

CITY OF LAKE WORTH BEACH

Community Sustainability℠

504 3rd Avenue South & 228 S L Street

Part I: Future Land Use Map Amendment

- **Ordinance 2026-14** – First Reading – Privately-initiated Small-Scale Future Land Use Map amendment requesting a change of Future Land Use of two (2) parcels from Medium Density Residential (MDR) to Mixed Use – East (MU-E) at 504 3rd Avenue South and 228 South L Street

Part II: Rezoning

- **Ordinance No. 2026-13** – First Reading – Privately-initiated Zoning Map amendment requesting rezoning of two (2) parcels from Low-Density Multi-Family Residential (MF-20) to Mixed Use – East (MU-E) (rezoning) at 504 3rd Avenue South and 228 South L Street

Part II: Rezoning

- **<u>Ordinance Number 2026-13:</u>** Privately-initiated Zoning Map amendment requesting rezoning of two (2) parcels from Low-Density Multi-Family Residential (MF-20) to Mixed Use – East (MU-E) at 504 3rd Avenue South and 228 South L Street

Current Zoning





Proposed Zoning





Background

- The proposed Zoning Map amendment includes two parcels, 504 3rd Avenue S and 228 S L Street
- The subject properties currently have a MF-20 zoning designation, which is intended "primarily to permit development of two-family and multi-family structures"
- A four-story Assisted Living Facility is located on the larger parcel at 504 3rd Avenue South and is non-conforming under the current MF-20 zoning district.
- The property located at 228 S L Street provides the required off-street parking for the Assisted Living Facility and has historically functioned as part of the same development site
- The applicant is requesting that both properties be amended together
- The applicant has further voluntarily requested re-designation as a contributing structure to the Southeast Lucerne Historic District (Ordinance 2026-15)

Background

- Properties currently consist of a 4-story, ±15,956 sf, 52 bed Assisted Living Facility which is considered legally non-conforming under current MF-20 regulations
- Property maintains an active LWB Business License, although State authorization to operate an Assisted Living Facility on-site is currently revoked.
- Property currently has limited re-development potential due to its non-conforming size and scale in relation to the current MF-20 zoning district; any redevelopment would be under MF-20 regulations which would permit a maximum of 7 dwelling units by-right.
- Rezoning both parcels together would proactively align the current development form at the subject site with the adjacent MU-E district located immediately to the east across South M Street. This combined amendment would provide an appropriate zoning framework for the existing structure and ensure that, if the non-conforming Assisted Living Facility use were to ever lapse in the future (subject to the non-conformities regulations as outlined in LDR Sec. 23.5-3), the structure would retain viable adaptive-reuse options consistent with its size, scale, intensity, and location
- Rezoning of 228 S L Street is required as the property serves as 9 required parking spaces for the Assisted Living Facility; rezoning to Mixed Use – East would cure the non-conforming use of a standalone parking lot as well (Parking Lots are permitted as Conditional Uses in MU-E but not in MF-20).

MF- 20

The "MF-20 low-density multiple-family residential district" is intended to permit development of multiple-family structures. It is also intended to permit development of one-family and two-family structures. Provision is made for a variety of dwelling unit types in multiple-family structures on lots which meet minimum lot size requirements for multiple-family structures. Permitted dwelling unit types include efficiency, one-bedroom, two-bedroom and larger types. Provision is also made for a limited number of nonresidential uses for the convenience of residents. These nonresidential uses are compatible by reason of their nature and limited frequency of occurrence with an overall residential character. The "MF-20 multiple-family residential district" implements the "medium-density multiple-family residential" land use category of the Lake Worth Comprehensive Plan.

- Primarily intended for lower-density multiple family development or one and two family development—commercial uses are intended to be of residential character and to serve the needs of the broader neighborhood
- Existing structure does not fit in to this framework, and has non-conforming FAR, building coverage and height at 4 stories.

Mixed Use - East

Intent. The "MU-E mixed use east district" is geared toward the commercial gateways and thoroughfares that are adjacent to the central commercial core of the city. The intent of MU-E district is to encourage the establishment and expansion of a broad range of office, commercial, hotel/motel and medium-density multiple-family residential development as well as to facilitate redevelopment within these areas that achieves a mix of residential and professional office land uses. It also strives to create a place of common vision and physical predictability for all new construction, renovations, and redevelopment. Certain commercial uses are not permitted along some thoroughfares because they will be detrimental to the adjacent residential neighborhoods. The district implements in part the mixed use land use category of the Lake Worth Comprehensive Plan.

- The Mixed Use – East zoning district *would not exclude* a fully residential use, but would provide a greater number of potential uses which could be permitted either by-right, as an administrative use or as a conditional use.
- Height, Building Coverage and FAR would be non-conforming but are brought closer into compliance with regulations under MU-E district.

Analysis and Staff Recommendation Rezoning

- Rezoning Analysis
  - Consistent with the Comprehensive Plan
  - Consistent with the Strategic Plan
  - Consistent with the City's Land Development Regulations
  - Consistent with the Rezoning criteria in LDR Section 23.2-36(4)
  - Amendment to Mixed Use-East zoning district will ensure adaptive reuse of the site is possible in the event that the non-conforming use lapses
- Staff recommends that the Board recommend approval of the privately initiated rezoning of the properties located at 504 3rd Avenue South and 228 South L Street from Low-Density Multi-Family Residential (MF-20) to Mixed Use – East (MU-E)

Potential Motions

On September 9, 2026, the Historic Resources Preservation Board heard the request and voted 6-0 to not recommend approval to the City Commission of the proposed Rezoning.

Potential Motions

I move to **APPROVE/DISAPPROVE** Ordinance 2026-13 on first reading and set the second reading and public hearing for November 17, 2026



CITY OF LAKE WORTH BEACH

Community Sustainability℠

Future Development Proposal Requirements

Sec. 23-4.10. - Off-street parking.

a) *General provisions.* The following standards shall apply to all parking spaces required for new buildings, new uses, additions, enlargements, or changes:

1. Except as otherwise provided in this section, no building shall be erected or moved into a district nor shall any building be enlarged by more than twenty-five (25) percent or increased in capacity by adding dwelling units, guest rooms, floor area or seats, unless there be provided on the building site, off-street parking facilities for the entire building as set forth in this section. A certificate of occupancy for the given structure or premises shall be prohibited until the required parking area has been improved, inspected and approved.

f) Minimum parking space requirements by use category.

2. *Exceptions.* Parking is not required for:

   A. Changes in use or occupancy or remodeling of existing buildings which do not increase floor area or number of overall existing dwelling units, located outside of the single-family residential SF-R zoning district.

   B. Changes in use, remodeling, of existing buildings as designated as a contributing structure in one (1) of the city's historic districts (as determined by section 23.5-4).

   C. A bed and breakfast use proposed in a building designated as a contributing structure in a city historic district (as determined by section 23.5-4) is excluded from these off-street parking exceptions unless the bed and breakfast is to be established in a single-family residence whereby parking shall be provided in accordance with these LDRs.

Future Development Proposal Requirements

RE: **Project Number 25-01700069:** Zoning Verification Letter for the property located at 504 3rd Ave South. PCN # 38-43-44-21-15-091-0300

Dear Mr. Farlow,

The City is in receipt of your zoning verification request submitted on November 3, 2025, for the property located at **504 3rd Avenue South**. The subject site is located within the Multi-family Twenty Zoning District (MF-20) and has a future land use designation of Medium Density Residential (MDR). The subject structure is a non-contributing resource in the South East Lucerne Historic District. The application requests a use confirmation to determine if a 50 key boutique hotel is permissible at the subject site; as well as interpretation of the current applicable permitted uses, feasibility of rezoning, the existence of any non-conformities on the subject property and the procedural requirements for a proposed conversion to a boutique hotel use.

Under the City's Land Development Regulations, a boutique hotel use at the subject site would be classified as Lodging Facility use. Per the City's Use Table (LDR Section 23.3-6), a High Intensity Commercial Use (use area greater than 7,500 square feet) lodging facility is **not** permitted in the Multi-family Twenty (MF20) zoning district.

As discussed in our previous correspondence and meeting on October 14th, 2025 as well as phone conversations, the property owner may request a Rezoning and Future Land Use Map Amendment subject to the provisions established in LDR Section 23.2-36 in order to change the zoning of the subject parcel to a Mixed-Use East (MU-E) zoning designation and the future land use to Mixed-Use East (MU-E). The subject property is located adjacent to the Mixed-Use East zoning district and future land use across South M Street, and therefore a rezoning and future land use change are feasible and would be supported by City Staff in order to promote the rehabilitation and re-use of an existing resource. The Mixed-Use East zoning district does permit the establishment of Lodging Facilities, subject to the approval of a Conditional Use Permit as detailed in LDR Section 23.2-29. The rezoning and future land use map amendment request would require hearings before both the Historic Resources Preservation Board and the City Commission. If approved, the property owner could subsequently request a Conditional Use Permit to establish a lodging facility at the subject site. Please note that as the property is located in a historic district, a Certificate of Appropriateness (COA) application will also be required for any exterior remodeling. Please note that as discussed, the applicant may concurrently request to designate the property as an individual landmark due to its age and architectural style.

Generally, the nonconformities regulations (LDR Section 23.5-3) are intended to permit the continuation of those buildings and structures, lots of record, uses of buildings and structures, and uses of land which were lawfully permitted when established or commenced, but which do not conform in whole or in part to the present terms of these LDRs or as they may be amended from time to time. Based on the survey provided, the property is currently legally non-conforming in regards to height, setbacks and FAR. Please note that this is not an exhaustive list of existing non-conformities, and review of further documentation such as an updated survey, site plan or floor plan may subsequently uncover additional non-conformities.

Please contact the Lake Worth Beach Building Official, Barry Schultz, at bschultz@lakeworthbeachfl.gov for building code questions related to changes of use and occupancy. For information on potential code compliance violations, please contact the Code Compliance Division at (561) 586-1652 for ccompliance@lakeworthbeachfl.gov.

This zoning letter shall remain valid for 12 months from the date of issuance, unless a subsequent Land Development Regulation (LDR) change or interpretation has occurred that results in a different conclusion. Staff has prepared this response on the information submitted and the information available in our records. Should the information relied on by Planning, Zoning, and Historic Preservation staff be incorrect or incomplete, this response may not be valid. Nothing herein shall relieve any person of any requirements of the LDRs or other applicable provisions of federal, state, or local laws, rules, codes, or ordinances.

Please be advised that this letter does not serve as a planning, zoning, development, building, or business license approval. Should you have any additional questions, please feel free to contact our office at (561) 586-1687 or pzoning@lakeworthbeachfl.gov.

Future Development Proposal Requirements

Conditional Use Checklist

Note: Applications are routed to the Site Plan Review Team (SPRT) for technical review for compliance with all applicable requirements after a project application is determined to be complete.
Completeness does NOT indicate compliance with City requirements.

This checklist must be filed out and included with the application submittal. All applicable items must be included for an application to be accepted for processing. Additional plans, documentation, and/or information may be required in the technical review process.

Address:	Project Name:				
PCNs:					
Mandatory Pre-Application Meeting					
Standard Documents	**Staff**			**Applicant**
	Provided	**Missing**	**N/A**	
Complete Universal Development Application				
Payment of the appropriate processing fee as listed in the fee schedule • Residential: $700 • Non-Residential: $1,500 • Wireless Telecommunications Equipment and Facilities: $2,500 • Blanket Conditional Use: $2,500 • Conditional Amendment (Residential): $350 • Conditional Amendment (Non-Residential): $750 • Conditional Amendment (Telecommunications or Blanket): $1,250					
Electronic copy of application and required materials					
Sign Posting Agreement					
Property Appraiser 400-Foot Radius Map • Required 3 weeks prior to scheduled public meeting					
Latest Warranty Deed					
Survey complying with the following: • Not older than two years • Reflects existing conditions • Containing a legal description • Signed and sealed by a Florida registered land surveyor A land survey affidavit may be submitted for a survey older than two years that reflects existing conditions.					
Photographs of the subject site and adjacent/surrounding properties					
Wellfield Map Exhibit: http://maps.co.palm-beach.fl.us/cwais/mygeonav.html?mymap=-9019691%2c3043001%2c-689127.6%2c1147759%7c1132%3c1160%2c1159%2c1645%2c1205%2c1435					
Affidavit of Notification to PBC ERM – Copy of Affidavit and Confirmation of Submittal to PBC ERM: https://discover.pbcgov.org/erm/Publications/WellfieldAffidavitNotification.pdf • Provide confirmation of submittal to erm-protect@pbc.gov, please forward a copy of the email to the project manager or provide a screenshot of email. Note: The PBC ERM reviewer will determine if a permit is required.					
Project Narrative: • Information regarding the proposed use, such as hours of operation, number of employees, number of vehicles parked, etc.					
Justification Statement - address the Conditional Use Criteria, including the findings in LDR Section 23.2-29(d)&(e).					
Justification Statement – Address the additional supplement review criteria for the following uses in LDR Section 23.4-13: • Vehicular related services, including Vehicle fueling/charging service stations, Vehicle rental facilities, Vehicle service and repair facilities, Vehicle sales, Temporary parking facilities, Transitional parking lots, and Truck rentals accessory to a primary use.					
• Other uses, including Bed and breakfast inns, Communication towers, Community residences, Single destination retail uses including stand alone retail and single destination commercial uses, Day care centers, Manufacturing/processing/fabrication facilities, Mini warehouses, Townhouses, Assisted living center/facility/nursing homes/retirement homes, Drive-through facilities, Medical related uses, Pharmacy/drug store, Storage specialty, Breweries, distilleries, micro-breweries, micro-distilleries, specialty breweries and specialty distilleries, and Money business services.					

Required As Needed	**Staff**			**Applicant**
	Provided	**Missing**	**N/A**	
Site Plan				
Landscape Plan				
Floor Plan				
Elevations				
Traffic Statement or Study				
Supplemental regulations				
Comments:				

Section 23.2-29(d) General findings relating to harmony with LDRs and protection of public interest.

1. *The conditional use exactly as proposed at the location where proposed will be in harmony with the uses which, under these LDRs and the future land use element, are most likely to occur in the immediate area where located.*
2. *The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.*
3. *The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the site for some use permitted by right or some other conditional use permitted on the site.*
4. *The conditional use exactly as proposed will not result in more intensive development in advance of when such development is approved by the future land use element of the comprehensive plan.*

Section 23.2-29(e) Specific findings for all conditional uses.

1. The proposed conditional use will not generate traffic volumes or movements which will result in a significant adverse impact or reduce the level of service provided on any street to a level lower than would result from a development permitted by right.
2. The proposed conditional use will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right and is appropriately located with respect to collector and arterial streets
3. The proposed conditional use will not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.
4. The proposed conditional use will be so located in relation to the thoroughfare system that neither extension nor enlargement nor any other alteration of that system in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.
5. The proposed conditional use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems that neither extension nor enlargement nor any other alteration of such systems in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.
6. The proposed conditional use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.
7. The proposed conditional use will not generate significant noise, or will appropriately mitigate anticipated noise to a level compatible with that which would result from a development permitted by right. Any proposed use must meet all the requirements and stipulations set forth in section 15.24, Noise control.
8. The proposed conditional use will not generate light or glare which encroaches onto any residential property in excess of that allowed in section 23.4-10, Exterior lighting.

Future Development Proposal Requirements

Site Plan Application Checklist

Note: Applications are routed to the Site Plan Review Team (SPRT) for technical review for compliance with all applicable requirements after a project application is determined to be complete. Completeness does NOT indicate compliance with City requirements.

This checklist must be filled out and included with the application submittal. All applicable items must be included for an application to be accepted for processing. Additional plans, documentation, and/or information may be required in the technical review process. **One (1) hard-copy of all plans and documents is required for Major Site Plans.**

Address:	**Project Name:**
PCNs:	
Mandatory Pre-Application Meeting	[add meeting date]

Standard Documents	Staff			**Applicant**
	Provided	**Missing**	**N/A**	
Complete Universal Development Application				

Payment of the appropriate processing fee as listed in the most recent fee schedule
• Major Site Plan
  ○ New: $3,000
  ○ Amendment: $1,500
• Minor Site Plan
  ○ New: $1,500
  ○ Amendment: $500
• Additional SPRT Meeting (begins at 3rd meeting): $300				

Sign Posting Agreement (not required for Minor Site Plan)				
Property Appraiser 400-Foot Radius Map and mailing list • Not required for Minor Site Plan • Required 3 weeks prior to scheduled public meeting				
Electronic copy of application and required materials				
Latest Warranty Deed				
Photographs of the subject site and adjacent/surrounding properties				
Project Narrative addressing the following: • Project Location • Current Zoning and Land Use Designation • Proposed Zoning and Land Use Designation (if applicable) • Existing Use (if applicable) • Project Background • Site Characteristics • Surrounding Property Information – Uses, Architectural Style and Size • Any requested bonuses, including the Sustainable Bonus Incentive Program, and the Affordable/Workforce Housing Program.				
Justification statement shall address and include all the standards as listed in LDR Section 23.2-31 as applicable. However, the following sections shall always include responses when: • Site development or site changes are proposed: Site Design Qualitative Standards (c) • New construction or exterior building changes are proposed: Buildings (d) ○ For new construction or additions of 7,500 sf or more, include the Building Sustainable Performance Analysis listed in subsection 16 • Either site or building development or exterior changes are proposed: Community Appearance Criteria Section (I)				
Wellfield Map Exhibit: http://maps.co.palm-beach.fl.us/cwgis/mywaonav.html?mymap=-9019491%2c3040001%2c-8991276%2c31147795%7c1132%2c1160%2c1159%2c1645%2c1209%2c1435				
Affidavit of Notification to PBC ERM – Copy of Affidavit and Confirmation of Submittal to PBC ERM: https://discover.pbcgov.org/erm/Publications/wellfieldaffidavitnotification.pdf • Provide confirmation of submittal to erm-protect@pbc.gov, please forward a copy of the email to the project manager or provide a screenshot of email. Note: The PBC ERM reviewer will determine if a permit is required.				

Neighborhood Meeting

Per Ordinance 2022-06, Public Neighborhood meeting (Required for all Planned Developments, Development of Significant Impact, and Lake Worth Beach Community Redevelopment Agency sponsored new construction projects along the City's Major Thoroughfares as well those utilizing the City's Sustainable Bonus Incentive Program, Transfer Development Rights Program and/or Economic Investment Incentives.).

Comments:

Site Items	Staff			**Applicant**
	Provided	**Missing**	**N/A**	
Survey complying with the following: • No older than two years • Reflects existing conditions • Containing a legal description • Signed and sealed by a Florida registered land surveyor A land survey affidavit may be submitted for a survey older than two years that reflects existing conditions.				
Site Plan and Specifications, prepared by a Registered Professional Engineer, Landscape Architect, or Architect (See specifications at the end of the document).				
Drainage Plan, prepared by a Registered Professional Engineer				
Drainage Statement, prepared by a Registered Professional Engineer				
Landscape Plan, prepared by a Registered Professional Engineer, Landscape Architect, or another qualified professional				

Architectural Items	Staff			**Applicant**
	Provided	**Missing**	**N/A**	
Architectural Plans or a statement that no modifications to the exterior are proposed				
Floor Plan				
Color renderings of the Site Plan and Building Elevations or a statement that no modifications to the exterior are proposed				
Samples of Color Treatments if exterior alterations are proposed				

Concurrent Applications – Checklists/Worksheets/Applications	Staff			**Applicant**
	Provided	**Missing**	**N/A**	
Planned Development Checklist - In addition to this checklist, provide the Planned Development checklist and include all required items from that completeness checklist.				
Conditional Use Permit (CUP) application for uses greater than 7,500 sf, including residential. In addition to this checklist, provide the Conditional Use Permit checklist and include all required items from that completeness checklist not already provided.				
Certificate of Appropriateness Application (Historic Only)				
Sustainable Bonus Incentive Program Worksheet				
Affordable/Workforce Housing Program Worksheet				
Transfer of Development Rights Worksheet				
Micro Units Worksheet				