

TOWN OF PALM BEACH

Information for Town Council Meeting on: December 11, 2019

To: Mayor and Town Council

Via: Kirk Blouin, Town Manager

Via: Josh Martin, Director of Planning, Zoning & Building

From: Wayne Bergman, Asst. Director of Planning, Zoning & Building

Re: Proposed Code Changes to Create “Historic Buildings”

Date: November 26, 2019

STAFF REQUEST & RECOMMENDATION

Staff requests that the Town Council review the concept of creating a new category of building – Historic Buildings – and determine if ordinances should be drafted to amend Chapters 18, 50, and perhaps 54, in order to create the new category of building. The purpose of the proposed change is to allow buildings more than 50 years old, but not Landmarked, to enjoy the same protections under FEMA and the Florida Building Code that are available to Landmarked buildings in the Town of Palm Beach.

GENERAL INFORMATION

As you know, in Palm Beach there are two categories of buildings – those that are Landmarked and those that are not. Our Historical Preservation Code, Chapter 54, identifies and details regulations for Landmarked buildings only. Older homes (not Landmarked) do not qualify for the same FEMA and building code protections of a Landmarked building – because they are not identified or defined in this Town. PZB staff are proposing the creation of a new category of building, called “Historic Buildings”; that would not rise to the status and tax-abatement level of a Landmarked building, but could be provided the exceptions and exemptions found in the FEMA and Florida Building Codes to preserve them. One of the reasons for many of the older homes being demolished in Palm Beach comes from the fact that once the proposed cost of a renovation exceeds 50% of the value of the building, that building must be elevated to meet the base flood elevation for that location. Raising / elevating these old concrete and masonry buildings can be very difficult and expensive. It is simply easier and less expensive to demolish the building and build a new building that complies with FEMA. If the Town were to create this new category of Historic Building, and assign the FEMA and building code protections to these buildings, we may see more older homes preserved – and as an indirect result, lots that do not need to be raised several feet to accommodate new construction (another serious problem that we can discuss during the Code Reform process). And if a building addition to these historic homes is proposed, a flood variance may be granted if the addition is in keeping with the historic character / architecture of the older building.

Staff does not intend for this possible program to compete with the existing Landmarks program, but we understand and acknowledge that many owners will never ask to have their home Landmarked and do not want to be Landmarked, or included within a Historic District, against their will. This new category of building may provide the mechanism to encourage property owners to keep their older buildings, and add complimentary building additions at elevations lower than FEMA normally requires (achieved with a flood variance).

This is simply a concept possibly worthy of discussion at this time. Staff knows of a few properties that could immediately benefit from this program, if adopted by the Town Council. Without this program, the older buildings will either not be renovated or they may be demolished, as part of their redevelopment life cycle.

Attachments: Conceptual code changes to define Historic Buildings and to create a simple program that identifies the Historic Buildings.
August 8, 2019 email to Josh Martin referencing the FBC, Existing Building Code.
Copies of the 2017 FBC, Existing Building Code, Chapter 12, Historic Buildings, pages 55 & 56.
Chapter 50, Section 50-114, Historic Buildings.
FEMA – 42 U.S.C., Subchapter B, Part 60, Section 60.6 – Variances and Exceptions.

WRB