

# HISTORIC PRESERVATION ELEMENT DATA AND ANALYSIS

## INTRODUCTION

### PURPOSE

### EXECUTIVE SUMMARY

The Town of Palm Beach Historic Preservation Element formally states Town policy with regard to the protection of its historic and archaeological resources. This element is optional per section 163.3177, Fla. Stat., but serves as a tool for coordinating the actions and policies of the Town of Palm Beach. Florida's 1975 Local Government Comprehensive Planning Act laid the foundation for local preservation planning in the State. The Act lists required elements for inclusion in the general plan, but also includes "historic preservation and scenic" as one of the options. The 1985 Local Government Comprehensive Planning and Land Development Regulation Act, which amended a portion of the 1975 legislation, requires coastal communities to address the preservation of historic and archeological resources. Although communities can fulfill the requirement by addressing the issue of preservation in the **Future** Land Use, Housing and Coastal Management Elements, the Town of Palm Beach ~~has decided~~ **determined** that **a separate elements** would best serve the community.

Increasingly in South Florida, historic and cultural resources are threatened by destruction due to rapid growth in population and ensuing development. These resources are links to the past, making communities unique, giving them a "sense of place," and providing a source of pride. More importantly, historic resources allow for the education of present and future generations of their place and time in the continuum of the human experience and societal development. The purpose of historic preservation is not to halt growth or change, because it is recognized that both are needed to keep a community alive. The purpose of historic preservation is to integrate the past with the present and the future.

### ~~SUMMARY OF LANDMARKS PRESERVATION ORDINANCE~~

~~The Town of Palm Beach Landmarks Preservation Ordinance (Supporting Document I) was adopted in 1979, and was amended to its present reading in 1984. The purpose of creating a Landmarks Preservation Commission was to protect historic resources with intrinsic aesthetic, or architectural character, and to better facilitate the upkeep and maintenance of those structures so designated. The ordinance lists these as its goals:~~

- ~~1) — Safeguard and enhance that which reflects the Town's history and heritage~~
- ~~2) — Stabilize and improve property values~~
- ~~3) — Foster civic pride in the notable accomplishments of the Town's past~~
- ~~4) — Protect the Town's attraction to residents and visitors.~~
- ~~5) — Strengthen the economy of the Town~~
- ~~6) — Promote the education, pleasure and welfare of residents and visitors~~

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~~The Commission consists of seven members and three alternates, all of whom have a special knowledge of, and interest in landmarks preservation. All Commissioners are required to be residents of the Town except one non-resident “expert”, and all serve three year terms in this appointed office. A member cannot serve more than two consecutive three year terms.~~

~~The Landmarks Preservation Commission can only gain jurisdiction over a property after an extensive research process proves the structure is eligible for the distinction, by meeting at least one of the four criteria for designation. Once approved by the Commission, and sustained by the Town Council, the jurisdiction to oversee improvements, additions, and modification to the designated property is transferred from the Architectural Commission to the Landmarks Preservation Commission. When transferred from one commission to the other, there is no change regarding the Town's Zoning Code.~~

~~The Landmarks Preservation Commission reviews proposed changes to buildings, landscaping, garden walls, pools, fountains, driveways, signs, etc. in response to a property owner's request for a Certificate of Appropriateness. The Commission holds no jurisdiction over the interior building spaces of any property, but does review changes and modifications to courtyards.~~

~~The process is very similar to that of the Architectural Commission. Once the Landmarks Commission approves the proposed additions or alterations to a landmarked structure, the Certificate of Appropriateness is granted. Work may proceed after standard building permits have been applied for, and issued by the Building Department. For archaeological landmarks, the earth, rock, or subsoil cannot be moved or excavated without an approved Certificate of Appropriateness.~~

~~Minor changes to landmarked properties such as replacing door hardware, shutters, re-painting a structure in color to match existing or re-roof with same material, etc., which have a total estimated value of \$2,000 or less, can be approved as, "minor exterior changes," at the discretion of the Planning Administrator. Usually, no Certificate of Appropriateness would need to be filed for these approved minor changes.~~

### **REWORDED WITH NEW DATA AND ANALYSIS**

#### **GOALS, OBJECTIVES AND POLICIES**

~~Beginning in 1927, structures designed, built or modified in Palm Beach have been regulated by an advisory body of the Town of Palm Beach. The original body was called the Art Jury, and members such as Addison Mizner, Maurice Fatio, and Charles Perrochet assisted in a sort of design critique to help ensure the beauty and visual harmony that made Palm Beach a unique resort area. Today, the Art Jury survives as two similar, but distinct, bodies: The Landmarks Preservation Commission and the Architectural Commission.~~

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Generally speaking, the Architectural Commission is the old Art Jury, regulating the overall design, proportion, and concerns of contemporary design, as well as signage. The Landmarks Preservation Commission was created to serve in essentially the same capacity, but focuses on the needs and concerns of historic architecture, to protect the historic resources of the Town of Palm Beach.

### UPDATED WITH NEW DATA AND ANALYSIS

#### GOAL

The goal of the Landmarks Preservation Ordinance is to protect the visual appearance of the Town of Palm Beach through the perpetuation of properties of special, notable, aesthetic, architectural, and/or historical significance. ~~It is NOT the intention of the Ordinance to annex private property, to make private property open for public inspection, or to prevent owners from the right to expand, modify, or update the architectural and/or mechanical services of their property.~~

Legislation rewards owners of landmarked property with tax incentives, credits, and reductions as a reward for preserving a piece of the nation's heritage. Further, Federal and State programs offer financial and technical assistance to the owners of locally landmarked properties. ~~In most places, owners of landmarked structures receive a greater return when selling their property.~~

~~In exchange for these rewards and incentives, the Landmarks Preservation Ordinance was written in such a way that before the owner(s) of a landmarked property may demolish or destroy an historic resource in the Town, he/she must show just cause to both the Landmarks Preservation Commission and to the Palm Beach Town Council.~~

The landmarking process ensures that only those properties of true architectural or historic significance are awarded the distinction, protection, and benefits allowed to the Town's designated landmarks.

#### OBJECTIVE 1: EVALUATION OF POTENTIAL STRUCTURAL SITES

~~When the Landmarks Preservation Ordinance was first enacted in 1979, a survey of all Palm Beach architecture fifty or more years old was completed, determining which structures were eligible for consideration as landmarks of the Town of Palm Beach. This effort concentrated on the oldest area of Town, from the Coral Cut to Sloan's Curve (Map: Supporting Document II).~~

~~The structures were evaluated and rated A to D, based primarily on their architectural merit. "A" structures were those properties that were eligible for consideration on both the local and the national level; "B" structures were equally eligible for consideration as local landmarks, but held little or no national merit; "C" structures were either smaller structures eligible for local consideration, or marginal large properties; and "D" structures were deemed not eligible for consideration at this time.~~

~~By 1988, the old survey became outdated. Since 1979, a considerable number of local buildings had crossed the fifty year threshold used for National Register eligibility, and as local architectural scholarship improved, errors in the validity of some statements in the 1979 survey were discovered.~~

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A new survey was commissioned with three goals in mind: to add ten years of eligible structures to those already eligible for consideration; to correct the errors made in the 1979 survey; and to include the entire Town of Palm Beach, from the Palm Beach Inlet to the South Palm Beach line. The 1988 survey was simplified to read either "eligible" or "not eligible" for local designation, and the letter grading system was abandoned.

In 1996 and 2004 the Town received grants from the Florida Department of State, Division of Historical Resources to update the survey. The survey was done again in 2010. Currently 1,162 sites have been surveyed and included on the Florida Site File. The Town has designated 320 landmarks as of May 2017.

### UPDATED AND REWORDED THIS INFORMATION

#### OBJECTIVE 2: EVALUATION OF POTENTIAL ARCHAEOLOGICAL RESOURCES

The Town of Palm Beach is situated on a narrow barrier island. The island is bordered on the west by Lake Worth and on the east by the Atlantic Ocean. The north end of the island is terminated by a man-made channel, the Lake Worth Inlet. There is no record of a natural inlet connecting the Atlantic Ocean with Lake Worth. Evidence that Lake Worth has been a freshwater lake for at least the last two thousand years has some support from archaeological evidence and historical documentation.

The western side of the island is an oolitic limestone ridge which runs from the Everglades Links Golf Club to the northern tip of the island. The ridge ranges in elevation from sea level to its highest point of thirty feet above mean sea level at the Palm Beach Country Club Golf Course.

The eastern side of the island fronts the ocean with a sea beach. Behind or to the west of this is a primary dune. At some points there are secondary sandy knolls or dunes behind the primary dune.

Perhaps the most significant natural feature in Palm Beach was located between the primary dune to the east and the oolitic limestone ridge on the west. Through this area a freshwater slough once existed that extended north to south. The slough extended from the Everglades Links Golf Course and extended north to the northwest tip of the island, opening into Lake Worth and not the ocean. This slough undoubtedly was fresh water or possibly brackish. Along the borders of this slough was tropical hammock. Trees included gumbo limbo, wild fig, and cabbage palm.

The soil in the slough has a surface of black muck soil which ranges in depth from as little as 15 cm to as much as 40 cm. Under this is a light tan fine-grained sand. Post hole tests excavated by the consultant along the edge of the slough indicated that under this light tan sand is sand that is the same as the sand which makes up the primary dune features. Local construction workers indicated that the depth of the sand in this slough is as much as 21 feet. This sediment horizon is only a short distance east from where the oolitic limestone rises to its highest point of thirty feet above the sea level. Whatever oolitic substrate exists here does not rise much above sea level and is not visible on the surface even where construction has cut deeply into the dune and its surroundings.

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At about the turn of the century this slough was filled in for development. When the consultant observed soil profiles in trenches in Sea Spray Street where water lines were being replaced, it was observed that the fill there is about 40 to 50 cm in thickness, under which lies the original black muck surface. Here the muck was about 40 cm thick with the usual light tan sandy substrate below.

South of the Everglades Links Golf Course the island consists only of the sea beach and dune feature, the western oolitic ridge stopping north of this point. Also, the island is much narrower here. The area between the end of the oolitic rise and the beginning of the narrow southern extension of the island was filled in, artificially expanding the island by filling the wetlands and shallows adjacent to Lake Worth.

Changes which have impacted Palm Beach's natural features have included storm erosion to the primary dune, (as much as 30 feet in recent years according to one life guard who said he had worked on the beach for the last 15 years); construction of condos, etc., directly on the primary dune; the filling of the slough; clearing of the top of the oolitic ridge for the construction of buildings, and all the other disturbances associated with the development of the Town, such as roads, utilities, etc. Very little of Palm Beach has escaped being altered by development.

The eleven known sites that lie within the town limits were visited and evaluated during a survey supported by the Florida Department of State, Division of Historical Resources in 1994. Five of these sites were found to be in association with the primary dune features along the Atlantic side of the island. Of these five sites, three were human burials (two without any recorded evidence of associated habitation and one had a combination of settlement and cemetery components). One of the burials, seems to have been non-native. Of the two remaining dune sites, one was an isolated archaeological feature, specially a cache of celts, with no other materials located. However, it is worth noting that similar celt caches have been associated with human burials. The other site, the Lake Worth Casino midden, could not be located during this survey and may actually have been a component of the nearby Patrician site.

The other six sites were located in association with the freshwater slough that ran north to south through the town. These sites included middens (habitation sites) and burial mounds and were located along the edge or on the shore of the slough. The midden material is confined to the hammock type of soil, which extends about twenty yards east from the road. (Supporting Document: *Preservation Plan*, Town of Palm Beach Landmarks Commission, 1995).

**DESCRIPTION OF THE SOILS IS PROVIDED IN THE CONSERVATION ELEMENT**

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### **POLICY FOR THE ESTABLISHMENT OF SELECTION PRIORITIES**

With over 1,162 structures considered eligible for consideration as local landmarks, the Landmarks Preservation Commission has established priorities to better facilitate the landmarking process. These structures (together with limited historic information) are derived from the Florida Master Site Files periodically prepared for the Town by a historic preservation consultant.

Site information is cross-referenced with historical records housed in the Town of Palm Beach Department of Planning, Zoning and Building Records Office, and in the Historical Society of Palm Beach County and the Preservation Foundation of Palm Beach. The research should result in a more condensed, focused list of structures, eligible for local designation under at least one of the Landmarks Preservation Ordinance's criteria. The sites on the resulting list should be distributed to the Landmarks Commissioners.

Each commissioner should independently visit every structure on the resulting list of targeted properties for discussion at a public meeting. At said meeting, the Commission should actively discuss the properties listed during a presentation provided by the historic preservation consultant, and select properties to be placed under consideration for landmarking during the upcoming designation season. The Commission can conduct this process at multiple meetings if necessary.

If at any time, a property owner feels that his/her property is eligible for designation as a local landmark, a request can be made to any Landmarks Preservation Commissioner to place the structure under consideration. Likewise, individual Commissioners can propose to place any structure under consideration, which will then become a matter to be decided by the full Commission.

The list of those properties put under consideration should be turned over historic preservation consultant who, will research, evaluate and prepare a Designation Report for each property. Designation Reports should contain architectural and historical information on the structure, explanation of how each criterion for designation is met, and a recommendation to consider or not consider the structure as a landmark of the Town of Palm Beach.

A public hearing should be announced and held to consider these properties individually in a public forum, allowing the property owners, their representatives, and members of the community to express their opinion relative to the recommendations of the consultant and staff as put forth in the Designation Report(s).

After reviewing the information and recommendation of the consultant and the staff in the public forum, the Landmarks Commissioners should then vote to accept or deny the recommendation. If the Commissioners' vote favors accepting the structure as a landmark of the Town of Palm Beach, their decision will be sent to the Town Council for its final ratification.

The property owner, his/her representative, or a member of the community may appeal at either level.



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This policy should be periodically revisited, and adjusted as necessary. A new survey should be undertaken every ten years to correct the historical errors of the earlier efforts, and to add those structures that cross the National Register threshold of 50 or more years old.

**UPDATED**

### **POLICY FOR ARCHAEOLOGICAL MANAGEMENT PLAN**

This Phase I Archaeological assessment indicated a total of eleven known archaeological sites within the town of Palm Beach. These sites are in various states of preservation and access, varying from sites heavily damaged, destroyed by development or obscured by fill, to sites with visible surface features and a high preservation quality. **UPDATED BELOW**

The Town of Palm Beach's best tool for managing these archaeological resources is to use an archaeological zone overlay for each known archaeological site or potential site. An archaeological zone is an area of known archaeological sites locations with a high potential of having archaeological sites, archaeological features or artifacts.

All proposed development, clearing, or subsurface alterations within a zone (including such subsurface activities as utility trenching, tree removal, construction activities) should be subject to the Archaeological Ordinance of the Town's Code of Ordinances that requires an archaeological assessment for known archaeological sites and/ or potential archaeological sites. The assessment (Phase I or reconnaissance level) will result in a report presented to the Planning, Zoning & Building Department prior to the issuance of any permits for demolition (below ground), excavations, tree removal, or other ground disturbing activities. Based on the assessment report, a determination will be made by the Planning, Zoning & Building Director, or the Director's designee, as to whether monitoring and/ or additional testing (Phase II) needs to be done.

**UPDATED TO CITE THE CODE SHOWN BELOW**

In some cases a Phase II assessment may be required based on a site's potential or known significance. A Phase III assessment will be required only if something highly significant is found, such as human remains. If human remains are uncovered, they are subject to Florida's Unmarked Human Graves Act, and should be avoided if possible. If that is not feasible, then they should be reinterred in a secure part of the property under the coordination of the consultant archaeologist and tribal representative.

In the event that human remains are encountered during archaeological monitoring then the guidelines of State Statute 872.05, which provides for human remains, will need to apply.

**PROVIDED BELOW**

### **Known or Potential Archaeological Areas**

Many archaeological sites are recorded within the Town of Palm Beach, all of which are shown on the Town's Archaeological Sites Map. New areas can be added if additional sites are discovered during development, by accidental discovery or as a result of archaeological investigations. Although many of these sites are now obscured or even severely damaged by development, some

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~~less altered components may remain intact. The survival of significant site features in an urban context is well documented in south Florida in downtown Miami and Ft. Lauderdale where many sites had been covered by fill. Palm Beach has had a similar developmental history where fill was commonly used.~~

~~When an archaeological site or feature is discovered during development in an area outside of a known or potential archaeological area, then the Town of Palm Beach should be notified, and an archaeologist should quickly inspect the discovery to determine its significance. However, even with the Town's Archaeological Sites Map, it is possible for archaeological discoveries to be made in many parts of Palm Beach since the town is located in a narrow barrier island with close proximity to water and other resources that were ideal for prehistoric and historic occupation. See the Town's Archaeological Ordinance within the Town Code of Ordinances for further information.~~

#### **POLICY FOR THE ESTABLISHMENT OF EDUCATIONAL PROGRAMS**

~~Encourage an Historic Marker Program to better educate the public on areas of "living history" throughout the Town of Palm Beach. Such a program could be locally funded, or work within an already established state or national framework. Such a program could be the result of the efforts of others as specified in "section 8.0: Policy for the Establishment of Historical Research."~~

#### **POLICY FOR THE ESTABLISHMENT OF HISTORICAL RESEARCH**

~~Historical research of an ongoing nature should be continually supported by the Landmarks Preservation Commission. Aside from the influx of new research generated by the continued Designation Report process, a program should be established to enhance the existing historical files with greater depth and clarity.~~

~~An ongoing internship program should be enacted to give undergraduate and graduate students of architecture and historic preservation the opportunity to gain practical experience in their field. This program should be limited to three summer months.~~

**THE TOWN HAS CONSULTANTS TO PERFORM THIS AND PROVIDED IN THIS ELEMENT BELOW.**

#### **POLICY FOR THE ESTABLISHMENT OF MAINTENANCE PLAN**

~~A maintenance plan should be enacted to protect the historic resources of the Town of Palm Beach, and help evaluate the structural integrity of landmarked architecture.~~

~~This maintenance element should encompass three basic areas: structural evaluation; code enforcement; and "demolition by neglect."~~

~~In cases where the structural integrity of a landmark or a potential landmark may be in question, a Historic Structures Report should be completed by the collaborative effort of the Town Building~~



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Official and an independent architectural history specialist.

The report should detail the conditions of the building inside and out, from the basement through the roofing members, wherever possible. No exploratory demolition or any other process that disrupts the property or the rights of the property owner should be undertaken.

The completed report, detailing the condition of floors, ceilings, wall materials, windows, doors, roofs and roofing members, exterior spaces and ornamentation should be prepared and submitted to the Landmarks Preservation Commission Staff for evaluation. The Staff will relay the conditions outlined in the Historic Structures Report to the Commission in a public forum, and the Commission will vote on how this report will affect the status of the landmark or the potential landmark.

The Code Enforcement Officers of the Town of Palm Beach should be educated in the landmark process, and integrated into the Landmark Preservation Commission system for the purpose of monitoring the conditions at landmarked sites.

The Code Enforcement Officers should monitor the conditions at landmarked sites during their regular inspections, and report any violations or potential violations directly to the Landmarks Commission Staff immediately. If a serious problem is detected, the Landmarks Commission Staff would then add the violation to the next month's Landmarks Preservation Commission agenda for inclusion under the heading "Other Business." The Code Enforcement Officer will appear to directly relay his/her evaluation of the violation and recommendation, and the Landmarks Preservation Commission will vote to sustain or deny the recommendation.

If by the determination of an Historic Structures Report, or by the observations of a Code Enforcement Officer and the Building Official, a landmarked property is considered structurally deficient by the Landmarks Preservation Commission, the Commission may vote to enact Section 54-3 in Chapter 54 (Historic Preservation) of the Town's Code of Ordinances.

If enacted, this section allows the Commission to notify the owner that his/her building has become structurally deficient due to neglect, and that he/she has 30 days to commence any work that would rectify the situation. If the property owner fails to comply with the request, and the Commission believes that the structure is being allowed to deteriorate intentionally, the Commission will inform the Town Council of the violation of Ordinance #2-84. The Town Council may choose to repair the structure at its own expense, and lawfully place a lien against the property for the cost of the repairs expended.

**TOWN STAFF CANNOT ACCESS THE INTERIOR OF PROPERTY AND CODE ENFORCEMENT IS NOT ABLE TO EVALUATE THE STRUCTURAL INTEGRITY OF HISTORIC BUILDINGS.**

# HISTORIC PRESERVATION ELEMENT DATA AND ANALYSIS

## HISTORIC PRESERVATION IN THE TOWN OF PALM BEACH

Historic preservation in the Town of Palm Beach is best appreciated with a look to the Town's early years. The first of the permanent pioneers arrived at the island of Palm Beach in 1872. According to settler accounts, Palm Beach received its name from a shipwreck named the "Providencia." The ship washed ashore in January 1878 with a load of coconuts bound from Havana to Barcelona.

Early settlers lost no time salvaging and planting the coconuts, which were not native to South Florida, in an effort to launch a commercial coconut industry. In 1880, the first hotel, the Coconut



Contemporary Photo of the Breakers, Palm Beach, FL



Historic Photo of the Breakers, Palm Beach, circa 1896

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Grove House, opened to accommodate tourists. By the early 1890s, the community was well established with several hotels, businesses, and winter residents.<sup>1</sup>

The pioneer era ended in 1894 with the opening of Henry M. Flagler's Royal Poinciana Hotel and the arrival of the Florida East Coast Railroad in 1896. The railroad tracks crossed Lake Worth to allow trains to deliver their passengers directly to the Flagler System hotels, which included the Palm Beach Inn directly on the ocean. It was soon renamed The Breakers, because so many guests wrote asking for a room "down by the breakers,". Fire destroyed the hotel in 1903. Henry Flagler then ordered a larger, more luxurious hotel built at the same location, which opened for business the following year. The hotel was again destroyed by fire in March 1925 and was replaced by the stone masonry and steel structure which continues to serve as a Palm Beach landmark today.<sup>2</sup>

During the early 1900s, Palm Beach architecture would change with the influence of Addison Mizner. Mizner's bold use of Spanish, Italian, Moorish, Gothic, and Romanesque architectural elements lead to the development of the Mediterranean Revival Style that now dominates Palm Beach. Mizner was followed by a number of distinguished architects including Maurice Fatio, Marion Sims Wyeth, John Volk, Belford Shoumate, and Howard Chilton. These architects left Palm Beach with a strong architectural heritage that includes Art Deco, Art Moderne, Modern, Greek Revival, French Neo-Classical, Bermuda, Tudor, Norman, Scandinavian, and Spanish Colonial architecture.<sup>3</sup>

Residents saw the need for planning and architectural control during those formative years. In 1928, the "Art Jury" was established and charged with safeguarding the Town's architecture. Members of the Art Jury included such iconic architects as Addison Mizner, Maurice Fatio, and Charles Perrochet. The Art Jury members assisted in architectural critique to ensure that the beauty and visual harmony that made Palm Beach, Palm Beach was articulated in design.

Today, the Art Jury continues as two (2) similar, but distinct, bodies, those being the Landmarks Preservation Commission (LPC) and the Architectural Commission (ARCOM), for those buildings not historically significant but merit the need for architectural review to uphold the standards of the Town. The history of these two (2) commissions started in the 1970s.

*We all have places that matter to us – places that define us, places that challenge us, places that bring us together and tell our story. These places help form our identity and our communities. They create opportunities for growth and help us feel at home. They explain our past and serve as the foundation of the future.*

*National Trust for Historic Preservation Research & Policy Lab*

<sup>1</sup> Town of Palm Beach website, "Town of Palm Beach's History" and "Historic Preservation" webpages.

<sup>2</sup> Ibid

<sup>3</sup> Town of Palm Beach, Florida 2010 Historic Sites Survey

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A strong advocate for the architectural, botanical, and cultural heritage of the Town is the Preservation Foundation of Palm Beach. It was founded in 1980 as an outcome of the community needing a private advocacy organization to support the expanding historic preservation movement in the Town. Within a year, a number of prominent citizens joined to create a charitable foundation, the Preservation Foundation, with the goal of preserving the architectural history of Palm Beach and educate its residents about their heritage. The first board members and officers of the Foundation had been involved with the beginnings of the preservation movement and the formation of the Landmarks Commission. LaBaron S. Willard, Jr., was one (1) of the first Landmarks Commissioners who later became the first President of the Preservation Foundation. LaBaron Willard Jr. is known for establishing the bridge between public and private preservation.

Through the generosity of hundreds of residents, the Preservation Foundation has been able to save the following historically significant structures and places in the Town.

- Town's oldest house, Sea Gull Cottage
- The historic Town Hall
- Earl E.T. Smith Park
- A Heritage Education program for fourth-grade school children
- The Little Red Schoolhouse,
- The Pan's Garden
- The Phipps Ocean Park



### **TOWN OF PALM BEACH COMPREHENSIVE PLAN HISTORIC PRESERVATION ELEMENT**

In 1979, as the national preservation movement was progressing with the passage of the Secretary of Interior's Standards for Historic Preservation Projects, so too was Florida embarking on new approach to conservation and management through the mandated comprehensive planning act. With regard to Palm Beach, Town leadership was similarly working to combat the loss of the Town of Palm Beach's historic resources.

The local planning component of the early Florida system was established with the 1975 Local Government Comprehensive Planning Act. The Act mandated that each local government in Florida adopt a local comprehensive plan by 1979, and that all development permits and land development regulations be consistent with the plan and the elements of the plan.

**To begin, The** Town of Palm Beach Historic Preservation Element formally states Town policy with regard to the protection of its historic and archaeological resources. This element is optional per sections 163.3177, Fla. Stat., but serves as a tool for coordinating the actions and policies of the Town of Palm Beach. Florida's 1975 Local Government Comprehensive Planning Act laid the foundation for local preservation planning in the State.

The Act lists required elements for inclusion in the general plan, but also includes "historic



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preservation and scenic" as one of the options. The 1985 Local Government Comprehensive Planning and Land Development Regulation Act, which amended a portion of the 1975 legislation, requires coastal communities to address the preservation of historic and archeological resources. Although communities can fulfill the requirement by addressing the issue of preservation in the Land Use, Housing and Coastal Management elements, the Town of Palm Beach thought it best to have a separate element to serve the community.

#### **Certified Local Government**

The passage of the Certified Local Government (CLG) program as a part of the National Historic Preservation Act in 1980 further strengthened historic preservation by linking the three (3) levels of government, federal, state, and local into a preservation partnership. The preservation effort focuses on the identification, evaluation and protection of historic properties and archaeological sites. Designation as a Certified Local Government, either as a municipality or a county, makes historic preservation a public policy through passage of a historic preservation ordinance.

Florida's Certified Local Government program has assisted in the survey, designation, and preservation of thousands of historic and cultural resources and to increase public awareness of the importance of historic preservation. By identifying historic resources in the Town's comprehensive plan, proposed development projects are reviewed for consistency with preservation goals and strategies.

The Town Council adopted a Historic Preservation Ordinance (Palm Beach Code, Chapter 54, Historic Preservation, Section 54-36) with the purpose to study and protect Palm Beach's most significant architectural achievements, and ensure that the heritage of Palm Beach would not be lost for future generations. Since that time, the ordinance has been amended a number of times in an effort to clarify the purpose of the ordinance and its requirements.

The Historic Preservation Ordinance provides for the appointment by the Town Council of a Landmarks Preservation Commission (LPC). The purpose of creating a Landmarks Preservation Commission was to protect historic resources with intrinsic aesthetic, or architectural character, and to better facilitate the upkeep and maintenance of those structures so designated. The ordinance lists the following as the goals of historic preservation in the Town.

- ❖ Safeguard and enhance that which reflects the Town's history and heritage.
- ❖ Stabilize and improve property values.
- ❖ Foster civic pride in the notable accomplishments of the Town's past.
- ❖ Protect the Town's attraction to residents and visitors.
- ❖ Strengthen the economy of the Town.
- ❖ Promote the education, pleasure and welfare of residents and visitors.

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### Landmarks Preservation Commission

The LPC is comprised of seven (7) members, six (6) of whom must be Town of Palm Beach residents. The LPC meets monthly to identify significant structures, subject them to a set of objective criteria, and designate the worthiest as landmarks of the Town of Palm Beach. To be considered as a landmarked building, the structure must have an important historical association, or be an outstanding example of architectural design, or the significant work of a notable architect or master craftsman.

The LPC has a similar process for determining historic districts and scenic vistas. A historic district is intended to protect a specific geographic area that is highly concentrated with significant structures. However, not all buildings within the boundaries of the district need necessarily fulfill the criteria for individual designation. Besides recommending the designation of worthy properties, the LPC also reviews changes and alterations to existing Landmark properties, issues Certificates of Appropriateness (COA) for work to be done and oversees the Town's Tax Abatement program.

Should the LPC determine that a building is worthy of study, the property is proposed for landmark designation, studied by staff, and later discussed at a subsequent public hearing. At that public hearing, the LPC votes on whether or not to recommend to the Town Council that the building under consideration be designated a Landmark of the Town of Palm Beach. The LPC's recommendation must then be ratified by the Town Council in order to be effectuated.

The Landmarks Preservation Commission reviews proposed changes to buildings, landscaping, garden walls, pools, fountains, driveways, signs, etc. in response to a property owner's request for a Certificate of Appropriateness. The Commission holds no jurisdiction over the interior building spaces of any property but does review changes and modifications to courtyards. The development order is in the form of a Certificate of Appropriateness. As of September 2023, 365 landmark properties, sites, and vistas are protected under the Historic Preservation Ordinance of the Town of Palm Beach as displayed on Map 3.1 of the Map Series.

The Town of Palm Beach and Palm Beach County have passed a Property Tax Abatement program that is available to local property owners for the restoration, renovation or rehabilitation of their Landmarked properties. This benefit will abate tax increases on the improvements to the property for a ten-year period. The Abatement is conveyed through a covenant that accompanies the deed to the property and may be transferred to future owners during the Abatement time period.

Proposed improvements must comply with the Secretary of the Interior's Standards for Rehabilitation and be approved through the COA process as established by the Town of Palm Beach LPC.

The Effects of Landmarking have been recognized and are provided as follows.

- Preserve important buildings in the community.
- Preserve property values by discouraging redevelopment and increases in density.



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- Stabilize and improve property values based on appraisal information.
- Require Landmarks Commission review of exterior alterations and new construction.
- Require exterior only review.
- Substitute Landmarks Commission review for Architectural Commission review.
- Offer restoration and rehabilitation information to property owners.
- Allow normal maintenance without review by the Landmarks Commission.
- Provide a mechanism for quick administrative approval, usually for minor changes (\$2,000 or less) such as security lighting, driveways, etc.
- Encourage historic research and community pride.
- Preserve the historic and cultural integrity of Palm Beach

In 1971-1974, local resident Barbara Hoffstot, with Roger Grunke, surveyed the Town. Every structure was surveyed, although not all were recorded. Priority was placed on those structures known or believed to be significant to the Town, state, and/or nation. The work long preempted the Town's Landmark Preservation Ordinance and was in fact a catalyst in creating it and to the resulting book, *Landmark Architecture of Palm Beach* (1974). There were three (3) Editions to the book. The first Edition was written in 1974, the Second Edition is 1980 and the Third and Final Edition in 1991.

The Town began to survey all structures at least 50 years old in 1979. Nine years later, in 1988, a second survey was commissioned as an update. There are several methodologies for survey. One (1) approach is the thematic survey, which identifies all historic properties of a specific type. A more common survey is the geographic type, which results in a comprehensive recording of all significant themes and associated properties within established geographic boundaries, such as a subdivision, neighborhood, or town limit.

Approximately every decade, these surveys are updated. Each survey report holds valuable information relating to the development of Palm Beach. Additional reports referenced are also listed below. These reports are located on file within the State Division of Historical Resources, Site File Department and include the following.

1981: Historic Buildings Survey of Palm Beach; by Eliza Smith with Landmarks Planning, In., Manuscript No. 02784

1988: Historic Buildings Survey; by John Johnson with the Historic Palm Beach County Preservation Board, Manuscript No. 03025

1994: Cultural Resource Assessment of Proposed Maintenance on the Royal Park Bridge across Lake Worth in Palm Beach County; by Karen Webster Milano and Ken Campbell with Group Enterprises, Inc., Manuscript No. 4244

1997: Historic Sites Survey; by Jane S. Day, Susan Krassy, Sandra Norman, and Teresa Van Dyke with Research Atlantica, Inc., Manuscript No. 05258

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2004: Historic Sites Survey; Jane S. Day with Research Atlantica, Inc., Manuscript No. 11231

2006: Cultural Resource Assessment Survey of State Road A1A (South County Road) from North of State Road 80 (Southern Boulevard) to State Road 704 (Royal Palm Way) Palm Beach County, Florida; by SEARCH; Manuscript No. 13980

2007: Cultural Resource Assessment Survey for Flagler Memorial Bridge, Palm Beach County, Florida, by Janus Research; Manuscript No. 14808

2008: Cultural Resource Assessment Survey of S.R. 80 Bridges PD&E, by Florida Department of Transportation District IV; Manuscript No. 15645

2010: Historic Site Survey; by Jane S. Day and Research Atlantica, Inc.

2020: Town of Palm Beach Historic Site Survey; by Meghan Powell, Meagan Scott and Patricia Davenport-Jacobs with Environmental Services, Inc.

In addition, the Preservation Foundation of Palm Beach funded a study in 2014 that analyzed the demolitions and new construction on the northend of the island between October 2008 and July 2014. Seventy-two structures were identified within the area extending from the northern tip of the island to Sunset Avenue.<sup>4</sup> In 2021, the Preservation Foundation sponsored a report on the impacts of landmarking on property values in Palm Beach.

The most recent Survey conducted in 2020 was performed as a geographical survey to identify and evaluate the significance of the extant structures within the incorporated limits of the Town of Palm Beach constructed in or prior to 1979. Historic and current USGS maps were obtained to ascertain the nature and extent of properties throughout the project area, and changes to the built environment that have occurred over the past forty-one years. The review suggested 2,134 parcels contained historic resources that met the survey criteria. Information collected in the field included parcel identification, architectural data, stylistic influence, address, and present and original use. Ghost-line inspections and visual assessments provided information on alterations, additions, and development over time. The condition of each building, a subjective professional evaluation, was assessed based upon visual inspection of structural integrity, roof surfacing, exterior wall fabric, porches, window treatments, foundation, and the general appearance of the building.

### **Historically Significant Buildings**

One of the reasons for many of the older homes being demolished in the Town of Palm Beach comes from the fact that once the proposed cost of a renovation exceeds 50 percent of the value of the building, that structure must be elevated to meet the base flood elevation for that location, referred to as a "substantial improvement". As such, this issue causes many owners to decide to demolish an old home and build new.

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<sup>4</sup> Town of Palm Beach Historic Site Survey, Environmental Services, Inc. 2020

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The reason is due to the fact that raising or elevating these older buildings (many built with concrete and masonry block or tile) can be very difficult and expensive. Further, often these buildings structurally cannot be raised to a higher elevation. It is simply easier and less expensive to demolish the building and build a new building that complies with FEMA.

Prior to 2020, in the Town of Palm Beach, there were only two (2) categories of buildings, those that are Landmarked and those that were not. At that time, the Historical Preservation Code, Chapter 54, identified and detailed regulations for Landmarked buildings only. Older homes, that were not Landmarked, did not qualify for the same FEMA and building code protections granted to a Landmarked building as these structures were not identified or defined.

In November of 2019, Planning, Zoning and Building staff proposed the creation of a new category of building, called "Historically Significant Buildings"; that would not rise to the status and tax abatement level of a Landmarked building, but rather these structures could be provided the exceptions found in the FEMA and Florida Building Codes to preserve them. On August 12, 2020, Ordinance No. 02-2020 was adopted by the Town Council that created Historic Conservation Districts and provided for the designation of historically significant buildings.

The goal was to create a new category of historic buildings and assign the FEMA and building code protections to these buildings. What has been witnessed is that more older homes have been preserved and the indirect result has been building lots not being raised several feet to accommodate the new construction. The raising of buildings can affect stormwater runoff with neighboring properties, which often adversely changes the look and character of Palm Beach.

With this new legislation, when a building addition to these historic homes is proposed, a flood variance may be requested if the addition is in keeping with the historic character and architecture of the older building. Map 3.3 of the Map Series identifies properties that have taken advantage of this innovative historic designation. As of July 2023, there are 48 Historically Significant Buildings.

### **Historic Markers**

The Town of Palm Beach participates in the Florida Historical Marker Program, which is part of the Division of Historical Resources. The program is designed to raise public awareness of Florida's rich cultural history and to enhance the enjoyment of our historic sites by citizens and tourists. These markers allow the story to be told of the places and people who created Florida that what is enjoyed today, by identifying the churches, schools, archaeological sites, battlefields, and homes that represent the past.

Currently the Town maintains the following 12 historic markers, which are depicted on Map 3.4 of the Map Series.

1. Bethesda-By-The-Sea – **This Marker was erected** in 1967 by Seminole Chapter, Daughters of the American Revolution. East of the marker is the Episcopal Church of Bethesda-By-The-Sea built in 1894.

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2. Cocoanut Grove House – **This Marker was erected** in 2011 by the Seminole Chapter, NSDAR and the Florida Department of State. The Cocoanut Grove House was once Florida's only hotel on the east coast between Titusville and Key West. Originally built in 1876 as a private residence for the "Cap" Dimick family. Dimick was one of the co-founders of Palm Beach and served in the Florida State Legislature from 1890-1903 and the first mayor after its incorporation in 1911. The Cocoanut Grove house opened as an inn after adding eight rooms to the building. In 1882, Dimick then sold the inn to Commodore Charles Clark, another Palm Beach pioneer. Flagler later rented the hotel for his workers while they were building the Royal Poinciana Hotel. In 1893 the Cocoanut Grove House was destroyed by fire.

3. Duck's Nest – **This Marker** was erected in 1980 by the Town of Palm Beach. The Duck's Nest is the oldest standing house in Palm Beach built in 1891 by Henry Maddock for his home. Parts of the house were assembled in New York and brought by barge to Palm Beach, as this was the only means of transport at that time.



Duck's Nest Historic Marker - Erected 1980

4. Episcopal Church of Bethesda-By-The-Sea – **This Marker** was erected in 1984 by Florida Board of Parks and Historic Memorials. The church was constructed in 1889 on the western shore of the Lake Worth lagoon and was the first Protestant church building in southeast Florida.
5. Flagler Memorial Bridge – **This Marker** was erected in 2017 by Florida Department of Transportation, the Town of Palm Beach and the City of West Palm Beach. The bridge was completed in 1938 under the Franklin Delano Roosevelt's New Deal Program. Colonel Edward Bradley, considered a prominent figure in the development of Palm Beach, donated gateway pylons with wrought iron lanterns to enhance the appearance of the Palm Beach side of the bridge. In 2007, Flagler Memorial Bridge was determined to be eligible for listing in the National Register of Historic Places.
6. Henry Morrison Flagler – The bronze statue was installed 1959 by the National Railways Historical Society. **The Marker** was erected in 2014 by St. Augustine Art Association. Henry Flagler was a founding partner in Standard Oil, the largest and most profitable corporation in history. Flagler's greatest impact on American society was the development



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of the entire Eat Cost of Florida, establishing tourism, government, and agriculture. Flagler built Florida's first work class hotels and resorts, connecting them with his East Coast Railway.

7. Little Red Schoolhouse – **This Marker** was erected in 2010 by the preservation Foundation of Palm Beach and the Florida Department of State. The Little Red Schoolhouse was the first one-room school built in southeast Florida. The school served families around Lake Worth until 1901. It was then turned into a gardener's shed on the John S. Phipps property. In 1960, the structure was moved to Phipps Ocean Park and renovated by the Gardeners Society of Palm Beach. The schoolhouse will be relocated ~~on the site of~~ to the Phipps Ocean Park ~~site~~ to make way for the restoration and enhancement of this 26-acre regional park.
8. Paramount Theatre – **This Marker** was erected in 1973 by the Department of Interior. The Paramount Theatre ~~was built in 1927 and~~ has been placed on the National Register of Historic Places by the United States Department of Interior since 1973.
9. Royal Poinciana Hotel – **This Marker** was erected in 1961 by Florida Board of Parks and Historic Memorials. The Royal Poinciana Hotel was built by Henry Flagler and opened in 1894. It was one of the largest wooden structures in the world at the time, accommodating 2,000 guests and a dining room able to seat 1,600 people. The hotel was in use until 1929-1930 season and was demolished in 1936.
10. Sea Gull Cottage – **This Marker** was erected in 1992 by the National Society of Colonial Dames of America in cooperation with the Florida Department of State. The Sea Gull cottage was constructed in 1886 by pioneer R.R. McCormick and then purchased by Henry Flagler in 1893 to become the first winter residence in Palm Beach. In 1984, the Sea Gull was moved and restored by the Preservation Foundation of Palm Beach and is now the Parish House of the Royal Poinciana Chapel.
11. Site of the Palm Beach Pier – **This Marker** was erected in 1991 by the Palm Beach Board of Realtors. The pier opened to the public in 1925 and extended out 1,095 feet into the Atlantic Ocean. For over 40 years, the pier was a favorite town attraction, featuring a coffee shop, cocktail lounge, restaurant, tackle shop and fisherman's lockers. A series of destructive storms and hurricanes gradually eroded the structure, causing it to be removed in 1969.
12. The Royal Poinciana Chapel - **This Marker** was erected in 1975 by Seminole Chapter, Daughters of the American Revolution. This Interdenominational Chapel was the earliest church organization in Dade County, of which Palm Beach County was once a part. The chapel was founded in 1884 under the auspices of the Home Missionary Society of the Congregational Church by Reverend A.B. Dilley.

# HISTORIC PRESERVATION ELEMENT

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### **Archeological Sites**

The Town of Palm Beach has maintained a register of 29 known archeological sites as of 2023 as depicted on Map 3.5 of the Map Series, that were mapped and evaluated during a survey supported by the Florida Department of State, Division of Historical Resources. Thirteen sites are found on the Atlantic side of the island. Twelve sites are on the Intracoastal side of the island, and four (4) are in the central or north central part of the island. Of the 29 known archaeological sites, at least six (6) have historic archaeological components including four (4) with 17th century artifacts and at least four (4) with nineteenth and early twentieth century artifacts associated with the founding of Palm Beach. Human remains can occur at any prehistoric site; however, there are at least nine (9) sites with associated human remains of which three (3) are remnant burial mounds and six (6) other sites have human remains. All human remains are subject to the provisions of section 872.05, Fla. Stat.

Pursuant to Code Section 18-2020, the Town's Comprehensive Plan requires compliance with the requirements of § Fla. Stat. 872.05, as amended. State law requires an archaeological assessment for known archaeological sites and/or potential archaeological sites. That assessment is a Phase I or reconnaissance level that results in a report presented to the Planning, Zoning and Building Department prior to the issuance of any permits for demolition, including those below ground, excavations, tree removal, or other ground disturbing activities.

Based on the assessment report, a determination will be made by the Planning, Zoning and Building Director, or the Director's designee, as to whether monitoring and/or additional testing (Phase II) needs to be done. In some cases, a Phase II assessment may be required based on a site's potential or known significance.

A Phase III assessment is required only if found to be highly significant, such as human remains. If human remains are uncovered, those remains are subject to Florida's Unmarked Human Graves Act, and should be avoided, if possible. If not feasible, those remains should be reinterred in a secure part of the property under the coordination of the consultant archaeologist and tribal representative.

### **Historic and Specimen Trees**

Since the 1980s, the Town of Palm Beach has recognized the value and needed protection of certain trees as historic or specimen. The distinction is that an historic tree means one that has been determined in the judgement of the Town Manager and a representative of the Garden Club of Palm Beach to be of notable public interest because of its historic association and has been so designated by action of the Town Council. In comparison, a specimen tree means one that has been determined in the judgment of the Town Manager and a representative of the Garden Club of Palm Beach to be of high value because of its type, size, age, or other professional criteria, and has been so designated by action of the Town Council. Pursuant to Code Section 126-58, the Town does not permit directly or indirectly, any historic or specimen tree to be cut down, removed, or moved, or effectively destroyed through damage without prior written permission duly obtained by application to and after a hearing before the Town Council.



## HISTORIC PRESERVATION ELEMENT DATA AND ANALYSIS

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### PATH FORWARD SUMMARY

By preserving what is the architectural heritage of Palm Beach, the value of the surrounding community is enhanced and sustained. In doing so the Town should continue to ensure the protection of historically significant and landmarked structures through the review and approval by LPC. Additionally, the Town should continue protecting the historic architecture and charm of residential structures, through promoting future landmark designations and the periodic Historic Site Surveys to identify structures of significance to the Town of Palm Beach, the history of the state of Florida, and to all people of the United States. With regard to archeological resources, as redevelopment will continue in the Town, it is imperative to ensure enforcement of Code Section 18-1020. Equally significant is enforcing enforcement of tree the protection for of the Town's historic and specimen trees should also be which is now recognized in the Goals, Objectives and Policies.