



Legislation Details (With Text)

**File #:** CB 120239    **Version:** 2    **Name:** CB 120239  
**Type:** Ordinance (Ord)    **Status:** Passed  
**In control:** City Clerk

**On agenda:** 12/13/2021

**Final Action:** 12/15/2021    **Ord. No.** Ord 126508

**Title:** AN ORDINANCE relating to Seattle’s construction codes; amending Sections C404.2.3, C404.2.3.1, C406.8, C406.8.1, C503.4.6, and C503.5 and Table 406.1 of the 2018 Seattle Energy Code, adopted by Ordinance 126279.

**Sponsors:** Andrew Lewis, Dan Strauss

**Indexes:**

**Attachments:** 1. Summary and Fiscal Note, 2. SDCI - SEPA Note to File 2018 Energy Code Amendment (2021), 3. Central Staff Memo, 4. Presentation (12/3/21), 5. Amendment 1, 6. Signed Ordinance 126508, 7. Affidavit of Publication

Date	Ver.	Action By	Action	Result
12/15/2021	2	City Clerk	attested by City Clerk	
12/15/2021	2	Mayor	returned	
12/15/2021	2	Mayor	Signed	
12/15/2021	2	City Clerk	submitted for Mayor's signature	
12/13/2021	2	City Council	passed	Pass
12/8/2021	1	Land Use and Neighborhoods Committee	pass as amended	Pass
12/3/2021	1	Land Use and Neighborhoods Committee	discussed	
11/29/2021	1	City Council	referred	
11/23/2021	1	Council President's Office	sent for review	
11/19/2021	1	City Clerk	sent for review	

CITY OF SEATTLE

ORDINANCE \_\_\_\_\_

COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to Seattle’s construction codes; amending Sections C404.2.3, C404.2.3.1, C406.8, C406.8.1, C503.4.6, and C503.5 and Table 406.1 of the 2018 Seattle Energy Code, adopted by Ordinance 126279.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section C404.2.3 of the Seattle Energy Code, adopted by Ordinance 126279, is amended as follows:

**C404.2.3 (~~Group R-1 and R-2 occupancies with central service~~) Service water heating ((systems))**

**system type.** In buildings with central service water heating systems serving four or more Group R-1 or R-2 dwelling or sleeping units, and in any other building that has a heated water circulation system or a combined water heating capacity greater than 15 kW (51,195 Btu/h) under a single permit, the primary service water heating equipment shall not use fossil fuel combustion or electric resistance. Service hot water shall be provided by an air-source heat pump water heating (HPWH) system meeting the requirements of this section, or a ground-source heat pump water heating (GSHP) system. Supplemental service water heating equipment is permitted to use electric resistance in compliance with Section C404.2.3.4.

**SDCI Informative Note:** A “central service water heating system” in this context is a system that serves more than one dwelling unit, sleeping unit, tenant space, or building area. It can consist of a single water heating system or multiple systems each serving individual floors, risers or building areas. The term does not apply to an individual water heater serving a single use, such as a restaurant in a food court, a pair of toilet rooms, or an apartment building party room.

**Exceptions.**

1. Permits applied for prior to January 1, 2022.
2. A service water heating system in a tenant space under a separate permit with a total heating capacity in that tenant space that is no greater than 15 kW (51,195 Btu/h) is permitted to be electric resistance.
3. Point of use instantaneous electric water heaters, serving fixtures no more than 8 feet of developed pipe length from the water heater, are permitted and do not contribute to the building combined water heating capacity calculation.
- ((2)) 4. Solar thermal, wastewater heat recovery, other *approved* waste heat recovery, ground source heat pump, water-source heat pump system utilizing waste heat, and combinations thereof, are permitted to offset all or any portion of the required HPWH capacity where such systems comply with this code and the Seattle Plumbing Code.

((3)) 5. Systems meeting the requirements of the Northwest Energy Efficiency Alliance (NEEA)

Advanced Water Heater Specifications for central service water heating systems.

6. Unitary heat pump water heaters located in conditioned space are permitted, where they are sized to meet all calculated service water heating demand using the heat pump compressor, and not supplementary heat.

7. For other than Group R-1 and R-2 occupancies, steam or hot water district energy systems that utilize fossil fuels as their primary source of heating energy, that serve multiple buildings, and that were already in existence prior to the effective date of this code, including more energy-efficient upgrades to such existing systems, are permitted to serve as the primary heating energy source.

8. Replacement equipment for existing central service water heating systems serving other than Group R-1 and R-2 occupancies is permitted to utilize fossil fuel or electric resistance heat as the primary heating energy source.

9. Commercial dishwashers, commercial food service equipment, and other approved process equipment are permitted to utilize electric booster heaters for supply water temperatures 120°F or higher.

Section 2. Section C404.2.3.1 of the Seattle Energy Code, adopted by Ordinance 126279, is amended as follows:

**C404.2.3.1 Primary heat pump system sizing.** The system shall include a primary service minimum output at 40°F dry bulb outdoor air temperature for air-source heat pumps, or 40°F ground temperature for ground-source heat pumps, that provides sufficient hot water for ~~((R-1 and/or R-2 occupancy))~~ uses as calculated using the equipment manufacturer's selection criteria or another *approved* methodology. Air source heat pumps shall be sized to deliver no less than 50 percent of the calculated demand for hot water production during the peak demand period when entering air temperature is 24°F.

**Exception:** 50 percent sizing at 24°F is not required for heat pumps located in a below-grade enclosed parking structure or other ventilated and unconditioned space that is not anticipated to fall below 40°F at any time.

\* \* \*

Section 3. Table C406.1 of the Seattle Energy Code, adopted by Ordinance 126279, is amended as follows:

**TABLE C406.1  
EFFICIENCY PACKAGE CREDITS**

Code Section	Commercial Building Occupancy					
	Group R-1	Group R-2	Group B	Group E	Group M	All Other
	Additional Efficiency Credits					
* * *						
8. High-efficiency service water heating in accordance with Sections C406.8.1 and C406.8.2	4.0 NA after 1/1/2022	5.0 NA after 1/1/2022	NA	NA	NA	8.0 <u>NA after 1/1/2022</u>
9. High performance service water heating in R-1 and R-2 buildings in accordance with Section C406.9	7.0 prior to 1/1/2022 after 1/1/2022	8.0 prior to 1/1/2022 after 1/1/2022	NA prior to 1/1/2022 after 1/1/2022 <sup>e</sup> Lab only	NA	NA	NA <u>3.0 after 1/1/2022<sup>f</sup></u>
* * *						

a. Projects using this option may not use Item 2.

b. This option is not available to buildings subject to the prescriptive requirements of Section C403.3.5 or C403.6.

c. Buildings or building areas that are exempt from thermal envelope requirements in accordance with Sections C402.1.1 and C402.1.2 do not qualify for this package.

d. 4.0 credits, instead of 2.0 credits, are permitted to be applied to areas of R-2 occupancy buildings other than *dwelling units*, including corridors, lobbies and tenant amenity spaces, where those areas comply with the requirements for this credit.

e. In Group B occupancies, the high-performance service water heating credit applies only to research and production laboratory spaces, and adjacent circulation serving those laboratory spaces, but not to associated office or other space uses.

f. Buildings, building additions, building areas, occupancy types, or tenant spaces with a service hot

water load of 10 percent or more of total building energy loads, as demonstrated through an energy analysis complying with Section C407, or a minimum service water energy use of 15,000 Btu per square foot per year, as demonstrated through an alternate service hot water load calculation method approved by the code official, are permitted to apply this credit.

Section 4. Section C406.8 of the Seattle Energy Code, adopted by Ordinance 126279, is amended as follows:

**C406.8 Reduced energy use in service water heating.** Buildings with service hot water heating equipment that serves the whole building, building *addition* or tenant space shall comply with Sections C406.8.1 and C406.8.2. No service water heating systems incorporating fossil fuel-fired equipment, or heat from district energy systems that are primarily heated by fossil fuel combustion, are permitted to utilize this credit. After January 1, 2022, buildings subject to the requirements of Section C404.2.3 are not permitted to utilize this credit.

Section 5. Section C406.8.1 of the Seattle Energy Code, adopted by Ordinance 126279, is amended as follows:

**C406.8.1 Building type.** Not less than 90 percent of the *conditioned floor area* of the whole building, building area, occupancy type, building *addition* or tenant space shall be of the following types:

1. Group R-1: Boarding houses, hotels or motels. ~~((Not applicable after 1/1/2022))~~
2. Group I-2: Hospitals, psychiatric hospitals and nursing homes.
3. Group A-2: Restaurants and banquet halls or buildings containing food preparation areas.
4. Group F: Laundries.
5. Group R-2. ~~((Not applicable after 1/1/2022))~~
6. Group A-3: Health clubs and spas.

7. Buildings with a service hot water load of 10 percent or more of total building energy loads, as shown with an energy analysis as described in Section C407 or as shown through alternate service hot water load

calculations showing a minimum service water energy use of 15 k/Btu per square foot per year, as approved by the building official.

Section 6. Section C503.4.6 of the Seattle Energy Code, adopted by Ordinance 126279, is amended as follows:

**C503.4.6 New and replacement HVAC heating system equipment.** For new HVAC heating system equipment, substantial alterations as defined in Section C503.8.1, or where a building's central HVAC heating system equipment is augmented or replaced, the building shall comply with Section C403.1.4.

**Exception:** Where only one heating appliance is failing and is replaced by another having the same or lesser heating capacity and the same or higher efficiency, no other alterations are made to the central HVAC system, and this exception has not been used within the same building in the previous 24-month period, this provision does not apply.

\* \* \*

Section 7. Section C503.5 of the Seattle Energy Code, adopted by Ordinance 126279, is amended as follows:

**C503.5 Service hot water systems.** ~~((New))~~ For new service hot water systems, ~~((that are part of the alteration))~~ substantial alterations as defined in Section C503.8.1, or where a building's central hot water heating system equipment is augmented or replaced, the building shall comply with Section C404.

**Exception:** Where only one service hot water appliance is failing and is replaced by another having the same or lesser heating capacity and the same or higher efficiency, no other alterations are made to the central service hot water system, and this exception has not been used within the same building in the previous 24-month period, this provision does not apply.

Section 8. Sections 1 through 7 of this ordinance shall take effect and be in force on April 1, 2022.

Section 9. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if

not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2021, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Jenny A. Durkan, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Monica Martinez Simmons, City Clerk

(Seal)