

TOWN OF PALM BEACH

Information for Town Council Meeting on: February 10, 2021

To: Mayor and Town Council

From: Laura Groves van Onna, Historic Preservation Planner, PZB

Cc: Kirk Blouin, Town Manager
Wayne Bergman, Director of PZB

Re: Incentives for Landmarks

Date: January 28, 2021

EXECUTIVE SUMMARY

This memo serves as an update in efforts to further incentivize Landmarks, as requested by Town Council. On October 14, 2020, staff recommended that Town Council review the information contained herein under Background regarding incentives for Landmarks, consider, discuss, and provide guidance on next steps. Town Council responded in support of and encouraged exploring more incentives for Landmarked properties. Staff has since worked internally, with assistance from the Preservation Foundation of Palm Beach, to identify the most efficient and effective way at present to further incentivize Landmarks. Please see Discussion.

BACKGROUND

Staff had received expressions of interest from the Landmarks Preservation Commission and the Preservation Foundation of Palm Beach in assessing current benefits available to Landmarked properties and what capacity exists to further incentivize Landmarks.

Please see below for a list of current benefits available at Local, State, and Federal levels:

- Tax Abatement for Ten Years – ad valorem tax exemption based on the cost of rehabilitation project(s).
- Florida Building Code and FEMA Exemption – substantial improvements are exempt from the need to elevate buildings in large renovations.
- Landmark Plaque to place on exterior wall.
- Expedited plan review and permitting of Landmark projects.
- Florida Building Code Equivalency Program – allows historic buildings to deviate slightly from prescriptive building code requirements.
- Certified Local Government (CLG) Grants and Assistance Program.
- Florida Coastal Partnerships Initiative – grants and funding to improve disaster-prone historic resources.

- Florida Mitigation Assistance Program – funding through the State of Florida and FEMA for retrofitting historic properties to become less prone to flooding.
- Federal Historic Preservation Tax Incentives Program – 20% rehabilitation tax credit for a building that is individually listed in the National Register of Historic Places or that is a contributor to a historic district listed in the National Register of Historic Places.

At present, Local benefits that the Town of Palm Beach has to offer include: 1) tax abatement for ten years; 2) Florida Building Code and FEMA exemption; 3) a Landmark plaque; 4) expedited plan review and permitting of Landmark projects; and 5) references to State grants, funding and Federal tax incentives. Incentives for Landmarked properties provided by the Town have the potential to be expanded upon.

Speaking with representatives from the Preservation Foundation, the Commission Chair, and fellow staff, it is apparent that the greatest potential benefit to owners of Landmarked properties would be some form of relief from the Code of Ordinances as it relates to zoning. For example, when reviewing an application for rehabilitation of a Landmarked property that would normally require a variance, we could consider providing relief from that requirement – with conditions. These conditions might include that the proposed project must a) protect, contribute to, and not detract from the historic character of the property; b) meet the Secretary of the Interior's Standards for Rehabilitation; c) be considered for potential impacts on neighbors; and d) not exceed certain limits, perhaps customized to certain property types. Further research and discussion regarding these limits could take place.

Staff sought direction from the Town Council on October 14, 2020 with regard to next steps in consideration of incentives for Landmarked properties. The goal was to assess the comfort level of the Town Council with regard to any proposed zoning relief that could be applied to Landmarked properties as a further incentive to owners. Staff also emphasized the collective gain inherent in further incentivizing Landmarks. This could be a win for an individual property owner and for the Town as a whole by encouraging preservation, enhancement, and promotion of the character that defines Palm Beach.

DISCUSSION

Upon receiving support of and encouragement toward exploring more incentives for Landmarked properties from Town Council on October 14, 2020, staff worked internally, with assistance from the Preservation Foundation of Palm Beach, to identify the most efficient and effective way at present to further incentivize Landmarks. We identified a portion of the Code of Ordinances that already exists regarding Dimensional Waivers ([Chapter 134, Article II, Division 4, Subdivision IV](#)) – for Landmarked and non-Landmarked properties – that has great potential to benefit property owners but is seldom utilized.

Staff is currently in the process of considering revisions to this portion of the Code that would optimize its appeal and relief to property owners. Once these Dimensional Waivers can be refined, subject to approval by Town Council, an important next step will be to properly promote not just these but all benefits currently available to owners of Landmarked properties, and their representatives. For example, the Planning, Zoning & Building Department has started to host workshops for owner representatives, and would like to continue this practice

in order to retain open communication regarding relevant updates to regulations and procedures and to promote incentives like this.