



Request for Unreasonable Hardship 2022 California Building Code, Section 11B-202.4, Exception 8.

ACCESSIBILITY REQUIREMENT

11B-202.4 When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided. The primary accessible path of travel shall include:

1. A primary entrance to the building or facility,
2. Toilet and bathing facilities serving the area,
3. Drinking fountains serving the area,
4. Public telephones serving the area, and
5. Signs.

EXCEPTION 8

If your adjusted construction cost is \$200,399 or less.

When the adjusted construction cost is \$200,399 (2024) or less the cost of compliance with Section 11B-202.4 shall be limited to 20 percent of the adjusted construction cost of alterations, structural repairs, or additions. When the cost of full compliance with Section 11B-202.4 would exceed 20 percent, compliance shall be provided to the greatest extent possible without exceeding 20 percent.

If your adjusted construction cost is more than \$200,399.

- When the adjusted construction cost, exceeds \$200,399 (2024), and the enforcing agency determines the cost of compliance with Section 11B-202.4 is an unreasonable hardship, as defined, full compliance with Section 11B-202.4 shall not be required.
- Compliance shall be provided by equivalent facilitation or to the greatest extent possible without creating an unreasonable hardship; but in no case shall the cost of compliance be less than 20 percent of the adjusted construction cost of alterations, structural repairs or additions.
- For the purposes of this exception, the adjusted construction cost of alterations, structural repairs or additions shall not include the cost of alterations to path of travel elements required to comply with Section 11B-202.4.

In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access in the following order:

1. An accessible entrance
2. An accessible route to the altered area

updated 2024



3. At least one accessible restroom for each sex or one accessible unisex (single user or family) restroom
4. Accessible telephones
5. Accessible drinking fountains and
6. When possible, additional accessible elements such as parking, signs, storage and alarms

If an area has been altered without providing an accessible path of travel to that area, and subsequent alterations of that area or a different area on the same path of travel are undertaken within three years of the original alteration, the total cost of alterations to the areas on that path of travel during the preceding three-year period shall be considered in determining whether the cost of making that path of travel accessible is disproportionate.

If you want to request an unreasonable hardship, you must complete the attached worksheet, and prepare a site and floor plan of the existing and proposed accessibility improvements. This information must be submitted to the Permit Center in duplicate, prior to processing of your permit application. One copy of the approval or denial will be returned to the applicant of the unreasonable hardship request.

Additionally, barrier removal is ongoing obligation for ADA and this application does not exempt the applicant of any obligation to removing barriers in a reasonable time frame and by signing this report you understand that this 20% is for this addition/alteration alone.

LIVERMORE

CALIFORNIA

Project Address:	Permit No.
Project Description/Location: Type <input type="checkbox"/> Alteration <input type="checkbox"/> Structural Repair <input type="checkbox"/> Addition	Permit Valuation: \$ *Adjusted Cost of Accessible Up-grade: \$

PATH OF TRAVEL REQUIREMENTS FOR AREA OF ALTERATION, STRUCTURAL REPAIR, OR ADDITION

Accessible Features	Does existing feature meet accessibility standards of Chapter 11B of the current CBC?	Will this feature be replaced or altered to meet Chapter 11B of the current CBC?	If so, what is the cost of accessibility upgrades?
1. Accessible entrance			
2. Accessible route to the altered area			\$
3. Accessible restroom for each sex or a unisex restroom serving the area			\$
4. Accessible telephones (if provided)			
5. Drinking fountains (if provided)			
6. Other (Any of the below)			
A. Accessible parking spaces			\$
B. Signs			\$
C. Alarms			\$
D. Other:			
Cost of All Features Provided (A)	Summary of costs of Accessible Features Nos. 1-6 provided above.		\$
Total Cost on Same Path of Travel (B)	Construction cost for all proposed work on this permit application except Accessible Features Nos. 1-6 provided above.		\$
Percentage Upgrades Provided (A / B)	Cost of all Features Provided / Total Cost on Same Path of Travel.		

Description of Access Features Provided:
Hardship Request:

Applicant Certification			
I certify that the above information is true and correct to the best of my knowledge and belief.			
Signature:		Date:	
Name: (print)		Address:	
Title:		City, State Zip:	
Agent for:	<input type="checkbox"/> Owner <input type="checkbox"/> Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Contractor	Phone No.:	

For Building Official Use Only		
Approved by:	Title:	Date:

*If an area has been altered without providing an accessible path of travel to that area, and subsequent alterations of that area or a different area on the same path of travel are undertaken within three years of the original alteration, the total cost of alterations to the areas on that path of travel during the preceding three-year period shall be considered in determining whether the cost of making that path of travel accessible is disproportionate.

¹ Adjusted cost of construction does not include the cost of alterations to path of travel elements required to be upgraded outside the area of alteration, structural repair, or addition.

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Project Address: 123 Main Street		Permit No. TI160001	
Project Description/Location: Office tenant improvement (2,040 SF) at 5th floor Suite No. 502		Permit Valuation: \$120,000.00	
Type: <input checked="" type="checkbox"/> Alteration <input type="checkbox"/> Structural Repair <input type="checkbox"/> Addition		*Adjusted Cost of Proposed Construction: \$100,000.00	
PATH OF TRAVEL REQUIREMENTS FOR AREA OF ALTERATION, STRUCTURAL REPAIR, OR ADDITION			
Accessible Features	Does existing feature meet accessibility standards of Chapter 11B of the current CBC?	Will this feature be replaced or altered to meet Chapter 11B of the current CBC?	If so, what is the cost of accessibility upgrades?
1 Accessible entrance	NO	YES	\$ 2,400.00
2 Accessible route to the altered area	NO	PARTIAL	\$ 8,500.00
3 Accessible restroom for each sex serving the area	NO	YES	\$ 8,000.00
4 Accessible telephones (if provided)	N/A	N/A	
5 Drinking fountains (if provided)	N/A		
6 Other (Any of the below)			
E. Accessible parking spaces	NO	YES	\$ 1,100.00
F. Signs	NO		
G. Alarms	N/A		
H. Other:			
Cost of All Features Provided (A)	Summary of costs of Accessible Features Nos. 1-6 provided above.		\$20,000.00
Adjusted cost of Proposed Construction (B)	Construction cost for all proposed work on this permit application except Accessible Features Nos 1-6 provided above		\$100,000.00
Percentage Upgrades Provided (A / B)	Cost of all Features Provided / Total Cost on Same Path of Travel.		20%
Description of Access Features Provided:			
New entrance landing, new accessible fixtures for the restrooms, properly mark and identify the accessible parking area, and 27 cubic yards of concrete (189 feet of sidewalk)			
Hardship Request: 345 lineal feet of exterior sidewalk that exceeds 2.08% cross slope which is 3.4% - 3.8%. Without this request approval the project will not be able to happen due to lack of finances. Please see attached implementation plan and my justification for approval.			
Applicant Certification			
I certify that the above information is true and correct to the best of my knowledge and belief.			
Signature:	<i>John Smith</i>	Date: 02/25/2016	Company: John's Architecture
Name: (print)	John Smith	Address:	123 First Street
Title:	Architect of Record	City, State Zip:	Livermore, CA, 94551
Agent for:	<input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Contractor	Phone No.:	925-000-0000
For Building Official Use Only			
Approved by:	Title:	Date: / /	

*If an area has been altered without providing an accessible path of travel to that area, and subsequent alterations of that area or a different area on the same path of travel are undertaken within three years of the original alteration, the total cost of alterations to the areas on that path of travel during the preceding three-year period shall be considered in determining whether the cost of making that path of travel accessible is disproportionate.