

# STAFF REPORT REGULAR MEETING

**AGENDA DATE:** January 20, 2026

**DEPARTMENT:** Community Sustainability

**TITLE:**

Ordinance No. 2025-29 – Second Reading – amending Chapter 23 “Land Development Regulations” related to Article 4 “Development Standards,” Section 23.4-10 – Off-Street Parking.

**SUMMARY:**

The proposed amendments to Section 23.4-10 of the City’s Land Development Regulations update two key components of the off-street parking requirements: the fee-in-lieu of parking program and electric vehicle (EV) charging infrastructure standards.

**BACKGROUND AND JUSTIFICATION:**

The ordinance clarifies and provides additional detail for the fee-in-lieu program for properties located within the designated Core Area. Updates include directing all payments to a dedicated Parking Improvement Fund and specifying that the fund be used exclusively for parking-related infrastructure, improvements, maintenance, and operations within the Core.

In addition, the ordinance revises the City’s electric vehicle (EV) charging requirements to align with state legislation (SB 1084). The new legislation prohibits local governments from requiring EV charging spaces. The ordinance removes the City’s requirement for EV charging spaces and provides for the optional inclusion of EV charging spaces. Any EV charging spaces provided must still meet the defined minimum infrastructure and operational standards.

The **Planning & Zoning Board (PZB)** unanimously voted to recommend approval of the proposed text amendment at their meeting on December 3, 2025.

The **Historic Resources Preservation Board (HRPB)** also unanimously voted to recommend approval of the proposed text amendment at their meeting on December 10, 2025.

The Ordinance passed unanimously on first reading at the City Commission meeting on January 6, 2026.

**MOTION:**

Move to approve/disapprove Ordinance 2025-29 amending Chapter 23 “Land Development Regulations” related to Article 4 “Development Standards,” Section 23.4-10 – Off-Street Parking.

**ATTACHMENT(S):**

Ordinance 2025-29  
PZB/HRPB Staff Report

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**ORDINANCE 2025-29 - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 “LAND DEVELOPMENT REGULATIONS”, ARTICLE 4 “DEVELOPMENT STANDARDS,” SECTION 23.4-10 – OFF-STREET PARKING, PARAGRAPHS (f)(3) and (g), RELATED TO FEE-IN-LIEU OF PARKING AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE; 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 4 “Development Standards,” Section 23.4-10 – “Off-street parking,” paragraph (f)(3) to correct and expand upon the fee-in-lieu of parking fund; and

**WHEREAS**, the City wishes to amend Chapter 23, Article 4 “Development Standards,” Section 23.4-10 – “Off-street parking,” paragraph (g) to amend the requirements for electric vehicle charging infrastructure consistent with new legislation; 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 considered the proposed amendments at a duly advertised public hearing 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 4 “Development Standards,” Section 23.4-10 “Off-street parking,” paragraph (f)(3) is hereby amended by adding the words shown in underline type and deleting the words struck through as follows:

- 51 3. *Fee-in-lieu of parking.* All uses on properties in the core area which do not provide the  
52 required number of off-street parking spaces shall pay a fee-in-lieu of parking to the city.  
53 The fee shall be held in the ~~community benefits~~ parking improvement fund to be allocated  
54 toward projects identified and approved by the commission as set forth herein ~~part of the~~  
55 ~~community benefits program.~~
- 56 A. *Location.* Only properties located in the core area are eligible to utilize the fee-in-lieu of  
57 parking option. The core area is more particularly described as: Those properties which  
58 are bounded on the west by "A" Street and on the east by Golfview Road, and on the  
59 north by 2nd Avenue North, and on the south by 1st Avenue South.
- 60 B. *Payments-in lieu.* For any uses that elect to not provide any or all of the required number  
61 of off-street parking spaces described in this section, the owner or developer must make  
62 a payment to the city in the amount as specified in the city's annual schedule of fees and  
63 charges for services.
- 64 C. Any changes in use, remodeling, building expansion or new construction that have the  
65 net effect of increasing parking demand by more than twenty-five (25) percent as  
66 calculated by the required parking in this section, must provide parking as required by  
67 this section unless a payment-in-lieu of parking is made to the city in the amount as  
68 specified in the city's annual schedule of fees and charges for services.
- 69 D. *Parking improvement fund.* All payment-in-lieu of parking fees collected shall be held  
70 within the Parking improvement trust account, which shall be managed separately and  
71 independently of other city funds. The fees shall be expended for parking infrastructure,  
72 improvements, maintenance, and operations within the Core.

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74  
75 **Section 3:** Chapter 23 "Land Development Regulations, Article 4 "Development  
76 Standards," Section 23.4-10 "Off-street parking," paragraph (g) is hereby amended by adding the  
77 words shown in underline type and deleting the words struck through as follows:  
78

79 g) *Electric Vehicle Charging Infrastructure.* It is the purpose of the electric vehicle charging  
80 infrastructure to provide the availability of electric vehicle charging stations to residents and  
81 visitors of the city.  
82

- 83 1. All new commercial or mixed-use developments with at least twenty-five (25) parking  
84 spaces, or existing commercial or mixed-use developments with at least twenty-five (25)  
85 parking spaces that enter into either the site plan or site plan amendment process ~~are~~  
86 subject to may include the following:
- 87 A. ~~Four (4) percent of the total minimum required off-street parking spaces shall be~~  
88 ~~designated and outfitted as e~~Electric vehicle charging spaces. Each required electric  
89 vehicle charging space at a minimum shall include the following:
- 90 1) A maintained and operational 240-volt "Level 2" charging station, with a cable  
91 retraction device and/or place to hang permanent cords and connectors sufficiently  
92 above the ground, and mounted at a height which places the connector a minimum  
93 of thirty-six (36) inches and a maximum of forty-eight (48) inches above the ground,  
94 2) Wheel stops or concrete filled steel bollards to protect the aforementioned charging  
95 station,  
96 3) Signage allowing only electric vehicles to park in such space and indicating that it  
97 is only for electric vehicle charging purposes,  
98 4) The ability for all visitors to the site to access and use such space.
- 99 B. All spaces with electric vehicle charging infrastructure shall be located in close  
100 proximity to the building or facility entrance.  
101

- 102 2. Any development that proposes more than twenty (20) percent of its required off-street
- 103 parking to be outfitted as electric vehicle charging spaces, or operates any amount of
- 104 charging stations as a primary use as determined by the development review official, shall
- 105 be classified as containing an "Vehicle Fueling/Charging Service Station" use as defined
- 106 in section 23.1-12 and is subject to the appropriate use approval process prior to the
- 107 operation of such charging stations per section 23.3-6.
- 108
- 109 3. Charging stations in SFR, SF/TF-14, MH-7, MF-20, MF-30, or MF-40 zoning districts shall
- 110 be for the exclusive use of the development's residents and guests that are visiting the
- 111 development's residents, and shall not be made available to the general public.
- 112

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

114 of this Ordinance is for any reason held invalid or unconstitutional by any court of competent

115 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and

116 such holding shall not affect the validity of the remaining portions thereof.

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

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

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

122 Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and

123 the word "ordinance" may be changed to "section", "division", or any other appropriate word.

124

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

126 passage.

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128 The passage of this ordinance on first reading was moved by Commissioner Segrich,

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

131 Mayor Betty Resch	AYE
132 Vice Mayor Sarah Malega	AYE
133 Commissioner Christopher McVoy	AYE
134 Commissioner Mimi May	AYE
135 Commissioner Anthony Segrich	AYE

136

137 The Mayor thereupon declared this ordinance duly passed on first reading on the 6<sup>th</sup> day

138 of January, 2026.

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140 The passage of this ordinance on second reading was moved by \_\_\_\_\_,

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

143 Mayor Betty Resch
144 Vice Mayor Sarah Malega
145 Commissioner Christopher McVoy
146 Commissioner Mimi May
147 Commissioner Anthony Segrich

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149 The Mayor thereupon declared this ordinance duly passed on the \_\_\_\_\_ day of

150 \_\_\_\_\_, 2026.

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LAKE WORTH BEACH CITY COMMISSION

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

ATTEST:

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



DATE: November 26, 2025

TO: Members of the Planning & Zoning and Historic Resources Preservation Boards

FROM: William Waters, Director of Community Sustainability

MEETING: December 3 & December 10, 2025

SUBJECT: **Ordinance 2025-29**: Consideration of an ordinance amending Chapter 23 “Land Development Regulations,” Article 4 “Development Standards,” Section 23.4-10 – Off-Street Parking.

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**PROPOSAL / BACKGROUND/ ANALYSIS:**

The proposed amendments to Section 23.4-10 of the City’s Land Development Regulations update two key components of the off-street parking requirements: the fee-in-lieu of parking program and electric vehicle (EV) charging infrastructure standards.

The ordinance clarifies and expands the fee-in-lieu program for properties located within the designated Core Area. Updates include directing all payments to a dedicated Parking Improvement Fund and specifying that the fund be used exclusively for parking-related infrastructure, improvements, maintenance, and operations within the Core.

In addition, the ordinance revises the City’s EV charging requirements to align with state legislation (SB 1084). The ordinance allows the optional inclusion of electric vehicle charging spaces. Any EV charging spaces provided must meet defined minimum infrastructure and operational standards.

The proposed ordinance would amend Chapter 23 of the City’s Code of Ordinances:

- Article 4, Section 23.4-10 – Off-Street Parking

**STAFF RECOMMENDATION:**

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission adopt Ordinance 2025-29.

**POTENTIAL MOTION:**

I move to RECOMMEND/NOT RECOMMEND TO THE CITY COMMISSION **TO ADOPT** the proposed LDR text amendments included in Ordinance 2025-29.

Attachments

- A. Draft Ordinance 2025-29