

CITY OF PIEDMONT
120 VISTA AVENUE
PIEDMONT, CA 94611
TEL: (510) 420-3050
FAX: (510) 658-3167

RECEIVED BY _____
DATE FILED _____
APPLICATION # _____
FEE: None
(For staff use only)

REQUEST FOR REASONABLE ACCOMMODATION

It is the city’s policy to provide individuals with disabilities reasonable accommodation in regulations and procedures to ensure equal access to housing, and to facilitate the development of housing. The purpose of this application is to enable a disabled person to request a reasonable accommodation in the application of zoning requirements.

This application and Section 17.76 are based on requirements of the Federal and State fair housing laws, and implements the Housing Element of the City’s General Plan. It is distinct from the requirements for a variance set forth in division 17.70, Variances.

Property Owner Information

| | |
|--|--------------------------------|
| Name(s) of Property Owner(s) _____ | |
| Address of Property _____ | Zip Code: _____ |
| Mailing Address of Property Owner(s) (if different from above) _____ | |
| _____ City, State, Zip Code: _____ | |
| Telephone Number _____ | Preferred Contact Method _____ |
| Mobile Number _____ | Email _____ |

Application Information

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|--|
| <p>Is this request being submitted in conjunction with a design review or other application? _____ YES _____ NO*</p> <p>*If NO, please confirm with a planner that no other application is required.</p> <p>Application Type: _____ (For staff use only)</p> <p>Application Number: # _____ (For staff use only)</p> |
|--|

Requesting reasonable accommodation.

A. Request. An individual with a disability may request a reasonable accommodation in the application of the city’s land use and zoning regulations. Such a request may include a modification or exception to the requirements for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers. A reasonable accommodation cannot waive a requirement for a conditional use permit when otherwise required or result in approval of uses otherwise prohibited by the city’s land use and zoning regulations.

B. Availability of information. Information regarding this reasonable accommodation procedure will be available at the public information counters in the department of public works,

advising the public of the availability of the procedure for eligible applicants, and be made available on the city's website.

C. Assistance. If an applicant needs assistance in making the request, planning staff will endeavor to provide the assistance necessary to ensure that the process is available to the applicant.

D. Balancing rights and requirements. The city will attempt to balance (1) the privacy rights and reasonable request of an applicant for confidentiality, with (2) the land use requirements for notice and public hearing, factual findings and rights to appeal, the city's requests for information, consideration of an application, preparation of written findings, and maintenance of records for a request for reasonable accommodation.

Authorization of Reasonable Accommodation Request Submittal

My signature below signifies that I:

- have read the background document and have provided all applicable information per the attached Reasonable Accommodation checklist.
- believe the information provided in this request is accurate to the best of my knowledge.
- am aware that City staff will be on my property to view proposed construction. (*Please note any special instructions regarding access to your property such as dogs, gates, alarms, etc.*) _____

- understand that if this request is approved, a building permit (issued within one year from the approval date) is required for construction and that no construction may commence prior to the issuance of the building permit. No changes may be made without City approval, and changes may require a new application.
- understand that if there is a third party administrative, legal or equitable action challenging the project approvals, including CEQA issues, that I, the Property Owner, shall defend and indemnify the City against any liability, fees and costs arising out of the defense, including the costs of City's own counsel. If such an action is filed, the Property Owner and City shall then enter into an agreement regarding selection of counsel and other provisions related to the defense. For this purpose, "City" includes the City and its elected and appointed officials, agents, officers and employees.

➤ **SIGNATURE(S) OF**
PROPERTY OWNER _____ **Date** _____
PROPERTY OWNER _____ **Date** _____

INSTRUCTIONS

Submit this reasonable accommodation request in conjunction with the required design review or other application, and all additional documentation as outlined in the Reasonable Accommodation Application Checklist.

APPLICATION ELIGIBILITY

(To be completed by the applicant)

If the application involves physical changes to the property subject to design review under division 17.66, the Director will review and decide the reasonable accommodation request application. The request will be approved or approved with conditions only if the Director finds that all of the following are met: (1) the reasonable accommodation request meets the standards set forth in Section 17.76 of the Municipal Code; (2) findings can be made for each of the four standards of Section 17.76.050. The Director may refer the matter to the Planning Commission.

The Planning Commission will review and decide upon requests for reasonable accommodation (including whether the applicant is an individual with a disability within the meaning of this division), when an application involves a variance or other land use entitlement under this chapter, or when referred by the Director.

1.) Please provide the basis for the claim that the individual is considered disabled under the fair housing laws. Identify and describe of the disability which is the basis for the request for accommodation:

2.) Identify the rule, policy, practice and/or procedure of the city for which the request for accommodation is being made, including the zoning code regulation from which reasonable accommodation is being requested:

3.) Please Identify the type of accommodation sought:

4.) Identify the reason(s) why the accommodation is reasonable and necessary for the needs of the individual(s) with a disability (where appropriate, include a summary of any potential means and alternatives considered in evaluating the need for the accommodation):

APPLICANT'S REASONABLE ACCOMODATION FINDINGS

Please describe how the request for reasonable accommodation meets the criteria of the Chapter 17 of the Piedmont City Code (§17.76.050):

(1) The housing will be used by an individual with a disability;

(2) The requested accommodation is necessary to make specific housing available to an individual with a disability;

(3) The requested accommodation would not impose an undue financial or administrative burden on the city; and

(4) The requested accommodation would not require a fundamental alteration in the nature of a city program or law, including land use and zoning.

**REASONABLE ACCOMODATION APPLICATION
CHECKLIST**

___ Application form signed by property owner(s)

If required, the application must be submitted in conjunction with a design review, or other application.
Unless otherwise determined by staff, plans submitted for REASONABLE ACCOMODATION must include:

Please label all supporting documents with the property's address.

___ **Medical Certification**

Please include current, written medical certification and description of disability and its effects on the person's medical, physical or mental limitations.

___ **Documentation**

Please include copies of memoranda, correspondence, pictures, plans or background information reasonably necessary to reach a decision regarding the need for the accommodation. Include any other supportive information deemed necessary by the city to facilitate proper consideration of the request, consistent with fair housing laws.