



City of Beverly Hills
Community Development Department
Planning Division
455 N. Rexford Drive
Beverly Hills, CA 90210
Tel. (310) 285-1141
Fax. (310) 858-5966

Reasonable Accommodation Planning Review Application

Application Overview:

Before submitting a request for a Reasonable Accommodation, the Applicant should thoroughly review this application, as well as the Beverly Hills Municipal Code (BHMC), available online at www.beverlyhills.org/zoning. The Applicant should also consult with City staff that will be involved in reviewing and processing the application, primarily in the Community Development Department. Electronic copies of all Planning Review Applications are available on the City's Planning Division webpage at www.beverlyhills.org/planningapplications.

Applications will not be accepted if they are not fully complete at the time of submittal.

Application Table of Contents:

There are six (6) parts to this application. Each section must be completed in its entirety, and all requirements must be met in order for this application to be accepted for filing.

- ❖ [Section 1](#) – Process Overview
- ❖ [Section 2](#) – Owner Authorization & Applicant Team Contact Information
- ❖ [Section 3](#) – Property Information & Project Description
- ❖ [Section 4](#) – Supplemental Questions
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Filing Fee:

No application fee shall be required to process an application for a request for a Reasonable Accommodation; however, application fees for any concurrent development application and any other permits that may be required to construct or otherwise implement the Reasonable Accommodation will be required. Please call Community Development at (310)-285-1141 for additional information.

Staff Contact Information:

If you have questions about this application, please call (310)-285-1141 and ask to be directed to Current Planning.

Section 1 – Permit Review Process Overview

Reasonable Accommodation Process:

Reasonable Accommodation requests are reviewed by the Community Development Director or the Director's Designee, unless the request is related to a discretionary land use application for the same site area that requires review by the Planning Commission, in which case the Planning Commission shall be the reviewing authority.

The Community Development Director may also, in his/her discretion, refer applications to the Planning Commission for consideration. In the instance where the application is referred to the Planning Commission for consideration, and there is no other discretionary action connected to the project, the Planning Commission shall hold a public hearing within 45 days after the application is deemed complete, and shall issue a written determination within 60 calendar days after the public hearing.

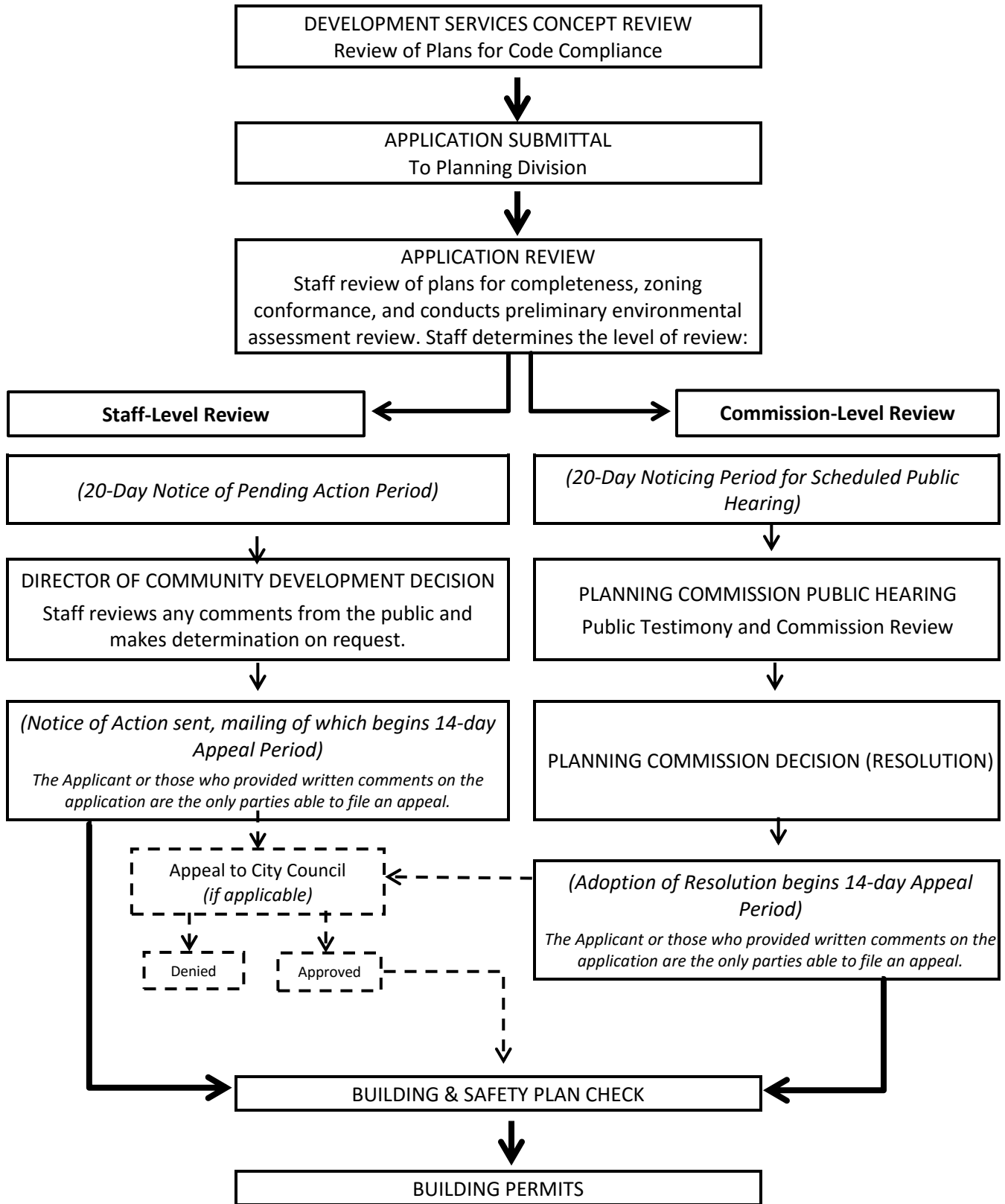
- A request for a Reasonable Accommodation may be made by any disabled person, his/her representative, or a developer or provider of housing for disabled persons, when the application of a zoning law, building code provision, or other land use regulation, policy, or practice acts as a barrier to a disabled person's opportunity to use and enjoy housing equal to that of nondisabled persons.
- A request for a Reasonable Accommodation may include a modification to or exception from the rules, standards, or practices for the siting, development, or use of housing or housing related facilities, in order to allow a disabled person an equal opportunity to use and enjoy housing in accordance with the fair housing laws.
- Where the proposed improvements or modifications would otherwise require a variance, a variance shall not be required.
- The reviewing authority may request additional information to reach a determination on the request, which may cause a stay of the applicable time period to issue a written determination until the request for additional information is satisfied.
- If an individual requires assistance to submit this application, the City shall provide assistance.
- A Reasonable Accommodation is granted to an individual, and shall not run with the land, unless the reviewing authority finds that the modification is physically integrated with the structure and cannot feasibly be removed or altered.
- The Applicant and the City may agree at any time to extend the time period(s) set forth in the BHMC

Expiration and Discontinuance: The Applicant should refer to BHMC §10-3-3676 for information on expiration and/or discontinuance of any Reasonable Accommodation granted.

Revocation or Modification: The Applicant should refer to BHMC §10-3-3677 for information on revocation or modification of any Reasonable Accommodation granted.

Covenant: Prior to the issuance of any permits, the Applicant, or Property Owner (if different), shall record a covenant in the County Recorder's Office on a form approved by the City Attorney, acknowledging and agreeing to comply with the terms and conditions of the approval.

Reasonable Accommodation Review Process



Section 2 – Property Information & Project Description

A. Property Information

Project Address: _____

Legal Description of Property: ¹ _____

Adjacent Streets: _____

Lot Area: _____ (square feet) Assessor Parcel Number(s): _____

Existing Use: _____

Existing Height: _____ Existing Paving Area: _____ (square feet)

Existing Floor Area: _____ (square feet) Existing FAR: _____

Existing Distance from Property Lines:

Front: _____ Side(s): _____, _____ Rear: _____

¹ Legal Description Requirements:

The legal description must include the lot, block, and tract name/number of all contiguously owned parcels (even if the parcels are not a part of the proposed project), and should be based on a Title Report, Grant Deed, or survey from a licensed engineer.

B. Project Information:

Proposed Use: _____

Proposed Height: _____ Proposed Paving Area: _____ (square feet)

Proposed Floor Area: _____ (square feet) Proposed FAR: _____

Proposed Demolition: Yes No If yes, describe: _____

Proposed Distance from Property Lines:

Front: _____ Side(s): _____, _____ Rear: _____

C. Identify the site's zoning designation (City Zoning Map: <http://gis.beverlyhills.org/>):

D. Describe the existing conditions of the subject site (i.e. existing structures, landscaping, and present use):

E. Were any existing structures on the property designed by a Master Architect or are any identified on any historic resource inventory, including the City of Beverly Hills Historic Resource Inventory?

Yes No If yes, please list the architect(s): _____

Please contact the Historic Preservation Group at (310)-285-1141 for more information.

Have you spoken with the Historic Preservation staff? Yes No

F. Does the project involve the removal of a tree on either private property or the public right-of-way? Yes No

If yes, please describe what tree is proposed to be removed, and a brief explanation of the need to remove the tree.

Please contact the City Arborist at (310) 285-2540 for more information about street tree removal or relocations, and whether a letter of authorization from the City Arborist can be issued.

Section 3 – Owner Authorization & Applicant Team Contact Information

A. Property Owner Information:²

Name(s): _____

Address: _____

City: _____ State & Zip Code: _____

Phone: _____

E-Mail _____

² Ownership Information Requirements:

In order to verify that the property owner has given consent to file this application, the following documentation must be submitted at the time of filing.

- ❖ Grant Deed – This is required if the Los Angeles County Assessor’s Records do not match the current ownership as listed on the application. The deed information should match the property owner as listed above.
- ❖ Letter of Authorization – This is required if the property owner does not sign the application. The property owner may instead provide a signed and dated letter in lieu of their original signature on this form, which must authorize the signatory of this application. Please see [Letter of Authorization Example](#) attached to this application.
- ❖ Ownership Entity Documentation – This is required if the property is owned by an entity rather than an individual. Please provide the applicable required documentation for the type of ownership entity, as shown in the table below.

Ownership Documentation Requirements		
Type of Property Owner	Required Ownership Documentation	Documents that May be Required (If Applicable)
Individual	N/A	Grant Deed, Letter of Authorization
Limited Liability Company (LLC)	Operating Agreement or Articles of Organization	Grant Deed, Letter of Authorization
Corporation	Articles of Incorporation, Bylaws, and/or Meeting Minutes	Grant Deed, Letter of Authorization
Limited Partnership (LP)	Partnership Agreement	Grant Deed, Letter of Authorization
Trust	Trust Instrument	Grant Deed, Letter of Authorization

Property Owner Signature:

Choice of Law. This document shall be deemed to have been made in the State of California and shall be construed, and the rights and liabilities of the parties determined, in accordance with the laws of the State of California.

I hereby certify under penalty of perjury under the laws of the State of California that I am the owner(s) of the subject property, or have been authorized to sign on behalf of the property owner, and consent to the filing of this application on the above-referenced property.

Executed on this _____ (Date) of _____ (Month) of 20____ (Year)

in _____ (City), _____ (State).

Dated: _____

BY: _____
(Signature)

(Title, Company)

BY: _____
(Printed Name)

Additional Owner Signature (if applicable):

Dated: _____

BY: _____
(Signature)

(Title, Company)

BY: _____
(Printed Name)

Please indicate the role of the signatory(ies) above:

Owner Applicant Agent/Representative Architect

If the owner did not sign above, is a Letter of Authorization provided*?

Yes No

***Please note that a Letter of Authorization is required when the property owner does not sign this application, but instead has another individual sign on their behalf. See [Letter of Authorization Example](#) at the end of this application for reference. Please also note that if this application will be heard by the Planning Commission or City Council, the property owner will be required to record a Covenant & Agreement to accept the conditions of approval, if applicable.**

B. Applicant Information *[Individual(s) or entity benefitting from the entitlement]*

(Only provide if different from Property Owner)

Name(s): _____
Address: _____
City: _____ State & Zip Code: _____
Phone: _____
E-Mail _____

C. Agent/Representative Information *[Individual acting on behalf of the Applicant]*

Name(s): _____
Company/Firm: _____
Address: _____
City: _____ State & Zip Code: _____
Phone: _____
E-Mail _____

D. Architect/Design Team Information *[If applicable]*

Name(s): _____ Registered Architect? Yes No
Company/Firm: _____
Address: _____
City: _____ State & Zip Code: _____
Phone: _____
E-Mail _____

E. Please indicate who will be the main point of contact for the project:

Owner Applicant Agent/Representative Architect

Section 4 –Supplemental Questions

Have you completed Concept Review for this project? Yes No
If yes, please attach a copy of the concept review letter to this application.

Please indicate the reason for the request, pursuant to BHMC §10-3-3670, and the BHMC regulation, City procedure, and/or policy from which relief is requested:

Please also indicate whether the Applicant will be requesting an additional discretionary action in connection with the proposed project.

Are there any outstanding Code Enforcement citations on the property?

Yes No If yes, please attach copies.

Are there any recorded easements or encumbrances on the property?

Yes No If yes, please attach copies. Show easements on survey plan.

Project Description: Explain the overall scope of the project, including other project elements that are not part of the Reasonable Accommodation Request.

Basis for Request: Explain the reason for the application and why the request should be granted, specifically, why the specified BHMC regulation, procedure, and/or policy is denying or will deny a disabled person equal opportunity to use and enjoy the dwelling:

Project Findings: When reviewing the request for a Reasonable Accommodation, the reviewing body will consider the following findings:

- *The dwelling that is the subject of the request for Reasonable Accommodation will be occupied by a disabled person;*
- *The requested accommodation is necessary to provide a disabled person with an equal opportunity to use and enjoy a dwelling;*
- *The requested accommodation will not impose an undue financial or administrative burden on the City, as defined by the fair housing laws, and*
- *The requested accommodation will not require a fundamental alternation to the City’s zoning or building laws, policies, and/or procedures, as defined in the fair housing laws.*
- *In considering whether the accommodation would require such a fundamental alteration, the reviewing authority may consider, among other factors:*
 - *Whether the requested accommodation would fundamentally alter the character of the neighborhood;*
 - *Whether the requested accommodation would result in a substantial increase in traffic or insufficient parking;*
 - *Whether the requested accommodation would substantially undermine any express purpose of either the city’s general plan or an applicable specific plan; and*
 - *Whether the requested accommodation would create in institutionalized environment due to the number of, and distance between, facilities that are similar in nature or operation.*

Please describe briefly how the proposed project meets the findings outlined above.

Please provide evidence for the basis of the claim that fair housing laws apply to the Applicant (i.e. a letter from a medical doctor or other licensed healthcare professional, or other appropriate evidence) attached to this application, or describe this basis below:

NOTE: Please note that a Reasonable Accommodation does not affect or negate an individual’s obligation to comply with other applicable regulations that are not the subject of the requested accommodation. In addition, while a request for a Reasonable Accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

Section 5 – Public Notice Requirements

Pursuant to the public noticing requirements contained in Beverly Hills Municipal Code §10-3-2.5, a notice regarding the Reasonable Accommodation must be sent out to notify the public of this pending application. Planning staff will ensure that the project is noticed in compliance with the following regulations:

- At least 20 calendar days before issuing a written determination on the application, the Director of Community Development shall mail notice to the Applicant and adjacent property owners that the City will be considering the application, advising of the standards for issuing an accommodation, and inviting written comments on the requested accommodation.
- In addition, in the event that the application is reviewed by the Planning Commission, and a public hearing is required, written notice of a hearing to consider the application shall be mailed 20 calendar days prior to the meeting to the Applicant and adjacent property owners.
- In the event that the determination on the application is appealed to the City Council, and a public hearing is required, written notice of a hearing to consider the application shall be mailed 20 calendar days prior to the meeting to the Applicant and adjacent property owners.

The Planning staff will inform the Applicant when any public notices are mailed. Please contact Planning staff if there are questions or concerns regarding the public noticing process at (310) 285-1141 (ask to be directed to Current Planning, or ask for the name of the Planner assigned to the project).

Section 6 – Submittal Requirements & Checklist

Architectural Plans Required:

- **A total of four (4) sets** of architectural plans are required for initial submittal: **two (2) sets at 11”x 17”** size.
 - **All plan sets** must be stapled, **drawn and printed to scale**, and legible.
 - **All plan sheets** must include a graphic scale, the owner’s or authorized agent’s name, address, and telephone number, the project address, and a North Arrow.
 - *Inconsistency between drawings, renderings, materials, etc., will be considered an incomplete submittal. Only complete applications will be accepted for filing.*

NOTE: If the proposed project requires multiple applications for separate requests, then the submittal requirements of this application may be combined, at the discretion of the Planner.

At a minimum, the following is required to process a Reasonable Accommodation. However, more information may be requested after the initial application intake if necessary to assist the reviewing body during the decision-making process.

Applicant
Checklist

Staff
Verification

- If applicable, a site plan or illustrative drawing showing the proposed Reasonable Accommodation.
 - If possible, demonstrate on the plan how the proposed Reasonable Accommodation is reasonable and necessary to afford the disabled person an equal opportunity to use and enjoy the dwelling.
- Please note that the property must comply with any other applicable regulations (such as zoning and building code requirements) that are not the subject of the requested Reasonable Accommodation.
 - While a Reasonable Accommodation is pending, all laws and regulations otherwise applicable to the subject property shall remain in full force and effect.

Letter of Authorization Example

[OWNERSHIP ENTITY LETTERHEAD]
[ADDRESS]

Date: _____

City of Beverly Hills
Community Development Department
Planning Division
455 N. Rexford Drive
Beverly Hills, CA 90210

To Planning Division Staff:

This letter is to verify that _____ (Name of Agent/Representative), _____, _____ (Company),(Title) is hereby authorized to sign and complete Planning Review Applications as required by the City of Beverly Hills Community Development Department, on behalf of the Owner, _____ (Name of Owner), _____, _____ (Company),(Title) of the real property located at _____ (Address), which is legally described as _____ (Tract, Lot(s), Block(s)).

By signing this form, I hereby declare (choose one):

[] I am the owner of record of the aforementioned real property. [OR]

[] I have been empowered to sign on behalf of the ownership entity, _____ (Entity Name), as the _____ (Title), as evidenced by the attached documents (attach applicable required ownership documentation as shown in the table on page 6 of this application).

By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

Signature: _____ Print Name: _____

Title, Entity: _____, _____