



City of Santa Barbara
Building & Safety Division

Community Development
630 Garden Street
805-564-5485

Relief From Unreasonable Hardship Requirements

2016 California Building Code, 11B-202.4, Exception 8

PATH OF TRAVEL ACCESSIBILITY REQUIREMENTS

Path of Travel - is an identifiable accessible route within an existing site, building or facility by means of which a particular area may be approached, entered and exited, and which connects that area with an exterior approach (including sidewalks, streets and parking areas), an entrance into the facility, and other parts of the facility. When alterations, structural repairs or additions are made to existing buildings or facilities, the term “path of travel” also includes the toilet and bathing facilities, telephones, drinking fountains and signs serving the area of work. In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access, by providing code compliance in the following order:

1. An accessible primary entrance.
2. An accessible route to the altered area.
3. At least one accessible restroom for each sex.
4. Accessible public telephones (when provided).
5. Accessible drinking fountains (when provided).
6. When possible, additional accessible elements such as additional parking, storage and alarms.

An unreasonable hardship may exist where the estimated cost of construction exceed \$161,298* **AND** the cost of providing a fully accessible entrance, path of travel, sanitary facilities, public phones, drinking fountains, etc. exceeds 20% of the adjusted cost of the project without these features, **AND** the Building Official finds that compliance with the code creates an unreasonable hardship after evaluating of the following factors:

- The cost of providing access
- The cost of all construction contemplated
- The impact of the proposed improvements on financial feasibility of the project
- The nature of the accessibility which would be gained or lost; and
- The nature of the use of the facility under construction and its availability to persons with disabilities

If you want to request relief from an unreasonable hardship, you must complete the Request For Relief From Unreasonable Hardship form, and prepare 3 sets of site & floor plans of the existing and proposed accessible features. The form and the 3 sets of plans must be submitted to the Building & Safety Division counter. 8 ½ x 11 color photos may be provided in addition to the completed form and plan sets.

If the request is supported by the Building Official, copies of the approved form and plans will be returned to the applicant, sent to the City Street file, and included in the next Building & Fire Code Appeals Board hearing for ratification. Once ratified, the applicant’s copy of the approved form must be reproduced on the plans that are submitted for plan check.

If the request is not supported by the Building Official, the applicant will receive one copy of all of the submitted documents noted accordingly.

Due Process Rights: Please note that all decisions of the Building Official eligible to be appealed to the Building & Fire Code Appeals Board pursuant to the 2016 CBC, Section 113.

Americans with Disabilities Act (ADA): Since “Barrier Removal” is also required by the Federal ADA, the granting of an unreasonable hardship by the City does not exempt those involved from compliance with the ADA. By signing the Request For Relief From Unreasonable Hardship document, you acknowledge that your request may present an ADA liability for private parties involved with this project.

*The annual valuation threshold is based on the January 1981 threshold of \$50,000 as adjusted using the ENR 20 Cities Cost Construction Index, and as published by Engineering News-Record, McGraw-Hill Publishing Co., for January of each year.