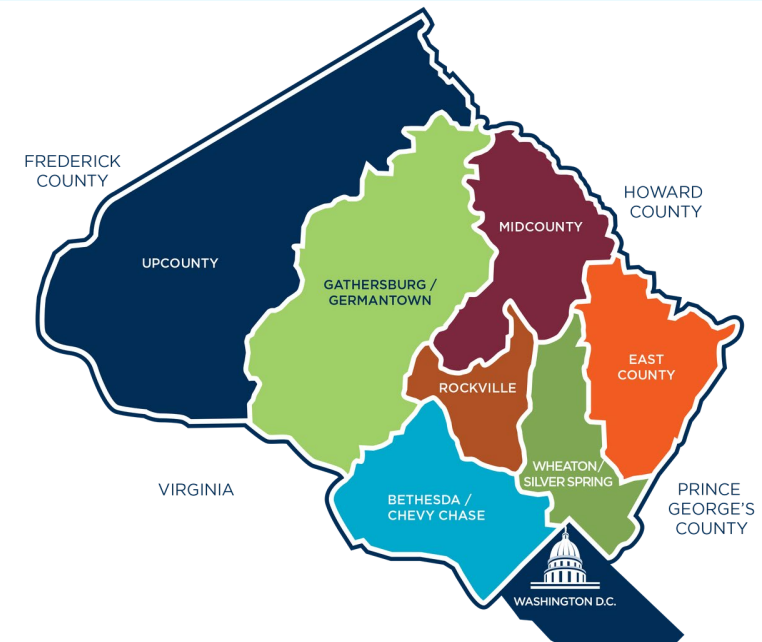




October 28, 2021

# Bill 16-21: Building Energy Performance Standards Overview



Learn more at <https://www.montgomerycountymd.gov/green/energy/beps.html>

# Proposed Agenda for BEPS Work Sessions

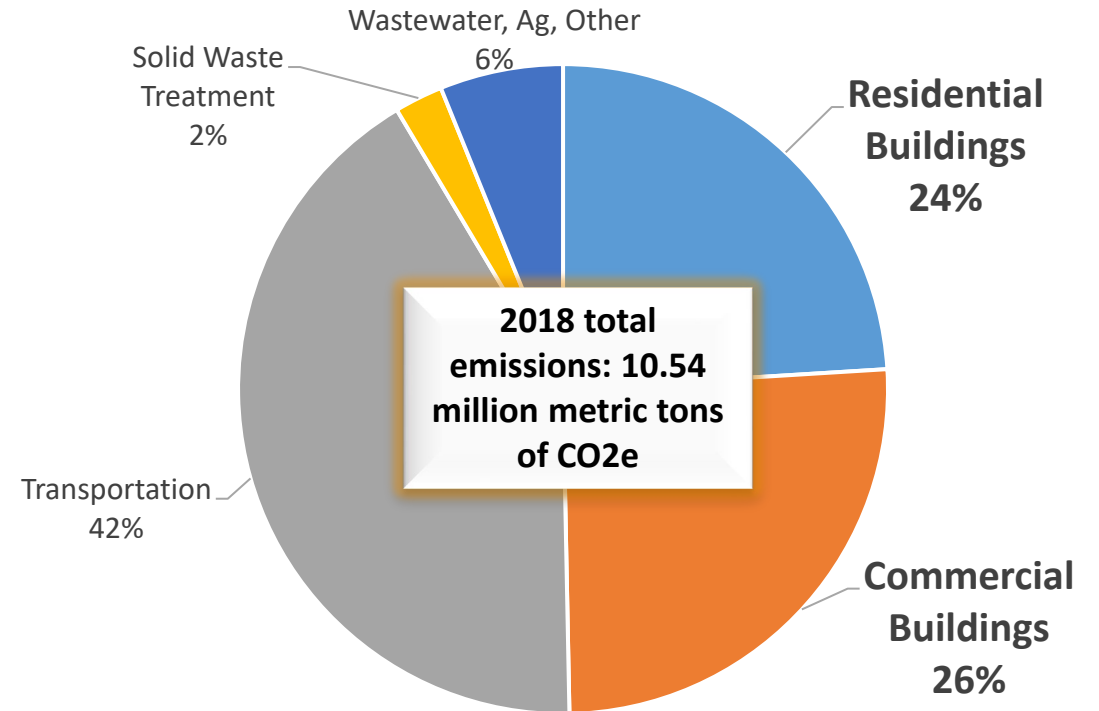
- **Today:** Overview of Bill 16-21
- **Today:** Buildings Covered by BEPS
- **Today:** Performance Metric
- Future Work Session: Approach to Setting the BEPS Standards
- Future Work Session: Compliance with BEPS
- Future Work Session: Tools and Resources for Meeting BEPS
- Future Work Session: Regulations Preview

## Bill 16-21 Highlights

- **Developed with stakeholder input**, BEPS sets long-term performance targets based on energy use within the owners' control
- Covers the **largest buildings and biggest carbon emitters** in the County, but not all buildings will be covered or required to take action
- BEPS will create more resilient, **higher-value buildings**, increased economic activity and **local green jobs** from building upgrades, and better indoor air quality for tenants
- Tools and resources are **available now** to give building owners a head start, but additional technical and financial assistance will be needed, especially for affordable housing
- By passing Bill 16-21, **Montgomery County will become the first county to join a leading-edge group of jurisdictions** using BEPS to tackle climate impacts from buildings

# Why Building Energy Performance Standards (BEPS)?

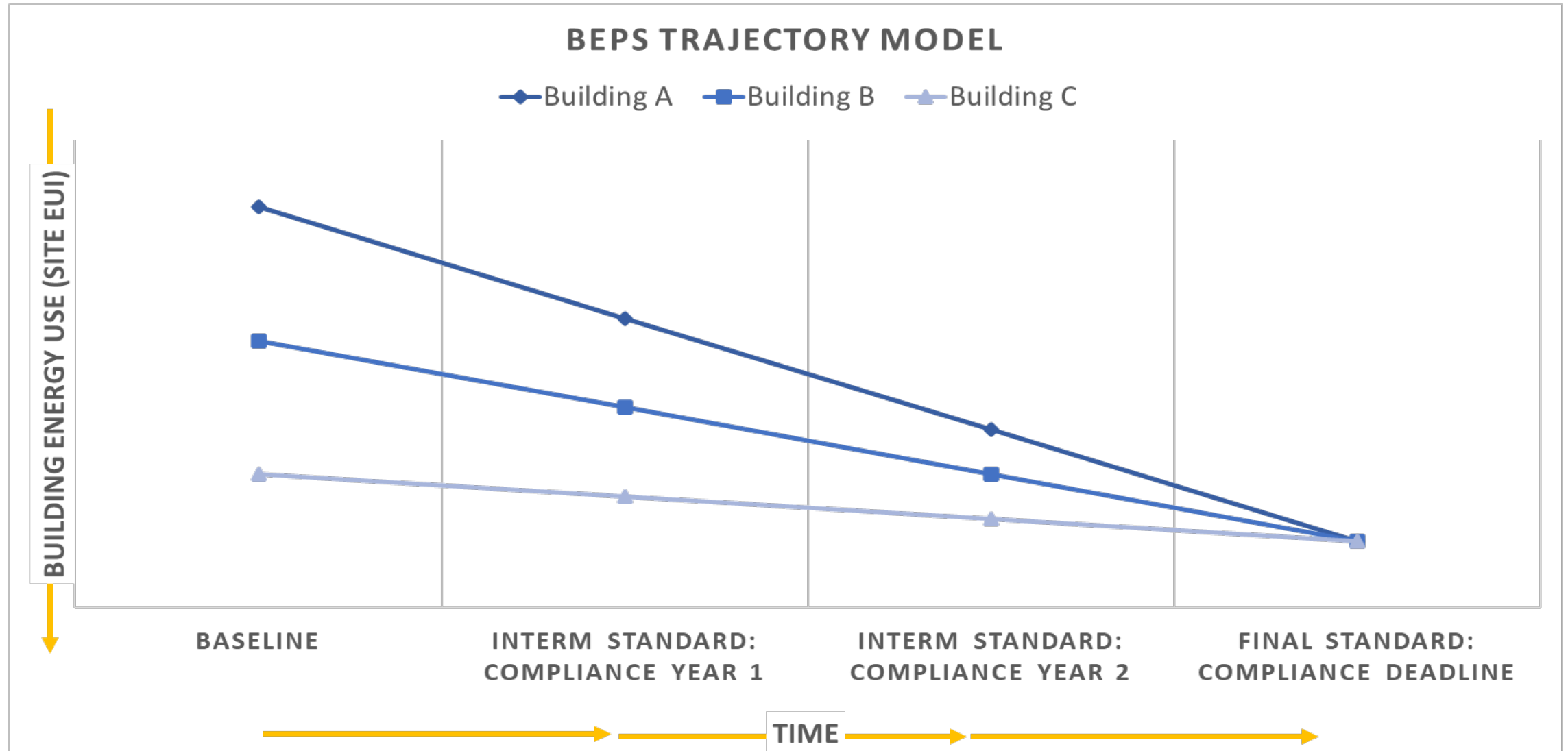
- Building codes only address newly constructed buildings or those doing major renovations
- Per the [CAP](#), BEPS is one of the most powerful policy tools available to address emissions from **existing** commercial and multifamily buildings by improving performance through energy efficiency
- Using electricity more efficiently “right-sizes” the amount of carbon-free energy needed to be supplied by the grid
- Reducing and eventually eliminating fossil-fuel use from buildings via BEPS is the most direct way to achieve carbon neutrality for existing buildings



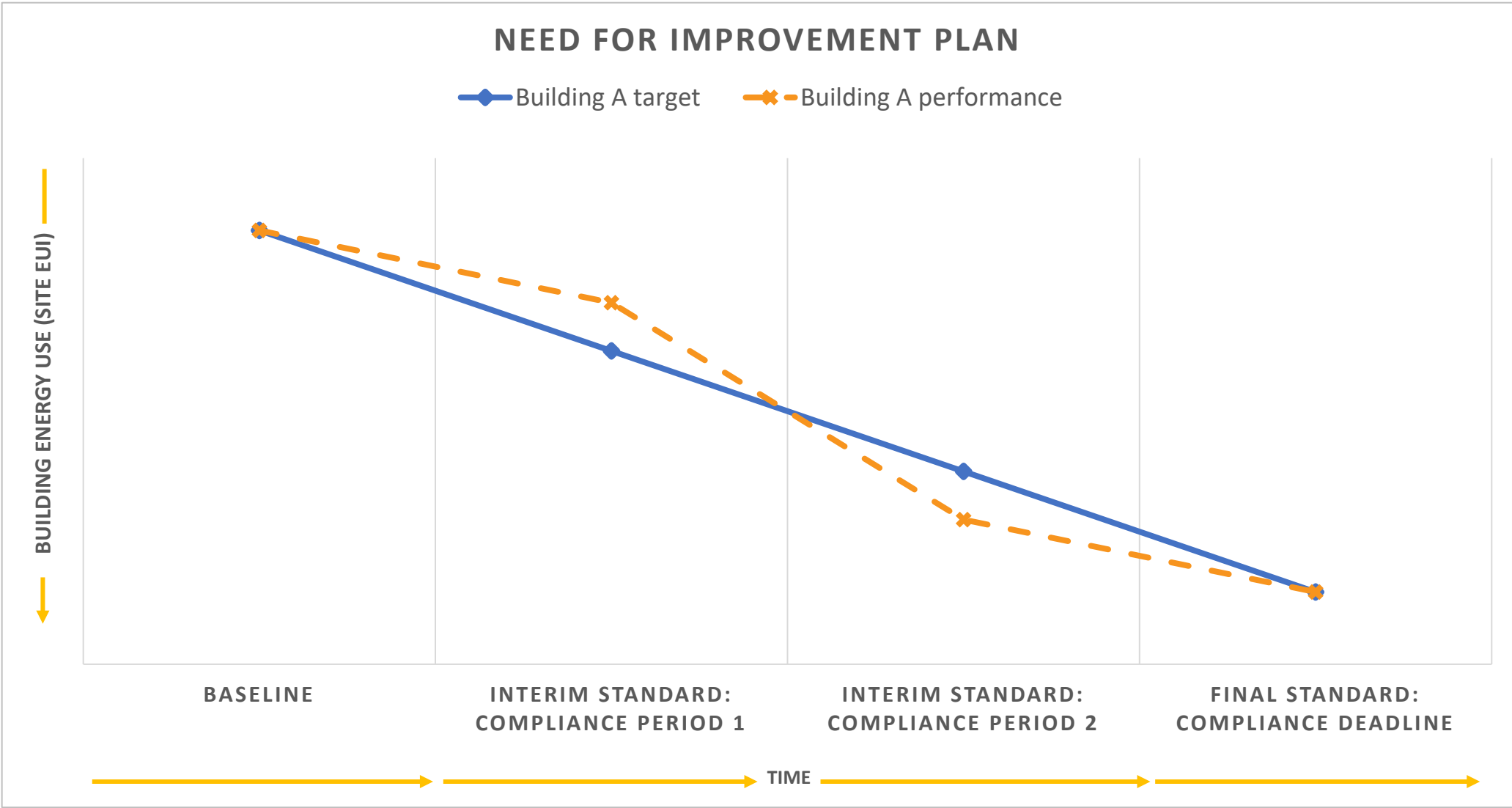
## General Approach on Bill 16-21

- Builds on the foundation of the Benchmarking Law
- Create framework to establish a building energy performance standard (BEPS)
- Similar to other jurisdictions with BEPS, numerical standards will be defined via regulation
- Incorporate stakeholder voices on [policy recommendations](#)
- **Balance flexibility and certainty for building owners and immediate climate action**
- **Approach to Developing Legislation:** Amends the Benchmarking Law to expand the number of buildings covered by the Benchmarking Law, add a performance requirement, and establish an Advisory Board for BEPS implementation.

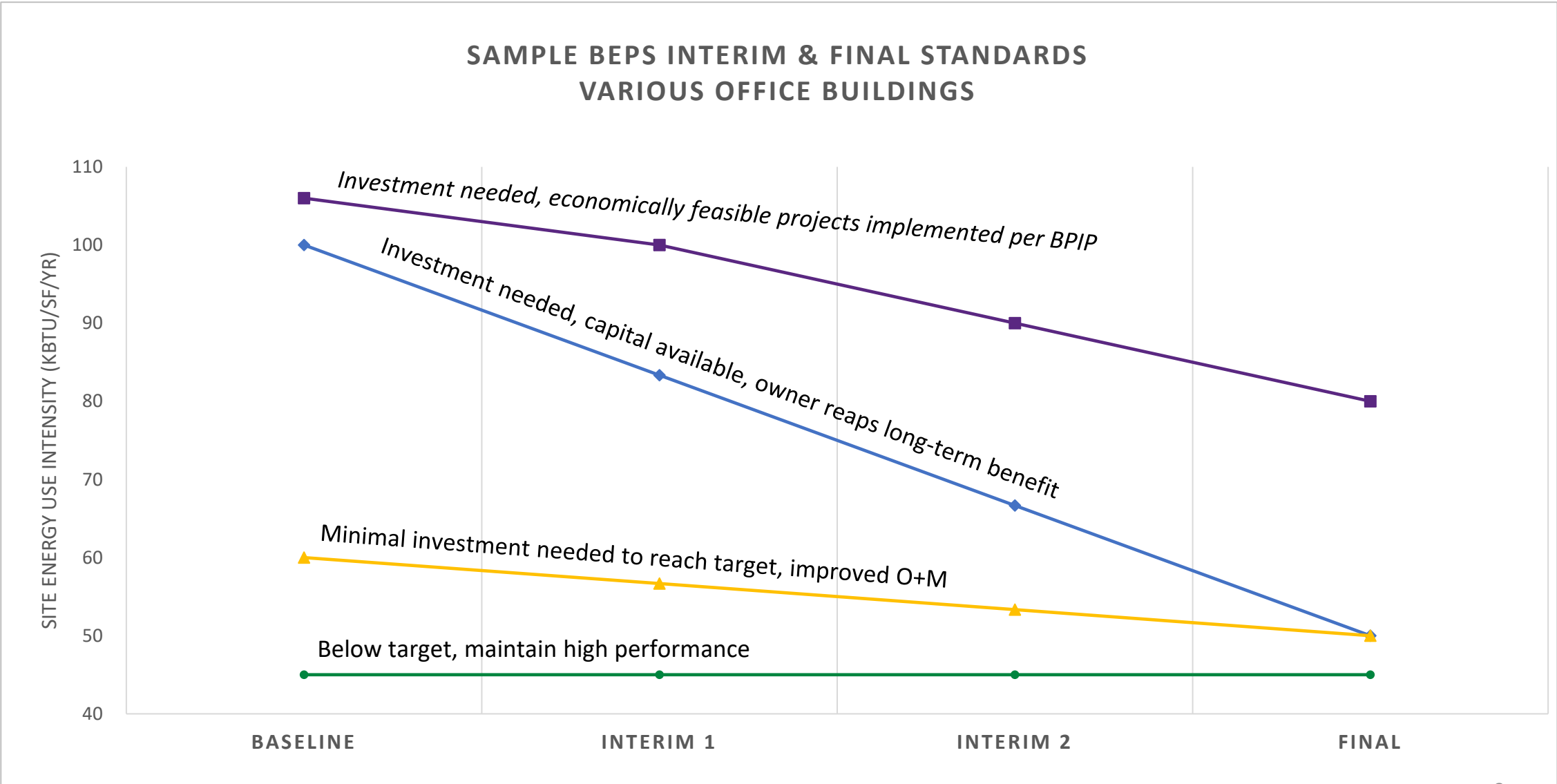
# BEPS Policy Overview



# Building Performance Improvement Plans (BPIPs)

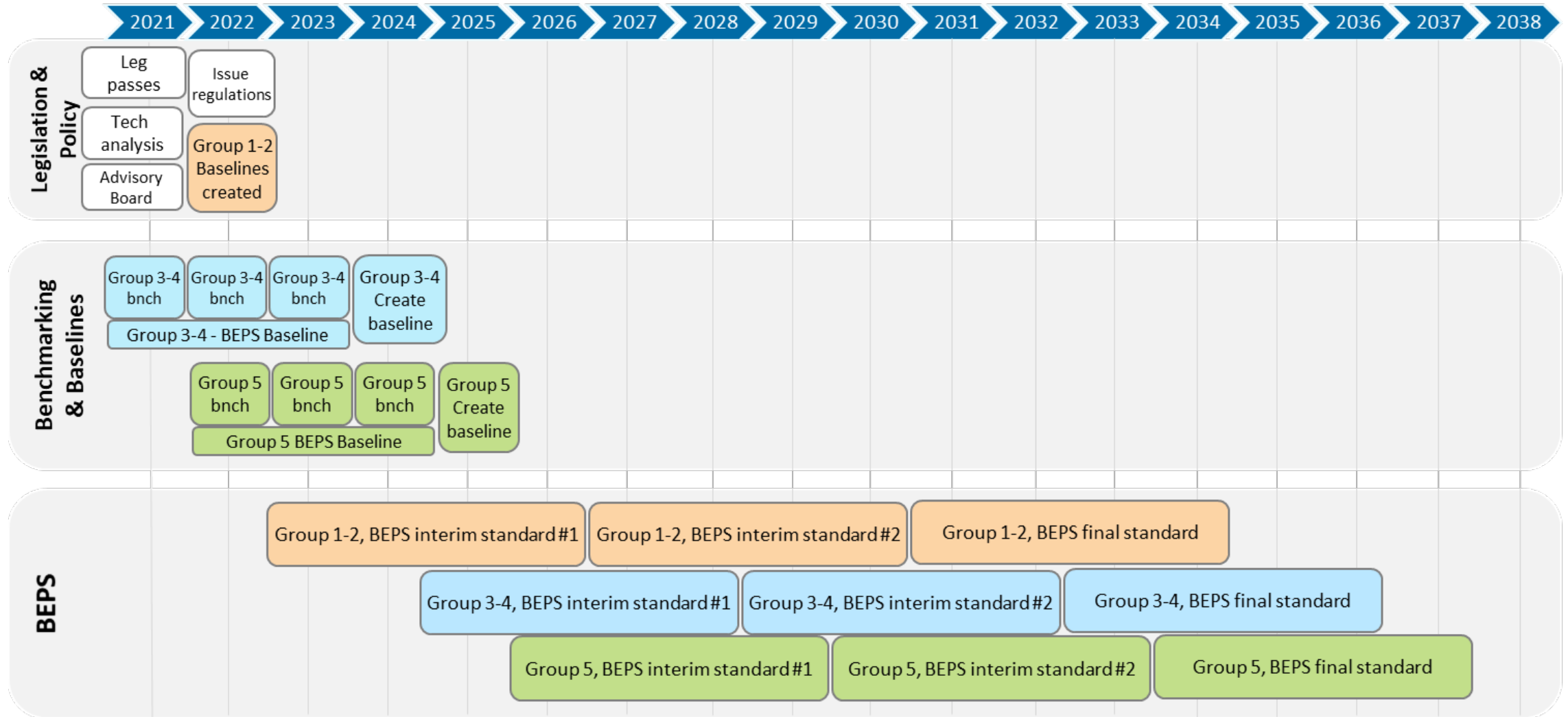


# Flexibility in Compliance Strategies





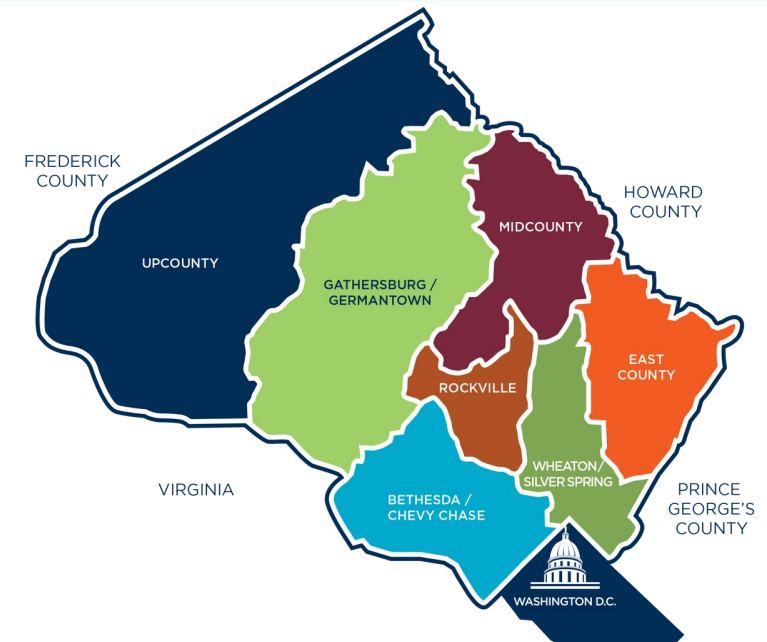
# BEPS Timeline in Bill 16-21





# Bill 16-21: Building Energy Performance Standards

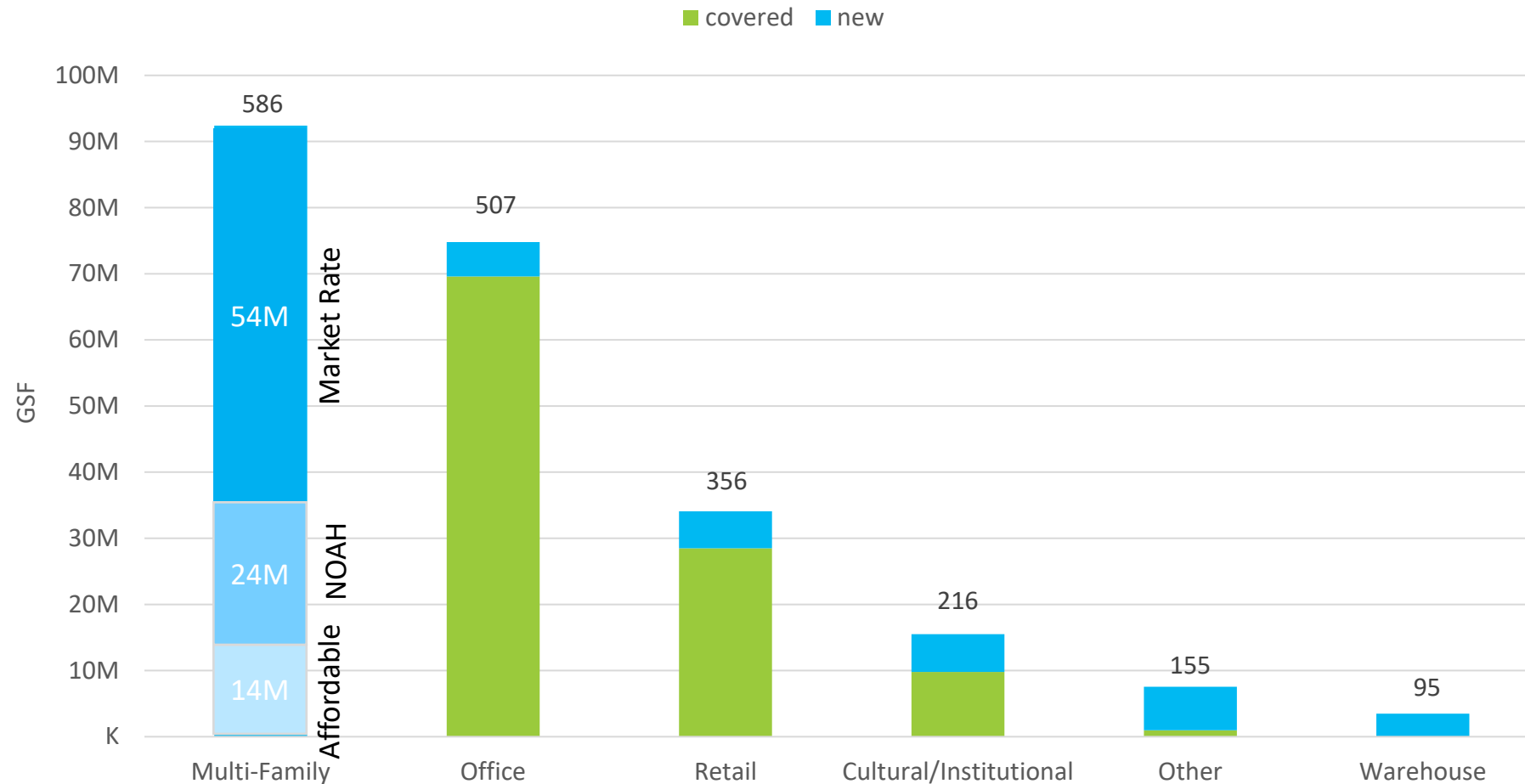
## Buildings Coverage



Learn more at <https://www.montgomerycountymd.gov/green/energy/beps.html>

# Benchmarking Amendments Covered Building Impacts

- **Currently covered:** 110M sq ft, 795 buildings, 40% of commercial floor area
- **Bill 16-21:** Increase covered buildings to ~220M sq ft, 1,900+ buildings, 80% of commercial floor area



# Comparison of BEPS Building Coverage

|                          | Washington, DC  | New York City   | Boston  | WA State                                | St. Louis, MO   | Montgomery County                                       |
|--------------------------|---|---|---|---|---|---|
| Square Footage Threshold | Commercial and multifamily > <b>10K</b> ft <sup>2</sup> | Commercial and multifamily > <b>25K</b> ft <sup>2</sup> | Commercial and multifamily > <b>20K</b> ft <sup>2</sup> | Commercial > <b>50K</b> ft <sup>2</sup> | Commercial and multifamily > <b>50K</b> ft <sup>2</sup> | Commercial and multifamily > <b>25K</b> ft <sup>2</sup> |
| Affordable Housing       | Yes   | Prescriptive measures                                   | Yes   | No                                      | Yes, 2 extra years                                      | Yes   |
| Houses of Worship        | Yes   | Prescriptive measures                                   | Yes   | Yes                                     | Yes   | Yes   |
| Agricultural Use         | Yes   | Yes   | Yes   | No                                      | Yes   | Yes   |

See IMT's Comparison of U.S. Building Performance Standards: <https://www.imt.org/resources/comparison-of-u-s-building-performance-standards/>

# Updating Definition of a Covered Building

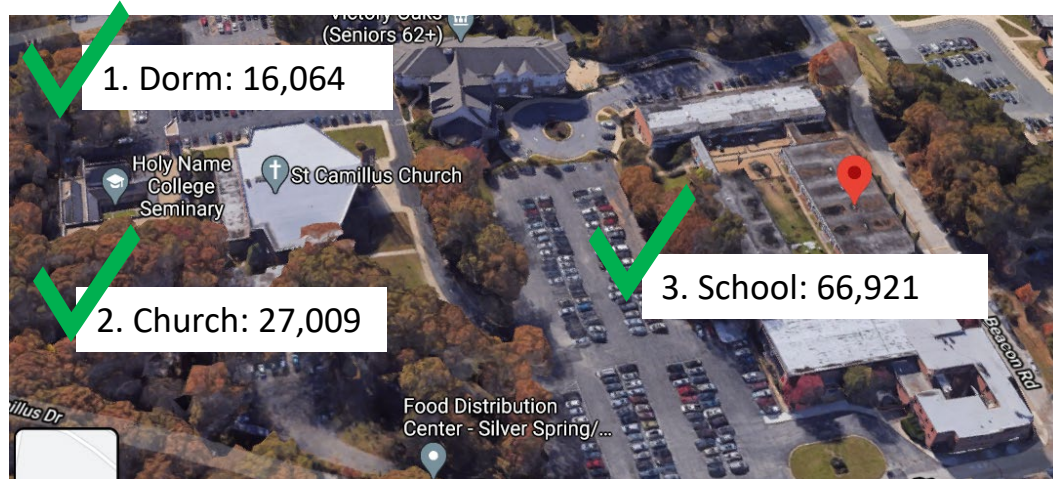
## Current Covered Building Definition:

- Building, or any group of buildings that have the same parcel/property identification number, that meet the square footage threshold

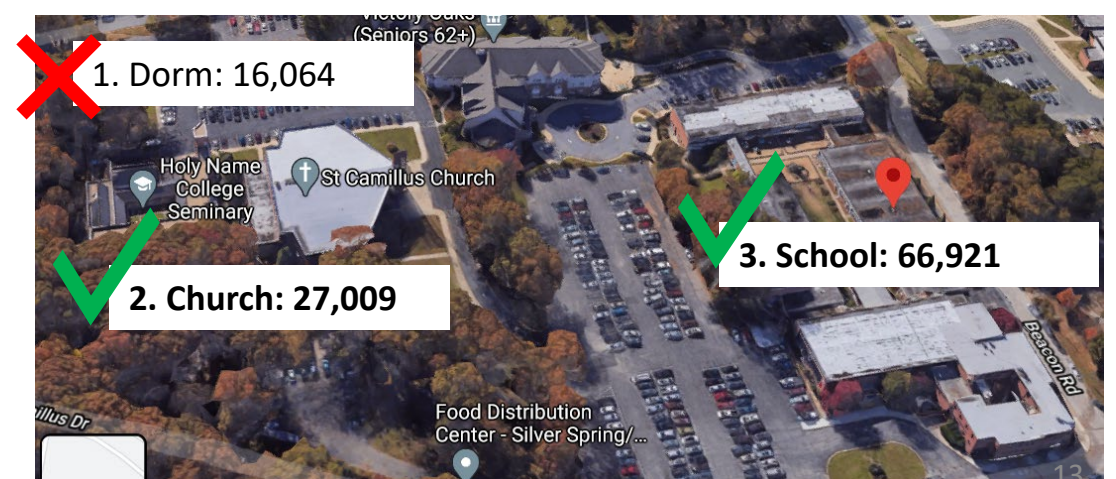
## Bill 16-21 Amended Covered Building Definition:

- Single building that can be individually metered and share no interior common area;
- A group of buildings that share an energy meter, have a common heating or cooling system, share interior common areas, or otherwise cannot attribute energy use to a single building.

*Parcel: All buildings on tax parcel must benchmark*



*Building: Only single buildings 25k+ gsف must benchmark and are subject to BEPS*



# Building Coverage Examples: Multifamily

Covered

Highrise & mid-rise apartments/ condos



Garden apartments where buildings with shared systems/space are >25k gsf



Retirement homes & assisted living



Not Covered

Townhomes with no shared systems or interior area



Apartments where each building on the parcel is <25k gsf



Units with no shared systems or interior area



# Building Coverage Examples: Retail

## Not Covered

Individual tenants within strip malls with separate energy systems, no shared interior space, and <25k gsf



## Covered

Individual tenants within strip malls with separate energy systems, no shared interior space, and >25k gsf

## Covered

Individual tenants within strip malls with separate energy systems, no shared interior space, and >25k gsf



## Not Covered

Individual tenants within strip malls with separate energy systems, no shared interior space, and <25k gsf