

## **Attachment 21 – CEQA Compliance**

### **Project Homekey Land Use Exemption**

Funding received through this NOFA will be used to cover the cost of providing housing for individuals and families who are experiencing homelessness or who are at risk of homelessness, as defined in Section 578.3 of Title 24 of the Code of Federal Regulation, and who are impacted by the COVID-19 pandemic. The funds would cover the cost of

1. Acquisition of property
2. Conversion of units from nonresidential to residential
3. Capitalized operating subsidies

Because funding would be used for the above purpose, the project is deemed consistent with and in conformity with any applicable local plan, standard, or requirement, and is allowed as a permitted use, within the zone in which the structure is located, and shall not be subject to a conditional use permit, discretionary permit, or to any other discretionary reviews or approvals.

### **NEPA Exemption**

As this project is not using federal funding for the acquisition of this property, NEPA clearance is not applicable.

### **Project Homekey CEQA Timeline**

Upon successful award of funds, project proponent anticipates utilizing the statutory exemption established in Health and Safety Code section 50675.1.2 for the proposed project, which states that CEQA shall not apply to any project, including a phased project, that is funded pursuant to Section 50675.1.1, subject to the following requirements:

- (1) No units will be acquired by eminent domain.
- (2) The units will be in decent, safe, and sanitary condition at the time of their occupancy.
- (3) The project proponent will require all contractors and subcontractors performing work on the project to pay prevailing wages for any rehabilitation, construction, or alterations in accordance with Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.
- (4) The project proponent will obtain an enforceable commitment that all contractors and subcontractor performing work on the project will use a skilled and trained workforce for any

rehabilitation, construction, or alterations in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code.

(5) The project proponent will submit to the lead agency a letter of support from a county, city, or other local public entity for any rehabilitation, construction, or alteration work.

(6) Acquisition of property will be paid for exclusively by public funds.

(7) The project will provide housing units for individuals and families who are experiencing homelessness or who are at risk of homelessness.

(8) Long-term covenants and restrictions will require the units to be restricted to persons experiencing homelessness or who are at risk of homelessness, which may include lower income, and very low income households, as defined by Section 50079.5, for no fewer than 55 years.

(9) The project does not increase the original footprint of the project structure.

or

The footprint of the structures would be increased by less than 10 percent. This increase will be exclusively to support the conversion to housing for the designated population, including, but not limited to, both of the following:

(A) Achieving compliance with local, state, and federal requirements.

(B) Providing sufficient space for the provision of services and amenities.

Final review for compliance with these statutory requirements, and/or any other required review for the proposed project shall be completed prior to final project approval, as such dates are listed below, which may include any environmental review that may be completed as part of the due diligence period:

#### **Project Homekey Timeline**

<b>TASK</b>	<b>ESTIMATED DATE TO COMPLETE</b>
Letter of Intent and Exclusive Negotiating Agreement	August 13
Order Title Report from Cal Land Title	August 14

Contract for Appraisal	August 21
Contracts for Due Diligence Investigations-Reports	September 4
Marin County Board of Supervisors Closed Session Instructions to County Negotiator	September 15
Notice to Proceed – Appraisal	September 15
Notice to Proceed – Due Diligence Investigations-Reports	September 15
Purchase and Sale Agreement draft for internal review	September 15
Purchase and Sale Agreement negotiations with Seller	October 9
Appraisal Report provided by appraiser for staff review	October 12
Due Diligence Reports provided by contractors for staff review	October 12
Marin County Board of Supervisors Hearing Resolution of Intention to Purchase – Government Code 25350 and 6063	October 20
Government Code 25350 and 6063 required Resolution publishing	November 6

Marin County Board of Supervisors Hearing to approve Purchase and Sale Agreement, accept Homekey grant funds, allocate purchase funds, approve Certificate of Acceptance, approve all other documents necessary to close escrow	November 10
Draft escrow instructions and send all to Cal Land Title for review	November 13
Provide fully executed Purchase and Sale Agreement to Seller	November 13
Provide Seller list of due diligence items to address prior to close	November 13
Request title exceptions to be cleared through Cal Land and Seller	November 18
Request estimated close date from Cal Land and Seller	November 18
Transmit all document necessary to close to Cal Land	November 20
Property Inspection to confirm all contract conditions are met	November 23
Transmit funds to close to Cal Land	November 24
Final property inspection and confirmation prior to close	November 24

Close Escrow and Take Possession of Property	November 30
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As required by Section 50675.1.2, if and upon determination that the proposed project is not subject to the CEQA and final project approval, the lead agency shall file a Notice of Exemption with the State Clearinghouse and the County Clerk's office, as specified in of Section 21152 of the Public Resources Code.