



# Washington State Building Code Council

*Improving the built environment by promoting health, safety and welfare*

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## STATE BUILDING CODE OPINION NO. 24-10

**CODE:** 2021 Washington State Energy Code-Commercial

**SECTION:** C505.3 Change in Occupancy

**QUESTION 1:** If an existing Group R-1 hotel is adding kitchen facilities to their sleeping units to create condos, this involves a change of use from Group R-1 to R-2. Does WSEC C505.3 Item 2 require this building to be brought up to full compliance with the WSEC?

**ANSWER 1:** **Yes. Per 2021 WSEC Sections C505.1, C505.3 Item 2 and RCW 19.27A.270, new dwelling units created within an existing commercial building shall be brought up to full compliance with the current energy code for all disciplines. Unaltered areas within the existing building are not required to be brought into compliance with the current energy code. Any alteration of the building requires full compliance with all other applicable codes.**

**QUESTION 2:** Is it sufficient if they can prove that the new design does not use any more energy than the original building?

**ANSWER 2:** **No, unless the building qualifies as a historic building per Section C501.5 or other AHJ approved variance. See also Section C102.1.**

**QUESTION 3:** If an existing Group B building is converted to a Group R-1 with only sleeping units, but no dwelling units, what are the energy code requirements? This scenario does not appear to be addressed in C505.3.

**ANSWER 3:** **The conversion would not fall under Item 2 of Section C505.3 and would not require full compliance with the WSEC-C.**

**QUESTION 4:** If an existing Group R-1 hotel is converted to Group R-2 dwelling units and now meets the definition of a residential building per the WSEC, does that require full compliance with the residential provisions of the WSEC now that this changed from the commercial to residential code?

**ANSWER 4:** **Yes. Per Section C505.1, "Any space not within the scope of Section R101.2 which is converted to space that is within the scope of Section R101.2 shall be brought into full compliance with this code." Per RCW 19.27A.270, new dwelling units created within an existing building shall be brought up to full compliance with the current energy code for all disciplines. Unaltered areas within the existing building are not required to comply with the current energy code. Any alteration of the building requires full compliance with all other applicable codes.**

QUESTION 5: Is it sufficient if they can prove that the new design does not use any more energy than the original building or is that only if they use the Total Building Performance method from R405?

ANSWER 5: **No. However, per Section C501.6 “The *code official* may modify the specific requirements of this code for historic buildings and require alternative provisions which will result in a reasonable degree of energy efficiency.” See also Section C102.1.**

SUPERSEDES: None

REQUESTED BY: City of Bellevue