

**DOCKETED**

<b>Docket Number:</b>	19-BSTD-06
<b>Project Title:</b>	Local Ordinances Exceeding the 2019 Energy Code
<b>TN #:</b>	232163-2
<b>Document Title:</b>	City of Cupertino - 2019 Cover Letter
<b>Description:</b>	Plain text of City of Cupertino application cover letter to the CEC
<b>Filer:</b>	Danuta Drozdowicz
<b>Organization:</b>	California Energy Commission
<b>Submitter Role:</b>	Commission Staff
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**COMMUNITY DEVELOPMENT DEPARTMENT  
BUILDING DIVISION**

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February 10, 2020

Attn: Mr. Drew Bohan  
California Energy Commission  
1516 Ninth Street, MS-37  
Sacramento, CA 95814-5512

Re: Filing of Local Amendment to the California Building Standards Code  
City of Cupertino Ordinance No. 19-2193

Dear Mr. Bohan,

Please be advised that the Cupertino City Council has adopted amendments to the 2019 Edition of the California Energy Code and Green Building Standards Code via Ordinance No. 2193, enclosed.

In accordance with Public Resources Code Section 25402.1 (h)2 and Section 10-106 of the Building Energy Efficiency Standards, this package of materials includes Cupertino's local ordinance requiring more stringent energy requirements than those set by California's 2019 Energy Standards in Title 24, Part 6. The ordinance was adopted by the Cupertino City Council on January 21, 2019 and will become effective following approval by the California Energy Commission. **This application to the California Energy Commission is based on the collective reach code adoption preparation performed by Peninsula Clean Energy and Silicon Valley Clean Energy.**

Please find the following materials enclosed:

- Att. 1: This cover letter.
- Att. 2a: Staff report to the Cupertino City Council for the December 17, 2019 City Council meeting, outlining the goals of the updated standards.
- Att. 2b: Staff report to the Cupertino City Council for the January 21, 2020 City Council meeting, describing the final adopted ordinance and changes requested during the first public hearing.
- Att. 3: Signed Ordinance No. 19-2193, which adopts updates to certain chapters in Title 16 of the City's Municipal Code, the City's Building and Construction Code, including requirements that new construction be built all-electric, with certain

exceptions. . This provides clear requirements that buildings be designed to consume no more energy than permitted by Part 6.

- Att. 4a: 2019 Cost-effectiveness Study: Low-rise Residential New Construction.
- Att. 4b: 2019 Nonresidential New Construction Reach Code Cost Effectiveness Study/ A discussion of the expected energy savings and the cost effectiveness of the measures required in the ordinance in Climate Zone 4, where Cupertino is located, is included in the Staff Report, attachment 2a.
- Att. 5: Evidence of CEQA compliance through the attached Notice of Exemption.
- Att. 6: A letter from the Chief Building Official to the Executive Director of the CEC about the changes to local energy standards.

The City will continue to enforce Title 24, Part 6, as modified by the ordinance. The ordinance will require buildings to consume no more energy than is permitted by Title 24, Part 6. As the lead agency, the City has determined that this activity is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines sections 15061(b)(3) and 15308, because there is no possibility that the implementation of the ordinance will have a significant effect on the environment, and because the Ordinance is a regulatory action for the protection of the environment.

If you have any questions, please contact Andre Duurvoort, Sustainability Manager, at 408-777-3362.

Sincerely,



Albert Salvador, P.E.  
Chief Building Official

cc: Andre Duurvoort, Sustainability Manager