

SUMMARY and FISCAL NOTE*

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* Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to Seattle’s construction codes; adopting the Seattle Energy Code and chapters of the Washington Administrative Code by reference and amending certain chapters of the Code; amending Section 22.101.010 of the Seattle Municipal Code; repealing Title 22, Subtitle VII of the Seattle Municipal Code; and repealing Sections 2 through 10 of Ordinance 125159 and Section 5 of Ordinance 125410.

Summary and background of the Legislation: This legislation adopts the 2018 Seattle Energy Code, consisting of the 2018 International Energy Conservation Code with Washington state amendments and Seattle amendments. The Seattle amendments apply to multifamily buildings taller than three stories, and to all non-residential buildings, incrementally improving their building insulation, space heating, water heating, lighting, and renewable energy systems.

The items listed below comprise the most significant 2018 Seattle Energy Code amendments to the Washington State Energy Code. Each amendment is designed to reduce building energy use and carbon emissions, as required by state and City legislation.

These amendments apply to multifamily buildings taller than three stories and all commercial buildings (not to houses or low-rise multifamily), and improve the building insulation, space heating, water heating, lighting, and renewable energy. Implementation of the new space heating and water heating provisions will be delayed until January 1, 2022, while the remainder of the code is scheduled to go into effect March 15, 2021.

The rules apply to new construction, as well as to the alteration or replacement of existing building components.

1. **Intent.** Revise the code’s “intent” section to include *reduction of carbon emissions*, in addition to energy efficiency.
2. **Insulation integrity.** Recognize heat loss of *through-wall mechanical equipment, concrete balconies, and window frames* when calculating insulating value of walls.
3. **Fenestration.** Require *improved thermal properties* of fenestration (10% - 15% less heat loss).
4. **TSPR (the HVAC Total System Performance Ratio).** Add *multifamily and medical office buildings* to list of buildings required to comply with TSPR. (Washington code lists office, education, library, and retail).
5. **Heating system type.** Formalize existing code *restrictions on electric resistance and fossil fuel space heating*, extend to multifamily buildings, delay implementation until January 2022. Many exceptions allowing small and special-purpose electric resistance heating.

6. HVAC controls. Add new control and efficiency provisions for ventilation and heat recovery. 60% energy recovery effectiveness, vs. 50% for Washington code.
7. Hot water circulation. Insulation, control, and efficiency improvements to hot water circulation.
8. Water heating system type. Restrict fossil fuel and electric resistance central water heating systems, typically in favor of *heat pump water heating*, in R-1 & R-2 buildings, delay implementation until January 2022.
9. Lighting in open office areas. Provide LLC (luminaire-level lighting controls) or networked lighting control system for open office areas larger than 5,000 square feet.
10. Lighting power. Reduce interior LPAs (lighting power allowances) 10% below state code levels.
11. Future electrification of appliances. Provide electrical receptacles and circuits at dwelling unit gas-fired appliances, to accommodate future electric appliances.
12. Solar. Increase on-site solar photovoltaics from 0.07 W/sf of floor area to 0.25 W/sf, based on area of all floors.
13. Additional efficiency credits. Increase number of credits required from 6 to 8 credits
14. Target performance path (TPP) (rarely used). Set TPP targets as 12% above Washington state Building Performance Factor values, replacing the current list of target values.
15. Energy modeling & building envelope. Prohibit envelope heat loss more than 10% worse than allowed in the prescriptive code when using energy modeling for code compliance. (State code threshold allows 20% worse.)

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?

New facilities or significant alterations of City buildings will need to comply with the higher-performance requirements of the code as part of the permitting process. Energy bills for those impacted buildings will typically be reduced.

Is there financial cost or other impacts of *not* implementing the legislation?

Energy bills of City facilities would be higher. Future conversion of building systems to higher-efficiency, lower-carbon equipment would be expensive and disruptive.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?**
New facilities or significant alterations of buildings from any department will need to comply with the higher-performance requirements of the code as part of the permitting process. Utility bills for those impacted buildings will typically be reduced.
- b. Is a public hearing required for this legislation?**
No. Extensive public meetings, and reviews by the Construction Codes Advisory Board (CCAB), have taken place over the course of 2020.
- c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No. However, a SEPA determination of non-significance was published in December 2020.
- d. Does this legislation affect a piece of property?**
No.
- e. Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
A Racial Equity Toolkit has been completed, and no impact on vulnerable or historically disadvantaged communities is anticipated. We have not encountered non-English speakers at the 2020 public meetings or CCAB meetings.
- f. Climate Change Implications**
- 1. Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**
This legislation will significantly *decrease* carbon emissions from new and altered buildings in Seattle.
 - 2. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**
This legislation will *increase* resiliency by reducing dependence on fossil fuels, by using electricity more efficiently, and by increasing distributed renewable energy.
- g. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)?**
This legislation is a continuation of a long-term strategy of the Seattle Climate Action Plan to reduce carbon pollution from buildings.

List attachments/exhibits below:

Summary Attachment A – Code Reviser’s Statement on RCW 35.21.180