

Section 4: The Redevelopment Plan and Homeless Assistance Submission

This section defines the redevelopment plan, homeless assistance submission, and the public comment submission requirements. It also discusses resources that may facilitate the local reuse planning process.

Materials to be Submitted to HUD and to the Military Department

The LRA must submit the following three items:

- The redevelopment plan.
- The homeless assistance submission.
- A summary of public comments on both documents.

The Redevelopment Plan

The Redevelopment Act describes the redevelopment plan as “a conceptual land-use plan prepared by the recognized LRA to guide local reuse of the former military installation.” It is a strategic plan for the reuse of an entire installation. The redevelopment plan must explain the proposed reuses of the military installation and how this reuse will achieve a balance in responding to the community’s needs. No specific format is required; it may include statistics, graphics, maps, narrative descriptions, or other materials.

Homeless Assistance Submission

The homeless assistance submission consists of the following five components. Refer to the Redevelopment Act or the regulations if additional clarity on the submission is needed.

- 1. Information about homelessness**
- 2. Notices of Interest (NOIs)**
- 3. Legally Binding Agreements**
- 4. Balance**
- 5. Outreach**

Component 1 - Information about homelessness in the communities within the vicinity of the specific military installation - Obtain information from the Consolidated Plan and/or other local planning documents. Explain how this information was taken into consideration in developing the plan. Different scenarios are provided, illustrating how communities of different sizes might collect information:

Scenario A: Large communities. The submission from the LRA for a large (HUD entitlement) community shall include:

- Two tables from the Consolidated Plan: Table 1, Homeless and Special Needs Population. Table 2, Priority Homeless Needs Assessment.
- The narrative sections of the Consolidated Plan that reference these tables. The narrative must describe the community's homeless assistance needs, the current inventory of homeless facilities and services, and the identified gaps in the Continuum of Care. LRAs may need to submit materials from more than one Consolidated Plan if the LRA covers multiple jurisdictions.

Scenario B: Communities that are cities within an urban county (as defined by HUD). Submissions from the LRAs for these communities shall include:

- All the information under Scenario A.
- A discussion of the homeless needs/inventory/gaps described in the Consolidated Plan and how they apply to the specific jurisdiction(s) that are in the vicinity of the installation.

Scenario C: Communities located within a jurisdiction that does not prepare a Consolidated Plan. These jurisdictions primarily represent rural communities.

The LRAs for these communities shall submit:

- A description of the homeless population it perceives to be present in the community. LRAs that represent these jurisdictions are not required to conduct surveys of the homeless population.
- A brief inventory of existing services and homeless facilities to serve that population.
- A description of the unmet needs within the context of existing facilities and information on services to move the homeless toward self-sufficiency, within the context of a Continuum of Care approach.

Component 2 - Notices of Interest (NOIs) - This section of the submission shall include:

- A copy of each NOI sent to the LRA by those providers that propose homeless assistance activities.
- A description of the NOIs being supported with buildings, property, and/or funding and an explanation for this support. Also to be included are explanations of why the remaining NOIs were not selected, such as adverse impact on the community, lack of financial resources or capacity, and/or inconsistency with the Consolidated Plan.
- A description of the impact that selected NOIs will have on the community in the vicinity of the installation, addressing the following questions:

- Will the selected NOIs affect the character of existing neighborhoods adjacent to the properties proposed to assist the homeless? What impact will the NOIs have on schools, social services, transportation systems, and infrastructure?
- Will the selected NOIs have the adverse effect of concentrating minorities and/or low-income persons in the vicinity of the installation?
- Will the community in the vicinity of the installation ensure that general services such as transportation, police, fire, water, sewer, and electricity are available in conjunction with the proposed homeless assistance activities?

Refer to the Redevelopment Act or the regulations for additional clarity on the NOIs.

Component 3 - Legally Binding Agreements.

Each NOI selected for homeless assistance must be finalized in legally enforceable documents, referred to as the legally binding agreements (LBAs). The LBAs are the concrete result of negotiations between the LRA and the homeless assistance provider. HUD recommends that both parties engage legal counsel to negotiate and draft LBAs. The homeless assistance project described in the LBAs may differ from the NOI submitted by the homeless assistance provider. However, the LBAs must both commit the LRA to fulfilling the homeless assistance component of the redevelopment plan and commit the homeless assistance provider to carry out the proposed activity. In the future, if either the LRA or the homeless assistance provider fails to fulfill its commitment, the other should be able to enforce the contract through legal action.

Although the LBAs need not be executed when submitted to HUD, they must include all documents legally required to complete the transactions necessary to realize the homeless uses described in the plan upon which balance is predicated. The LBAs may commit properties on or off the base, funding, services, or some combination of these.

Key Elements of the Legally Binding Agreement

- If base property is being transferred to a provider, the LBA will include the contract, proposed deed or lease and any restrictive covenants.
- If base property is being transferred to a provider, the LBAs must contain a process for negotiating alternative arrangements if an environmental analysis indicates that property identified for transfer is not suitable for the intended purpose. The parties should seek functional equivalence in alternative property.
- If the LRA has agreed to make payments in lieu of providing property, the LBAs should explicitly stating the source and amount of funds, the payment schedule, and the purpose for which the funds will be used.
- If property yet to be identified off base is to be offered, the LBA will adequately describe the requirements for the property (size, zoning, etc), when it will be transferred, and what will happen if suitable property is not found within a specified time period.
- The LBAs must provide for reversion or transfer of the property to the LRA or another entity if the homeless assistance provider ceases to use the property for homeless assistance.
- The LBAs must be accompanied by a legal opinion of the chief legal advisor(s) to the LRA or the political jurisdiction(s) that will be executing the LBAs. The legal opinion will state that, when executed, the LBAs will constitute legal, valid, binding and enforceable obligations on the parties.
- If the LBAs are not executed when submitted to HUD, they must be accompanied by a letter from the chief executive officer of the homeless assistance provider stating that the provider has agreed to the terms.
- LBAs may not be conditioned upon the subsequent approval of any other federal agency.

Component 4 – Balance

The LRA shall discuss (1) how the reuse plan balances the need for economic redevelopment, other types of development, and homeless assistance in the community in the vicinity of the installation, and (2) how this plan is consistent with the Consolidated Plan and other existing housing and community development plans adopted by the jurisdictions in the communities served by the LRA.

Component 5 - Outreach

The LRA shall include the following items in this portion of the submission:

- A listing of all jurisdictions in the area served by the LRA, describing the required catchment area for outreach to homeless assistance providers.
- A copy of the newspaper advertisement placed by the LRA, including the name of the newspaper(s) and date(s) of publication.
- A listing of homeless assistance providers that the LRA has consulted during the process of preparing its application.
- A description of the outreach efforts made to homeless assistance providers in the community in the vicinity of the installation.
- A description of the workshop conducted on the installation during the outreach period.

Public Comment Requirements

Because the Redevelopment Act supports a locally controlled reuse process, the LRA must ensure that the local community has an opportunity to be involved in the planning process. Therefore, the LRA must:

- Provide an overview of the citizen participation process.
- Make the draft redevelopment plan and homeless assistance submission available for public review and comment throughout the application preparation process.
- Conduct at least one public hearing on the application prior to its submittal and include a summary of citizens' comments as part of the redevelopment plan and the homeless assistance submission.

Application Submission Format Requirements

The LRA may submit these documents in any format it wishes, providing that they contain all of the required elements (conceptual land-use plan, homeless outreach efforts, information on homelessness, NOIs, legally binding agreements, and demonstration of balanced reuse).

Resources to Facilitate the Reuse Planning Process

Consolidated Plan and Continuum of Care

Most localities have already developed these two planning documents. Therefore, LRAs do not have to “reinvent the wheel” as they plan an installation’s reuse (for example, conduct homeless surveys or community development needs assessments). These documents can provide valuable insights into current efforts, including any shortcomings.

Local HUD Field Office

To ensure that documents are complete and to avoid unnecessary delays in HUD's approval process, the LRA, homeless assistance providers, and other interested parties should contact local HUD Field CPD Offices for information and assistance. The LRA should contact HUD Field CPD Office personnel early in its planning process to help prepare the redevelopment plan and homeless assistance submission (see Appendix 1 for a listing of HUD Field CPD Offices).

Mailing List of Homeless Assistance Providers

By providing the ZIP codes of communities in their required outreach area to the HUD Field CPD Offices, LRAs may obtain mailing lists of homeless assistance providers from HUD's database of those providers located in the vicinity of specific installations. The lists can be generated in a variety of formats (for example, address labels or alphabetized lists).

HUD Field Offices Assistance to Communities & LRAs

HUD Field Offices can provide the following assistance:

- Explain the Consolidated Plan and describe how this document can facilitate base reuse planning.
- Identify the communities with Consolidated Plans.
- Provide demonstrations of the Consolidated Plan mapping software.
- Explain the concept of a Continuum of Care system and describe how the homeless needs/inventory/gaps assessment in local homeless assistance efforts can be useful.
- Explain the base reuse process.
- Facilitate the LRA's outreach efforts by providing lists of homeless assistance providers. This information can be obtained from HUD, which maintains a national providers database that can be sorted by ZIP code.
- Provide reminders about environmental issues that must be considered when providing housing and services to homeless individuals and/or families.
- Discuss HUD programs and other Federal resources that are available to help finance the renovation and operation of homeless assistance projects as well as other community and economic development projects (see Appendix 2 for HUD programs).

Final Submission of Application to HUD

One copy of the LRA application, consisting of the redevelopment plan, the homeless assistance submission, and the summary of the public comments on both documents are sent to HUD Headquarters, the local HUD Field Office, and to the local HUD Field Office.

Two Copies to: **HUD Headquarters:**

Assistant Secretary for Community Planning and Development
U.S. Department of Housing and Urban Development
ATTN: BRAC Coordinator
451 7th Street SW., Room 7266
Washington, DC 20410

One Copy to: **HUD Field CPD Office** (See Listing in Appendix 1)

One Copy to: **Military Department** (Send to the appropriate military district office.)