



CITY OF NEWPORT BEACH

Findings Required for a Reasonable Accommodation

Planning Department
3300 Newport Boulevard
Newport Beach, California 92658-8915
(949) 644-3200

Pursuant to federal law and Chapter 20.98 of the Newport Beach Municipal Code, a request for a reasonable accommodation may be made by any person with a disability, their representative, or a developer or provider for housing for individuals with a disability in order to provide a disabled individual with an equal opportunity to use and enjoy a dwelling. The term “reasonable accommodation” is used here as the term is used in the Federal Fair Housing Act Amendments (FHAA), the Americans With Disabilities Act (ADA), and case law implementing and interpreting those statutes. Reasonable accommodation requests shall be reviewed by a Hearing Officer and approved or conditionally approved so long as there is substantial evidence in the administrative record that establishes that all of the following findings for approval have been made:

FINDINGS

1. The requested accommodation is requested by or on the behalf of one or more individuals with a disability protected under the Fair Housing Laws.
2. The requested accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy a dwelling.
3. The requested accommodation will not impose an undue financial or administrative burden on the City as “undue financial or administrative burden” is defined in Fair Housing Laws and interpretive case law.
4. The requested accommodation will not result in a fundamental alteration in the nature of the City’s zoning program, as “fundamental alteration” is defined in Fair Housing Laws and interpretive case law.
5. The requested accommodation will not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.