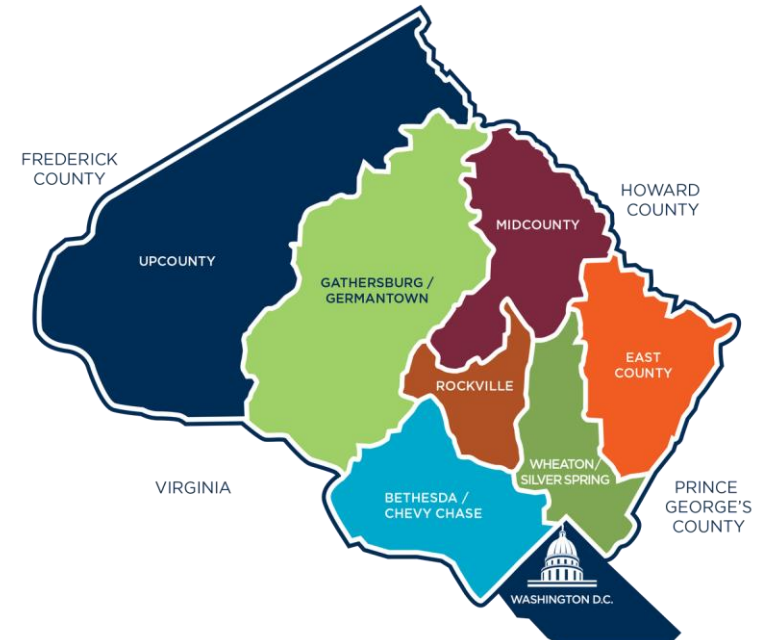




Bill 16-21: Building Energy Use Benchmarking Amendments

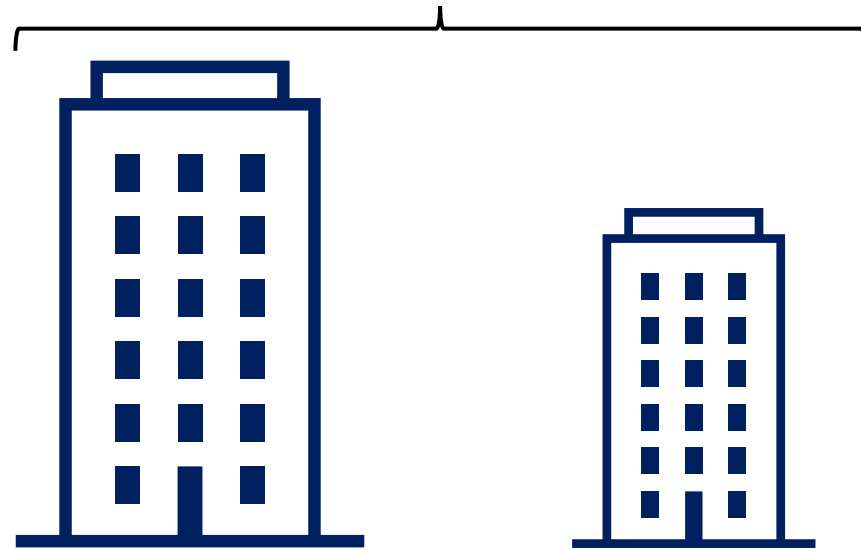
Covered Buildings Guide



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

Benchmarking & BEPS Building Coverage

Previously Covered



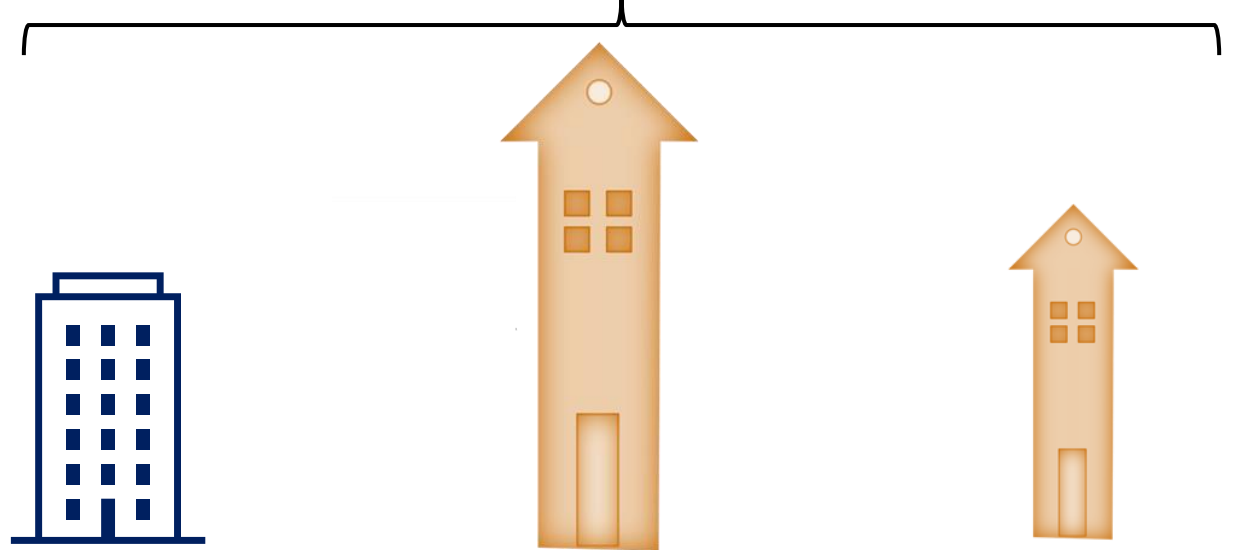
Group 1

Commercial buildings
250k+ GSF

Group 2

Commercial buildings
50k – 250k GSF

Newly Covered



Group 3

Commercial buildings
25k – 50k GSF
+ previously exempted
commercial buildings of all
sizes

Group 4

Multifamily buildings
250k + GSF

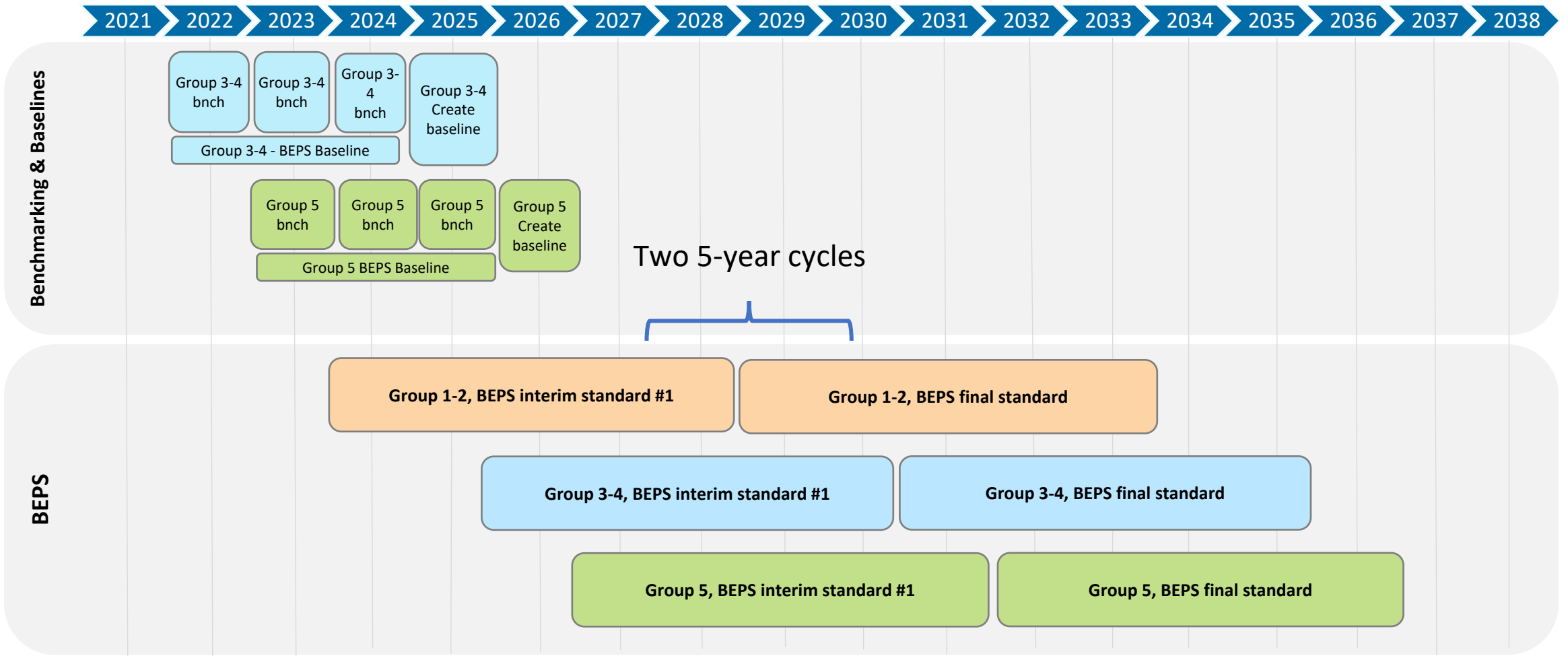
Group 5

Multifamily buildings
25k – 250k GSF

*Buildings with at least 10% warehousing,
self-storage, and manufacturing/industrial
uses were previously exempted*

Timeline for Benchmarking and BEPS

- Commercial buildings 25k-50k gsf (Group 3) + MF buildings 250k+ gsf (Group 4) first benchmark CY 2022 data by June 1, 2023
- MF buildings 25k-250k gsf (Group 5) first benchmark CY 2023 data by June 1, 2024
- Commercial buildings 50k+ GSF (Groups 1 and 2) begin BEPS on January 1, 2024 and have 5 years until the first interim target



Important Dates: Benchmarking and BEPS

- Newly covered buildings benchmark for 3 years and receive a custom baseline based on average of 2 highest site EUI periods
- Buildings report annually on June 1 with BEPS progress assessed in interim and final standard years

Building Group	First Benchmarking Deadline	Baseline Years	Interim	Final BEPS
County	-	2018-2022	12/31/28	12/31/33
Group 1: Non Residential >250k Sqft	-	2018-2022	12/31/28	12/31/33
Group 2: Non Residential 50-250k Sqft	-	2018-2022	12/31/28	12/31/33
Group 3 & 4: Non Residential 25 - 50k, Residential >250k Sqft	<u>June 1, 2023</u>	2022-2024	12/31/30	12/31/35
Group 5: Residential 25-250k Sqft	<u>June 1, 2024</u>	2023-2025	12/31/31	12/31/36

Updated Exemption and Waiver Criteria

Exemptions

Covered building for which **more than 50%** of the total gross floor area is used for:

- a) public assembly in a building without walls;
- b) industrial uses where the majority of energy is consumed for manufacturing, the generation of electric power or district thermal energy to be consumed offsite, or for other process loads; or**
- c) transportation, communications, or utility infrastructure.

*Buildings with **at least 10%** warehousing, self-storage, and manufacturing/industrial uses were previously exempted*

Previously exempted buildings of all sizes will be added to Group 3 and start benchmarking CY 2022 data by June 1, 2023.

Waivers

1. Financial distress, defined as a building that:
 - a) is the subject of a tax lien sale or public auction due to property tax arrearages;
 - b) is controlled by a court appointed receiver; or
 - c) was recently acquired by a deed in lieu of foreclosure;
- 2. On average, less than one full-time-equivalent employee occupied the building during the calendar year being reported;**
3. The covered building is newly constructed and has received its certificate of use and occupancy during the calendar year for which benchmarking is required; or
4. The covered building was demolished or received its demolition permit during the calendar year for which benchmarking is required.

*Buildings with average physical **occupancy of less than 50%** throughout the calendar year were previously waived*

Updated Definition of a Covered Building

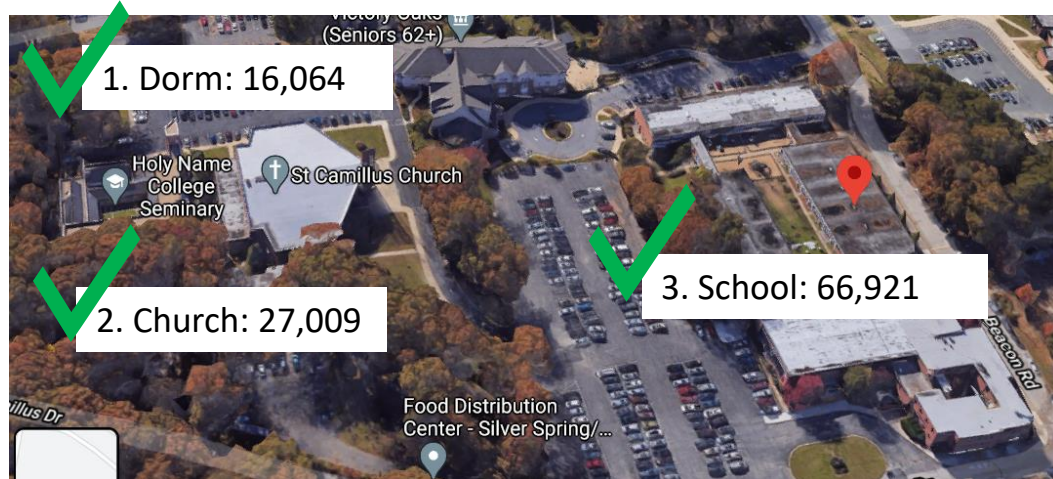
Previous Covered Building Definition:

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

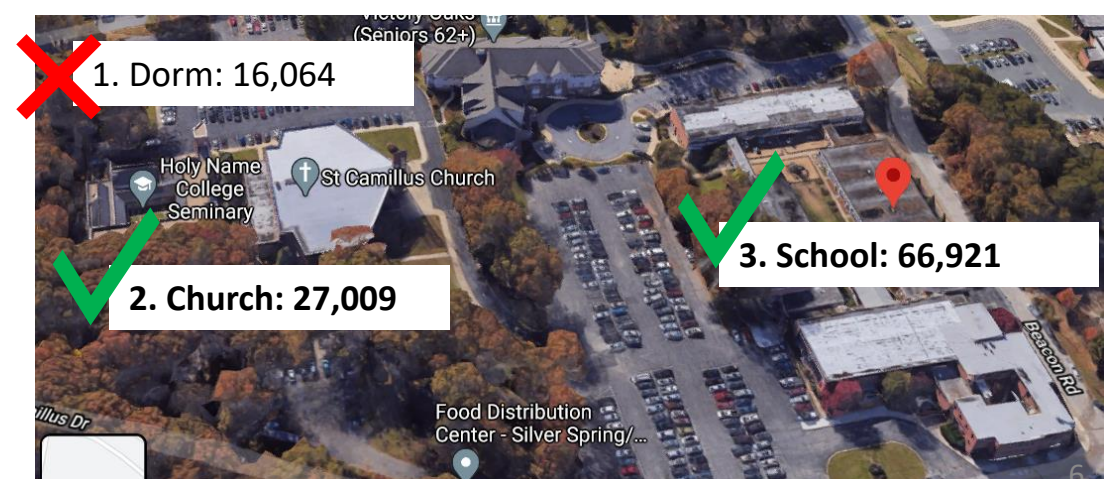
Bill 16-21 Amended Covered Building Definition:

- 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 (summing to 50k+ gsf) must benchmark



Building: If energy use can be isolated, only single buildings 25k+ gsf 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



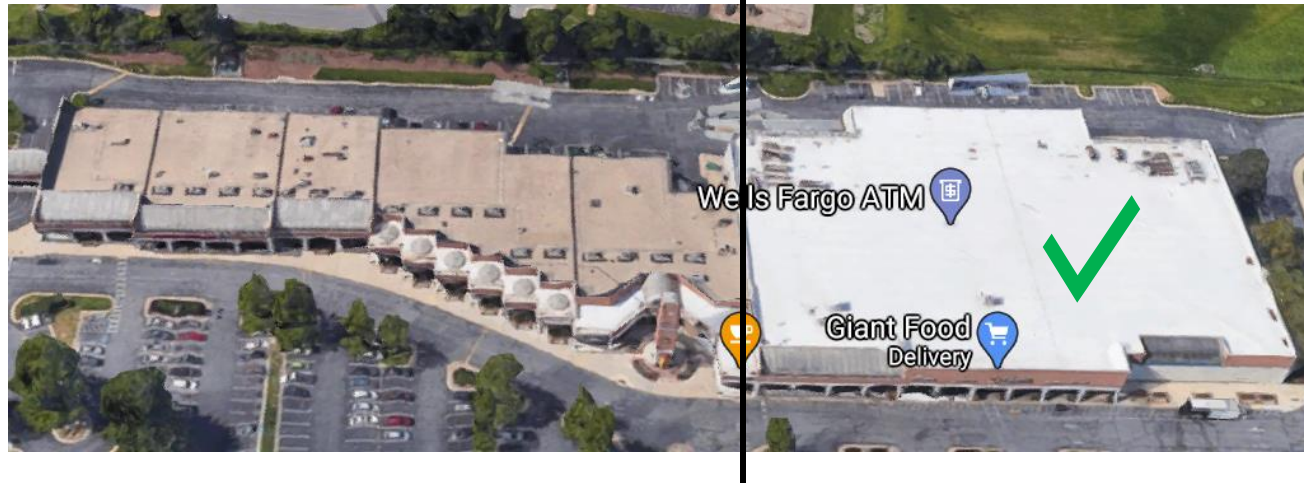
Units with no shared systems or interior area



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

Owners of properties that were previously benchmarking as a group / campus / parcel level may opt to begin reporting individual “buildings” 25,000+ gross square feet at the building or tenant level. These newly reported single structures will be grouped into “Group 3” for timing and compliance and be given 3 years of benchmarking data before beginning BEPS.

Building Coverage Examples: Office

Covered

Single offices 25,000 gross square feet and greater that share no energy systems or meters.



2. Office: 47,630



1. Office: 21,437

3. Office: 21,436

Not Covered

Individual office buildings <25k gsf

Owners of properties that were previously benchmarking as a group / campus / parcel level may opt to begin reporting individual buildings 25,000+ gross square feet at the building level. These newly reported single structures will be grouped into "Group 3" for timing and compliance and be given 3 years of benchmarking data before beginning BEPS.