

Village of Royal Palm Beach
Village Council
Agenda Item Summary

Agenda Item: R - 5

PUBLIC HEARING FOR SECOND READING AND ADOPTION OF ORDINANCE NO. 1059, AMENDING CHAPTER 26. ZONING. AT SEC. 26-57 TO CLARIFY LANGUAGE REGARDING THE CURRENT REQUIREMENT GOVERNING THE ARCHITECTURE OF ACCESSORY STRUCTURES/DWELLING UNITS. BY BRADFORD O'BRIEN, P&Z DIRECTOR.

Issue:

Ordinance No. 1059 seeks to amend Village Code Section 26-57 Accessory Uses in order to clarify language regarding the current requirement that the architecture for accessory structures match the architectural style of the principle/primary structure. Accessory Structures are defined by Village Code as “[a] subordinate structure detached from but locate on the same lot as the principal structure which is accessory to that of the principal structure”.

The proposed amendment would clarify that Accessory Structures that are 150 square feet or greater must match the architectural style of the Principal/Primary Structure to include but not be limited to color; façade material and treatments (brick, stucco, etc.); and same type (cement tile, shingle, etc.), pitch and style (gable, hip, mansard, etc.) of roof. Currently, Village Code requires such structures to match the color and architectural style of the Principal/Primary Structure. Additionally, the proposed amendment requires any Accessory Structure exceeding the height of the Principle/Primary Structure shall be attached and part of an addition and shall match the architectural style of the principal/primary structure to include but not be limited to color; façade material and treatments (brick, stucco, etc.); and type (cement tile, shingle, etc.), pitch and style (gable, hip, mansard, etc.) of roof. Currently, Village Code requires such structures to be attached to and part of the Principle/Primary Structure and have the same color; and type, pitch and style of roof. The proposed amendments are below:

“....All accessory structures over one hundred fifty (150) square feet shall match the color and architectural style of the principal/primary structure to include but not be limited to color; façade material and treatments (brick, stucco, etc.); and same type (cement tile, shingle, etc.), pitch and style (gable, hip, mansard, etc.) of roof. Wall and overall building height for all detached accessory structures shall not exceed the height of the principal/primary structure. Any accessory structure exceeding the height of the principal/primary structure shall be attached to and part of the principal/primary structure, shall have the same an addition and shall match the architectural style of the principal/primary structure to include but not be limited to color; façade material and treatments (brick, stucco, etc.); type (cement tile, shingle, etc.), pitch and style (gable,

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hip, mansard, etc.) of roof as the principal/primary structure and shall be subject to the regulations set forth in the applicable zoning district.

A Business Impact Estimate is also attached as required by Section 166.041(4), Florida Statutes.

The Local Planning Agency considered Ordinance No. 1059 on August 26, 2025, and recommended Approval by a vote of 5-0.

Village Council considered Ordinance No. 1059 on first reading on September 18, 2025, and recommended Approval by a vote of 5-0.

Recommended Action:

Staff recommends Approval of Ordinance No. 1059 on second reading.

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Business Impact Estimate

As required by Sec. 166.041(4), *Florida Statutes* (2024), this “Business Impact Estimate” is provided for Ordinance No. 1059:

ORDINANCE NO. 1059

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AMENDING CHAPTER 26. ZONING. AT SECTIONS 26-57. – ACCESSORY USES, BUILDINGS AND STRUCTURES; MODEL HOMES; VEHICLE AUCTION SALES AND ELECTRIC VEHICLE CHARGING STATIONS. TO CLARIFY LANGUAGE REGARDING THE CURRENT REQUIREMENT THAT THE ARCHITECTURE OF PERMANENT ACCESSORY STRUCTURES MATCH THE ARCHITECTURAL STYLE OF THE PRINCIPLE/PRIMARY STRUCTURE; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 26. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Part I. Summary of the proposed ordinance and statement of public purpose: Ordinance No. 1059 updates the Code applicable to permanent accessory structures to clarify language regarding the current requirement that the architecture match the architectural style of the principle/primary structure.

Part II. Estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the Village of Royal Palm Beach:

- a. **Estimate of direct compliance costs that businesses may reasonably incur if the proposed ordinance is enacted:** None.
- b. **Identification of any new charges or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:** None.
- c. **An estimate of the Village of Royal Palm Beach’s regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.** No change from pre-ordinance costs.

Part III. Good faith estimate of the number of businesses likely to be impacted by the ordinance: None.

Part IV. Additional Information (if any): None.

ORDINANCE NO. 1059

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AMENDING CHAPTER 26. ZONING. AT SECTIONS 26-57. – ACCESSORY USES, BUILDINGS AND STRUCTURES; MODEL HOMES; VEHICLE AUCTION SALES AND ELECTRIC VEHICLE CHARGING STATIONS. TO CLARIFY LANGUAGE REGARDING THE CURRENT REQUIREMENT THAT THE ARCHITECTURE OF PERMANENT ACCESSORY STRUCTURES MATCH THE ARCHITECTURAL STYLE OF THE PRINCIPLE/PRIMARY STRUCTURE; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 26. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the Village Council of the Village of Royal Palm Beach adopted a strategic plan for the Village in April of 2025, which outlined a need to update certain provisions within the Village's Zoning Code; and

WHEREAS, the Village Council desires to update the Village Zoning Code to accomplish the strategic plan items; and

WHEREAS, Sections 26-57 of the Village Code currently provides regulations for permanent accessory uses, buildings and structures within the Village; and

WHEREAS, the Village Council of the Village of Royal Palm Beach desires to update these regulations to clarify language regarding the current requirement that the architecture of permanent accessory structures match the architectural style of the principle/primary structure; and

WHEREAS, the Village of Royal Palm Beach has held all required public hearings and has provided public notice in accordance with applicable State statutes and Village ordinances; and

WHEREAS, the Village Council of the Village of Royal Palm Beach has determined that the proposed revisions to Chapter 26. Zoning. are in the best interests of the health, safety and welfare of Royal Palm Beach.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, THAT:

Section 1: Chapter 26. Zoning. of the Code of Ordinances of the Village of Royal Palm Beach is hereby amended at Sec. 26-57. – Accessory uses, buildings and structures; model homes; vehicle auction sales and electric vehicle charging stations. in order to clarify the requirement that

the architecture of permanent accessory structures match the architectural style of the principle/primary structure; providing that Sec. 26-57 shall hereafter read as follows:

Sec. 26-57. - Accessory uses, buildings and structures; model homes; vehicle auction sales and electric vehicle charging stations.

[Subpart (a) shall remain the same as previously adopted.]

(b) *Development regulations for accessory uses, buildings and structures.*

(1) *Location and regulations.*

a. *Permanent.* All permanent accessory uses, buildings and structures, including sheds, shall be located on the same lot as the primary structure or principal or main use and not within any required yard setbacks, except for play structures and sheds which must meet the side yard setback requirements for the zoning district in which they are located but which may be located ten (10) feet from the rear property line providing that no portion of the play structure or shed exceeds eight (8) feet in height. For sheds and play structures exceeding eight (8) feet in height, any design element of a shed or play structure exceeding eight (8) feet in height must be set back an additional one (1) foot in both the rear and side yards for every one (1) foot, or portion thereof, which exceeds eight (8) feet. All accessory structures over one hundred fifty (150) square feet shall match the ~~color and~~ architectural style of the principal/primary structure to include but not be limited to color; façade material and treatments (brick, stucco, etc.); and same type (cement tile, shingle, etc.), pitch and style (gable, hip, mansard, etc.) of roof. Wall and overall building height for all detached accessory structures shall not exceed the height of the principal/primary structure. Any accessory structure exceeding the height of the principal/primary structure shall be attached to and part of ~~the principal/primary structure, shall have the same~~ an addition and shall match the architectural style of the principal/primary structure to include but not be limited to color; façade material and treatments (brick, stucco, etc.); type (cement tile, shingle, etc.), pitch and style (gable, hip, mansard, etc.) of roof as the principal/primary structure and shall be subject to the regulations set forth in the applicable zoning district.

b. *Temporary.* Temporary shade structures, detached or attached, such as tents, portable pavilion tents, retractable awnings, or any other similar temporary shade structures

may be allowed and located within the required yard setbacks; however, such temporary shade structures shall be allowed on a temporary basis only for a defined time period not to exceed three (3) consecutive days.

- c. *Shipping containers.* The placement or use of any shipping container or other transport container as an accessory structure or building, storage building, living unit, or in any other manner on residentially-zoned property and/or land used for residential purposes is prohibited. Shipping containers are not permitted in any zoning district for use as a residential structure. Shipping containers may be used by licensed and bonded contractors for temporary housing of equipment and materials during construction subject to an active village building permit.
- d. *Garages, detached private.*
 - 1. *Size.* The minimum clear space required for all detached private garages on a single-family residential lot shall be ten (10) feet by twenty (20) feet.
 - 2. *Accessibility.* The connecting drive for all detached private garages shall be no wider than the largest detached private garage opening and shall not be immediately adjacent to any patio or other impervious surface. The connecting drive for a detached private garage shall be utilized solely for the parking of vehicles able to fit entirely within the detached garage.
 - 3. All access drives to detached private garages shall meet the setback requirement for the detached structure.
 - 4. Any rear improved surfaces shall at a minimum meet the side and rear setbacks for the principal/primary structure.
- e. *Bus shelters.* Bus shelters as accessory structures may be located on private or public property. Notwithstanding anything to the contrary in the zoning code, such structures may be placed within the required setbacks of said private or public property if previously approved for such location by the director. Design elements utilized must be consistent with bus shelters previously constructed within the village. If constructing a bus shelter on property which has a previously approved site plan, a minor amendment is required in accordance with the requirements set forth at [section 26-40](#). Such structures may also be placed within existing rights-of-way or public easement areas in circumstances where bus shelters are proposed for

locations consistent with the transportation element of the village comprehensive plan.

f. *Sheds.*

1. *Size.* The cumulative gross square feet of floor space allowed for all sheds located on a single-family residential lot shall not exceed one hundred fifty (150) square feet.
2. *Height.* Sheds shall have a maximum building height equal to or less than that of the principal/primary structure.
- (2) *Height.* No accessory use, building or structure shall exceed the height permitted in the district in which the principal use is located.
- (3) *Use.* Such accessory building shall not be rented or otherwise used as a separate dwelling unit.
- (4) *Permitting.* A permit shall be required for any structure, play structure or recreational station which includes a floor, roof, wall or support panels totaling more than six (6) square feet. Permit applications must be accompanied by a location survey and must meet the currently adopted building code, be designed and sealed by a registered engineer or architect, or in the case of play structures only be approved by the building official. Method of anchoring and type of proposed exterior finish must be included with the application.

[Subparts (c) – (e) shall remain the same as previously adopted.]

Section 2: Each and every other Section and Sub-section of Chapter 26. Zoning. shall remain in full force and effect as previously adopted.

Section 3: All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

Section 4: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 5: Specific authority is hereby granted to codify this Ordinance.

Section 6: This ordinance shall take effect immediately upon adoption.

FIRST READING this 18th day of September, 2025.

SECOND AND FINAL READING this 16th day of October, 2025.

VILLAGE OF ROYAL PALM BEACH

MAYOR JEFF HMARA

ATTEST:

(Seal)

DIANE DISANTO, VILLAGE CLERK