

BUILDING STANDARDS COMMISSION

2525 Natomas Park Drive, Suite 130
 Sacramento, California 95833-2936
 (916) 263-0916

ATTACHMENT E

January 16, 2026

Sean Hatch, SeanH@cupertino.gov
 City of Cupertino, Community Development Department
 10300 Torre Avenue
 Cupertino, CA 95014-3202

Re: Ordinance # 25-2278 – Partial
 Resolution # 25-092

Dear Sean Hatch:

The purpose of this letter is to provide the determination of the California Building Standards Commission (CBSC) following review of the ordinance(s) referenced above from **City of Cupertino** on **1/16/2026** pertaining to local modifications to the provisions of the **2025** California Building Standards Code, Title 24, California Code of Regulations (Title 24).

The residential and nonresidential code modifications are partially accepted for filing. This letter attests to the filing’s compliance with the Health and Safety Code (HSC) Sections 17958.7 and 18941.5, with the exception of the deficiencies listed in the table below.

<input checked="" type="checkbox"/>	Missing express findings for local code modifications based on local conditions pursuant to HSC Sections 17958.7(a) and (b) and 18941.5(b).
Deficiencies:	California Residential Code Appendix BG Sound Transmission California Fire Code Appendix D Fire Apparatus Access Roads Appendix P Haunted Houses, Ghost Walks, and Similar Amusement Uses
<input type="checkbox"/>	Missing expressly marked local code modifications as required pursuant to HSC Section 17958.7(a).
Deficiencies:	None
<input checked="" type="checkbox"/>	<p>Residential Occupancies Only. Pursuant to AB 130 (Committee on Budget, Chapter 22, Statutes of 2025), the amendments affecting residential units do not meet at least one of the criteria listed in HSC Sections 17958(b), 17958.5(c), 17958.7(c), and/or 18941.5(c):</p> <ul style="list-style-type: none"> (1) Changes are substantially equivalent to filing in effect as of 9/30/25. (2) Changes are necessary as emergency standards to protect health/safety. (3) Changes relate to home hardening. (4) Changes relate to home hardening by a fire protection district (not under CBSC’s jurisdiction). (5) Changes are necessary to permit mixed-fuel residential construction. (6) Changes related to administrative practices proposed during intervening period.
HSC Criteria:	Deficiencies:
(1)	California Residential Code R330.3.1 Spacing and R330.4 Locations

(2)	N/A*
(3)	N/A*
(4)	N/A*
(5)	N/A*
(6)	N/A*
* Changes submitted do not include modifications that apply to this criteria.	

If the filing, including the item(s) identified in the table above are corrected and resubmitted (assuming the modifications are in alignment with AB 130), CBSC will again review the submittal for a fully acceptable for filing determination.

Additional information:

Please note that local modifications to Title 24 are specific to each code edition. Amendments to each triennial edition of the code must be adopted by the authority having jurisdiction and filed with CBSC to become effective or operative.

Fire Protection District: Per HSC Section 13869.7, ordinances making modifications to Title 24, require such ratified ordinances and express findings to be filed with the Department of Housing and Community Development (HCD), Division of Codes and Standards, State Housing Law Program, rather than CBSC.

Energy efficiency: Ordinances making modifications to the energy efficiency and conservation provisions in the California Energy Code, Part 6 of Title 24, may require approval from the California Energy Commission pursuant to Public Resources Code Section 25402.1(h)(2).

If you have questions or need further information, please contact me at (916) 263-0916.

Sincerely,

Tom Martin

Tom Martin
Associate Construction Analyst