly passed on first reading on the 25th day of August, 2026.

The passage of this ordinance on second reading was moved by _____, seconded by _____, and upon being put to a vote, the vote was as follows:

Mayor Betty Resch
Vice Mayor Mimi May
Commissioner Christopher McVoy
Commissioner Sarah Malega
Commissioner Anthony Segrich

The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2026.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk