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4       **ORDINANCE 2024-18 - AN ORDINANCE OF THE CITY OF LAKE WORTH**  
5       **BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND DEVELOPMENT**  
6       **REGULATIONS,” ARTICLE 3 “ZONING DISTRICTS,” DIVISION 1,**  
7       **“GENERALLY,” SECTION 23.3-6 USE TABLES; AND DIVISION 3, “MIXED**  
8       **USE DISTRICTS,” SECTION 23.3-17 – MU-DH - MIXED USE – DIXIE**  
9       **HIGHWAY; AND PROVIDING FOR SEVERABILITY, CONFLICTS,**  
10       **CODIFICATION AND AN EFFECTIVE DATE**  
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12       **WHEREAS**, as provided in Section 2(b), Article VIII of the Constitution of the State of  
13 Florida, and Section 166.021(1), Florida Statutes, the City of Lake Worth Beach (the “City”),  
14 enjoys all governmental, corporate, and proprietary powers necessary to conduct municipal  
15 government, perform municipal functions, and render municipal services, and may exercise any  
16 power for municipal purposes, except as expressly prohibited by law; and  
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18       **WHEREAS**, as provided in Section 166.021(3), Florida Statutes, the governing body of  
19 each municipality in the state has the power to enact legislation concerning any subject matter  
20 upon which the state legislature may act, except when expressly prohibited by law; and  
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22       **WHEREAS**, the City wishes to amend Chapter 23, Article 3 “Zoning Districts,” Division 1  
23 “Generally,” Section 23.3-6 “Use Tables” to correct inconsistencies for assisted living facilities and  
24 nursing home uses; and  
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26       **WHEREAS**, the City wishes to amend Chapter 23, Article 3 “Zoning Districts,” Division 3  
27 “Mixed Use Districts,” Section 23.3-17 “MU-DH – Mixed use – Dixie Highway,” to revise the  
28 minimum lot area and lot width for properties on the west side of Dixie Highway and correct the  
29 minimum area per unit; and  
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31       **WHEREAS**, the Planning and Zoning Board, in its capacity as the local planning agency,  
32 considered the proposed amendments at a duly advertised public hearing; and  
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34       **WHEREAS**, the Historic Resources Preservation Board, in its capacity as the local  
35 planning agency, considered the proposed amendments at a duly advertised public hearing; and  
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37       **WHEREAS**, the City Commission has reviewed the proposed amendments and has  
38 determined that it is in the best interest of the public health, safety, and general welfare of the City  
39 to adopt this ordinance.  
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41       **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF**  
42 **LAKE WORTH BEACH, FLORIDA, that:**  
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44       **Section 1:**     The foregoing “WHEREAS” clauses are ratified and confirmed as being  
45 true and correct and are made a specific part of this ordinance as if set forth herein.  
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47       **Section 2:**     Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
48 Division 1 “Generally,” Section 23.3-6 “Use Tables” is hereby amended by adding the words  
49 shown in underline type and deleting the words struck through as indicated in **Exhibit A**.  
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51       **Section 3:**     Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”  
52 Division 3 “Mixed Use Districts,” Section 23.3-17 “MU-DH – Mixed use-Dixie Highway” is hereby  
53 amended by adding the words show in underline type and deleting the words struck through as  
54 indicated in **Exhibit B**.

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

Mayor Betty Resch	AYE
Vice Mayor Sarah Malega	AYE
Commissioner Christopher McVoy	AYE
Commissioner Mimi May	AYE
Commissioner Reinaldo Diaz	AYE

The Mayor thereupon declared this ordinance duly passed on first reading on the 7<sup>th</sup> day of January, 2025.

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 Sarah Malega
Commissioner Christopher McVoy
Commissioner Mimi May
Commissioner Reinaldo Diaz

The Mayor thereupon declared this ordinance duly passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

LAKE WORTH BEACH CITY COMMISSION

By: \_\_\_\_\_  
Betty Resch, Mayor

ATTEST:

\_\_\_\_\_  
Melissa Ann Coyne, MMC, City Clerk

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**EXHIBIT A**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

*Article 3, "Zoning Districts" Division 1, "Generally"*

**Sec. 23.3-6. – Use Tables.**

**Under separate cover.**

**EXHIBIT B**

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 3 "ZONING DISTRICTS"

Article 3, "Zoning Districts" Division 3, "Mixed Use Districts"

**Sec. 23.3-17. – MU-DH – Mixed Use – Dixie Highway.**

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d) *Development regulations for uses permitted by right*

Lot Area	East side of Dixie Highway - 6,500 square feet with max density 1 du per each 2,175 square feet net lot area
	West side of Dixie Highway – <del>6,500</del> 13,000 square feet with max density 1 du per each <del>1,450</del> 2,175 square feet net lot area
	Max density <del>3020</del> dwelling units per gross acre of 43,560 square feet, minimum of <del>1,450</del> 2,175 square feet per unit
Lot Width	50 ft. on East side of Dixie Highway
	<del>50</del> 100 ft. on West side of Dixie Highway

*portion of table omitted for brevity.*

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1. *Minimum lot dimension.*

A. Minimum lot area:

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(2) West side of Dixie Highway: Six thousand five hundred (6,500)~~Thirteen thousand (13,000)~~ square feet.

B. Minimum lot width:

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(2) West side of Dixie Highway: Fifty (50)~~One hundred (100)~~ feet.