

POSITION STATEMENT FORM

(We intend to use what is submitted in this form to draft an item for consideration to present to the Legislative Committee; however, submissions will be edited, and additional background or other relevant information will be included in any item to be considered by the Legislative Committee)

GENERAL SUBJECT AREA -- TITLE OF PROPOSAL:

Mandate revised statewide building energy efficiency standards or allow local jurisdictions to set stronger building energy efficiency standards and require commercial buildings and multi-unit residential facilities to publicly report energy use intensity.

PROPOSAL:

To mandate revision of the Uniform Statewide Building Code (USBC) to adopt the most current International Construction Code building energy efficiency standards, or to permit local jurisdictions to set more stringent standards than the USBC for new construction and major renovation of commercial and multi-unit residential buildings, and to require energy intensity benchmarking of commercial and multi-unit residential buildings.

SOURCE: *(Provide the name of the agency, board, or commission generating the proposal and the date of the proposal)*

EQAC July 2025

Other sources:

Fairfax county's 2022, 2023 and 2024 legislative agenda called for either statewide adherence to the most current building energy efficiency codes or to permit local jurisdictions to require more stringent codes within their jurisdiction. We should ask for local authority to require more stringent energy efficiency and climate standards for new commercial construction and major commercial building renovation.

• The state should modernize state building codes by adopting the International Green Construction Code (IgCC), the full provisions of the International Energy Conservation Code (IECC), and the energy provisions of the International Residential Code (IRC) without weakening amendments. Additionally, the state should provide localities more flexibility to increase energy efficiency and improve resilience to climate change impacts, by adopting stronger local standards and implementing energy efficiency and utilization disclosure/benchmarking.

BACKGROUND:

The Uniform Statewide Building Code, (VA Code section 36-97 et seq.) does not sufficiently emphasize energy conservation and efficiency in new construction. Buildings in the US are

estimated to produce 40% of US carbon dioxide emissions and are responsible for 41% of energy consumption. Reducing these numbers will make it easier to achieve VA Clean Economy Act goals, as well as local goals such as Fairfax County's Climate-wide Energy and Climate Action Plan (CECAP). This proposed legislation would require that the Department of Housing and Community Development (DHCD) to adopt the most current International Construction Codes for building energy efficiency, such as those of the International Green Construction Code (IgCC). The International Green Construction Code is a collaborative effort of several professional organizations, including the American Institute of Architects (AIA); the American Society of Heating, Air Conditioning Engineers (ASHRAE), the International Code Council (ICC), the Illuminating Engineering Society (IES); and the US Green Building Council (USGBC).

Fairfax's Communitywide Energy and Climate Action Plan (CECAP) found that 48% of the county's greenhouse gas emissions come from buildings. **Strategy 3: Implement Green Building Standards for New Buildings**, specifically calls for (Action 3a) Increase Building Code Stringency for Residential and Commercial Buildings. It notes that energy codes provide an extremely fast payback (often under 1 year).

Other considerations: Virginia adopts new building energy codes at the state **Building energy codes** set minimum efficiency requirements for new and renovated buildings. By establishing baseline requirements during building construction, buildings use less energy, are more comfortable, and cost less to operate. It is also easier to increase the efficiency of a building during its construction than to try and do so after the fact.

Benchmarking building energy use intensity.

Benchmarking is the practice of collecting building energy use data, tracking energy use over time, and using this data to compare a building's energy use to that of a similar structure. Data is needed to understand if we are making progress or not. When combined with transparency laws requiring this information to be shared with prospective buyers, benchmarking becomes a valuable resource to spur owners to make their buildings more efficient and help purchasers and renters make smart, energy-efficient decisions about where to live and what properties to buy.

STAFF RECOMMENDATION:

(Do not fill out-- This will be indicated by the Legislative Director and County Executive)

POSITION STATEMENT INFORMATION SHEET

(Supplemental background information to be used by staff)

GENERAL SUBJECT AREA -- TITLE OF PROPOSAL:

Mandate revised statewide building energy efficiency standards or allow local jurisdictions to set stronger building energy efficiency standards and require commercial buildings and multi-unit residential facilities to publicly report energy use intensity.

ADDITIONAL BACKGROUND INFORMATION:

ALIGNMENT TO ONE FAIRFAX GOALS:

Energy efficient buildings reduce energy costs and help to mitigate higher temperatures caused by climate change. Energy efficient buildings should be a priority for disadvantaged and high-risk populations.

POSSIBLE SUPPORT OR OPPOSITION BY ORGANIZATIONS:

Environmental groups actively support this legislation. The Virginia Conservation Network, which includes over 150 Network Partners across the Commonwealth (full list of Network Partners), supported these legislative proposals. Environmental groups in Fairfax, the Sierra Club Great Falls and Faith Alliance for Climate Solutions, have led local and state-wide efforts. Associations of government building inspectors support such laws and regulations. Fairfax county and the Virginia Association of Counties have supported such laws and regulations. Builders will object to having to change building practices, as well as to possible increased construction costs. The greatest pushback against past proposed legislation in Virginia has come from home builders. The proposed legislation does not cover single family residential buildings. This should reduce the opposition of the home builders, who have successfully blocked past legislative proposals to incorporate more rigorous building energy efficiency standards for all new construction.

PROS/CONS OF THE ISSUE:

Requiring State-wide implementation of the most current ICC building energy efficiency codes for new commercial and multi-unit residential buildings would create a level field for all builders. Maryland and DC already meet these standards, so most builders are familiar with and have experience building to these codes. No builder is placed at a competitive disadvantage by building to enhanced environmental standards, even if such may initially increase construction costs. Any additional costs to the consumer due to higher construction costs should be offset by savings in utility bills over the life of the building, as well as by assisting in lowering the potential financial impact that climatic change can cause (e.g., from storm damage.) If legislation mandating statewide codes, an alternative supported by Fairfax county's 2022, 2023 and 2024 legislative agendas is legislation authorizing local jurisdictions to adopt standards more stringent than the USBC. Legislation proposed in 2024 and 2022 would have required the DHCD to establish a "stretch" energy efficiency standard that local jurisdictions could adopt.

That way, all local jurisdictions that adopted the stretch codes would be uniform. Benchmarking the energy intensity of commercial buildings is widely used nationwide and has been shown to reduce average energy use in benchmarked buildings.

STAFF CONTACT PERSON(S):

(Provide name and phone number of County staff person(s) best able to provide any additional research or necessary information)