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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 1 “GENERAL**
6 **PROVISIONS,” DIVISION 2 “DEFINITIONS,” SECTION 23.1-12**
7 **“DEFINITIONS,” ADDING A NEW DEFINITION “MICRO-UNIT;” AND**
8 **ARTICLE 4 “DEVELOPMENT STANDARDS,” ADDING A NEW SECTION**
9 **23.4-25 “MICRO-UNITS,” PROVIDING FOR DEVELOPMENT**
10 **STANDARDS FOR MICRO-UNITS; AND PROVIDING FOR**
11 **SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE**
12 **DATE**
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14 **WHEREAS**, as provided in Section 2(b), Article VIII of the Constitution of the State
15 of Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the
16 “City”), enjoys all governmental, corporate, and proprietary powers necessary to conduct
17 municipal government, perform municipal functions, and render municipal services, and
18 may exercise any power for municipal purposes, except as expressly prohibited by law;
19 and
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21 **WHEREAS**, as provided in Section 166.021(3), Florida Statutes, the governing
22 body of each municipality in the state has the power to enact legislation concerning any
23 subject matter upon which the state legislature may act, except when expressly prohibited
24 by law; and
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26 **WHEREAS**, the City wishes to amend Chapter 23 Land Development
27 Regulations,” Article 1 “General Provisions,” Division 2 “Definitions,” Section 23.1.12
28 definitions, to a definition and to define the new use, “Micro-Unit;” and
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30 **WHEREAS**, the City wishes to amend Chapter 23, Article 4 “Development
31 Standards,” to establish a new section, Section 23.4-25 – Micro-Units to establish
32 supplementary development standards for this use; and
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34 **WHEREAS**, the City of Lake Worth Beach, Florida (the “City”), is a duly constituted
35 municipality having such power and authority conferred upon it by the Florida Constitution
36 and Chapter 166, Florida Statutes; and
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38 **WHEREAS**, the Planning and Zoning Board, in its capacity as the local planning
39 agency, considered the proposed amendments at a duly advertised public hearing; and
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41 **WHEREAS**, the Historic Resources Preservation Board, in its capacity as the local
42 planning agency, considered the proposed amendments at a duly advertised public
43 hearing; and
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45 **WHEREAS**, the City Commission finds and declares that the adoption of this
46 ordinance is appropriate, and in the best interest of the health, safety and welfare of the
47 City, its residents and visitors.
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49 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**
50 **CITY OF LAKE WORTH BEACH, FLORIDA, that:**

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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 new definition “Micro-unit” to read as follows:

Micro-unit: a small residential unit with a total square footage between 250 square feet and 750 square feet with a fully functioning kitchen and bathroom; and may include a maximum of two (2) bedrooms with each unit equivalent to 0.75 residential dwelling units only for determining density.

Section 3: Chapter 23 “Land Development Regulations,” Article 4 “Development Standards,” is hereby amended by adding thereto a new Section 23.4-25 “Micro-units” to read as follows:

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 15% of the gross area of the project. Live work space, co work space or general office space may not count toward the required 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,

- 99 10. Other similarly situated common usage areas, and
- 100 11. Essential support areas such as lobbies, hallways, egress routes, stairs, concierge
- 101 areas, staff offices, maintenance areas and required restroom facilities or similar
- 102 shall not count toward shared interior common areas.

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- 104 f) Parking. Parking may be a combination of the following:
- 105 1. One (1) parking space or equivalent for each micro unit;
- 106 2. 50% or more of the required spaces shall be standard parking spaces;
- 107 3. Up to 25% of the parking spaces may be compact spaces (8'-0" x 18'-0");
- 108 4. Up to 25% of the parking spaces may be met with bicycle, scooter or motorcycle
- 109 storage. Four (4) bicycle storage spaces shall equal one (1) parking space; two
- 110 (2) scooter storage spaces shall equal one (1) parking space; and two (2)
- 111 motorcycle storage spaces shall equal one (1) parking space; and
- 112 5. Required guest and employee parking may be met with the same parking space
- 113 combination ratio. Guest and employee parking shall be no less than one (1) space
- 114 for every 100 sq. ft. of common area, public area, support area and offices,
- 115 excluding required hallways, egress routes and stairs.
- 116 6. The mixed-use parking reduction of 25% shall not apply.

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- 118 g) Outdoor amenity. All micro-unit projects shall provide for an outdoor amenity that is
- 119 above and beyond the required interior shared common area. Outdoor amenity space
- 120 shall be no less than 5% of the gross area of all residential units and may not count
- 121 toward the required interior shared common area.
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123 **Section 4:** Severability. If any section, subsection, sentence, clause, phrase or

124 portion of this Ordinance is for any reason held invalid or unconstitutional by any court of

125 competent jurisdiction, such portion shall be deemed a separate, distinct, and

126 independent provision, and such holding shall not affect the validity of the remaining

127 portions thereof.

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

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

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

133 the City Code of Laws and ordinances and may be re-numbered or re-lettered to

134 accomplish such, and the word "ordinance" may be changed to "section", "division", or

135 any other appropriate word.

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

138 passage.

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140 The passage of this ordinance on first reading was moved by Vice Mayor McVoy,

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

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143	Mayor Betty Resch	AYE
144	Vice Mayor Christopher McVoy	AYE
145	Commissioner Sarah Malega	ABSENT
146	Commissioner Kimberly Stokes	AYE
147	Commissioner Reinaldo Diaz	AYE

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The Mayor thereupon declared this ordinance duly passed on first reading on the 20th day of September, 2022.

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 Christopher McVoy
- Commissioner Sarah Malega
- Commissioner Kimberly Stokes
- Commissioner Reinaldo Diaz

The Mayor thereupon declared this ordinance duly passed on the _____ day of _____, 2022.

LAKE WORTH BEACH CITY COMMISSION

By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, City Clerk