



September 28, 2026

TO: Mayor Larcher and Town Commissioners

FROM: Karen E. Hancsak, Interim Administrator

SUBJECT: Ordinance 0-6-26 Townhomes in District B

The P&Z met as the LPA on Sept. 23rd and recommended approval of the ordinance with the following suggestions:

Page 8 D. Parking spaces shall be a minimum of **9x20 ft** (instead of 9x18 ft). This would be consistent with the other district regulations.

Wherever it refers to the Town Administrator – **add the verbiage or Mayor or designee** in the Platting Section

ORDINANCE NO. O-6-26

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING APPENDIX A - ZONING ORDINANCE; AMENDING SECTION PF. 6.1 – PERMITTED AND SPECIAL EXCEPTION USES; CREATING A NEW PERMITTED USE “TOWNHOUSES”; AMENDING PF. 4.4 - REDUCTION OF LOT AREA PROHIBITED; CREATING AN ADMINISTRATIVE PLATTING SECTION REQUIRED FOR NEW TOWNHOUSE LOT CREATION; AMENDING PF. 6.3 – BUILDING SITE AREA TO ESTABLISH MINIMUM AND MAXIMUM REGULATIONS FOR TOWNHOUSE LOTS; CREATING A NEW SECTION PF. 6.13. – TOWNHOUSE REGULATIONS; CREATING STANDARDS FOR THE DEVELOPMENT OF TOWNHOUSES WITHIN DISTRICT B; EACH AND EVERY OTHER SECTION AND SUBSECTION OF APPENDIX A – ZONING ORDINANCE 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 Town Commission of the Town of Palm Beach Shores desires to authorize townhouse uses within the Town’s District B zoning district; and

WHEREAS, The creation of Townhouse lots requires replatting and section 177.071 Florida Statutes (amended 2025), calls for administrative review and approval of plats and replats, and the Town Commission desires to designate the Town Administrator to perform that function; and

WHEREAS, The Town Commission finds that standards for townhouse density, setbacks, parking, design, and landscaping will promote and encourage orderly development within District B; and

WHEREAS, The Town Commission finds that these amendments will serve the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, THAT:

Section 1: The foregoing recitals are hereby adopted as the legislative findings of the Town Commission and are hereby made a part of this ordinance as if they were fully stated in this

section.

Section 2: Appendix A – Zoning Ordinance, of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Section VI. – District B Regulations; Section Pf. 6.1. – Permitted and special exception uses and shall hereafter read as follows:

Pf. 6.1. - Permitted and special exception uses.

(a) *Permitted uses.* Permitted uses in District B shall be only the following:

- (1) Any use permitted in District A.
- (2) Multiple-family dwellings and two-family or duplex dwellings.
- (3) Accessory buildings and uses, including private garages when located on the same building site.

(4) Group home facilities as defined in Section II must be confined to a single lot of record existing as of May 17, 1999; and must be separated from any lot located in Zoning District "A" by a minimum of three hundred fifty (350) feet and from any other lot on which another such facility is located by a minimum of five hundred (500) feet. Distance requirements shall be measured from property line to property line along the public streets.

(5) Townhouses.

(b) *Special exception uses.* Parking lots connected with a hotel located adjacent thereto or immediately across the street therefrom may be allowed as an off site accessory use by special exception only. Application for this special exception Use may be allowed only if no property adjacent thereto is being utilized as a single-family detached dwelling unit. All standards as set forth in Section XV. Pf. 15.7. must be met.

(c) *[Boarding houses and/or rooming houses.]* Boarding houses and/or rooming houses, as defined at Pf. 2.7. are prohibited as a use in this zoning district.

Section 3: Appendix A – Zoning Ordinance, of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Section IV. – Basic Restrictions for All Districts; Pf. 4.4. – Reduction of lot area prohibited shall hereafter read as follows:

Pf. 4.4. – ~~Reduction of lot area prohibited~~ Platting; Minimum and Maximum Lot

Sizes.

(a) Designation of Administrative Authority. Pursuant to F.S. § 177.071 the Town hereby designates the Town Administrator as the administrative authority to receive, review, and process all plat and replat submittals. The Administrator is authorized to approve, approve with conditions, or deny a plat or replat on behalf of the Town. No further action by the Town Commission is required for a plat or replat that meets the requirements of F.S. Chapter. 177 and this chapter.

(b) Plat or Replat Application. An application for plat or replat, in a form acceptable to the Administrator, must be filed with the Town Clerk along with a filing fee per the Town fee schedule adopted by the Town Commission and amended from time to time. The application shall at a minimum include the following:

- (1) The location of the lot, land, or site to be modified and the approximate area thereof.
- (2) An indication of such natural features as unusual topography, low or swampy areas, rivers, lakes or waterways, mangroves, and incrementally sensitive land or habitat areas.
- (3) An indication of the proximity of such utilities as water, sewers, drainage, and electric light and power, and how the proposed lot will be served by each.
- (4) The layout of existing lands, if any, surrounding or abutting the proposed site, notably the street pattern and adjacent lot layout.
- (5) The relationship of the proposed land/lot/subdivision to existing community facilities which serve or influence it such as main traffic arteries, railways, waterways, shopping or commercial centers, schools, parks and playgrounds or any other physical features that will enable the Administrator to determine how the subdivision will fit into the pattern of the community as a whole.
- (6) Tentative lot and block lines, including proposed lot areas.

(7) The proposed plat or replat must be provided in the form prescribed in Chapter 177, Part 1, Florida Statutes, as amended from time to time, and must meet all technical requirements as required under that Chapter.

(8) The applicant shall certify that the proposed plat or replat meets all levels of service standards and concurrency requirements of the Town and Certification is to be provided by a professional engineer, registered in the state, and be prepared in a format that can be verified by the Town.

(c) Administrative review procedure for plats and replats.

(1) Within seven (7) business days after receipt of a plat or replat submittal, the administrative authority shall provide written notice to the applicant acknowledging receipt and identifying any missing documents or information necessary for review.

(2) The notice shall describe the review process and timeframes for approval.

(3) The administrative authority or any Town official may not request or require the applicant to file a written extension of time for review.

(4) Unless the applicant requests an extension of time in writing, the administrative authority shall approve, approve with conditions, or deny the plat or replat within the timeframe stated in the initial notice.

(5) The Town Administrator shall review the proposed plat, the Administrator may call upon an engineer, representatives of the various utility companies, planning or legal consultants and other interested agencies for information as to how and if the site of the proposed plat or replat can be served with utility, drainage facilities, parks, schools and other appropriate infrastructure.

(6) Upon the finding by the Town Administrator that the proposed plat or replat complies with the applicable state, county, and Town laws and the provisions of this chapter final plat approval shall be granted with any conditions specified, and the applicant shall incorporate any required conditions and proceed to record the approved plat or replat into the County Public Records.

(7) If denied, the administrative authority shall issue a written decision stating the specific reasons for denial and citing each applicable code or statutory requirement not met.

(c) No lot or yard existing at the effective date of these zoning regulations shall thereafter be reduced in size, dimension, or area below the minimum requirements set out herein, except by reason of a portion being acquired for public use in any manner including dedication, condemnation, purchase, and the like. Lots or yards created after the effective date of these zoning regulations shall meet at least the minimum requirements established herein.

(d) Townhouse lots may be reduced in size, dimension, or area but must meet the minimum building site area for townhouses provided in their respective zoning districts.

Section 4: Appendix A – Zoning Ordinance, of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Section VI. – District B Regulations; Section Pf. 6.3. – Building Site Area shall hereafter read as follows:

Pf. 6.3. - Building site area.

(a) The minimum building site area for all non-Townhouse uses shall be one (1) platted lot. The maximum building site area shall be two (2) adjoining platted lots as set out on the plat of Palm Beach Shores, as amended.

(b) Lots for Townhouse development shall meet the following minimum requirements:

(1) Minimum Lot Area: 2,000 Sq. Ft.

(3) Minimum Lot Width: 20 Ft.

(5) Minimum Lot Depth: 100 Ft.

Section 4: Appendix A – Zoning Ordinance, of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Section VI. – District B Regulations; Section Pf. 6.13. – Townhouse Regulations is hereby created to read:

Pf. 6.13. – Townhouse Regulations.

(a) Definitions. For purposes of this section certain terms or words used herein shall be interpreted as follows:

(1) Townhouse Unit. A dwelling unit located on an individual lot, attached to one or more other dwelling units by one or more party walls, designed for residential

occupancy by one household, and having direct individual access to the exterior.

(2) *Townhouse Group*. A building for connected rows of townhouse units attached by party walls.

(3) *End unit*. A townhouse unit located at the end of a townhouse group and attached to another townhouse unit on only one side.

(4) *Interior Unit*. A townhouse unit attached to townhouse units on both sides.

(5) *Common Open Space*. Land or facilities within a townhouse development reserved for the common use or benefit of residents and maintained by a community association.

(6) *Parking Tract*. A parking lot, parking area, access area, or vehicular circulation area delineated on a plat or otherwise created by an instrument of record for the purpose of providing common on-site parking and legal access for owners or occupants of adjacent townhouse lots or units.

(b) *Townhouse Development Standards*. Townhouse units and groups shall conform to all District B development standards except as provided herein.

(1) Maximum lot coverage; lot coverage calculation.

A. *Lot Coverage*. The maximum percentage of coverage of a lot by buildings as set forth in Pf. 2.13., including all accessory buildings and garages shall be sixty (60) percent.

B. *Balconies & Architectural Features*. Balconies may only be located on the front of Townhouse units. A maximum square footage equal to seven (7) percent of the floor area total per dwelling unit may be utilized as uncovered cantilevered balconies above the first floor, or as uninhabitable architectural features on any floor projecting beyond the exterior face of exterior walls or supporting columns without being included in the calculation for lot coverage, up to a maximum dwelling unit size of one thousand (1000) square feet. Balconies may only encroach into the setback a maximum of five (5) feet.

(2) Dwelling Unit Density.

Maximum dwelling unit density shall not be greater than twenty-one (21) units per acre. In the calculation of number of dwelling units permitted on a specific lot, determination shall be made by dividing the total square footage of the lot by a factor of 2074.28. A remaining fraction of one-half or greater shall entitle the developer to one additional dwelling unit, but there shall be no additional entitlement for a remaining fraction of less than one-half.

(3) Setbacks and Building Separation for Townhouse Units.

A. Front yard.

i. There shall be a front yard of no less than 25 feet for each townhouse unit or group building.

B. Rear yard.

i. There shall be a rear yard of no less than fifteen (15) feet for each townhouse unit or group building.

ii. If a townhouse unit or group building abuts zoning district A there shall be a rear yard of no less than twenty-five (25) feet.

iii. No building or part of a building shall project beyond the rear building line except architectural features as set forth at Pf. 5.8 and eaves, which may project two (2) feet beyond the rear building line.

C. Side yard –

i. Interior Unit. No side setback is required for interior townhouse units which share a party wall.

ii. End unit. There shall be a side yard of no less than 10 feet for each townhouse end unit or group building.

iii. No building or part of a building shall project beyond the side building line except architectural features as set forth at Pf. 5.8 and eaves, which may project two (2) feet beyond the side building line.

(4) Off-Street Parking.

A. Each townhouse unit shall provide not less than two off-street parking spaces per lot.

B. Required parking may be provided on individual townhouse lots, in garages, on driveways, in parking tracts, or in other common parking areas.

- C. No required parking space, driveway, or parking tract shall be designed in a manner that obstructs sidewalks, emergency access, utilities, drainage, or required landscaping.
- D. Parking spaces shall be a minimum of 9x18 ft.

(5) Architectural and Design Standards.

- A. Every townhouse unit shall have a primary entrance that is visible from a public street, private street, pedestrian walkway, courtyard, or common open space to the maximum extent practicable.
- B. Townhouse units and groups shall incorporate variation in façade planes, rooflines, materials, colors, porches, stoops, balconies, window patterns, or other architectural features to avoid monotonous building forms.
- C. No more than two adjoining townhouse units shall maintain the exact same front building plane unless an alternative design is approved by the town as part of the site plan review process.
- D. Garages facing a street shall be recessed or architecturally integrated to reduce garage dominance, unless an alternative alley, side-loaded, rear-loaded, or parking-tract design is approved.
- E. Blank walls visible from a public street, private street, sidewalk, common open space, or adjacent residential property shall include architectural treatment, windows, material changes, landscaping, or other mitigation factors approved by the Town.
- F. All mechanical equipment, utility equipment, refuse areas, and service areas shall be screened in accordance with Town Code requirements.

(6) Landscape Requirements.

- A. Townhouse developments shall comply with all applicable Town landscaping, tree protection, vegetation, buffer, and irrigation standards.
- B. A landscape strip not less than one and one half (1.5) feet shall be provided along the driveways which abut another townhome driveway to create a minimum of a three (3) foot landscape strip. The landscape strip shall provide small shrubs, at a minimum height

of (18) inches, a maximum height of 24 inches, at a spacing no less than twenty-four (24) inches. In addition, the landscape strip must include two (2) palm trees. One (1) palm tree must be located within the Town's ten (10) foot strip and the second tree located within the front setback.

Section 3: Each and every other section and subsection of Section VI. – District B Regulations shall remain in full force and effect as previously adopted.

Section 4: All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 5: 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 6: Specific authority is hereby granted to codify this Ordinance.

FIRST READING this ____ day of _____, 2026.

SECOND AND FINAL READING this ____ day of _____, 2026.

TOWN OF PALM BEACH SHORES

Tracy Larcher, Mayor

ATTEST:

Karen Hancsak, Town Clerk (Seal)

Approved as to form and legal sufficiency.

Keith Davis, Town Attorney

BUSINESS IMPACT ESTIMATE

As required by Sec. 166.041(4), *Florida Statutes* (2024), this "Business Impact Estimate" is provided for Ordinance No. 0-6-26

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**Part I. Summary of the proposed ordinance and statement of public purpose: **

Ordinance 0-6-26 amends authorizes a new "Townhouse" use within the District B zoning district. The revisions include a procedure for replats into smaller townhouse lots. Finally the Ordinance establishes regulations for the development of townhouses.

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

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:

No direct charges or fees proposed.

c. An estimate of the Town of Palm Beach Shores regulatory costs, including an estimate of revenues from any new charges or fees that will be imposed on businesses to cover such costs.

None.

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.