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ORDINANCE 2022-13 - 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," ADDING A NEW DEFINITION "MICRO-UNIT;" AND ARTICLE 4 "DEVELOPMENT STANDARDS," ADDING A NEW SECTION 23.4-25 "MICRO-UNITS," PROVIDING FOR DEVELOPMENT STANDARDS FOR MICRO-UNITS; 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 Land Development Regulations," Article 1 "General Provisions," Division 2 "Definitions," Section 23.1.12 definitions, to a definition and to define the new use, "Micro-Unit;" and

WHEREAS, the City wishes to amend Chapter 23, Article 4 "Development Standards," to establish a new section, Section 23.4-25 – Micro-Units to establish supplementary development standards for this use; and

WHEREAS, the City of Lake Worth Beach, Florida (the "City"), is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; 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 finds and declares that the adoption of this ordinance is appropriate, and in the best interest of the health, safety and welfare of the City, its residents and visitors.

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 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 for determining density.

Section 2: 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 at a minimum of 20 micro-units.
- b) Micro-Unit Use Restriction. Micro-units must be residential and may not be converted to other uses.
- 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.
- 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:

Commented [EL1]: Within a single building? Of a micro-unit project?

Commented [EL2]: Within that building? Of the micro-units?

- 99 1. One (1) parking space or equivalent for each residential unit;
- 100 2. 50% or more of the required spaces shall be standard parking spaces;
- 101 3. Up to 25% of the parking spaces may be compact spaces (8'-0" x 18'-0");
- 102 4. Up to 25% of the parking spaces may be met with bicycle, scooter or motorcycle
- 103 storage. Four (4) bicycle storage spaces shall equal one (1) parking space; two
- 104 (2) scooter storage spaces shall equal one (1) parking space; and two (2)
- 105 motorcycle storage spaces shall equal one (1) parking space; and
- 106 5. Required guest and employee parking may be met with the same parking space
- 107 combination ratio. Guest and employee parking shall be no less than one (1) space
- 108 for every 100 sq. ft. of common area, public area, support area and offices,
- 109 excluding required hallways, egress routes and stairs.
- 110 6. Parking for other uses shall be met based on the type of use and taking a 25%
- 111 reduction.

112

113 g) Outdoor amenity. All micro-unit projects shall provide for an outdoor amenity that is

114 above and beyond the required interior shared common area. Outdoor amenity space

115 shall be no less than 5% of the gross area of all residential units and may not count

116 toward the required interior shared common area.

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118 **Section 4: Severability.** If any section, subsection, sentence, clause, phrase or

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

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

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

122 portions thereof.

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

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

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

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

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

130 any other appropriate word.

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

133 passage.

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135 The passage of this ordinance on first reading was moved by

136 _____, seconded by _____, and upon

137 being put to a vote, the vote was as follows:

- 138
- 139 Mayor Betty Resch
- 140 Vice Mayor Christopher McVoy
- 141 Commissioner Sarah Malega
- 142 Commissioner Kimberly Stokes
- 143 Commissioner Reinaldo Diaz

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145 The Mayor thereupon declared this ordinance duly passed on first reading on the

146 _____ day of _____, 2022.

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Commented [EL3]: Whether it's a micro-unit or not? Will there potentially be a mix?

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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