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3 **ORDINANCE 2022-13 - AN ORDINANCE OF THE CITY OF LAKE**
4 **WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND**
5 **DEVELOPMENT REGULATIONS,” ARTICLE 4 “DEVELOPMENT**
6 **STANDARDS,” SECTION 23.4-25 “MICRO-UNITS,” AND PROVIDING**
7 **FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN**
8 **EFFECTIVE DATE**
9

10 **WHEREAS**, as provided in Section 2(b), Article VIII of the Constitution of the State
11 of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the
12 “City”), enjoys all governmental, corporate, and proprietary powers necessary to conduct
13 municipal government, perform municipal functions, and render municipal services, and
14 may exercise any power for municipal purposes, except as expressly prohibited by law;
15 and
16

17 **WHEREAS**, as provided in Section 166.021(3), Florida Statutes, the governing
18 body of each municipality in the state has the power to enact legislation concerning any
19 subject matter upon which the state legislature may act, except when expressly prohibited
20 by law; and
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22 **WHEREAS**, the City wishes to amend Chapter 23, Article 4 “Development
23 Standards,” Section 23.4-25 – Micro-Units to amend the supplementary development
24 standards for this use; and
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26 **WHEREAS**, the City of Lake Worth Beach, Florida (the “City”), is a duly constituted
27 municipality having such power and authority conferred upon it by the Florida Constitution
28 and Chapter 166, Florida Statutes; and
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30 **WHEREAS**, the Planning and Zoning Board, in its capacity as the local planning
31 agency, considered the proposed amendments at a duly advertised public hearing; and
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33 **WHEREAS**, the Historic Resources Preservation Board, in its capacity as the local
34 planning agency, considered the proposed amendments at a duly advertised public
35 hearing; and
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37 **WHEREAS**, the City Commission finds and declares that the adoption of this
38 ordinance is appropriate, and in the best interest of the health, safety and welfare of the
39 City, its residents and visitors.
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41 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
42 **CITY OF LAKE WORTH BEACH, FLORIDA, that:**
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44 **Section 1:** The foregoing “WHEREAS” clauses are ratified and confirmed as
45 being true and correct and are made a specific part of this ordinance as if set forth herein.
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48 **Section 2:** Chapter 23 “Land Development Regulations,” Article 4
49 “Development Standards,” Section 23.4-25 “Micro-units” is hereby amended to read as
50 follows:

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Sec. 23.4-25. – Micro-units.

- a) *Project size.* All micro-unit projects must provide a minimum of 20 micro-units.
- b) *Micro-Unit Use Restriction.* Micro-units must be residential and may not be converted to other uses. Each micro-unit must be separately metered for electric.
- c) *Personal service, retail or commercial space.* All micro-unit projects shall be designed as mixed use projects providing personal service, retail and/or commercial areas, including the required parking as set forth in this section and shall be allowed only within the City’s mixed use zoning districts. The aforementioned listed uses other than residential should account for at least 10 15% of the gross area of the project or 2,500 sq ft, whichever is less. Live work space, co work space or general office space may not count toward the required area for 15% of non-residential uses.
- d) *Residential Building Type.* All micro-unit projects must be in a multi-family structure or collection of multi-family structures. Individual micro-units may not be combined to facilitate larger individual units.
- e) *Interior shared common areas.* Interior shared common areas supporting micro-units must equate to 10% of the gross living area of all residential units within the project. Such supporting common areas shall include but not be limited to the following:
 - 1. Reading Room,
 - 2. Gym/Exercise Facilities,
 - 3. Virtual Office Space,
 - 4. Party/Community Room,
 - 5. Game Room,
 - 6. Library,
 - 7. Movie Theatre,
 - 8. Gourmet Kitchen,
 - 9. Art Labs,
 - 10. Other similarly situated common usage areas, and
 - 11. Essential support areas such as lobbies, hallways, egress routes, stairs, concierge areas, staff offices, maintenance areas and required restroom facilities or similar shall not count toward shared interior common areas.
- f) *Parking.* Parking may be a combination of the following:
 - 1. One (1) parking space or equivalent for each micro unit;
 - 2. 50% or more of the required spaces shall be standard parking spaces;
 - 3. Up to 25% of the parking spaces may be compact spaces (8’-0” x 18’-0”);
 - 4. Up to 25% of the parking spaces may be met with bicycle, scooter or motorcycle storage. Four (4) bicycle storage spaces shall equal one (1) parking space; two (2) scooter storage spaces shall equal one (1) parking space; and two (2) motorcycle storage spaces shall equal one (1) parking space; and
 - 5. Required guest and employee parking may be met with the same parking space combination ratio. Guest and employee parking shall be no less than one (1) space

98 for every 100 sq. ft. of common area, public area, support area and offices,
99 excluding required hallways, egress routes and stairs.
100 6. The mixed-use parking reduction of 25% shall not apply.

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102 g) *Outdoor amenity.* All micro-unit projects shall provide for an outdoor amenity that is
103 above and beyond the required interior shared common area. Outdoor amenity space
104 shall be no less than 5% of the gross area of all residential units and may not count
105 toward the required interior shared common area.

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107 **Section 3: Severability.** If any section, subsection, sentence, clause, phrase or
108 portion of this Ordinance is for any reason held invalid or unconstitutional by any court of
109 competent jurisdiction, such portion shall be deemed a separate, distinct, and
110 independent provision, and such holding shall not affect the validity of the remaining
111 portions thereof.

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113 **Section 4: Repeal of Laws in Conflict.** All ordinances or parts of ordinances in
114 conflict herewith are hereby repealed to the extent of such conflict.

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116 **Section 5: Codification.** The sections of the ordinance may be made a part of
117 the City Code of Laws and ordinances and may be re-numbered or re-lettered to
118 accomplish such, and the word "ordinance" may be changed to "section", "division", or
119 any other appropriate word.

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121 **Section 6: Effective Date.** This ordinance shall become effective 10 days after
122 passage.

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

- 127
128 Mayor _____
129 Vice Mayor Christopher McVoy
130 Commissioner Sarah Malega
131 Commissioner Mimi May
132 Commissioner Reinaldo Diaz

133
134 The Mayor thereupon declared this ordinance duly passed on first reading on the
135 ___ day of _____, 2024.

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

- 141
142 Mayor _____
143 Vice Mayor Christopher McVoy
144 Commissioner Sarah Malega
145 Commissioner Mimi May
146 Commissioner Reinaldo Diaz

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The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2024.

LAKE WORTH BEACH CITY COMMISSION

By: _____
_____, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk