

CITY OF PALM DESERT
Building & Safety
Department

I
N
F
O
R
M
A
T
I
O
N
A
L

B
U
L
L
E
T
I
N

No. 102

Revised 2010

73510 Fred Waring Drive
Palm Desert, CA 92260
Phone: (760) 776-6420
Fax: (760) 776-6392
www.cityofpalmdesert.org



“Unreasonable Hardship” Determination for Commercial Alteration Projects



When the total construction cost of alterations, structural repairs, or additions to existing buildings and facilities does not exceed a valuation threshold of **\$128,410.86 (2010)** and the enforcing agency finds that full compliance with the requirements for disabled access upgrades serving the area of alteration, structural repair, or addition creates an “unreasonable hardship”, an exception can be granted to allow for less than full compliance for the upgrades. This determination for “unreasonable hardship”, as detailed in Code Section 1134B.2.1, can be requested when the cost of providing the disabled access upgrades is disproportionate to the total construction cost; that is, where it exceeds 20% of the cost of the project without these upgrades. Under this determination, upgrades will still need to be made, but only to the point where the upgrade costs are disproportionate (i.e. 20% of the total construction cost will be required to be spent toward these upgrades).

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 building entrance and an accessible path of travel to this entrance from the public way.
2. An accessible route of travel from the accessible building entrance to the area of alteration, structural repair, or addition.
3. At least one accessible restroom for each sex serving the area of alteration, structural repair, or addition.
4. Accessible telephones, if provided, serving the area of alteration, structural repair, or addition.
5. Accessible drinking fountains, if provided, serving the area of alteration, structural repair, or addition.
6. Additional accessible elements such as parking, storage, and alarms.

Your plan reviewer will provide additional information regarding the “unreasonable hardship” determination if you choose to apply for this for your project.

On the next page of this Information Bulletin is an example of the findings that must be submitted for a project where an “unreasonable hardship” determination is requested.

S A M P L E

UNREASONABLE HARDSHIP FINDING

Construction valuation not exceeding **\$128,418.86** (2010) ... Sec. 1134B.2.1, Exc. 1

PROJECT INFORMATION

Project Address 72500 EXAMPLE ST Project # 06-00012345
Project Description Proposed Full Floor Tenant Improvement on 2nd Floor
Type of Facility Office/Retail Project Valuation \$ 60,000

FULL COMPLIANCE COST OF DISABLED ACCESS UPGRADES OUTSIDE OF AREA OF REMODEL

- Path of travel to building or facility entrance.....\$12,000
- Path of travel within building or facility\$ 4,000
- Sanitary facilities\$ 12,000
- Drinking fountains\$ 2,000
- Public telephones.....\$ N/A

TOTAL = \$ 30,000

The accessibility feature upgrades would increase construction costs by 50 %

EXPENDITURE FOR UNREASONABLE HARDSHIP COMPLIANCE

(20% of project valuation = \$ 12,000)

Specify accessibility feature upgrades to be provided and cost under following priority listing:

- 1. Accessible path of travel to building or facility entrance (including entry doorway): \$ 10,000
Install wheelchair lift at building entry door
- 2. Accessible path of travel within building or facility to the area of remodel \$ 2,000
Install braille symbols on elevator door jamb and handrail in elevator cab
- 3. Accessible restroom for each sex \$ _____
- 4. Accessible drinking fountains and public telephones \$ _____
- 5. Additional accessible features (parking, storage, and alarms) \$ _____

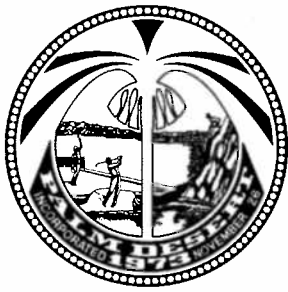
TOTAL = \$ 12,000

APPLICANT INFORMATION

Name (print) John Smith Signature John Smith
Firm Address 73000 ABC DR Position Project Architect
Palm Desert, CA 92260

FOR DEPARTMENT USE ONLY

Approved by _____ Date _____



CITY OF PALM DESERT

BUILDING & SAFETY DEPARTMENT

APPLICATION FOR UNREASONABLE HARDSHIP FINDING

Construction valuation not exceeding
\$128,410.86 (2010) CBC, Sec. 1134.B.2.1, Exc.

FOR OFFICE USE ONLY

Project No. _____

Approved By: _____

Date: _____

1

Project Address: _____ City/State/Zip: _____

APPLICANT INFORMATION

Name (print) _____ Firm Address: _____

Signature _____ Date: _____

PROJECT INFORMATION

Project Description: _____

Type of Facility: _____ Project Valuation: _____

FULL COMPLIANCE COST OF DISABLED ACCESS UPGRADES OUTSIDE OF AREA OF REMODEL

- Accessible entrance..... \$ _____
- Accessible Route to Altered Area..... \$ _____
- Sanitary facilities..... \$ _____
- Public telephones..... \$ _____
- Drinking fountains..... \$ _____
- Other Accessible Features..... \$ _____

TOTAL \$ _____

The accessibility feature upgrades would increase construction costs by = _____ %

EXPENDITURE FOR UNREASONABLE HARDSHIP COMPLIANCE

20% OF PROJECT VALUATION \$ _____

Specify accessibility feature upgrades to be provided and cost under following priority listing:

1. Accessible path of travel to building or facility entrance (including entry doorway): \$ _____
2. Accessible path of travel within building or facility to the area of remodel: \$ _____
3. Accessible restroom for each sex: _____ \$ _____
4. Accessible drinking fountains and public telephones: _____ \$ _____
5. Additional accessible features (parking, storage, and alarms): _____ \$ _____