

Exhibit S
17.110 – Reasonable Accommodation

17.110.010 – Purpose

The purpose of this Chapter is to establish procedures and requirements for making requests for reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures.

It is the goal of the City to provide reasonable accommodations in the application of the Municipal Code to provide individuals with disabilities reasonable accommodation in rules, policies, practices, and procedures to ensure equal access to housing and to facilitate the development of housing for individuals with disabilities, pursuant to the Fair Housing Amendments Act of 1988 and the California Fair Employment and Housing Act.

17.110.020 – Applicability

- A. **Applicants.** A request for reasonable accommodation may be made by any individual with a disability, their representative, or a developer or provider of housing for individuals with disabilities, when a requirement of Title 17, Zoning, or other requirement, regulation, policy, or practice acts as a barrier to fair housing opportunities. This chapter is intended to apply to individuals with disabilities as “disability” is defined under federal and state acts.
- B. **Allowed Exceptions/Modifications.** A request for reasonable accommodation may include a modification or exception to the rules, standards, practices and procedures for the siting, development, use of housing or housing-related facilities, and any other land use requirements that would eliminate regulatory barriers and provide an individual with a disability equal opportunity to housing of their choice.
- C. **Length of Time.** A reasonable accommodation is granted only to the household that needs the accommodation and does not apply to successors in interest to the site.

17.110.030 – Application

- A. **Application.** An application for a Reasonable Accommodation shall be filed on the form and supplemental information form prescribed by the City and filed with the Planning Division.
- B. **Fee.** The application fee shall be the same fee as an Administrative Permit (Over the Counter).
- C. **Materials.** The Applicant shall submit the information and plans listed on the City’s Reasonable Accommodation Supplemental Information Form.

- D. **Other Required Permits.** No other discretionary permit shall be required for a reasonable accommodation request. If a project for which the reasonable accommodation is being requested also requires a discretionary approval (such as a Conditional Use Permit, Rezoning, Site and Architectural Review, etc.), the applicant shall submit the request for reasonable accommodation first, prior to proceeding with the other required application types.

17.110.040– Review Procedures

- A. **Review.** The Community Development Director shall review all Reasonable Accommodation applications in accordance with Section 17.70.060, Application Review and shall provide written notice of a request for additional information or notice of the Director’s decision to approve or deny the request within 30 days of the date of application.
- B. **Ministerial Review.** Reasonable accommodation shall be ministerial in compliance with this Chapter without the need for noticing the project or the approval of a variance, conditional use permit, special use permit or other exception process.
- C. **Alternative Reasonable Accommodations.** The Community Development Director may require an alternative reasonable accommodation(s) that provide an equivalent level of benefit to the Applicant in order to approve the request.
- D. **Action.** The Community Development Director shall provide a written decision on the request to the Applicant following project review, if all of the required findings in Section 17.110.050 can be made.

17.110.050 – Required Findings

In approving or denying a Reasonable Accommodation request, the Community Development Director shall make the following findings.

- A. The reasonable accommodation is requested by or on behalf of an individual(s) with a disability in accordance with Section 17.110.020.
- B. The requested accommodation is necessary to provide an individual(s) with a disability an equal opportunity to use and enjoy an existing dwelling unit or to facilitate the development of such a housing unit.
- C. The requested accommodation will not impose an undue financial or administrative burden on the City.
- D. The requested accommodation will not result in a specific, adverse impact to the health or safety of people living or residing in the area.

17.110.060 – Appeal

Within 30 days of the date of the Community Development Director's decision of a Reasonable Accommodation application, an Applicant may appeal an adverse decision in writing in accordance with Chapter 17.78, Appeals.