City of Chula Vista

Building Energy Saving Ordinance (BESO) Policy Summary

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I. What is BESO?

The City's Building Energy Saving Ordinance (BESO) requires owners of buildings 20,000 square feet or larger to benchmark their buildings on the free Energy Star Portfolio Manager platform and to meet certain energy conservation requirements. The complete requirements may be found in the Chula Vista Municipal Code, Section 15.62. See our webpage for guidance and more information.

The City of Chula Vista updated the Building Energy Saving Ordinance (BESO) requirements effective in 2026. The changes include minor modifications to which buildings are required to comply, a requirement for third party verification of benchmarking reports by 2027, changes to the scope of the energy audits, and other changes to improve the process and provide more flexibility for building owners to comply, including extension of the conservation requirement deadlines. The complete requirements may be found in the Chula Vista Municipal Code, Section 15.62. In addition, the process of acquiring energy usage data from SDG&E and uploading it to the ENERGY STAR Portfolio Manager has been improved to enable automatic uploads (see How to Benchmark guide.

II. Important Dates

- June 20, **2025** – Initial benchmarking reports due[1]
- May 20, **every year** - Annual benchmarking data is due (automated data-sharing is available)
- May 20, **2027** – Verified benchmarking data due[2]
- June 20, **2028** – Verified energy performance targets must be achieved, or conservation actions must be completed and commitments to provisional targets (2032 & 2042) must be made

III. Who is Required to Comply?

The requirements apply to all buildings or campuses within the City of Chula Vista with a gross floor area of 20,000 square feet or more. See Attachment 1 for specific exemptions.

IV. What are the Requirements?

Building owners are required to have their buildings benchmarked, enable energy data sharing on an ongoing basis with the city for public disclosure, disclose benchmarking reports and certain other information to tenants and prospective tenants and buyers, and achieve certain energy conservation objectives by specific deadlines.

A. Energy Benchmarking

Benchmarking is tracking energy performance, in terms of energy use per square foot, against a standard that is representative of the building's occupancy and climate. That metric will serve as a baseline to compare the efficiency of your building to that of previous years or to those of similar buildings.

The City requires building owners to use the ENERGY STAR® Portfolio Manager® platform for benchmarking. Once an initial benchmarking report has been completed and data-sharing is

[1] New buildings must report by May 20 of the year after the first year of full operation.
[2] New buildings must verify data by May 20 of the year after the first year of full operation.

established, the Portfolio Manager will automatically download energy consumption data from the utility, produce annual weather-normalized performance metrics, and upload information required for compliance to the City.

Benchmarking has been required since 2022 for existing buildings (new buildings must file by May 20 of the year after the first full year of occupancy).

No later than **May 20, 2027**, building owners must verify benchmarking data for the preceding year using a qualified independent third party; these verified data will establish the energy performance baseline for the building. Data verification is not required every year but is required periodically to demonstrate compliance with the Conservation Requirements (see below).

Benchmarking data reported to the City of Chula Vista will be made available to the public via our data portal by **September 1 annually**. Building owners must share their energy benchmarking reports for the prior year, as well as any energy audit and retro-commissioning reports, if applicable, to current tenants by August 20, and to prospective buyers and tenants prior to closing or lease signing. Properties where energy use data would result in the release of proprietary information that can be characterized as a trade secret may be exempted from disclosure, upon approval by the City.

B. Conservation Requirements

By **June 20, 2028,** building owners must comply using one of the three below:

- Pathway 1: Achieve a *High Performing Building* exemption;
- Pathway 2: Achieve the *Performance Target*; or
- Pathway 3: Complete specific *Conservation Activities* and commit to meeting *Provisional Performance Targets*.

1. High-Performance Buildings

A building that achieves a High-Performance Building status is exempt from the conservation requirements for 10 years. To obtain this status, the owner must demonstrate that the building achieved any one of the following:

- A verified ENERGY STAR Portfolio Manager score of 80 or higher during preceding year[3];
- A verified ENERGY STAR certification during preceding year; or
- LEED Existing Building Certification for at least 3 of the 5 preceding years.

2. Performance Target

To achieve the Performance Target, a reduction in energy use from the baseline year must be demonstrated via a verified ENERGY STAR Portfolio Manager report. The baseline year is the first reporting year with an accepted verified ENERGY STAR Portfolio Manager report. The

[3] Or, if building type is not eligible for an Energy Star score then a third-party verified Energy Use Intensity (EUI) score of 18 or less

required reduction varies by building performance, with lower performing buildings (lower tiers) required to meet larger reductions.

Table 1: Performance Targets

Tier	Baseline Year ENERGY STAR Score	Or, if score is not available, use Baseline Year EUI-WN*	Improvement Target Site ENERGY STAR Score Improvement or EUI-WN* Reduction
1	0-45	80+	30%
2	46-65	51-79	20%
3	66-79	19-50	10%
4	80+	0-18	None

* EUI-WN is the weather normalized energy use intensity, as calculated by the ENERGY STAR Portfolio Manager.

3. Provisional Performance Targets and Conservation Activities

Owners of buildings that are not exempt and have not achieved the performance target must achieve a specific provisional performance target in 2032 and undertake certain conservation activities.

a. Provisional Performance Targets

Building owners must achieve an interim provisional target of 50% of the Performance Target by **2032** and 100% by **2042**. Properties with a Baseline Year Verified ENERGY STAR Score of 66 or higher, or properties ineligible for an ENERGY STAR Score with a Baseline Year Site EUI-WN of 50 or less are exempt from the Provisional Performance Target requirement (but are still subject to the Conservation Activities requirement).

b. Conservation Activities

In addition to the Provisional Performance Targets, by **June 20, 2028**, the following requirements must be met:

- **Non-residential buildings** must have completed a retro-commissioning process (or energy audit for qualified buildings) and file with the City;
- **Multifamily buildings** construct**ed** prior to 2006 must either perform retro-commissioning or install specific energy conservation measures in all dwelling units.

i. Retro-commissioning and Audits

Retro-commissioning is a systematic process for optimizing existing systems relating to building performance through the identification and correction of deficiencies in such systems. To satisfy this requirement, an ASHRAE 0.2 retro-commissioning must be performed by a qualified professional, and a retro-commissioning report must be filed with the City by June 20, 2028.

In lieu of retro-commissioning, an ASHRAE Level 2 Energy Audit may be performed and an Audit Report submitted to the City if any of the following are true:

- The building has less than 50,000 square feet of Conditioned Floor Area;
- There is no existing centralized mechanical equipment;
- The building does not have digital controls in place that are reparable or in good working order in the opinion of an Energy Professional; or
- The building has experienced major changes in operations during the prior six months or plans to make major changes in the following year.

Refer to the Retro-Commissioning and Energy Audit fact sheets (coming soon) for more information.

ii. Multifamily Prescriptive Upgrades

Instead of retro-commissioning (or audits, where applicable), owners of multifamily properties may install the minimum number of prescriptive measures specified below in each unit (certain measures count as double, as noted below). Any measures already completed may count toward the minimum number, and where a measure is not applicable, it may count toward satisfying the minimum number of measures.

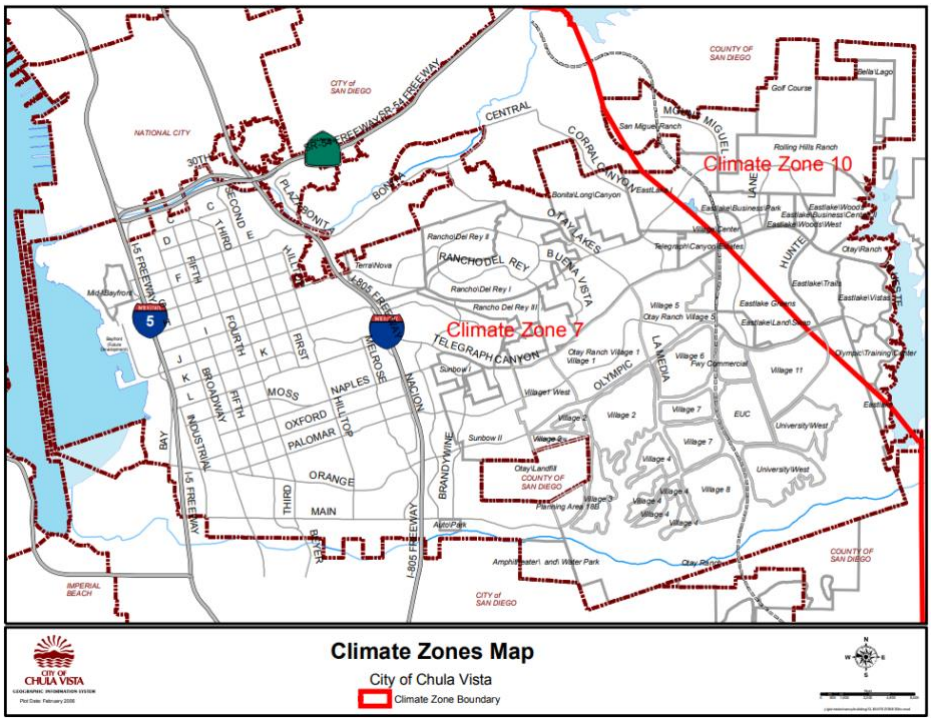
Table 2: Measure Requirements

Year Built	Climate Zone 7	Climate Zone 10
Pre-1978	Choose four (4) Measures	Choose four (4) Measures
1978-1991	Choose three (3) Measures	
1992-2005	Choose two (2) Measures	

Multifamily Measures (see Attachment 2 for measure specifications)

- R-38 Attic Insulation
- Air Sealing
- Cool Roof
- Duct Sealing
- High Efficiency Lighting
- Water Heating Package
- High-Performance Windows
- Heat Pump Water Heater
- High Efficiency Heat Pump Water Heater (counts as two measures)
- Heat Pump Space Conditioner
- High Efficiency Heat Pump Space Conditioner (counts as two measures)

Figure 1: Climate Zone Map



Use California Energy Commission search tool to look up Climate Zone by address.

V. What are the Compliance Deadlines?

Table 3: Compliance Deadlines

Requirement	CVMC Section	Compliance Filing Deadline Deadlines
Benchmarking	15.62.010(D)	May 20 of each year for the prior reporting year, beginning in 2022
Direct Disclosure and Public Disclosure	15.62.010(E)(1-2)	September 1 of each year for the prior reporting year, beginning in 2022
Baseline Year Benchmarking Data Verification	15.62.010(D)(7)	May 20, 2027, for the prior reporting year, or May 20 of the year immediately after the first full year of operation
Performance Target Compliance	15.62.010(F)(1)	Every five (5) years beginning May 20, 2028, for the prior reporting year
Provisional Compliance: Retro-Commissioning or Audits	15.62.010(F)(2)	June 30, 2028, or June 30 five years after certificate of occupancy or temporary certificate of occupancy

Provisional Compliance: Multifamily Measures	15.62.010(F)(2)(b)(ii)	June 30, 2028
Provisional Compliance: Interim and Final Performance Targets	15.62.010(F)(2)(a)	Interim Target Date – 2032 or 10 years after certificate of occupancy or temporary certificate of occupancy Final Target Date – 2042 or 20 years after certificate of occupancy or temporary certificate of occupancy

VI. What are the Consequences of Noncompliance?

Failure to comply may result in the following:

- Notice of noncompliance will be sent giving the property 60 days to correct.
- The City may publicly disclose non-compliance.
- Monetary fines may be levied each month the property is not in compliance with the requirements in the amount below.

Table 4: Fines

Property Size (square feet)	Amount
20,000-49,999 GFA	Up to $750
50,000-99,999 GFA	Up to $1,500
100,000+ GFA	Up to $2,250

VII. How Can I Get Help?

A. Benchmarking and Filing

- Chula Vista Building ID Finder
- How to Benchmark guide

B. Data Verification

- Data Verification Factsheet (link coming soon)
- See vendor qualifications: a licensed Professional Engineer; a licensed Registered Architect; a Certified Energy Manager (CEM from AEE); a Building Energy Assessment Professional (BEAP from ASHRAE); or an Energy Management Professional (EMP from EMA).

C. Retro-commissioning, audits and multifamily measures

- Retro-commissioning Factsheet (link coming soon)
- Audit Factsheet (link coming soon)
- Multifamily Prescriptive Upgrade Factsheet (link coming soon)

- Building Performance Pathway map (link coming soon)
- See vendor qualifications

D. Events and One-on-One Support

- Attend *Benchmarking and Beyond* Events to learn more about the process
- Check our website for periodic virtual events
- Schedule a virtual one-on-one session with City staff
- Join virtual drop in Office Hours (coming soon)

E. Additional Resources

- SDG&E® Benchmarking Data Request Portal User Guide
- SDG&E Benchmarking webpage
- Multifamily buildings with qualified low-income residents may qualify for free services. Visit the California Community Services and Development Department website or the SDGE Energy Savings Assistance Program for more information.
- Tech Clean California periodically has incentives available for heat pump installations in multifamily buildings.
- California Building Performance Hub

F. Still Need Help?

Visit our webpage, set up an appointment at https://benchmarkinghelp.as.me/ or contact us at benchmark@chulavistaca.gov.

VIII. Attachment 1: Exceptions and Exemptions

The following public agencies are exempt from filing with the City and from the conservation requirements but still must file with the State of California by **June 1 every year**:

- the County of San Diego
- the State of California
- the Metropolitan Transit Service
- the Chula Vista and Sweetwater School Districts

A building with more than one, but less than five, active residential energy accounts of any one type (i.e., electricity or gas) are exempt from all the requirements.

Condominiums (as defined under CCC 4125 or 6542) are exempt from all the requirements.

Buildings less than 20,000 gross square feet that are part of a campus may be exempt from all the requirements, upon approval by the City, unless they are served by a common energy meter(s) with other buildings on the campus and the gross floor area of the buildings served by a common meter(s) is 20,000 square feet or more.

The following properties are exempt from the benchmarking requirements *for any particular year* if, during that reporting year, either of the following applies:

- The entire property did not have a Certificate of Occupancy or Temporary Certificate of Occupancy for more than half of the calendar year for which reporting is required; or
- The building is scheduled to be demolished one year or less from the reporting date.

IX. Attachment 2: Multifamily Measure Specifications

Measure Name	Description
R-38 Attic Insulation	Install attic insulation to achieve a weighted assembly U-factor of 0.025 or less, or insulation installed at the ceiling level with a thermal resistance of R-38 or greater for the insulation alone. Recessed downlight luminaires in the ceiling shall be covered with insulation to the same depth as the rest of the ceiling. Luminaires not rated for insulation contact must be replaced or fitted with a fire-proof cover that allows for insulation to be installed directly over the cover.
Air Sealing	Seal all accessible cracks, holes, and gaps in the building envelope at walls, floors, and ceilings. Pay special attention to penetrations including plumbing, electrical, and mechanical vents, recessed can light luminaires, and windows. Weather-strip doors if not already present. Compliance shall be demonstrated with blower door testing conducted by a certified ECC Rater no more than three years prior to the permit application date that either: a) shows at least a 30 percent reduction from pre-retrofit conditions; or b) shows that the number of air changes per hour at 50 Pascals pressure difference (ACH50) does not exceed seven. If combustion appliances are located within the pressure boundary of the building, conduct a combustion safety test by a certified ECC Rater or a professional certified by the Building Performance Institute, in accordance with the BPI Technical Standards for the Building Analyst Professional.
Cool Roof	For steep-sloped roofs, install a roofing product on at least 50% of the roof rated by the Cool Roof Rating Council (CRRC) with an aged solar reflectance of 0.25 or higher and thermal emittance of 0.75 or higher. For low-sloped roofs, install a roofing product on at least 50% of the roof rated by the Cool Roof Rating Council (CRRC) with a minimum aged solar reflectance of 0.63 and a minimum thermal emittance of 0.75, or a minimum SRI of 75.
Duct Sealing	Air seal any accessible ductwork to meet the requirements of the current California Energy Code (Title 24, Part 6) Section 180.2(b)2Aiii, which otherwise applies to altered space-conditioning systems.
High Efficiency Lighting	Replace all screw-based lighting that has an efficacy of less than 45 lumens per watt with lighting that has an efficacy of 45 lumens per watt or greater.
Water Heating Package (if water heater serves individual unit)	Insulate all accessible hot water pipes with pipe insulation to achieve a minimum thermal resistance of R-3. This includes insulating the supply pipe leaving the water heater, piping to faucets underneath sinks, and accessible pipes in attic spaces or crawlspaces. Upgrade fittings in sinks and showers to meet current California Green Building Standards Code (Title 24, Part 11) Section 4.303 water efficiency requirements. Exception: Upgraded fixtures are not required if existing fixtures have rated or measured flow rates of no more than ten percent greater than current California Green Building Standards Code (Title 24, Part 11) Section 4.303 water efficiency requirements.

Measure Name	Description
High-Performance Windows	Windows: Replace at least 50% of existing windows with high-performance windows that comply with the specifications in current California Energy Code (Title 24, Part 6) Table 180.2-B.
Heat Pump Water Heater (if water heater serves individual unit)	Heat Pump Water Heater (HPWH): Replace existing water heater with a heat pump water heater that meets the requirements of the current California Energy Code (Title 24, Part 6) Sections 110.3 and 180.2(b)3. -or- High Efficiency Tankless Water Heater: Replace existing water heater with a tankless water heater with a minimum Uniform Energy Factor (UEF) of 0.95. -or- **For two measure credits:** Replace existing water heater with a heat pump water heater with a Northwest Energy Efficiency Alliance (NEEA) Tier 3 or higher rating that also meets the requirements of the current California Energy Code (Title 24, Part 6) Sections 110.3 and 180.2(b)3.
Heat Pump Space Conditioner Replacement	Heat Pump Space Conditioning System: Replace all existing gas and electric resistance primary space heating systems with a heat pump system that meets the requirements of the current California Energy Code (Title 24, Part 6) Sections 110.3, 180.2(b)2. -or- High Efficiency Air Conditioner Replace an existing air conditioner having a SEER rating of 13 or less with an air conditioner having a SEER2 rating of 17.0 or greater, or an EER2 of 12.0 or greater. -or- **For two measure credits:** High Efficiency Heat Pump Space Conditioning System: Replace all existing gas and electric resistance primary space heating systems with an electric-only heat pump system that meets the requirements of the current California Energy Code (Title 24, Part 6) Sections 110.3 and 180.2(b)2 and one of the following: • A ducted heat pump system with a SEER2 rating of 16.5 or greater, an EER2 rating of 12.48 or greater and an HSPF2 rating of 9.5 or greater; or a ductless mini-split heat pump system with a SEER2 rating of 16.0 or greater, an EER2 rating of 12.0 or greater and an HSPF2 rating of 9.0 or greater.