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COMPARISON MATRIX FOR EXISTING AND NEW CONSTRUCTION

PURPOSE

This policy serves to clarify the distinction between remodel, rebuild, and new construction to establish the relevant code requirements applicable to a project.

CODE REFERENCES

Cupertino Muni Code (CMC) [16.04.040](#), [16.40.140](#), and [14.04.130](#)

DEFINITIONS

Demolition: The complete removal of a building or structure, including its foundation. The site must be cleared of all debris before final inspection of the demolition permit.

Partial Demolition: The partial and permanent removal of a portion of a structure, with no intention of rebuilding the removed section.

Exterior Walls: The vertical structure providing weather protection, insulation, and/or structural support for a building.

Exterior Wall Perimeter: The measurement of the exterior wall length from one outside corner to another along the perimeter of a building, including attached garage(s). This measurement excludes walls and/or columns of patio covers, sunrooms, exterior porches, carports, and walls of detached garage(s).

Roof Structure: The roof framing system of a building, comprising elements like trusses, roof rafters, purlins, or sub-purlins, which collectively provide support and stability to the roof assembly.

Remodeled Area: Rooms and/or areas where existing ceiling and/or wall finish (i.e., sheetrock or similar) have been removed and/or replaced are defined as 'Remodeled Area.' A room and/or area is considered remodeled when 10% or more of the combined wall and ceiling finish areas have been removed and/or replaced.

Rebuild: The building will be considered as 'Rebuild' where one of the following criteria is met:

- 1) 50% and up to 75% of the existing exterior wall perimeters are no longer used as exterior walls and/or removed.
- 2) 50% and up to 75% of the existing exterior wall perimeter has been removed.
- 3) 50% and up to 75% of the existing roof structure has been removed.
- 4) More than 75% of the existing conditioned floor area is remodeled as defined above.

New Construction: The building will be considered 'New Construction' where one of the following criteria is met:

- 1) More than 75% of the existing exterior walls are no longer used as exterior walls and/or removed.
- 2) More than 75% of the existing exterior walls have been removed.
- 3) More than 75% of the existing roof structure has been removed.

Note: A [Demolition Permit](#) shall be required when one of the following criteria is met:

- 1) More than 75% of the existing exterior walls are no longer used as exterior walls.
- 2) More than 75% of the existing exterior walls have been removed.
- 3) More than 75% of the existing exterior walls have been removed or are no longer used as exterior walls.

POLICY

The following matrix specifies the requirements for projects defined as Demolition, Partial Demolition, Remodel, Rebuild, and New Construction.

		PROJECT SCOPE			
		Demolition	Remodel	Rebuild	New Construction
Permit Type	Demolition Permit	Building Permit	Building Permit	Building Permit	
PCB Assessment and Mitigation	Applies	Not Applicable	Not Applicable	Not Applicable	
School Fees			Rebuild Area is NOT considered added floor area.	New Area is considered added floor area.	
Construction Tax			Not Applicable	Not Applicable	Applies
CalGreen			Not Applicable	Applies	Applies
Fire Sprinklers (CMC 16.06.040 & CMC 16.40.140)			Not Applicable	Applies	Applies
Wildland Urban Interface			Not Applicable	Applies	Applies
Street Dedication (CMC 14.04.130)			Not Applicable	Refer to CMC 14.04.230	Applies