



AGENDA
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, NOVEMBER 12, 2025 -- 6:00 PM

ROLL CALL and RECORDING OF ABSENCES

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

- A. [October 8, 2025 Regular Meeting Minutes](#)

CASES

SWEARING IN OF STAFF AND APPLICANTS

PROOF OF PUBLICATION

- 1) [814 N J St](#)

WITHDRAWLS / POSTPONEMENTS

CONSENT

PUBLIC HEARINGS:

BOARD DISCLOSURE

UNFINISHED BUSINESS:

NEW BUSINESS:

- A. [HRPB Project Number 25-00100230](#): Consideration of a Certificate of Appropriateness (COA) for construction of a new two-family residential structure at 814 N J Street. The subject property is a vacant parcel which is a non-contributing resource to the Northeast Lucerne Historic District and is located in the Single-Family and Two-Family Residential (SF-TF 14) Zoning District. The future land use designation is Medium Density Residential (MDR).
- B. [Ordinance 2025-24](#): Consideration of an ordinance amending multiple sections of Chapter 23 "Land Development Regulations" related to recovery residences
- C. [Ordinance 2025-26](#): Consideration of an ordinance amending Chapter 23 "Land Development Regulations" related to the affordable housing workforce housing program.

PLANNING ISSUES:

PUBLIC COMMENTS: (3 minute limit)

DEPARTMENT REPORTS:

- A. Update on consideration of a Resolution Adopting the Open Space and Recreation Master Plan

BOARD MEMBER COMMENTS:

ADJOURNMENT

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

NOTE: ALL CITY BOARDS ARE AUTHORIZED TO CONVERT ANY PUBLICLY NOTICED MEETING INTO A WORKSHOP SESSION WHEN A QUORUM IS NOT REACHED. THE DECISION TO CONVERT THE MEETING INTO A WORKSHOP SESSION SHALL BE DETERMINED BY THE CHAIR OR THE CHAIR'S DESIGNEE, WHO IS PRESENT AT THE MEETING. NO OFFICIAL ACTION SHALL BE TAKEN AT THE WORKSHOP SESSION, AND THE MEMBERS PRESENT SHOULD LIMIT THEIR DISCUSSION TO THE ITEMS ON THE AGENDA FOR THE PUBLICLY NOTICED MEETING. *(Sec. 2-12 Lake Worth Code of Ordinances)*

Note: One or more members of any Board, Authority or Commission may attend and speak at any meeting of another City Board, Authority or Commission.



MINUTES
CITY OF LAKE WORTH BEACH
HISTORIC RESOURCES PRESERVATION BOARD MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, OCTOBER 08, 2025 -- 6:00 PM

ROLL CALL and RECORDING OF ABSENCES Present were: Robert D' Arinzo – Chair; Edmond LeBlanc; Laura Devlin; Elaine DeRiso; Edmund Deveaux. Absent: Nadine Heitz Also present were: Anne Hamilton, Senior Preservation Planner; Yeneneh Terefe, Preservation Planner; Annie Greening, Principal Planner; Scott Rodriguez, Asst. Director for Planning & Preservation; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

APPROVAL OF MINUTES:

- A. July 9, 2025 HRPB Regular Meeting Minutes

Motion: E. Deveaux moves to approve as presented; L. Devlin 2nd.

Vote: Ayes all, unanimous

- B. July 16, 2025 WMODA Minutes

Motion:

Vote:

- C. September 10, 2025 Regular Meeting Minutes

Motion: E. Deveaux moves to approve as presented; L. Devlin 2nd.

Vote: Ayes all, unanimous.

CASES

SWEARING IN OF STAFF AND APPLICANTS Board Secretary administered oath to those wishing to give testimony.

PROOF OF PUBLICATION

- 1) 509 N Palmway
814 N J Street

WITHDRAWLS / POSTPONEMENTS 714 S. Palmway has requested to withdraw their application.

PUBLIC HEARINGS:

BOARD DISCLOSURE

NEW BUSINESS:

A. HRPB Project Number 25-00100231: Consideration of a Certificate of Appropriateness (COA) to install wooden stairs over the existing front brick stairs at the property located at 128 North Ocean Breeze. The subject property is a contributing resource to the Old Lucerne Historic District and is located in the Multi-Family and Two-Family Residential (MF-20) zoning district.

Staff: Y. Terefe presents case findings and analysis. The character defining features are the semi-circular brick steps, semi-circular portico and shingle roof.

The proposed installation could lead to neglect or potential loss of the feature. With the addition of rectangular steps over the brick steps, the symmetry of the semi-circular portico and semi-circular steps will be lost. The material, shape and location of the requested change to a contributing structure is the reason it does not meet Historic Guidelines. Staff has offered to find another solution.

Any change in the size/height of the structure (>30 inches), becomes a zoning issue as it would be considered a structure in the front setback.

Board: Why is it an issue now? Did the applicant not have access to the design guidelines for the Wood Frame Minimal Traditional style? The steps should be lower if there is a step-down inside the front door. For the style they are typically cast in concrete and under the main roof.

Applicant Debra Yates: Friends have fallen, the rise seems to be the problem. Would like a 5-3/4 inch rise as opposed to the existing nine (9) inches.

Discussion ensues regarding possible configurations, materials, setbacks and height.

Board: An inswing door, that meets code, could be used so the area at the top is more generous. However a nine (9) inch rise is difficult to navigate. Are there steps into the back of the house? Is it a better configuration? **Response:** The requested configuration currently exists in the back of the house.

Motion: E. Deveaux moves to approve HRPB 25-00100231 with the following conditions of approval.

- The steps must be of removal material rising not more than thirty (30) inches in height
- Curved in form and
- Should the applicant sell the property, it would revert to the current condition

As it would be removable it would meet the analysis. L. Devlin 2nd.

Vote: Ayes all, unanimous.

Public Comment: Son of applicant – Benjamin Burle Jungles – what would staff's suggestion be if it were their parents? Expressed concerns with picket fences.

B. HRPB Project #25-00100229: Consideration of a Certificate of Appropriateness (COA) for demolition of the existing garage structure and new construction of a garage of approximately ±512 square feet at 509 North Palmway. The subject property is located in the Single-Family Residential (SFR) zoning district and has a future land use designation of Single-Family Residential (SFR). The property is a contributing resource in the Old Lucerne Historic District.

Staff: A. Hamilton provides staff analysis. The garage is in poor condition; On September 12, 2025 the building official declared the structure to be unsafe. The new construction garage is located in nearly the same space but now will meet side and rear setbacks. The rear elevation garage door should be eliminated from the plans as there is insufficient back-out space for the structure to be used for vehicular parking. It is listed as a contributing structure and the new construction is in keeping with the style of the house including height and massing.

Applicant: Kathy Beltran- Provided there is no connecting paving between the alley and the garage door, would it be possible to have a garage door?

Staff: Code requires the backout distance to be a minimum of ten (10) feet on the property plus the alley. The site would not allow that door to be accessed for parking. It could be used for lawn mowers, bicycles etc..

Motion: L. Devlin moves to approve HRPB 25-00100229 based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Land Development Regulation and Historic Preservation requirements including Conditions that no driveway is created between the alley and garage, allowing for the garage door which cannot be utilized for vehicular access; E. Deveaux 2nd.

Vote: Ayes all, unanimous.

C. HRPB Project Number 25-12700001: Consideration of a Certificate of Appropriateness (COA) for Ad Valorem Preconstruction Tax Exemption associated with the construction of a previously approved new ±942 square foot two-story two-car garage and pool at 425-427 S K Street. The subject property is located in the Single Family Residential (SFR) zoning district and has a future land use designation of Medium Density Residential (MDR). The property is a contributing resource in the Southeast Lucerne Historic District. PCN #38-43-44-21-15-153-0300.

Staff: A. Hamilton presented the analysis. The new construction has not yet been CO'd. They will return to this Board for a full review once completed. The next step would be for the Board to determine whether or not the construction meets the Secretary of Interior's Standards for Rehabilitation. Subsequent to that action, the City Commission will consider the request and if successful, it will then move to the Property Appraiser for action.

Board: Why has it taken two years? **Response:** There were construction delays.

Motion: R. D'Arinzo - Chair passes the gavel and moves to approve HRPB 25-12700001 based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulation and Historic Preservation requirements; L. Develin 2nd.

Vote: Ayes all, unanimous.

D. Ordinance 2025-15: City-initiated request for Text Amendments to the City of Lake Worth Beach Comprehensive Plan to update the Future Land Use (FLU) table by incorporating the Neighborhood Commercial (NC) Zoning District into the Artisanal Mixed Use Land Use Designation (Table 1, Future Land Use Element), and by incorporating the Single-Family Residential (SFR) Zoning District into the Medium Density Residential (MDR) Land Use Designation.

Staff: Not rezoning or changing land use on any parcel. The zoning map and land use map need to be consistent. Currently there are areas within the City that are in conflict with the policy.

One area is bounded by on the west by J St and east by M St on the North by 3rd Ave S south to 5th Ave S Another area is north of Washington Ave and Railroad Ave.

Motion: E. DeRiso moves to recommend approval of Ordinance 2025-15 to the City Commission; E. LeBlanc 2nd.

Vote: Ayes all, unanimous.

E. Ordinance 2025-17: Consideration of an ordinance amending Chapter 23, Article 6, Section 23.6-1(p) "Penalties for tree abuse and removal without a permit."

Staff: As the language is confusing to homeowners, this change will make it clearer. Clarifies the penalty, timing of payment and requirements for mitigation through a restoration plan or replacement of the tree(s).

Board: Cannot penalize people for wanting to change their landscape. Mitigate the tree to an open space in the City.

Staff: Funds go to a Tree Canopy restoration, it is not a money maker for the City. The process includes the need for a permit.

Board Attorney: Staff was asked to bring this forward.

Code requires a permit for removal. No one is saying a tree cannot be removed. If you don't re-plant you may pay into a restoration fund. Trimming in an abusive way that the tree is unable to survive in its natural form it would necessitate a penalty.

The City is trying to maintain the tree canopy, the City Tree Board works hard to maintain the Tree City designation.

Motion: L. Devlin moves to recommend approval of Ordinance 2025-17 to the City Commission; E. LeBlanc 2nd.

Vote: Ayes all, unanimous

PLANNING ISSUES: A. Greening has resigned and is moving to Iowa.

PUBLIC COMMENTS: (3 minute limit) None

DEPARTMENT REPORTS:

BOARD MEMBER COMMENTS: E. Deveaux disagrees with the WMODA minutes. Two Board members had reservations about the demolition. The CRA was suppose to find a place to locate the structures and bring that back to the Board.

Board Attorney: The minutes shall accurately reflect what happened at the meeting; if typos or misstatements of fact or opinion occurred those would be subject to correction.

E. Deveaux states the CRA was suppose to find a location. States what happened (Board members expressed concern about the CRA relocation of the structures)and what was typed is not correct.

L. Devlin states her comments were reflected in the minutes and accurately stated. Follow up (performance) by any parties is immaterial.

Motion: L. Devlin moves to approve the July 16, 2025 minutes as presented; E. DeRiso 2nd.

Vote: Ayes all, unanimous.

ADJOURNMENT: 7:30 pm



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HRPB 25-00100230

Consideration of a Certificate of Appropriateness (COA) for new construction of a duplex of approximately ±2,361 square feet at
Tue, Oct 28, 2025

[object Object]

Quasi-judicial Hearings - Lake Worth Beach

Tue, Oct 28, 2025, 5:31 p.m. EDT

[HRPB #25-00100230 - 814 N J Street - Legal Ad](#)

scoale@lakeworthbeachfl.gov

Yes

[HRPB 25-00100230](#)

[object Object]

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HISTORIC RESOURCES PRESERVATION BOARD REPORT

HRPB Project Number 25-00100230: Consideration of a Certificate of Appropriateness (COA) for construction of a new two-family residential structure at 814 N J Street. The subject property is a vacant parcel which is a non-contributing resource to the Northeast Lucerne Historic District and is located in the Single-Family and Two-Family Residential (SF-TF 14) Zoning District. The future land use designation is Medium Density Residential (MDR).

Meeting Date: November 12, 2025

Property Owner: Solid Tree LLC

Applicant: Denise S Cravy, LCA Architecture Inc.

Address: 814 N J Street

PCN: 38-43-44-21-15-242-0040

Size: ±0.15 acres / 6,750 SF

General Location: East side of North J Street between 8th Avenue North and 9th Avenue North

Existing Land Use: Vacant

Current Future Land Use Designation: Medium Density Residential (MDR)

Zoning District: Single Family and Two Family Residential (SF-TF 14)



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs), the Historic Preservation Design Guidelines, and for consistency with the Comprehensive Plan. The proposed new duplex structure is consistent with the City's Land Development Regulations. As proposed, the structure's design is consistent with the Historic Preservation Ordinance and the Historic Preservation Design Guidelines' requirements for new construction. The proposed design successfully integrates characteristic features of Bungalow style architecture and is largely in keeping with the architectural styling and scale of neighboring structures in the surrounding historic district.

PROJECT DESCRIPTION

The applicant, Denise S Cravy, on behalf of the property owner Solid Tree LLC, is requesting approval for the construction of a new ±2,249 square foot duplex at 814 N J Street. The subject parcel is a vacant 50'x 135' lot, a survey of which is included in **Attachment A**. The parcel is located in the Single-Family and Two-Family Residential (SF-TF 14) Zoning District and has a Future Land Use (FLU) designation of Medium Density Residential (MDR).

PUBLIC COMMENT

Staff has not received any letters of support or opposition for this application.

BACKGROUND

The property at 814 N J Street currently consists of a vacant, currently undeveloped parcel. According to the City's property files, a one-story frame vernacular residence and associated garage were previously located on the site and were demolished in approximately 2001.

The applicant's design team contacted the City's historic preservation staff in August of 2025 to discuss architectural plans for new construction of a duplex on the property. Staff met with the applicants regarding their proposed design for the structure on September 2nd, 2025. A complete COA application and plans were submitted on September 19th, 2025, and after a delay due to a missed mailing deadline the project was scheduled for the November 12th HRPB meeting.

ANALYSIS

Consistency with the Comprehensive Plan

The subject site has a Future Land Use (FLU) designation of Medium Density Residential (MDR). Per policy 1.1.1.3, the Medium Density Residential FLU *"is intended primarily to permit development of two-family and multi-family structures. Two-family structures are those that provide two principal dwelling units, each for occupancy by one family or household. Multi-family structures are those that contain three or more principal dwelling units, each for occupancy by one family or household."*

Analysis: The Medium Density Residential FLU is primarily intended to permit the development of two-family and multi-family structures. The proposed duplex would accommodate a total of two dwelling units on the property for two separate families or households, therefore suitably utilizing the allowable density on the property.

The proposal is also consistent with Goal 3.1, which seeks to achieve a supply of housing that offers a variety of residential unit types and prices for current and anticipated homeowners and renters in all household income levels by the creation and/or preservation of a full range of quality housing units. As the proposed duplex will create two separate dwelling units on a previously undeveloped property, this proposal promotes the City's objectives by creating new housing stock where none previously existed.

Therefore, the proposed development request is consistent with the goals, objectives, and polices of the City of Lake Worth Beach's Comprehensive Plan.

Consistency with the Land Development Regulations - Zoning

Single-Family and Two-Family Residential (SF-TF-14): Per LDR Section 23.3-8(a), *The "SF-TF 14 single-family and two-family residential district" is intended primarily to permit development of one (1) single-family structure, a single-family primary structure and an accessory dwelling unit, or one (1) two-family structure per lot. Single-family structures are those which provide a dwelling unit for one (1) family or household; an accessory dwelling unit shall not exceed the maximum height or unit size of the primary structure. Two-family structures are those which provide two (2) principal dwelling units, each for occupancy by one (1) family or household. Provision is made for a limited number of nonresidential uses for the convenience of residents. These nonresidential uses are compatible by reason of their nature and limited frequency of occurrence with an overall single-family character. The "SF-TF 14 single-family and two-family residential district" implements the "medium-density multiple-family residential" land use category of the Lake Worth Comprehensive Plan.*

Per LDR Section 23.3-8, one two-family structure may be established on a platted lot of record which meets the minimum lot area requirements within the SF-TF-14 zoning district. The property at 814 N J Street consists of a 6,750 SF vacant lot, which therefore meets the minimum lot area requirements and has the density to allow two dwelling units on the property. Therefore, the property is permitted by right to have a two-family residential structure, also referred to as a duplex.

Development Standard		Single Family and Two Family Residential (SF-TF 14)	Provided
Lot Size (min)		5,000 SF	6,750 SF
Lot Width (min)		50'	50'
Setbacks	Front	20'	20'
	Rear	13.5'	15'
	Side	5'	7.5'
Impermeable Surface Coverage (max)		55%	50% (3,360 SF)
Structure Coverage (max)		35%	35% (2,361 SF)
Front Yard		75% permeable & landscaped	75% (751 SF)
Building Height (max)		30' principal structure (2 stories)	11.9'
Maximum Wall Height at Side Setback		18' @ 5' setback up to 23' @ 10' setback	8.3'
Floor Area Ratio (FAR) (max)		0.5	0.33 (2,249 SF)
Parking		1.5/unit (3 spaces total)	4 spaces

Consistency with the Land Development Regulations – Historic Preservation

The proposed duplex residence is designed as a contemporary interpretation of Bungalow style architecture, which is common in Lake Worth Beach. This architectural style gained popularity in the United States between 1910-1930 and featured rectangular massing, prominent front porches and architectural details such as brackets, tapered columns, and attic vents. Fenestration patterns are typically vertically proportioned, usually feature sash windows with divided lites and often feature shutters. For visual reference, the Bungalow architectural style is mentioned in the Lake Worth Beach Historic Preservation Design Guidelines, and that chapter is included in this report as **Attachment C**.

All new construction within a designated historic district shall be visually compatible. New buildings should take their design cues from the surrounding existing structures, using traditional or contemporary design standards and elements that relate to existing structures that surround them and within the historic district as a whole. Building design styles, whether contemporary or traditional, should be visually compatible with the existing structures in the district. The visual compatibility criteria for new construction within the city's historic districts is located in [Section 23.5-4\(k\)\(3\)\(A\)](#) in the LDRs. Staff has reviewed the criteria and provided an analysis in the section below. The applicant has also submitted a Justification Statement, provided in this report as **Attachment D**.

Section 23.5-4(k)3.A – Additional Guidelines for New Construction: *In approving or denying applications for certificates of appropriateness for new construction, the City shall also, at a minimum, consider the following additional guidelines which help to define visual compatibility in the applicable property's historic district:*

- (1) *The height of proposed buildings shall be visually compatible and in harmony with the height of existing buildings located within the historic district.*

Analysis: The surrounding structures in the general vicinity of this property are generally one story, with low rooflines and square or rectangular massing. The height of the structure is very much in keeping with these surrounding structures and is not substantially larger or smaller in scale than its surroundings.

- (2) *The relationship of the width of the building to the height of the front elevation shall be visually compatible and in harmony with the width and height of the front elevation of existing buildings located within the district.*

Analysis: The width of the front elevation is visually compatible with the surrounding structures and does not appear to be overly wide or tall in comparison. The massing is broken up substantially by the differing rooflines staggering of the two units, which lessens the visual impact of the blank walls of the rear of each adjoining unit on the front of the structure. Most homes in the surrounding neighborhood are low, horizontally oriented one-story structures similar to the proposed structure.

- (3) *For landmarks and contributing buildings and structures, the openings of any building within a historic district should be visually compatible and in harmony with the openings in buildings of a similar architectural style located within the historic district. The relationship of the width of the windows and doors to the height of the windows and doors in a building shall be visually compatible with buildings within the district.*

Analysis: The proposed design is new construction and therefore the requirements for landmarked or contributing buildings do not apply. The proposed structure features a multiple fenestration types, with a mixture of 6/1 single hung windows and smaller 3/3 single hung windows. As proposed, the sizing and patterning of the proposed windows and doors for the structure are visually compatible with other existing contributing bungalow-style structures in the district and the city at large.

- (4) *The relationship of solids to voids in the front facade of a building or structure shall be visually compatible and in harmony with the front facades of historic buildings or structures located within the historic district. A long, unbroken facade in a setting of existing narrow structures can be divided into smaller bays which will complement the visual setting and the streetscape.*

Analysis: The front elevation of the structure successfully avoids expanses of blank façade by adding a projecting covered front porch feature and setting the intersection of the two units a significant distance from the front of the property. The offset façade features a faux shuttered window which further breaks up the expanse and creates a pleasing visual rhythm.

- (5) *The relationship of a building to open space between it and adjoining buildings shall be visually compatible and in harmony with the relationship between buildings elsewhere within the district.*

Analysis: The proposed building adheres to setback requirements within the current zoning code and is spaced appropriately in relation to neighboring buildings. The location of the structure will generally follow the rhythms and setbacks of the surrounding structures and create an appropriate visual relationship between the proposed duplex and the surrounding context.

- (6) *The relationship of entrance and porch projections to sidewalks of a building shall be visually compatible and in harmony with the prevalent architectural styles of entrances and porch projections on buildings and structures within the district.*

Analysis: The proposed design features matching front and rear elevations for each “front entrance” of the separate sections of the duplex. While most structures in the surrounding area are front accessed rather than providing a front entrance off of the alleyway, this design is successful as it creates the visual appearance of a single family home from the true front on North J Street while incorporating two units rather than one.

- (7) *The relationship of the materials, texture and color of the façade of a building shall be visually compatible and in harmony with the predominant materials used in the buildings and structures of a similar style located within the historic district.*

Analysis: The proposed building will have a mixture of smooth stucco, textured stucco and simulated stucco siding as the exterior finish. While stucco and siding are traditional materials used in the construction of similar historic bungalow structures, the finish material should be consistent among all facades of the structure rather than changing from medium texture to smooth on the offset portion of the front façade. A condition has been added to address this.

- (8) *The roof shape of a building or structure shall be visually compatible and in harmony with the roof shape of buildings or structures of a similar architectural style located within the historic district.*

Analysis: The proposed new structure will be roofed with a hipped roof with gable ends on the front and rear elevation. Both hip and gable roof types are typical roof shapes within the surrounding historic district and the proposed design is therefore compatible with the district as a whole.

- (9) *Appurtenances of a building, such as walls, wrought iron, fences, evergreen, landscape masses and building facades, shall, if necessary, form cohesive walls of enclosures along a street to ensure visual compatibility of the building to the buildings and places to which it is visually related.*

Analysis: The site features are appropriate for the structure and its context in the neighborhood.

- (10) *The size and mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible and in harmony with the buildings and places to which it is visually related.*

Analysis: The size and mass of the proposed building are similar to the majority of the neighboring properties, which are one story. The proportions of window and door openings are visually compatible with the surrounding neighborhood as well, and are sized appropriately in scale to the structure itself and its surroundings.

- (11) *A building shall be visually compatible and in harmony with the buildings and places to which it is visually related in its directional character: vertical, horizontal or non-directional.*

Analysis: While the proposed new structure is somewhat more wide than it is tall, the rear wall of the adjoining unit is set back significantly and staggered in footprint to visually create harmony with neighboring structures and lessens the visual impact of the overall width of the structure.

- (12) *The architectural style of a building shall be visually compatible with other buildings to which it is related in the historic district, but does not necessarily have to be in the same style of buildings in the district. New construction or additions to a building are encouraged to be appropriate to the style of the period in which it is created and not attempt to create a false sense of history.*

Analysis: The proposed new structure is designed as a contemporary iteration of the Bungalow style. This style is frequently found in Lake Worth Beach, including in the surrounding district. The contemporary styling and utilization of more modern finish materials such as smooth stucco visually differentiates the structure from a historic bungalow and avoids creating a false sense of development in the area; the structure is clearly identifiable as being a new structure while still incorporating styling cues from a traditional architectural style.

(13) *In considering applications for certificates of appropriateness to install mechanical systems which affect the exterior of a building or structure visible from a public right-of-way, the following criteria shall be considered:*

(a) *Retain and repair, where possible, historic mechanical systems in their original location, where possible.*

Analysis: This requirement is not applicable to the new construction project.

(b) *New mechanical systems shall be placed on secondary facades only and shall not be placed on, nor be visible from, primary facades.*

Analysis: In the submitted site plan, all mechanical equipment is placed outside the required setbacks and is placed so as to be unobtrusive to the general design of the structure and site layout. Any additional proposed mechanical equipment shall be subject to review at the time of building permitting, and shall be appropriately screened.

(c) *New mechanical systems shall not damage, destroy or compromise the physical integrity of the structure and shall be installed so as to cause the least damage, invasion or visual obstruction to the structure's building materials, or to its significant historic, cultural or architectural features.*

Analysis: This requirement is not applicable to the proposed new construction project.

(14) *The site should take into account the compatibility of parking facilities, utility and service areas, walkways and appurtenances. These should be designated with the overall environment in mind and should be in keeping visually with related buildings and structures.*

Analysis: The site plan proposes to provide separate access to each unit. The front unit provides a two car paver driveway accessed from North J Street, as well as a paver walkway to the front entry and a stepping stone path leading to the rear unit. The rear unit features alley accessed parking in an L shape, providing one parallel and one conventional parking spot accessed via a paver pathway to the rear unit's covered porch. The proposed site plan is visually in keeping with the patterning of access pathways and driveways along North J Street and provides adequate parking and outdoor spaces for both units without an overwhelming visual impact as might be expected with a two unit structure. In addition to a landscape plan, a tree survey and disposition plan shall be required at building permit.

Consistency with the Historic Preservation Design Guidelines

Per the Lake Worth Beach Historic Guidelines, *"New construction can be designed utilizing the architectural language of one of the 10 defined primary styles, or an alternative yet compatible style. It is very important that new construction not hybridize the styles, borrowing pieces from one and another. This approach creates confusion and dilutes the intrinsic value of the historic structures and styles. The best approach is to choose one style of architecture, and to design a structure that utilizes the common characteristics, proportions, and materials of that style."* The Bungalow architectural style is covered in the Lake Worth Beach Historic Preservation Design Guidelines, and that chapter is included in this report as **Attachment C**.

Analysis: New construction in the City's historic districts is not limited to any particular architectural style, but typically should align with one architectural style consistently rather than utilizing elements from many different styles. The proposed design is generally in keeping with Bungalow style architecture, featuring a prominent front gabled porch entrance on each of the two front facades, stucco exterior finish material and sash windows with appropriately featured lite patterns as fenestration.

The structure proposes a combination gable and hip roof with gable ends on the two front facades and porch projections, finished with architectural shingles. While hipped roofs are not typical on bungalow style structures, the gable ends create a visual effect of a traditional straight gable roof while allowing for hipped returns at the offset of the two units. Therefore, the proposed roof materials and design are appropriate for the proposed design style.

The fenestration on the structure features a mixture of proportional sash windows in 6/6 and 3/3 lite patterns. The structure features a ¼ lite 2 panel door on the front entrances of both units, and a multi lite French door for side yard access. Each unit also features a faux window designed to appear as a closed shuttered window in order to break up the expanse of the portion of the façade set to the rear. The fenestration pattern features an appropriate pattern of solids to voids on all elevations and is appropriate stylistically for the bungalow inspired design.

CONCLUSION AND CONDITIONS

The proposed new construction application is consistent with the City's Land Development Regulations. As proposed, the structure's design is consistent with the Historic Preservation Ordinance and the Historic Preservation Design Guidelines' requirements for new construction. The proposed design successfully creates a contemporary interpretation of a Bungalow style home and fits within the general streetscape as a whole by appearing as a single family rather than a duplex structure. The proposed structure will be generally compatible with the surrounding neighborhood and Northeast Lucerne Historic District as a whole. If the HRPB moves to approve the new construction request, staff has drafted conditions of approval below.

Conditions of Approval:

- 1) All shutters proportions shall be sized to correspond to their openings and shall be affixed to the window casing rather than the exterior wall surface.
- 2) All decorative outlookers shall be composed of wood or composite material.
- 3) The front door and bathroom windows may utilize clear glass, frosted glass, or glass with a Low-E coating (60% minimum VLT). Tinted, highly reflective, grey, colored, etched, or leaded glass shall not be used.
- 4) The windows and doors (excluding the bathroom windows and front door) shall utilize glazing that is clear, non-reflective, and without tint. Low-E (low emissivity) is allowed but the glass shall have a minimum 60% visible light transmittance (VLT) measured from the center of glazing. Glass tints or any other glass treatments shall not be combined with the Low-E coating to further diminish the VLT of the glass.
- 5) The windows shall be recessed a minimum of two inches (2") in the wall, and shall not be installed flush with the exterior wall.
- 6) All divided light patterns shall be created utilizing exterior raised applied muntins with a pyramid or ogee profile. Exterior flat muntins or "grids between the glass" shall not be used.
- 7) The roofing shall use a light grey asphalt shingle roof material.
- 8) The structure shall utilize either smooth or medium texture stucco for the exterior wall finish rather than mixing the two textures as depicted in the provided elevations.
- 9) Formal and complete review for compliance with the City's Land Development Regulations will be conducted at building permit review.
- 10) All improved surfaces shall be setback a minimum of 18" from property lines to allow for adequate water runoff within the property boundary.
- 11) All mechanical equipment shall be located behind the front façade of the structure and outside of required setbacks.

- 12) In addition to a Landscape Plan, a tree survey and disposition plan shall also be required at building permit. Trees that are removed must be replaced on site and/or mitigated, and a tree removal permit shall be required. Landscaping shall be reviewed for compliance with the City's landscape requirements at building permit.

BOARD POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 25-00100230 with staff recommended conditions for the construction of a new two-family structure at **814 N J Street**, based upon the competent substantial evidence in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations and Historic Preservation requirements.

I MOVE TO **DISAPPROVE** HRPB Project Number 25-00100230 for a Certificate of Appropriateness (COA) for the construction of a new two-family structure at **814 N J Street**, because the Applicant has not established by competent substantial evidence that the application complies with the City of Lake Worth Beach Land Development Regulation and Historic Preservation requirements.

Consequent Action: *The Historic Resources Preservation Board's decision will be final decision for the new construction. The Applicant may appeal the Board's decision to the City Commission.*

ATTACHMENTS

- A. Plan Set and Survey
- B. Photos
- C. Historic Preservation Design Guidelines – Bungalow Style and New Construction
- D. Applicant's Justification Statement



DATE: October 29, 2025

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

FROM: William Waters, Director of Community Sustainability

MEETING: November 5 and November 12, 2025

SUBJECT: **Ordinance 2025-24**: Consideration of an ordinance amending multiple sections of Chapter 23 “Land Development Regulations” related to recovery residences

PROPOSAL / BACKGROUND/ ANALYSIS:

The proposed LDR amendments will modify the following sections of the City’s Land Development Regulations:

- Article 1 – Section 23.1-12: Definitions
- Article 2 – Section 23.2-27: Waiver
- Article 2 – Section 23.2-34: Request for Reasonable Accommodation for Disability
- Article 3 – Section 23.3-6: Use Tables

The proposed amendments will also create the following new section of the City’s Land Development Regulations:

- Article 4 – Section 23.4-27: Recovery Residences

Senate Bill 954, which was approved in the most recent legislative session, requires municipalities to adopt an ordinance by January 1, 2026, establishing procedures for the review and approval of certified recovery residences within their jurisdiction, including a process for requesting reasonable accommodations from local land use regulations. Ordinance 2025-24 will bring the City into compliance with this requirement as well as further clarify the process for establishing recovery residence uses within the City.

Proposed amendments include:

- **Definition:** Creating a definition for “recovery residence”
- **Waivers:**
 - Establishing a distance waiver process for recovery residences to mirror the existing community residence waiver
 - Clarifying requirements as to how long a waiver shall remain valid
 - Creating specific waiver criteria for recovery residences and community residences
 - Detailing causes for revocation of a waiver
- **Reasonable Accommodations:**
 - Clarifying language regarding who may apply for/request a reasonable accommodation
 - Detailing minimum application requirements for a reasonable accommodation
 - Revising language and timeframes regarding the notice of determination and requests for additional information to comply with SB 954
 - Detailing causes for revocation of a granted reasonable accommodation
- **Use Table:** Adding recovery residences to the residential section of the use table

- **Development Standards:** Creating development standards for recovery residences within the City, including:
 - Distance radius requirements from existing recovery residences
 - Zoning district regulations
 - Business license application requirements
 - Certification and licensure requirements
 - Clarification regarding operation as the functional equivalent of a family and minimum length of stay at the recovery residence
 - Minimum housing code requirements
 - Parking requirements
 - Signage requirements
 - Reasonable accommodations and waivers

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission adopt Ordinance 2025-24.

POTENTIAL MOTION:

I move to **RECOMMEND/NOT RECOMMEND** TO THE CITY COMMISSION TO ADOPT the proposed LDR text amendments included in Ordinance 2025-24.

Attachments

- A. Draft Ordinance 2025-24
- B. Exhibit D – Use Table

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ORDINANCE 2025-24 - 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; ARTICLE 2 “ADMINISTRATION,” DIVISION 3 “PERMITS,” SECTION 23.2-27 WAIVER AND SECTION 23.2-34 REQUEST FOR REASONABLE ACCOMMODATION FOR DISABILITY; ARTICLE 3 “ZONING DISTRICTS,” DIVISION 1, “GENERALLY,” SECTION 23.3-6 USE TABLES; ARTICLE 4 “DEVELOPMENT STANDARDS,” ADDING A NEW SECTION 23.4-27 RECOVERY RESIDENCES; AND PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

WHEREAS, the City recognizes that the Fair Housing Act as amended (42 U.S.C. §3601) provides protections for persons with disabilities; and

WHEREAS, the Fair Housing Act does not preempt local zoning laws or preclude the adoption, amendment or enforcement of zoning regulations by the City of Lake Worth Beach pursuant to its local police powers as long as the zoning regulations are consistent with state and federal laws, including the Fair Housing Act as amended; and

WHEREAS, the legislative history of the Fair Housing Amendments Act of 1988 cautions that local zoning regulations are prohibited that result “from false or over-protective assumptions about the needs of handicapped people, as well as unfounded fears of difficulties about the problems that their tenancies may pose.” H.R. Rep. No. 711, 100th Cong. 2D Session, Reprinted in 1988 U.S.C.C.A.N. 2173, 2192 (1988); and

WHEREAS, zoning regulation of residences for people with disabilities should seek to achieve legitimate government interests, actually achieve those legitimate government interests, and be the least drastic means of actually achieving those legitimate government interests; and

WHEREAS, the Fair Housing Act does not provide for local land use policies or actions that treat groups of persons with certain disabilities differently than groups of people with other disabilities; and

WHEREAS, clustering of community and/or recovery residences on a block and neighborhood reduces their efficiency by obstructing their ability to foster normalization and community integration, which is one of the essential purposes of a community or recovery residence for people with disabilities; and

WHEREAS, for residents of those recovery residences to achieve long-term sobriety, it is critical to establish regulations and procedures that assure a proper family-like living environment free of drugs and alcohol, avoid incompetent, unethical, or unscrupulous operators, and protect this vulnerable population from abuse, mistreatment, exploitation, enslavement, and theft; and

WHEREAS, community residences for people with disabilities and recovery residences are similar in function and performance to multi-family uses; and

52 **WHEREAS**, like all residential uses, the overcrowding provisions in the City’s adopted
53 housing code determines the maximum number of occupants of a residence for people with
54 disabilities no matter how many the zoning code would allow, with or without a reasonable
55 accommodation request; and

56
57 **WHEREAS**, the Fair Housing Act affords no protections to individuals with or without
58 disabilities who present a direct threat to the persons or property of others, provided however,
59 that determining whether someone poses such a direct threat must be made on an individualized
60 basis, and cannot be based on general assumptions or speculation about the nature of a disability;
61 and

62 **WHEREAS**, community residences for people with disabilities and recovery residences
63 constitute a different type of land use than vacation rentals or other transient lodging that warrants
64 different zoning treatments within the context of the Florida Statutes; and

65
66 **WHEREAS**, the State of Florida in F.S. 397.487(15) requires the City to adopt an
67 ordinance establishing procedures for review and approval of recovery residences, including a
68 process for requesting reasonable accommodations, by January 1, 2026; and

69
70 **WHEREAS**, the City has prepared and reviewed an amendment to the Land Development
71 Regulations in accordance with F.S. 397.487(15) and (16) as well as further clarifying processes
72 for establishing recovery residence uses within the City; and

73
74 **WHEREAS**, the Planning and Zoning Board, in its capacity as the local planning agency,
75 considered the proposed amendments at a duly advertised public hearing; and

76
77 **WHEREAS**, the Historic Resources Preservation Board, in its capacity as the local
78 planning agency, considered the proposed amendments at a duly advertised public hearing; and

79
80 **WHEREAS**, the City Commission has reviewed the proposed amendments, held a public
81 hearing, and has determined that it is in the best interest of the public health, safety, and general
82 welfare of the City to adopt this ordinance.

83
84 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF**
85 **LAKE WORTH BEACH, FLORIDA, that:**

86
87 **Section 1:** The foregoing “WHEREAS” clauses are ratified and confirmed as being
88 true and correct and are made a specific part of this ordinance as if set forth herein.

89
90 **Section 2:** Chapter 23 “Land Development Regulations, Article 1 “General
91 Provisions,” Division 2 “Definitions,” Section 23.1-12 “Definitions” is hereby amended by adding
92 the words shown in underline type as indicated in **Exhibit A**.

93
94 **Section 3:** Chapter 23 “Land Development Regulations, Article 2 “Administration,”
95 Division 3 “Permits,” Section 23.2-27 “Waiver,” is hereby amended by adding the words shown in
96 underline type and deleting the words struck through as indicated in **Exhibit B**.

97
98 **Section 4:** Chapter 23 “Land Development Regulations, Article 2 “Administration,”
99 Division 3 “Permits,” Section 23.2-34 “Request for reasonable accommodation for disability,” is
100 hereby amended by adding the words shown in underline type and deleting the words struck
101 through as indicated in **Exhibit C**.

103 **Section 5:** Chapter 23 "Land Development Regulations, Article 3 "Zoning Districts,"
104 Division 1 "Generally," Section 23.3-6 "Use tables," is hereby amended by adding the words
105 shown in underline type as indicated in **Exhibit D**.
106

107 **Section 6:** Chapter 23 "Land Development Regulations, Article 4 "Development
108 Standards," is hereby amended by adding thereto a new Section 23.4-27 "Recovery residences,"
109 to read as shown in underline type in **Exhibit E**.
110

111 **Section 7:** Severability. If any section, subsection, sentence, clause, phrase or portion
112 of this Ordinance is for any reason held invalid or unconstitutional by any court of competent
113 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and
114 such holding shall not affect the validity of the remaining portions thereof.
115

116 **Section 8:** Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict
117 herewith are hereby repealed to the extent of such conflict.
118

119 **Section 9:** Codification. The sections of the ordinance may be made a part of the City
120 Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and
121 the word "ordinance" may be changed to "section", "division", or any other appropriate word.
122

123 **Section 10:** Effective Date. This ordinance shall become effective 10 days after
124 passage.
125

126 The passage of this ordinance on first reading was moved by _____,
127 seconded by _____, and upon being put to a vote, the vote was as follows:
128

- 129 Mayor Betty Resch
- 130 Vice Mayor Sarah Malega
- 131 Commissioner Christopher McVoy
- 132 Commissioner Mimi May
- 133 Commissioner Anthony Segrich

134
135 The Mayor thereupon declared this ordinance duly passed on first reading on the _____
136 day of _____, 2025.
137

138
139 The passage of this ordinance on second reading was moved by _____,
140 seconded by _____, and upon being put to a vote, the vote was as follows:
141

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

147
148 The Mayor thereupon declared this ordinance duly passed on the _____ day of
149 _____, 2025.
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By: _____
Betty Resch, Mayor

ATTEST:

Melissa Ann Coyne, MMC, City Clerk

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EXHIBIT A

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 1 "GENERAL PROVISIONS"

Article 1, "General Provisions," Division 2, "Definitions"

Sec. 23.1-12. – Definitions.

Recovery residence: A dwelling unit for the exclusive residential use of individuals enrolled in an off-premises clinical program that is licensed by the Department of Children and Families to provide substance abuse services to individuals in recovery. The recovery residence provides a living environment for unrelated residents who operate as the functional equivalent of a family with mutual support furnished by other residents of the recovery residence and supportive staff as may be necessary; the recovery residence seeks to emulate a biological family to normalize its residents and integrate them into the surrounding community.

EXHIBIT B

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 2 "ADMINISTRATION"

Article 2, "Administration," Division 3, "Permits"

Sec. 23.2-27 – Waiver.

- a) *Community residence or recovery residence.* An applicant ~~for a permit~~ for a community residence or recovery residence may request that the planning and zoning board or the historic resources preservation board, as applicable, grant it a waiver from the distance requirements of these LDRs. See article 4 of these LDRs.
1. An application for a waiver shall be made in writing upon and application form approved by the department for community sustainability, and shall be accompanied by applicable fees. City staff shall review the application in accordance with these LDRs and prepare a report that summarizes the application and the effect of the proposed waiver, including whether the application complies with the standards for granting a waiver.
 2. Notice of the public hearing before the appropriate board shall be by publication, mail and posting pursuant to the provisions in section 23.2-15. The applicant must provide substantial competent evidence to the board that a waiver is required in order to prevent practical difficulties in the siting of its community residence or recovery residence, and that it otherwise meets the requirements of the zoning district in which it is located. The board may grant the waiver, grant it with conditions, or deny the waiver.
 3. The applicant and any affected party may appeal the decision of the board to the city commission pursuant to section 23.2-17.
 4. A waiver becomes null and void and of no effect if the related building permit and/or business license has not been issued within twelve (12) months from and after the date of its final approval. A waiver shall only be valid so long as the business license for the use remains active under the operator for whom it was issued. A change in use and/or operator shall render the waiver null and void and of no effect.
- b) *Historic district or landmark property.* A waiver of land development regulations may be granted as part of a certificate of appropriateness for a property within a designated historic district or landmark property. See section 23.5-4 of these LDRs.
- c) A waiver of limited land development regulations relating to site development requirements only, and excluding use regulations, may be requested to certain sections or subsections of Chapter 23 - Land Development Regulations where it is expressly stated in that section or subsection that a waiver may be requested to specified provisions for approval by the applicable review board. A variance per section 23.2-26 shall be required for all other sections or subsections of Chapter 23 where ~~it is~~ not clearly indicated that a waiver or an administrative adjustment per section 23.2-28 may be requested.
- d) The waiver shall meet the following review criteria:
1. The waiver requested is the smallest or minimum modification necessary.
 2. The waiver request shall not negatively impact adjacent property owners or protected land uses as described in section 23.1-12.

- 236 3. The applicable review board has determined that the waiver is appropriate in massing,
237 scale, visual impact and does not create noise, light or other impacts greater than
238 similar improvements permitted in the immediate area.
- 239 4. The waiver request supports the goals, objectives and policies of the City's
240 Comprehensive Plan.
- 241 5. The waiver request is supportive of currently permitted uses, and shall not create or
242 increase a nonconformity with regards to use as described in section 23.5-3.
- 243 6. For community residences and recovery residences, the waiver shall also meet the
244 following criteria:
 - 245 A. The proposed community residence or recovery residence will not interfere with the
246 normalization and community integration of the residents of any existing
247 community residence or recovery residence, and that the presence of other
248 community residences or recovery residences will not interfere with the
249 normalization and community integration of the residents of the proposed
250 community residence or recovery residence.
 - 251 B. The proposed community residence or recovery residence in combination with any
252 existing community residences or recovery residences will not alter the residential
253 and/or mixed-use character of the surrounding neighborhood by creating an
254 institutional atmosphere or by creating or intensifying a de facto social service
255 district by concentrating community residences or recovery residences on a block
256 or in a neighborhood.
 - 257 C. The applicant and/or the proposed community residence has been licensed by the
258 State of Florida as required per Section 23.1-12 and will meet the city's
259 requirements for a community residence.
 - 260 D. The applicant and/or the proposed recovery residence has been certified through
261 the Florida Association of Recovery Residences (FARR) and will meet the city's
262 requirements for a community residence.
- 263
- 264 e) Revocation. A granted waiver may be revoked for cause, including but not limited to:
 - 265 1. General:
 - 266 A. Violation of the conditions of approval for the waiver.
 - 267 2. Recovery residences and community residences:
 - 268 A. Lapse, revocation, or failure to maintain the certification or licensure provided in the
269 waiver application, if not reinstated within 180 days; and/or
 - 270 B. Change of occupants or ownership such that the qualified person(s) with disabilities
271 or qualified entity no longer reside at, own, operate, or utilize the property for which
272 the waiver was granted.
- 273
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EXHIBIT C

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 2 "ADMINISTRATION"

Article 2, "Administration," Division 3, "Permits"

Sec. 23.2-34. – Request for Reasonable Accommodation for Disability.

a) Purpose. The purpose of this section is to implement a procedure for processing requests for reasonable accommodation to the City's Code of Ordinances, regulations, rules, policies, practices, services, programs and activities for qualified persons with disabilities as required by the Federal Fair Housing Act ("FHA"), Americans with Disabilities Act ("ADA") and Rehabilitation Act ("RA"). ~~Any qualified person with disabilities may request a~~ A reasonable accommodation may be requested for any qualified person(s) with disabilities or qualifying entity with respect to the City's Code of Ordinances, regulations, rules, policies, practices, services, programs or activities, or LDRs, pursuant to the procedures set out in this section.

b) Definitions.

1. "Qualified person with disabilities" means an individual that meets the definition of a "qualified individual with a disability" under the ADA (42 U.S.C. 12131); "individual with a disability" under the RA (29 U.S.C. 705); a person with a "handicap" under the FHA (42 U.S.C. 3602); or, a "qualifying entity" under this section.
2. "Qualifying entity" includes but is not limited to an entity that meets the definition of a sponsoring agency pursuant to F.S. § 419.001.

c) Application.

- ~~1. A request by a qualified person with disabilities for reasonable accommodation for a~~ qualified person(s) with disabilities or qualifying entity under this section, including in relation to an existing or proposed certified recovery residence, shall be made by completion of a reasonable accommodation application available from the city's community sustainability department.
- ~~2. The reasonable accommodation application shall contain such questions and requests for information as are necessary for processing the reasonable accommodation request-, including but not limited to:~~
 - a. The name and contact information of the applicant and/or the applicant's authorized representative;
 - b. The name and contact information of the owner of the property at which the reasonable accommodation is requested;
 - c. The property address and parcel control number of the property at which the reasonable accommodation is requested;
 - d. A description of the accommodation requested, the specific regulation or policy from which relief is sought, and a justification statement describing why the requested accommodation is necessary in order for person(s) with disabilities to live in the dwelling; and
 - e. The type of license and or certificate for the property issued by the State of Florida or other credentialing entity, including the license or certificate number and a copy of the license or certificate, if applicable. Recovery residences

325 requesting a reasonable accommodation must be certified by the Florida
326 Association of Recovery Residences.

327 3. The City shall date-stamp the reasonable accommodation application upon receipt.
328

329 d) Fee. There shall be no fee imposed by the city in connection with a request for reasonable
330 accommodation under this section. The city shall have no obligation to pay an applicant's
331 attorney's fees or costs in connection with the request.
332

333 e) Findings for reasonable accommodation. In determining whether the reasonable
334 accommodation request shall be granted or denied, the requesting party shall be required
335 to:

- 336 1. Establish that ~~he~~ the individual(s) is protected under the FHA, ADA or RA by
337 demonstrating that ~~he~~ the individual(s) meets the definition of a qualified person with
338 disabilities under the ADA or RA or a person with a handicap under the FHA or that
339 he meets the definition of a qualifying entity under this section.
- 340 2. Demonstrate that the reasonable accommodation being sought is both reasonable and
341 necessary.
342

343 f) Notice of determination. City staff shall have the authority to consider and act on requests
344 for reasonable accommodation based on the information provided on the reasonable
345 accommodation application. City staff shall issue a written notice of determination ~~by~~
346 ~~certified mail, return receipt requested, within forty-five (45) sixty (60) days~~ of the date of
347 receipt of a completed reasonable accommodation application, and may, in accordance
348 with federal law:

- 349 1. Grant the accommodation requested, with or without conditions of approval;
- 350 2. Grant a portion and deny a portion of the accommodation requested, with or without
351 conditions of approval; or
- 352 3. Deny the accommodation requested in writing, stating the specific, objective, and
353 evidence-based grounds for the denial and identifying any deficiencies or actions
354 necessary for reconsideration.
355

356 If a final written determination, including a notice of abandonment as described in
357 subsection (g), is not issued within sixty (60) days after receipt of a completed
358 application, the request shall be deemed approved unless the parties agree in writing
359 to a reasonable extension of time.
360

361 g) Additional information. If reasonably necessary to reach a determination on the request for
362 reasonable accommodation, city staff may, ~~prior to end of the forty-five-day period~~ within
363 thirty (30) days after receipt of the application, request additional information from the
364 requesting party, specifying in sufficient detail what information is required. The requesting
365 party shall have ~~fifteen (15)~~ thirty (30) days after the date of the request for additional
366 information to provide the requested information. In the event that a request for additional
367 information is made, the ~~forty-five~~ sixty-day period to issue a written notice of
368 determination shall no longer be applicable and city staff shall issue a written notice of
369 determination within thirty (30) days after receipt of the additional information. If the
370 requesting party fails to provide the requested additional information within said ~~fifteen~~
371 thirty-day period, city staff shall issue a written notice advising the requesting party that
372 their reasonable accommodation application has been deemed abandoned due to their
373 failure to timely submit the additional information requested. No further action shall be
374 made by city staff with regard to abandoned requests for reasonable accommodation.
375

376 h) Stay of enforcement. While the application for reasonable accommodation is pending, the
377 city will not enforce the subject ordinance, regulation, rule, policy, or practice against the
378 requesting party.

379
380 i) Revocation. A granted reasonable accommodation may be revoked for cause, including but
381 not limited to:

- 382 1. Violation of the conditions of approval for the reasonable accommodation;
383 2. Lapse, revocation, or failure to maintain the certification or licensure provided in the
384 reasonable accommodation application, if not reinstated within 180 days; and/or
385 3. Change of occupants or ownership such that the qualified person(s) with disabilities or
386 qualified entity no longer reside at, own, operate, or utilize the property for which the
387 reasonable accommodation was granted.
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EXHIBIT D

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 E

Chapter 23

LAND DEVELOPMENT REGULATIONS ARTICLE 4 "DEVELOPMENT STANDARDS"

Sec. 23.4-27. – Recovery residences.

a) General provisions. Recovery residences, as defined in Section 23.1-12, may be permitted in multi-family and mixed use zoning districts.

1. Recovery residences shall be allowed in multi-family and mixed use zoning districts, provided such residences are not located within a radius of one thousand (1,000) feet of another recovery residence so that the proposed recovery residence does not lessen nor interfere with the normalization and community integration of the residents of existing recovery residences or combine with any existing recovery residences to contribute to the creation or intensification of a de facto social service district.

2. Recovery residences shall follow all regulations of their subject zoning district, including maximum permitted number of dwelling units.

3. Recovery residences shall be considered a residential use and shall not be considered transit public lodging, regardless of whether an individual resident's time at the property totals less than sixty (60) days.

4. Documentation that a subject recovery residence meets the standards in this section shall be submitted as part of the City of Lake Worth Beach business license application.

b) Certification and licensure. Recovery residences shall have and maintain certification through the Florida Association of Recovery Residences (FARR). Administrators of recovery residences shall have and maintain Certified Recovery Residence Administrator (CCRA) certification through the Florida Certification Board.

1. Documentation of FARR and CCRA certifications shall be submitted annually as part of the recovery residence's City of Lake Worth Beach business license application and/or business license renewal.

2. Lapse, revocation, or failure to maintain the certification or licensure required in this section shall be cause to not issue, not renew, suspend, and/or revoke the subject property's City of Lake Worth Beach business license.

c) Design and performance standards.

1. Unrelated residents. Residents within a recovery residence shall operate as the functional equivalent of a family; therefore, recovery residences shall be exempt from the maximum the number of unrelated residents in a dwelling unit as defined in Section 23.1-12, and shall be regulated by the city's minimum housing code.

2. Recovery residences shall comply with the city's established minimum housing code requirements, including but not limited to occupancy limitations, light requirements, and ventilation requirements.

A. A dimensioned floor plan shall be submitted as part of the business license application, demonstrating how the proposed recovery residence complies with the minimum bedroom and living area requirements in Section 2-75.6.3.

B. The number of persons occupying a residential unit shall not create conditions that endanger the life, health, safety or welfare of the occupants or that otherwise violate the provisions of the "occupancy limitations" subsection (Section 2-75.6.3). Should the building official determine through a use and occupancy inspection that

- 452 the number of residents approved through the business license process need to
453 be reduced, then that determination shall take precedence over the business
454 license approval for the maximum number of residents permitted.
- 455 3. Parking. Parking requirements for a recovery residence shall comply with the equivalent
456 residential parking requirements.
- 457 A. If a proposed recovery residence cannot meet the minimum parking requirements,
458 the recovery residence shall be required to provide at least fifty percent (50%) of
459 the required parking spaces on-site and shall pay a fee-in-lieu for each space that
460 is not provided to the city in the amount as specified in the city's annual schedule
461 of fees and charges for services.
- 462 4. Signs. All signage shall be regulated according to the district in which the recovery
463 residence is located and Section 23.5-1, Signs.
- 464
- 465 d. *Reasonable accommodation.* Reasonable accommodation from any of these requirements,
466 except zoning district and density requirements, may be requested. Requests for
467 reasonable accommodation(s) for recovery residences shall follow the procedures
468 established in Section 23.2-34.
- 469
- 470 e. *Waiver.* A waiver to the distance radius requirement may be requested through the
471 provisions in Section 23.2-37.
- 472
- 473



City Of Lake Worth
Department for Community Sustainability
Planning, Zoning and Historic Preservation Division
1900 Second Avenue North · Lake Worth · Florida 33461 · Phone: 561-586-1687

DATE: October 30, 2025

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

FROM: William Waters, Director of Community Sustainability

MEETING: November 5 and November 12, 2025

SUBJECT: **Ordinance 2025-26**: Consideration of an ordinance amending Chapter 23 “Land Development Regulations” related to the affordable housing workforce housing program

PROPOSAL / BACKGROUND/ ANALYSIS:

The proposed LDR amendments were requested by non-profit affordable housing providers, the CRA, and Commissioners to help facilitate affordable housing in the City.

The proposed amendments will create the following new subsection of the City’s Land Development Regulations:

- Article 2 – Section 23.2-39(m): Credits

The proposed amendments will allow projects providing voluntary affordable or workforce housing (beyond any minimally-required affordable units) to request site-specific financial credits toward existing city fines, liens, or penalties on the property.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Board and Historic Resources Preservation Board recommend that the City Commission adopt Ordinance 2025-26.

POTENTIAL MOTION:

I move to **RECOMMEND/NOT RECOMMEND** TO THE CITY COMMISSION TO ADOPT the proposed LDR text amendments included in Ordinance 2025-26.

Attachments

- A. Draft Ordinance 2025-26

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ORDINANCE 2025-XX - AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 23 "LAND DEVELOPMENT REGULATIONS", ARTICLE 2 "ADMINISTRATION," DIVISION 3 "PERMITS," SECTION 23.2-39 – AFFORDABLE/WORKFORCE HOUSING PROGRAM, BY ADDING THERETO A NEW SUBSECTION M "CREDITS," RELATED TO CREDITS THAT MAY BE APPLIED TOWARD CITY FINES, LIENS, AND PENALTIES; 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 2 "Administration," Division 3 "Permits," Section 23.2-39 – "Affordable/workforce housing program," adding a new subsection m "Credits," to provide the opportunity for additional affordable housing to generate a credit that may be applied toward City fines, liens, and penalties; 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 2 "Administration," Division 3 "Permits," Section 23.2-39 "Affordable/workforce housing program," is hereby amended by adding thereto a new subsection m "Credits" to read as follows:

- m) *Credits.* Projects that provide qualifying affordable/workforce housing that is otherwise not required by this section or any other program regulating the project may, upon request, be afforded site-specific financial credits that may be applied toward fines, liens and penalties

52 that have been imposed on the site where the affordable/workforce housing is to be provided
53 and are owed to the city.

- 54 1. The financial credit shall be a one-time credit of twenty-five dollars (\$25) or 0.03125%
55 of the area median income, whichever is greater, per gross conditioned, enclosed
56 square foot of a residence meeting the requirements of this section.
- 57
- 58 2. The financial credit shall only apply to qualifying square footage that is not utilized as a
59 development match to meet the requirements of the city’s sustainable bonus incentive
60 program, or any other city program.
- 61
- 62 3. If requested by the applicant or property owner, the financial credit shall be applied at
63 the time of development approval. The financial credit is not available at any other time.
- 64
- 65 4. The financial credit may be applied to the following:
66 i. City code compliance fines and liens, excluding administrative costs;
67 ii. Tree abuse and removal penalties; and
68 iii. Tree mitigation costs (fee-in-lieu) above a tree for tree replacement.
- 69
- 70

71 **Section 3:** Severability. If any section, subsection, sentence, clause, phrase or portion
72 of this Ordinance is for any reason held invalid or unconstitutional by any court of competent
73 jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and
74 such holding shall not affect the validity of the remaining portions thereof.

75
76 **Section 4:** Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict
77 herewith are hereby repealed to the extent of such conflict.

78
79 **Section 5:** Codification. The sections of the ordinance may be made a part of the City
80 Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and
81 the word “ordinance” may be changed to “section”, “division”, or any other appropriate word.

82
83 **Section 6:** Effective Date. This ordinance shall become effective 10 days after
84 passage.

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

- 88
- 89 Mayor Betty Resch
- 90 Vice Mayor Sarah Malega
- 91 Commissioner Christopher McVoy
- 92 Commissioner Mimi May
- 93 Commissioner Anthony Segrich
- 94

95 The Mayor thereupon declared this ordinance duly passed on first reading on the _____
96 day of _____, 2025.

97
98
99 The passage of this ordinance on second reading was moved by _____,
100 seconded by _____, and upon being put to a vote, the vote was as follows:

- 101
- 102 Mayor Betty Resch

103 Vice Mayor Sarah Malega
104 Commissioner Christopher McVoy
105 Commissioner Mimi May
106 Commissioner Anthony Segrich
107

108 The Mayor thereupon declared this ordinance duly passed on the _____ day of
109 _____, 2025.

110

LAKE WORTH BEACH CITY COMMISSION

111

112

113

By: _____
Betty Resch, Mayor

114

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116

117

118 ATTEST:

119

120

121

122 _____
Melissa Ann Coyne, MMC, City Clerk