

ATTACHMENT NO. 1

SUGGESTED FINDINGS FOR ADMINISTRATIVE PERMIT NO. 22-016:

1. The City recognizes that the housing that is the subject of the request for reasonable accommodation will be used by individuals protected under the Federal Fair Housing Amendments Act of 1988 and California Fair Employment and Housing Act.
2. The City Council finds that the request is not necessary to make such housing available to disabled individuals, as defined by state or federal law. To date, the City has approved six Special Use Permits for sober living facilities that comply with the regulations of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO), and upon full implementation of the requirements of the HBZSO, many more will also be available on properties that received City approval to operate. Furthermore, an online search and contact of advertising facilities identifies that multiple sober living beds are currently available for disabled persons within the City. Therefore, the request for reasonable accommodation is not necessary to make such housing available to a disabled individual, as defined by state or federal law.
3. The City Council finds the requested reasonable accommodation will not impose an undue financial or administrative burden on the City.
4. The City Council finds the reasonable accommodation would require a fundamental alteration to the nature of a City program or to the City's zoning or building laws, policies, or procedures because the operation of the subject sober living home is within the minimum one thousand (1000) foot buffer from an operating Group Home, Sober Living Home, or Residential Care Facility, as classified by the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The City seeks to ensure that disabled persons recovering from addiction can reside in a comfortable residential environment versus in an institutional setting. The subject sober living home is in such close proximity (60 linear feet) that it does not provide the disabled resident with the opportunity to live in normal residential surroundings and instead places such individuals into living environments more in common with the types of institutional living that state and federal laws were designed to provide them relief from. As such, the request would result in an overconcentration, and accommodation would require a fundamental alteration to the nature of the City's zoning laws and modification of the policy intent behind regulation.