



APPENDICES



APPENDIX A:



FUTURE LAND USE POLICY C-2.7

Policy C-2.7 The following pertains to the redevelopment of the Silver Terrace Area:

This area involves the old Silver Terrace Subdivision which is zoned RM and contains some mixed use but is primarily single family. It also involves the adjacent land use of the Floranda Mobile Home Park which is a well maintained land use but which may, in the future, be inappropriate for its location along Federal Highway adjacent to a regional shopping mall. Redevelopment of this area should complement the natural scrub habitat to its north which should be preserved to the greatest extent possible.

Data and analysis pertaining to a redevelopment plan for this area have been completed. While not conclusive, the results indicate that the most appropriate course of action for this area is to provide for a "pocket CRA" or its annexation into the CRA boundaries, and completion of a redevelopment plan which provides for the following:

- ◆ Aggregation of the properties to allow for a unified development that is a minimum of 10 acres in size. While the most desirable plan would include both the Silver Terrace subdivision and the mobile home park, it is understood that the cost of relocating mobile home residents may make its inclusion impractical.
- ◆ A mix of residential and nonresidential uses, provided however, that the nonresidential uses are of a type and scale that will primarily serve residents of the redevelopment area; and that such uses do not comprise more than 15% of the total land area.
- ◆ Residential densities of up to 25 dwelling units per acre; subject to the provision of adequate open space, common areas and recreational amenities; and the appropriate spacing and massing of structures.
- ◆ The lead agency for completion and implementation of the plan rests with the City.
- ◆ Upon completion of the redevelopment plan, rezoning of the property to SAD (Special Activities District).

In order to ensure the financial feasibility of the redevelopment plan, the City may contribute funding to the extent permitted by law, and in a manner that is consistent with the goals, objectives, and policies of the Comprehensive Plan.

This redevelopment plan shall be completed in FY 94/95 should the redevelopment plan for the area not be substantially in process by October, 1995, the City shall proceed to install programmed infrastructure.

APPENDIX B:

SECTION 4.4.11 NEIGHBORHOOD COMMERCIAL (NC) DISTRICT

(A) **Purpose and Intent**: The Neighborhood Commercial (NC) District provides the opportunity to locate limited retail and service uses in a manner convenient to and yet not disruptive to residential areas. The NC District may be located in areas designated as Transitional on the Future Land Use Map when a nonresidential use is appropriate for the location.

(B) **Principal Uses and Structures Permitted**: The following types of use are allowed within the NC District as a permitted use:

(1) Retail sales such as: convenience foods; household supplies; garden and lawn supplies; drugs and medicine; small appliance sales and repairs; baked goods; delicatessen goods.

(2) Provision of services such as: barber and beauty shops; dry cleaning limited to on-site processing for customer pickup only; dry cleaning and laundry pickup stations; financing e.g. banks and similar institutions excluding drive-through facilities; laundromats limited to self-service facilities; dining at sit down restaurants including takeout and ice cream parlors but excluding drive-in, drive-through facilities; equipment rental; newsstands.

(3) Business and Professional Offices which provide direct services to customers such as: travel agencies; outpatient medical offices; real estate; finance and accounting; community service (outreach) offices. With limitations per Subsection (H).

(C) **Accessory Uses and Structures Permitted**: The following uses are allowed when a part of, or accessory to, the principal use:

- (1) Parking areas for employees and customers
- (2) Refuse and storage areas

(D) **Conditional Uses and Structures Allowed**: The following uses are allowed as conditional uses within the NC District:

- (1) Child care and adult day care
- (2) Display and sale of lawn furniture, playground equipment, sheds and accessories **[Amd. Ord. 65-93 12/07/93]**

(3) Veterinary clinics [**Amd. Ord. 65-93 12/07/93**]

(E) **Review and Approval Process:**

(1) In established structures, uses shall be allowed therein upon application to, and approval by, the Chief Building Official for a certificate of occupancy.

(2) For any new development, approval must be granted by the Site Plan Review and Appearance Board pursuant to Sections 2.4.5(F), (G), and (I).

(3) Conditional uses must be approved pursuant to the provisions of Section 2.4.5(E).

(F) **Development Standards:** In addition to the development standards set forth in Section 4.3.4, the following shall apply:

(1) Maximum site area of two (2) acres [**Amd. Ord. 65-93 12/07/93**]

(2) Special Landscape Area: Within the first ten feet (10') of the front yard setback area (abutting the property line) full landscaping shall be provided. Driveways and sidewalks shall be accommodated only when generally perpendicular to the property line.

(3) Any free-standing structure which accommodates a principal or conditional use shall have a minimum floor area of 4,000 square feet.

(G) **Supplemental District Regulations:** The supplemental district regulations as set forth in Article 4.6 shall apply.

(H) **Special Regulations:**

(1) The maximum area devoted to a single tenant for office or service uses shall not exceed 2,000 sq. ft. in floor area. The intent of these restrictions is to maintain the center at the neighborhood scale. [**Amd. Ord. 65-93 12/07/93**]

(2) The maximum floor area which can be allocated to a single retail use, or groups of similar (retail, office, services) principal uses, shall not exceed 10,000 square feet. [**Amd. Ord. 65-93 12/07/93**]

APPENDIX C:



SECTION 4.4.17 RESIDENTIAL OFFICE (RO) DISTRICT

(A) **Purpose and Intent:** The Residential Office (RO) District provides for mixed use of a neighborhood office and residential nature. The RO District is appropriate as:

- (1) a transitional land use between a commercial or industrial area and a residential area;
- (2) an incentive zoning in older residential areas which are in the need of redevelopment or revitalization or are in a state of transition;
- (3) to accommodate professional offices which will meet needs of nearby neighborhoods.

(B) **Principal Uses and Structures Permitted:** The following types of use are allowed within the RO District as a permitted use:

- (1) Single family detached dwelling units
- (2) Duplex structures and dwelling units
- (3) Business and Professional Offices
- (4) Abused Spouse Residence limited to forty (40) or fewer residents.
- (5) Funeral Parlors, Funeral Homes

(C) **Accessory Uses and Structures Permitted:** The following uses are allowed when a part of, or accessory to, the principal use:

- (1) Parking lots
- (2) Refuse and Service Areas
- (3) Uses and structures normally associated with residences such as: bird aviaries, boat docks, dog houses and dog runs, garages, greenhouses, guest cottages, playhouses, pool houses and covers, pump houses, slat houses, storage sheds, tennis courts, workshops, swimming pools, and home occupations.

(4) Family Day Care pursuant to restrictions set forth in 4.3.3(T) (Child Care, up to five children).

(5) Foster Homes pursuant to 4.3.3(I).

(D) **Conditional Uses and Structures Allowed:** The following uses are allowed as conditional uses:

- (1) Child Care and Adult Day Care
- (2) Alcohol and Drug Abuse Treatment Facilities
- (3) Bed and Breakfast Establishments

(E) **Review and Approval Process:**

(1) All residential uses allowed as a principal use or accessory use thereto shall be allowed upon application to and approval by the Chief Building Official for structures which require a building permit and which otherwise comply with applicable use restrictions.

(2) For new development or the first time establishment of nonresidential approval must be granted by the Site Plan Review and Appearance Board pursuant to Sections 2.4.5(F), (H) and (I).

(3) Conditional uses must be approved pursuant to the provisions of Section 2.4.5(E).

(4) The creation of a new lot for the purpose of building a single family residence or establishing a principal use on its own parcel required platting pursuant to Section 2.4.5(J) or (K), as applicable.

(F) **Development Standards:** The development standards as set forth in Section 4.3.4 shall apply.

(G) **Supplemental District Regulations:** The supplemental district regulations as set forth in Article 4.6 shall apply except as modified and added pursuant to the following:

(1) All uses shall be in completely enclosed buildings and any outdoor storage is expressly prohibited.

(2) Parking required for business and professional offices shall be at the standard of one space per three hundred square feet of total floor area (1/300). However, this requirement may be reduced to 1/400, or at least by one parking space, when there is a mix of residential and office use in the same structure.

(H) **Special Regulations:**

(1) All buildings and structures shall appear to be residential in character regardless of the actual use therein, shall be kept in a sound and attractive condition, and in established neighborhoods shall be generally compatible in architectural style and scale with the surrounding area.

(2) A building or structure in the RO District may contain either a residential use, an office use, or a mix of uses.

(3) All parking for nonresidential principal uses and conditional uses shall be located in the side or rear yard or adjacent to a rear alley. No parking shall be located in the area between any street and the structure (building). Where there are existing buildings, administrative relief [Section 2.4.7(D)] may be sought from this subsection (3) provided it is determined that compliance with these provisions is not feasible and that the residential character of the area will be maintained and that such parking area shall be substantially screened from off-premises view by, at least, a four-foot high hedge.

APPENDIX D:



REFERENCES

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- Berkowitz, Bill. *Community Dreams: Ideas for Enriching Neighborhood and Community Life*. San Luis Obispo, California: Impact Publishers, 1984.
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- Werth, Joel T. and Bryant, David. *A Guide To Neighborhood Planning* . Planning Advisory Service Report No. 342. Chicago: American Planning Association, 1979.

APPENDIX E:

The Delray Beach Renaissance Program - Policies and Procedures

I. Purpose

The Delray Beach Renaissance Program is a coordinated approach to housing delivery that utilizes the expertise and resources of all the City's Affordable Housing Providers. The Program is designed to provide homeownership opportunities to 80 home buyers through new construction and acquisition/rehab beginning October 1, 1995 through September 30, 1997.

Specifically, the program has as its purpose:

- Revitalization of deteriorated conditions within the CDBG and CRA target areas.
- Creation of opportunities to provide viable economic mixes of income levels within the target areas.
- Provision of decent, safe, affordable housing for low and moderate income households.
- Through various incentives, encouragement of private builders to construct affordable housing within the target areas.
- Provision of construction financing opportunities for participating builders and non profits through a consortium of lenders called the Community Financing Consortium, Inc.
- Creation of a mix of affordable housing units with sale prices ranging between \$60,000 and \$113,000.
- Job training opportunities for area residents.
- Coordination of housing delivery that provides for maximizing the ability to leverage available affordable housing funds.

II. Approval

These policies and procedures require approval by the Delray Beach City Commission, Delray Beach Housing Authority, The Community Redevelopment Agency, The Community Financing Consortium, Inc., and the governing boards of the Delray Beach Community Development Corporation (CDC) and the Delray Beach Center of Technology, Enterprise and Development, Inc. (TED Center).

III. Administration

Overall administration of this program shall be in accordance with the Memorandum of Understanding entered into between the Delray Beach Affordable Housing Partners:

The City of Delray Beach, The CRA, The Delray Beach Housing Authority, The TED Center, The Delray Beach CDC and the Community Financing Consortium, Inc.

Implementation of these policies and procedures shall be the responsibility of the City of Delray Beach Director of Community Improvement, the Executive Directors of the Housing Authority, the CRA, and the TED Center, and the President of the Delray Beach CDC.

IV. Program Description

The following is a summary description, homebuyer eligibility criteria and overall procedures for implementation of the of the various components of the Delray Beach Renaissance Program.

A. Homebuilding

This component involves the construction of 70 new single family units and the acquisition and rehabilitation of 10 additional single family units to be sold to the very low, low and moderate income home buyers. Subsidy is available for eligible homebuyers from the City's SHIP, HOME and Bootstrap Rehab Program, the Community Redevelopment Agency's Affordable Housing Program, the Delray Beach Housing Authority, the Federal Home Loan Bank Affordable Housing Program and other public and private sources which may be made available in the future. The amount of subsidy combined from all sources shall not exceed \$20,000 per household. Subsidy shall be awarded to homebuyers on a first come, first served basis, with no preferential consideration being provided to either Non Profit agency.

1. Eligibility and Priority Considerations

Program administrators shall provide assistance in consideration of the following:

- a) **Family Status** - Parental households with dependent children shall receive primary consideration.
- b) **Residency** - families who are current residents or who are employed within the City of Delray Beach.
- c) **Income** - Families whose income levels do not exceed 80% of the Median Family Income (MFI) adjusted for family size (following HUD Section 8 guidelines). Those families with incomes below 50% shall be targeted for 64 of the 80 units with those whose incomes not exceeding 65% of MFI targeted for 16 of the units. Income will be verified by contacting employers, Income Tax records and/or three pay periods of check stubs.

- d) **Credit Worthiness** - A credit report will be requested and reviewed with the participating lender. Only those households meeting the lenders credit standards will be processed further.
- e) **Debt Ratio (Affordability)** - Applicants will be screened on the lenders income to housing debt ratios. Housing expenses (PITI) may exceed 30% of the households' income; however, this amount shall not exceed 30% of the area median income limits adjusted for family size for the income category.
- f) **Public Housing/Section 8 Tenants** - Some preference will be given to those eligible families that are presently residing at Carver Estates Public Housing Complex or are currently receiving Section 8 rental assistance.
- g) **First Time Homebuyers** - In accordance with Federal Regulations at 24 CFR 92.2, first time homebuyers include displaced homemakers, single parents and families who have not owned a home within 3 years prior to application for housing assistance.

2. **Homebuyer Assistance**

- a) **Assistance with Construction Financing** - Low or no-interest loans up to \$20,000, averaging approximately \$15,000, may be made for principal reduction; the payment of closing costs and payment of impact fees (ordinances adopted by Palm Beach County and the City of Delray Beach do not allow the waiver of impact fees). Principal Reduction will be secured as a second mortgage on the property and run for 15 years with a 0% interest rate. For each year the household lives in the property as their principal residence 1/15 of the assistance amount will be forgiven. Subsidy assistance provided with Federal Home Loan Bank dollars will be secured by a third position mortgage.
- b) **Lot Acquisition for New Construction** - Assistance with the purchase of vacant, single family lots within the boundaries of the CDBG Target Area may be given to eligible sponsors or the very low and low income households needing to subsidize a portion of the cost of the home or mortgage to reduce the end price. Lots acquired and provided to eligible sponsors and/or families will be conditioned on construction beginning within twelve months of closing or assignment of the lot, and the condition that the new unit must be completed within 24 months of the fiscal year in which it was acquired.

- c) Families receiving this form of assistance must be approved for a mortgage. Lots shall be provided on a first come/first served basis.
- d) **Acquisition/Rehabilitation Assistance** - Assistance to very low and low income households to purchase existing homes which may need repair and will be used as their principal home may be provided. The assistance provided will be in the form of a deferred loan up to \$15,000, with the average assistance per unit being approximately \$8,000. This assistance will be secured as a second mortgage on the property and run for 15 years with a 0% interest rate. For each year the household lives in the property as their principal residence 1/15 of the assistance amount will be forgiven.

3. **Recapture Provisions**

Families assisted under this program shall be contractually subject to Recapture Provisions as set forth in the Palm Beach County/City of Delray Beach HOME Consortium Program Description and the City of Delray Beach SHIP Housing Assistance Plan. These provisions require that purchasers must occupy the unit assisted as the principal residence for a period of 15 years. Any subsequent low income purchaser must also retain the house as principal residence for the balance of the period. If the unit is subsequently sold to a non low income buyer, then the initial assistance, less mortgage amortization, shall be payable in full. These provisions shall be secured by a mortgage note which shall be recorded in the Public Records of Palm Beach County.

4. **Application Process/Loan Processing**

Applications for Affordable Housing assistance may be obtained from either participating agency (City of Delray Beach, CRA, Delray Beach Housing Authority, The TED Center or The Delray Beach CDC). Each application for assistance shall be processed by either the TED Center or the Delray Beach CDC.

Upon receipt of application, the Non-Profit agency shall determine eligibility of applicant, provide pre-qualification services, credit counseling, housing unit and lot selection and building contractor assistance.

Upon the completion of the pre-qualification, eligibility and other applicant processing, the non-profit shall notify the City of Delray Community Development Coordinator of the estimated amount of required subsidy. The non profit shall consult with the Community Financing Consortium to obtain a valid pre-qualification amount.

The following shall be considered a formal notification:

1. A Standard Form of Agreement Between Owner and Contractor
2. Detailed Construction Costs including all hard and soft costs including detailed developer's fees if any.
3. Specification Sheets
4. Income Certification Form
5. Lot Acquisition Contract

Upon receipt of the applicant packet from the non profit, the CD Coordinator shall verify eligibility in accordance with Federal, State and Local regulations. Once this information has been verified, the applicant shall be referred to the Community Financing Consortium for underwriting and mortgage approval.

5. Contractor Pre-qualification and Selection Process

The participating nonprofit agencies, the TED Center and the Delray Beach CDC shall be responsible for pre-certifying and selecting builders for the development of housing. The nonprofit agencies shall advertise an invitation for contractors to participate and shall develop a list of a minimum of 5 and a maximum of 7 general contractors who meet the following general criteria:

1. Proof of license and insurance
2. Demonstrative Financial Soundness
3. Ability provide a 10-year Home Owners Warranty Program
4. Ability to provide a minimum of three different floor plans
5. Ability to provide an affordable product
6. Possesses a proven track record in the Single Family Affordable market as attested to by governmental agencies, nonprofits, homebuyers, banks and suppliers.
7. Ability and willingness to invest \$200 annually upon acceptance as a participant contractor and \$50 for each unit contracted to build. These funds are to be used for marketing the Renaissance Program

6. Mortgage Financing

Upon receipt of the above described packet, the Community Financing Consortium shall proceed with its underwriting and loan processing. Within one week of loan closing, verification of subsidy needs and a formal request for funds shall be provided to the City of Delray Beach.

7. Mandatory Homebuyer Seminars

Homebuyers shall be required to attend at least one 4-hour training session. The City of Delray Beach, each non-profit agency and the Community Financing Consortium shall jointly coordinate each session.

These sessions shall at a minimum include the following topics:

1. Personal Finance and Planning
2. Credit and Borrowing
3. Fair Housing Issues
4. Maintenance and Upkeep
5. Underwriting Criteria
6. Property Tax Information
7. Other information as required by participants and federal/State regulations.

B. Credit Incubator

We project that there will be applicants whose credit history will deter them from purchasing a home during the first years of the Renaissance program. This component provides for the acquisition of four units to be owned and managed by the participating non profits for the purpose of leasing to applicants with less than desirable credit histories. These applicants would be required to attend seminars and other ongoing programs designed to repair damaged credit. At the end of their incubation period, the applicant would be given the opportunity to purchase the unit occupied. Subsidy would be provided at closing as in the Homebuilding component.

C. Title Repair

There are a number of vacant lots within the City of Delray Beach that, due to many reasons, have faulty titles. Many of the lots have been demolished over a period of 10 years by the City (eliminating blight) or owned by heirs of persons who died with no Will, or merely were never recorded properly in County records. This component involves the purchase of and/or the contracting and assignment of contracts for lots through the Community Redevelopment Agency. The CRA shall provide title clearance for subsequent sale to a purchaser.

D. Community Stabilization

This component incorporates the City of Delray Beach's existing CDBG-funded housing rehabilitation program, the locally funded Neighborhood Programs and Community Oriented Code Enforcement programs in order to enhance the construction efforts. The City currently provides CDBG grants to low income homeowners for substantial rehabilitation. Additionally, local funds are provided to improve the exterior of owner-occupied housing units. Also, with the adoption of the 1990 Comprehensive Plan, the City committed to provide technical assistance to organizing neighborhood associations throughout the City. These programs along with our Community Oriented Code Enforcement have already created a visually improved community since 1990.

Approved Policies and Procedures of the CDBG program and Code Enforcement shall govern this component.

E. Cabinet Construction Apprenticeship

This component shall take its lead from the private builders, who in cooperation with local vocational schools shall provide on-the-job training opportunities to persons enrolled in cabinet making programs. These apprentices shall provide the cabinets for the new construction component of the Delray Beach Renaissance.