

INCREMENTAL CODE REFORM IN THE TOWN OF PALM BEACH

Across the country, local governments are seeking tools and technical support to improve their zoning and other land use codes and ordinances. In many cases, it's because a municipality's regulations make the type of vibrant communities that are attractive places for people to live, work, and play that residents and local leaders are seeking illegal by local ordinance. Too often, the task to reform this disconnect faces insurmountable complexity and expense, as part of an all-or-nothing code replacement approach.

Instead, it is possible to create place-specific, incremental coding changes that address the most problematic barriers to walkability, mixed-use opportunities, legalizing historic structures and places, and thriving public spaces in their communities. This alternative approach focuses on pragmatic and bespoke, "if you do nothing else" types of changes that can be adopted quickly, create public trust and build political will, and ultimately strengthen and create more walkable, prosperous, and vibrant places.

The Town of Palm Beach offers a world-class example of historic buildings and landmarks within an historic street pattern, an example of the quality of existing urbanism that is unquestionably worth protecting. Yet the pressure of economic opportunity, the complexity of existing regulations, and the demands of state and federal requirements threaten the ability of Palm Beach to effectively protect what makes the town unique while encouraging and supporting the best interests of the community.

In response, the [Preserve Palm Beach](#) code reform project has been specifically designed to address the challenges that confront the Town of Palm Beach, drawing on the expertise of internationally-recognized code writing experts, as well as the research and wisdom of experts in the subject areas related to this highly-technical regulatory reform work. The project brings together extraordinary community education and involvement, through an extensive series of symposia, with a customized gradual reform process, through an incremental regulation research, rewrite, and review process, to deliver the first-ever comprehensive incremental code reform process to a municipality.



What is the Congress for the New Urbanism (CNU)?

As a membership-based non-profit, CNU's work for the past 25 years has promoted a more sustainable future for cities and towns in every state. CNU's programs and activities (see <https://www.cnu.org/what-we-do/our-projects>) are geared to both supporting existing and building more compact, walkable communities.

New Urbanism is a planning and development approach based on the principles of how cities and towns had been built for the last several centuries. New Urbanism focuses on protecting and promoting human-scaled urban design: walkable blocks and streets, housing and shopping in close proximity, and accessible public spaces and is defined by the 27 principles in the Charter of the New Urbanism, which were developed to offer alternatives to the placeless and sprawling land use patterns typical of post-WWII development that have been shown to inflict negative economic, health, and environmental impacts on communities.

However, there are hundreds of barriers to planning, designing, building, and enforcing compact, walkable communities. Local codes and ordinances often prohibit it or make cost prohibitive, and local government planning departments and commissions often can't approve these kinds of developments as a result. This is where CNU has focused its work in the Project for Code Reform.

What is the Project for Code Reform (PCR), and why use incremental code reform?

Through its Project for Code Reform research, CNU seeks to streamline the code reform process by providing local governments with place-specific incremental coding changes that address the most problematic barriers first, build political will, and ultimately regulate for more walkable, prosperous, and vibrant places. Preserving Palm Beach will:

- **meet the town planners, mayor and council, and planning commissioners where they are:** politically, financially, and administratively. The Project's incremental approach enables jurisdictions to set their own pace for code changes, allowing them to prioritize their coding efforts, respond to the community's vision and needs, and facilitate greater community learning and understanding.
- **be historic context- and place-sensitive:** The central organizing principle of incremental code reform is to observe and respond to a place's history, current needs, and coming trends. This is not a one-size-fits-all approach; it is a bespoke approach suited to the specific places it serves.
- **enable change, not mandate or guarantee it:** Incremental code reform is code-agnostic, not prescriptive. While there are common principles and time-tested practices that are known to work, the goal is not one set approach but rather a nuanced framework that permits and guides growth and change.
- **respond to trends and needs related to housing, retail landscape, and transportation:** Working incrementally will enable responsiveness to current demands while ensuring support of the essential character of the historic context in which these trends must be accommodated.



How will this process and research support and improve the Town of Palm Beach?

CNU's approach is centered on counteracting the complexity and expense of code reform by focusing on incremental change, instead of an all-or-nothing approach. Integral to our approach is partnering with local organizations and incorporating significant community education and engagement. This lays the foundation for prioritizing reform efforts in connection to community vision, creating code changes that are more likely to succeed in:

- **process improvement:** Preserve Palm Beach will eliminate unneeded, bureaucratic, costly zoning and development review processes for our residents and business owners.
- **user-friendly document:** The code deliverables, compiled into a final document through the Preserve Palm Beach process, will provide a more user-friendly zoning document that does not require a legal entourage to navigate.
- **neighborhood compatibility:** The reformed code that will come out of the Preserve Palm Beach project will require new construction and infill development to be more in keeping with the height, scale, and mass of existing Palm Beach neighborhoods throughout improved zoning standards.
- **design review process:** The recommendations that are delivered through Preserve Palm Beach will serve to improve the efficiency (time) and reduce costs associated with the existing design review processes of ARCOM and LPC.

What are the deliverables for this work, and what will it cost the Town of Palm Beach?

- **a fully researched, communicated, reviewed, and designed reformed zoning code:** through a multi-staged research, education, writing, community feedback, and recommendation refinement process, the Town of Palm Beach will receive the final draft of the Preserving Palm Beach report in a clear and easy to understand layout with coding language, local photography, example illustrations, and identifying iconography as is necessary for conveying the intent and specific code reform recommendations of the outcomes of the project effectively.
- **budget comment:** through a partnership with a non-profit organization, the Town will spend only 25% of a comparable, market rate exercise.

