

Village of Royal Palm Beach
Village Council
Agenda Item Summary

Agenda Item: R - 3

PUBLIC HEARING FOR SECOND READING AND ADOPTION OF ORDINANCE NO. 1060, AN APPLICATION BY THE VILLAGE OF ROYAL PALM BEACH, AMENDING CHAPTER 26. ZONING. AT SEC. 26-40 TO ADD ADDITIONAL MODIFICATIONS THAT CAN BE PROCESSED ADMINISTRATIVELY THROUGH MINOR SITE PLAN MODIFICATION. BY BRADFORD O'BRIEN, P&Z DIRECTOR.

Issue:

Ordinance No. 1060 seeks to amend Village Code of Ordinances at Chapter 26. Zoning., Article III. Administration and Procedures., Sec. 26-40 – Minor amendments to previously approved site plans. to add additional modifications that can be processed administratively through minor site plan modification. Please find below Sec.26-40 with the proposed text underlined and the proposed deletions stricken through:

Sec. 26-40. Minor amendments to previously approved site plans.

Minor amendments to previously approved site plans may be approved administratively by the director when the proposed changes are consistent with the intent of the original Site Plan, adhere to the Village's Code of Ordinances, have no substantial impact on the surrounding area, and are subject to the following provisions and criteria:

- a) Minor amendments defined. A minor amendment(s) to a previously approved site plan is defined as follows:
- (1) An increase or decrease of up to five (5) percent of the total building square footage previously approved for commercial or industrial use.; or
 - (2) An increase or decrease of up to five (5) percent of:
 - a. Previously approved open or recreational space;
 - b. Previously approved parking spaces; and/or
 - c. Previously approved residential density (the maximum total number of dwelling units).
 - (3) Modifications to a site plan to provide for outdoor seating areas which equal no more than ten (10) percent of the enclosed seating area, or three hundred (300) square feet in area, whichever is less, subject also to the requirements of section 26-72.
 - (4) ~~Minor field adjustments, not changing the footprint of the structure including, but not limited to, the following~~ Minor field adjustments of site planned items or

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landscaping which do not change the footprint of the structure which may include, but not be limited to, the following:

- a. Relocation of fences or walls in landscape buffer areas;
 - b. Relocation of dumpster enclosures;
 - c. Relocation of pedestrian walkways or structures by not more than five (5) feet; or
 - d. Substitution of a maximum of twenty (20) percent of the approved species of landscape materials due to site constraints caused by conflicts with ~~fire equipment~~ utilities or utility easements, and similar site constraints, or current species availability; or
 - e. Modifications to the Plant Schedule to allow for smaller material specifications when accompanied by a sworn statement by the owner/applicant that the approved material specifications cannot be met/obtained and the modified specifications meet Village Code requirements.
- (5) The installation of bus shelters as accessory structures on private or public property which has a previously approved site plan.
- (6) Addition of ingress and/or egress points providing cross access to adjacent properties. The interconnectivity shall align with existing accessways located on adjacent properties and both parties shall have a recorded cross-access easement agreement in place.
- (7) Addition of or modification to small accessory structures or other site improvements/features such as generators, sheds, traffic bollards (must be ornamental in nature), propane tank storage cages, air compressor service stations, ice merchandisers, or mail kiosks; relocation of loading spaces; and repurposing of recreational courts (i.e., from a tennis court to a basketball court).
- (8) Changes to the intended and labeled Permitted Use of buildings and structures when there is no impact on required parking.

The Local Planning Agency considered the application on October 28, 2025, and recommended Approval by a vote of 5-0.

The Village Council considered the application and Ordinance No. 1060 on November 20, 2025, and recommended Approval by a vote of 4-0.

Recommended Action:

Staff is recommending Approval of Application No. 25-132 (ZTEXT) and Ordinance No. 1060 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. 1060:

ORDINANCE NO. 1060

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AMENDING CHAPTER 26. ZONING. AT SECTIONS 26-40. – MINOR AMENDMENTS TO PREVIOUSLY APPROVED SITE PLANS. TO ADD ADDITIONAL MODIFICATIONS THAT CAN BE PROCESSED ADMINISTRATIVELY THROUGH MINOR SITE PLAN MODIFICATION; 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. 1060 revises Section 26-40 of the Village Code to add amendment types that can be processed through the administrative minor site plan amendment process.

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:** Lesser application fee (\$500.00 plus legal review fee) compared to major site plan application fee (\$2,000.00 plus legal review fee) for those businesses processing site plan amendment applications.
- b. **Identification of any new charges or fee on businesses subject to the proposed ordinance, or for which businesses will be financially responsible:** None, reduction of applicable development application fee.
- 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.** Reduction of regulatory costs and revenues though reduced development application review fees.

Part III. Good faith estimate of the number of businesses likely to be impacted by the ordinance: Any and all businesses within the Village of Royal Palm Beach municipal boundary.

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

ORDINANCE NO. 1060

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF ROYAL PALM BEACH, FLORIDA, AMENDING CHAPTER 26. ZONING. AT SECTION 26-40. – MINOR AMENDMENTS TO PREVIOUSLY APPROVED SITE PLANS. TO ADD ADDITIONAL MODIFICATIONS THAT CAN BE PROCESSED ADMINISTRATIVELY THROUGH MINOR SITE PLAN MODIFICATION; 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, Section 26-40 of the Village Code currently provides for activities that qualify for administrative processing through minor site plan amendments; and

WHEREAS, the Village Council of the Village of Royal Palm Beach desires to update these regulations to add additional modifications that can be processed administratively through minor site plan modifications; 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. 26-40. – Minor amendments to previously approved site plans. in order to add additional modifications that can be processed administratively through minor site plan modification; providing that Sec. 26-40 shall hereafter read as follows:

Sec. 26-40. Minor amendments to previously approved site plans.

Minor amendments to previously approved site plans may be approved administratively by the director when the proposed changes are consistent with the intent of the original Site Plan, adhere to the Village's Code of Ordinances, have no substantial impact on the surrounding area, and are subject to the following provisions and criteria:

- a) *Minor amendments defined.* A minor amendment(s) to a previously approved site plan is defined as follows:
- (1) An increase or decrease of up to five (5) percent of the total building square footage previously approved for commercial or industrial use;~~;~~~~or~~
 - (2) An increase or decrease of up to five (5) percent of:
 - a. Previously approved open or recreational space;
 - b. Previously approved parking spaces; and/or
 - c. Previously approved residential density (the maximum total number of dwelling units).
 - (3) Modifications to a site plan to provide for outdoor seating areas which equal no more than ten (10) percent of the enclosed seating area, or three hundred (300) square feet in area, whichever is less, subject also to the requirements of section 26-72.
 - (4) ~~Minor field adjustments, not changing the footprint of the structure including, but not limited to, the following~~ Minor field adjustments of site planned items or landscaping which do not change the footprint of the structure which may include, but not be limited to, the following:
 - a. Relocation of fences or walls in landscape buffer areas;
 - b. Relocation of dumpster enclosures;
 - c. Relocation of pedestrian walkways or structures by not more than five (5) feet;~~or~~
 - d. Substitution of a maximum of twenty (20) percent of the approved species of landscape materials due to site constraints caused by conflicts with ~~fire equipment~~ utilities or utility easements, and similar site constraints, or current species availability; or
 - e. Modifications to the Plant Schedule to allow for smaller material specifications when accompanied by a sworn statement by the owner/applicant that the approved material specifications cannot be met/obtained and the modified specifications meet Village Code requirements.
 - (5) The installation of bus shelters as accessory structures on private or public property which has a previously approved site plan.
 - (6) Addition of ingress and/or egress points providing cross access to adjacent properties. The interconnectivity shall align with existing accessways located on adjacent properties and both parties shall have a recorded cross-access easement agreement in

place.

(7) Addition of or modification to small accessory structures or other site improvements/features such as generators, sheds, traffic bollards (must be ornamental in nature), propane tank storage cages, air compressor service stations, ice merchandisers, or mail kiosks; relocation of loading spaces; and repurposing of recreational courts (i.e., from a tennis court to a basketball court).

(8) Changes to the intended and labeled Permitted Use of buildings and structures when there is no impact on required parking.

[Subparts (b) – (d) 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 20th day of November, 2025.

SECOND AND FINAL READING this 18th day of December, 2025.

VILLAGE OF ROYAL PALM BEACH

MAYOR JEFF HMARA

ATTEST:

(Seal)

DIANE DISANTO, VILLAGE CLERK