



Understanding the Differences Between Oregon Building Performance Standard and Portland Commercial Building Energy Reporting Requirements

Feature	Oregon Building Performance Standard	Portland Commercial Building Energy Reporting Policy
Covered Buildings	Commercial buildings across the state that are in the following categories (excluding the square footage of any parking areas): Tier 1 Buildings: Non-residential, hotels, and motels of 35,000 square feet and greater Tier 2 Buildings: <ul style="list-style-type: none"> • Non-residential, hotels, and motels from 20,000 to 35,000 square feet • Multifamily residential, hospital, school, university, dormitory, barracks, prison, and residential/senior care facilities 35,000 square feet and larger 	Commercial buildings within the city of Portland of 20,000 square feet and larger (excluding the square footage of any parking areas), where no more than 50% of the gross floor area is used for housing, senior care, parking, K-12 education, industrial, manufacturing, warehouse, worship purposes, or a combination thereof
Requirements	Tier 1: Benchmark by reporting energy performance and meet an energy target (or make sufficient investments in energy efficiency), submit energy management plans, and operation and maintenance programs Tier 2: Benchmark by reporting energy performance and identify an energy target	Benchmark by reporting energy performance
Compliance Cycle	Five-year intervals	Annual
Compliance Dates	Tier 1: <ul style="list-style-type: none"> • 35,000 to 90,000 square feet: June 1, 2030 • 90,000 to 200,000 square feet: June 1, 2029 • greater than 200,000 square feet: June 1, 2028 Tier 2: July 1, 2028 After these dates, every successive five years.	April 22 every year for the prior calendar year's energy performance

Exemptions	<p>Application required (Form X)</p> <p>Exemptions may be available for manufacturing, industrial, and agricultural buildings, buildings without an occupancy certificate or with high vacancy, buildings undergoing financial hardship, and buildings with a significant amount of unconditioned floor area</p>	<p>Application required</p> <p>Exemptions available for low occupancy, demolition permit issued, and financial hardship</p>
Data Needs	<p>To determine whether a building meets its target, 12 consecutive months of data (taken within two years of the application submission date) may be used. All energy data starting from January 1, 2026, will also need to be submitted for the first compliance period.</p>	<p>12 consecutive months of data representing the calendar year</p>
Origins	<p>Oregon House Bill 3409 passed in 2023</p>	<p>Portland City Council approved Ordinance No. 187095 on Earth Day 2015</p>
Approximate number of Buildings	<p>20,000 commercial and multifamily buildings across the state</p>	<p>1,000 commercial buildings in Portland</p>
Compliance Portal	<p>OR BPS BEAM Compliance Portal and EPA's ENERGY STAR Portfolio Manager (ESPM)</p>	<p>EPA's ENERGY STAR Portfolio Manager</p>
ESPM data records	<p>All information in ESPM must be kept for at least five years</p> <p>Transfer ownership of ESPM account within 30 days of new building ownership</p>	<p>All information in ESPM must be kept for at least three years</p> <p>Transfer ownership of ESPM account within 30 days of new building ownership</p>
Metrics Used	<p>Site Energy Use Intensity</p>	<p>Site Energy Use Intensity and the ENERGY STAR score</p>
Data Centers	<p>Complete the Investment Criteria path. All data centers in commercial buildings are entered into ESPM as 100: Technology / science Data center NONTARGET</p>	<p>Buildings that are primarily used as Data Centers are covered by the annual energy performance reporting requirements. Data centers serving office buildings are entered into ESPM as an Office use type by counting each server as a computer in the use details.</p>
Vacancies	<p>The Tier 1 or Tier 2 building did not have an actual rate of occupancy that exceeded 50% of the Tier 1 or Tier 2 building's capacity during all of the 12 months that preceded the date on which the eligible building owner's report is due</p>	<p>May qualify for a 1-year exemption if the building vacancy results in less than 12 months of utility billing data being available in ESPM</p>

<p>Renewable Energy</p>	<p>Onsite renewable energy generated and consumed onsite will reduce the need for grid-supplied energy and help a building meet its energy use target. This is accounted for in ESPM based on reporting all building utility meter data. Onsite renewable generation that is exported is subtracted to calculate net energy use.</p> <p>Offsite renewable energy purchases have no effect in the Building Performance Standard</p>	<p>Onsite renewable energy generated and consumed onsite is accounted for in ESPM based on reporting all building meter data, like grid-purchased electricity. Onsite renewable generation that is exported is subtracted to calculate net energy use.</p> <p>Offsite renewable energy purchases are not reported</p>
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