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ORDINANCE NO. 2026-06 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 "LAND DEVELOPMENT REGULATIONS," ARTICLE 3 "ZONING DISTRICTS," DIVISION 1, "GENERALLY," SECTION 23.3-6 USE TABLES; AND DIVISION 4, "COMMERCIAL DISTRICTS," SECTION 23.3-21 NC – NEIGHBORHOOD COMMERCIAL; 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, Article 3 "Zoning Districts," Division 1 "Generally," Section 23.3-6 "Use Tables" to correct errors related to allowed institutional uses in the NC district to align with the existing zoning district regulations and the Comprehensive Plan, to allow Places of Worship in the NC district; and

WHEREAS, the City wishes to amend Chapter 23, Article 4 "Commercial Districts," Section 23.3-21 "NC – Neighborhood Commercial District" to correct errors related to allowed institutional uses in the NC district to align with the existing zoning district regulations and the Comprehensive Plan, to allow Places of Worship in the NC district; 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 has reviewed the proposed amendments and has determined that it is in the best interest of the public health, safety, and general welfare of the City to adopt this ordinance.

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 3 "Zoning Districts," Division 1 "Generally," Section 23.3-6 "Use Tables" is hereby amended by adding the words shown in underline type as indicated in **Exhibit A**.

52 **Section 3:** Chapter 23 Land Development Regulations, Article 3 “Zoning Districts,”
53 Division 4 “Commercial Districts,” Section 23.3-21 “NC – Neighborhood Commercial District” is
54 hereby amended by adding the words shown in underline type and deleting the words struck
55 through as indicated in **Exhibit B**.

56
57 **Section 4:** Severability. If any section, subsection, sentence, clause, phrase or portion
58 of this Ordinance is for any reason held invalid or unconstitutional by any court of competent
59 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and
60 such holding shall not affect the validity of the remaining portions thereof.

61
62 **Section 5:** Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict
63 herewith are hereby repealed to the extent of such conflict.

64
65 **Section 6:** Codification. The sections of the ordinance may be made a part of the City
66 Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and
67 the word “ordinance” may be changed to “section”, “division”, or any other appropriate word.

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69 **Section 7:** Effective Date. This ordinance shall become effective 10 days after
70 passage.

71
72 The passage of this ordinance on first reading was moved by _____,
73 seconded by _____, and upon being put to a vote, the vote was as follows:

- 74
- 75 Mayor Betty Resch
- 76 Vice Mayor Mimi May
- 77 Commissioner Sarah Malega
- 78 Commissioner Christopher McVoy
- 79 Commissioner Anthony Segrich
- 80

81 The Mayor thereupon declared this ordinance duly passed on first reading on the _____
82 day of _____, 2026.

83
84
85 The passage of this ordinance on second reading was moved by _____,
86 seconded by _____, and upon being put to a vote, the vote was as follows:

- 87
- 88 Mayor Betty Resch
- 89 Vice Mayor Mimi May
- 90 Commissioner Sarah Malega
- 91 Commissioner Christopher McVoy
- 92 Commissioner Anthony Segrich
- 93

94 The Mayor thereupon declared this ordinance duly passed on the _____ day of
95 _____, 2026.

96 LAKE WORTH BEACH CITY COMMISSION

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100 By: _____
101 Betty Resch, Mayor
102

103 ATTEST:

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107 _____
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 2, "Residential Districts"

Sec. 23.3-21. – NC – Neighborhood Commercial.

b) *Use restrictions.* Uses permitted by right and uses permitted as either administrative or conditional uses shall be subject to applicable provisions of [Article 4](#), Development Standards. Refer to the permitted use table at [section 23.3-6](#) for complete list of uses.

1. *Principal uses permitted by right.*

- A. Commercial - low intensity.
- B. Office - low intensity.
- C. Retail - low intensity.
- D. Personal services - low intensity.
- E. Eating and drinking establishments (take out only).
- F. Essential services.

2. *Principal uses permitted as either administrative or conditional uses.*

- A. Parking facilities.
- B. Convenience stores.
- C. Places of worship.

3. *Accessory uses permitted by right.* Any use accessory to and customarily incidental to a principal use permitted by right.
