

## **Summary**

It is the policy of the County of Siskiyou to provide people with disabilities reasonable accommodation in rules, policies, practices and procedures as may necessary to ensure equal access to housing. This document details the process by which individuals with disabilities may make requests for reasonable accommodation for relief from County land use, zoning or building laws, rules, policies, practices and procedures.

## **Requesting Reasonable Accommodation**

1. In order to make specific housing available to an individual with a disability, a disabled person or their representative may request, prior to submitting a permit application, reasonable accommodation relating to the various land use, zoning, or building laws, rules, policies, practices and procedures of the County. For example, an applicant may request relief from setback requirements in order to install an access ramp.
2. A request for reasonable accommodation may be submitted at any time to ensure equal access to housing.
3. If an individual needs assistance in making the request for reasonable accommodation or appealing a determination regarding reasonable accommodation, the Department will endeavor to provide the assistance necessary to ensure that the process is accessible to the applicant or representative. The applicant is entitled to be represented at all stages of the proceeding by a person designated by the applicant. Due to funding constraints, the County will not provide a representative for the applicant.
4. If the project for which the request is being made also requires some other planning permit or approval, then the applicant may alternatively choose to submit the request together with the application for such permit or approval.

5. The Request may be emailed to [planning@ca.siskiyou.co.us](mailto:planning@ca.siskiyou.co.us). It may also be sent to Planning Director, County of Siskiyou, Planning Department, 806 S. Main Street, Yreka, CA 96097 or submitted in person at that address during regular hours.

### **Required Information**

1. Applicant's name, address and telephone number;
2. Assessor's parcel number and address of the property for which the request is being made;
3. The current actual use of the property;
4. The code provision, regulation or policy from which accommodation is being requested; and
5. Verification of the claim that the individual is considered disabled under the Federal Fair Housing Act or the California Fair Employment and Housing Act and a brief description of why the accommodation is necessary to make the specific housing available to the individual.

### **Notice of Request for Accommodation**

1. Notice of the request for reasonable accommodation is mailed to the owners on record of all properties which are immediately adjacent to the property that is the subject of the request. In the event that the request is being made in conjunction with some other permit process, notice is transmitted along with the notice of the other proceeding.

### **Review by the Planning Director**

1. The Planning Director or designee considers requests for reasonable accommodation. The Chief Building Official advises the Planning Director on requests that involve the Building Code.

2. The Planning Director shall issue a written determination within 30 days of the date of receipt of a submitted request and may (a) grant the accommodation request, (b) grant the accommodation request subject to specified nondiscriminatory conditions, or (c) deny the request. All written determinations shall give notice of the right to appeal.
3. If necessary to reach a determination on the request for reasonable accommodation, the Planning Director may request further information from the applicant consistent with the request for reasonable accommodation, specifying in detail what information is required. In the event a request for further information is made, the 30-day period to issue a written determination shall be stayed until the applicant responds to the request.

### **Required Findings**

The following findings must be made and adopted before any action is taken to approve or deny a request for reasonable accommodation and must be incorporated into the record of the proceeding relating to such approval or denial.

1. The housing, which is the subject of the request for reasonable accommodation, will be used by an individual protected under the Federal Fair Housing Act or the California Fair Employment and Housing Act.
2. The request for reasonable accommodation is necessary to make specific housing available to an individual protected under the Federal Fair Housing Act or the California Fair Employment and Housing Act.
3. The requested reasonable accommodation will not impose an undue financial or administrative burden on the County.
4. The requested accommodation will not require a fundamental alteration of the zoning or building laws, policies and procedures of the

County.

5. The requested accommodation will not unduly deprive adjacent properties of light, air and open space.

### **Notice of Proposed Decision**

1. Within 10 days of the date the notice is mailed, any person may make a request for a Planning Director's review of a proposed decision.
2. If no request for review is received, the proposed decision becomes final.

### **Hearing**

If a request for review is received, the Planning Director shall conduct a review hearing on the Request for Reasonable Accommodation at which all evidence and testimony shall be considered.

### **Notice of Director's Decision**

1. Within 30 days after the hearing, the Planning Director must issue a decision granting the request, including any reasonable conditions, or denying the request.
2. The notice of decision shall contain the Planning Director's factual findings, conclusions and reasons for the decision.
3. The notice of decision shall be mailed to the applicant or their representative and any owners of record of properties which are immediately adjacent to the property which is the subject of the request.

### **Removal of Improvement**

All improvements constructed for reasonable accommodation shall be removed upon the vacation of the unit by the person to whom the reasonable

accommodation was granted unless it is determined that the unit has been re-occupied by a qualified person, or if it is determined by the County of Siskiyou that the removal of the improvement is not readily achievable.