

Text Amendment Application No. 527
Boston Redevelopment Authority
d/b/a Boston Planning and
Development Agency
Article 37
Net Zero Carbon

TEXT AMENDMENT NO. 479

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

IN ZONING COMMISSION

The Zoning Commission of the City of Boston, acting under Chapter 665 of the Acts of 1956, as amended, after due report, notice and hearing, does hereby amend the text of the Boston Zoning Code, as established by Chapter 665 of the Acts of 1956, as amended, as follows:

1. Insert the following zoning Article in appropriate numerical order:

ARTICLE 37

Green Buildings and Net Zero Carbon

Section 37-1. Statement of Purpose.

The purposes of this article are to ensure that Proposed Projects through the Article 80 Review Process are designed, developed, and managed to minimize and mitigate adverse environmental impacts; to promote sustainable development; and to minimize and mitigate the impacts of Greenhouse Gas Emissions.

Section 37-2. Applicability of Green Buildings.

Any Proposed Project which is subject to or shall elect to comply with Section 80B of this Code, Large Project Review, shall be subject to the requirements of Section 37-3 through 4 and Sections 37-9 through 11.

Section 37-3. Requirements of Green Buildings.

Any Proposed Project subject to the provisions of this article shall be LEED Certifiable under the most appropriate LEED building rating system.

Section 37-4. Procedures of Green Buildings.

Any Applicant subject to the provisions of this Article shall provide to the Boston Redevelopment Authority a completed LEED scorecard. The Applicant shall demonstrate that the Proposed Project will meet the requirements of this Article with appropriate supporting documentation and by certification from an expert recognized by the Boston Redevelopment Authority. The submissions shall be in accordance with the provisions of Section 80B.

Section 37-5. Applicability of Net Zero Carbon.

1. The provisions of Net Zero Carbon (Sections 37-5 through 11) shall apply to any Proposed Project, which is also subject to or elects to comply with the provisions of Large Project Review (Section 80B); Planned Development Area Review (Section 80C); Institutional Master Plan Review (Section 80D); or Small Project Review (Section 80E), to:
 - a. erect a building or structure having a gross floor area of twenty thousand (20,000) or more square feet; or
 - b. erect a building or structure containing fifteen (15) or more Dwelling Units; or
 - c. extend a building by a gross floor area of fifty thousand (50,000) or more square feet, except that Hospital Use as defined in Article 2 and in Article 8 (Table A), or as Use No. 22 as defined in Article 8 (Table B), is exempt from this Section c.

Section 37-6. Requirements of Net Zero Carbon.

1. A Proposed Project shall be reviewed for design compliance, as determined by the Boston Redevelopment Authority, with the Greenhouse Gas Emissions standards from Table 1 in the Building Emissions and Reduction Disclosure Ordinance Section 7-2.2(i) as modified by the following:
 - a. Comply with a zero (0) kg of CO₂e / sf-yr Greenhouse Gas Emissions standard upon effective date and every year thereafter.
2. The following uses may request Proposed Project compliance with alternative Greenhouse Gas Emissions standards as follows:
 - a. Hospital Use as defined in Article 2 and in Article 8 (Table A), or as Use No. 22 as defined in Article 8 (Table B), shall comply with the Greenhouse Gas Emissions standards from Table 1 in BERDO Section 7-2.2(i) as follows:
 - (i) Comply with the applicable 2030-2034 Greenhouse Gas Emissions standard for each year between 2025-2029, inclusive;
 - (ii) Comply with the applicable 2035-2039 Greenhouse Gas Emissions standard for each year between 2030-2034, inclusive;
 - (iii) Comply with the applicable 2040-2044 Greenhouse Gas Emissions standard for each year between 2035-2039, inclusive;
 - (iv) Comply with the applicable 2045-2049 Greenhouse Gas Emissions standard for each year between 2040-2044, inclusive; and
 - (v) Comply with a zero (0) kg of CO₂e / sf-yr in Greenhouse Gas Emissions standard in 2045 and every year thereafter.
 - b. General Manufacturing as defined in Article 2, as Use Item No.69 as defined in Article 8 (Table B), or General Industrial Use as defined in Article 8 (Table A), shall comply with the Greenhouse Gas Emissions standard from Table 1 in the BERDO Section 7-2.2(i) as follows:
 - (i) Comply with the applicable 2030-2034 Greenhouse Gas Emissions standard for each year between 2025-2029, inclusive;
 - (ii) Comply with the applicable 2035-2039 Greenhouse Gas Emissions standard for each year between 2030-2034, inclusive;

- (iii) Comply with the applicable 2040-2044 Greenhouse Gas Emissions standard for each year between 2035-2039, inclusive;
 - (iv) Comply with the applicable 2045-2049 Greenhouse Gas Emissions standard for each year between 2040-2044, inclusive; and
 - (v) Comply with a zero (0) kg of CO₂e / sf-yr in Greenhouse Gas Emissions standard in 2045 and every year thereafter
- c. Research Laboratory Use as defined in Article 2, as Use Item No.48 as defined in Article 8 (Table B), or Research Laboratory as defined in Article 8 (Table A), shall comply with the Greenhouse Gas Emissions standard from Table 1 in the BERDO Section 7-2.2(i) as follows:
- (i) Comply with the applicable 2040-2044 Greenhouse Gas Emissions standard for each year between 2025-2029, inclusive;
 - (ii) Comply with the applicable 2045-2049 Greenhouse Gas Emissions standard for each year between 2030-2034, inclusive;
 - (iii) Comply with a zero (0) kg of CO₂e / sf-yr in 2035 and every year thereafter.

Section 37-7. Procedures of Net Zero Carbon.

1. The Applicant shall demonstrate that the Proposed Project is designed to comply with the Requirements of Net Zero Carbon in this article by:
 - a. Completing a checklist provided by the Boston Redevelopment Authority which outlines how the Proposed Project will be designed to meet the Greenhouse Gas Emissions requirements. This checklist must be filed with the Boston Redevelopment Authority as part of the Project Notification Form in the pre-schematic design phase of Large Project Review or the Small Project Review application of Small Project Review; and
 - b. Submitting an embodied CO₂e emissions life cycle assessment that considers the global warming potential from the raw material supply, transport, manufacturing, construction, use, and end-of-life of above and below grade structural and enclosure building product materials , and other construction-related activities such as the installation, replacement, and disposal of materials, for any Proposed Project subject

to the provisions of this section and having a gross floor area of fifty thousand (50,000) or more square feet, prior to issuance of Certification of Compliance in accordance with Large Project Review procedures of Article 80B, by the Boston Redevelopment Authority; and

- c. Signing a Net Zero Greenhouse Gas Emissions Ready Acknowledgment Letter, as provided by the Boston Redevelopment Authority, acknowledging that the Proposed Project shall be required to comply with the Greenhouse Gas Emissions Standards consistent with the Article 80 zoning approvals set forth herein, as required by Ordinance Amending City of Boston Code, Ordinances, Chapter VII, Sections 7-2.1 and 7-2.2, Building Energy Reporting and Disclosure, Section 7.2.2 (i) Emissions Requirements.

The checklist and embodied CO₂e emissions life cycle assessment shall be completed by an individual who holds an active professional license, accreditation, or other qualification in the design and engineering of buildings and systems, sufficient to satisfy at least one of the credentials approved from time to time by the Boston Redevelopment Authority.

The Net Zero Greenhouse Gas Emissions Ready Acknowledgement letter shall be signed by an authorized representative of the Proponent.

The submissions shall be in accordance with the applicable provisions of Article 80.

Section 37-8. Effective Date of Net Zero Carbon.

The provisions of Section 37-5. through Section 37-7. shall become effective on July 1, 2025. The following Proposed Projects, however, shall be exempt from the provisions of Section 37-5. through Section 37-7:

- A. Any Proposed Project for which a Application in accordance with Article 80 Review has been filed with the Boston Redevelopment Authority prior to July 1, 2025.

Section 37-9. Enforcement.

The Commissioner of Inspectional Services shall not issue any building permit or use permit for a Proposed Project that is subject to the provisions of this article unless the Director of the Boston Redevelopment Authority has issued a Certification of Compliance pursuant to Section 80B-6 and/or a Certificate of Approval pursuant to Section 80E-6, as applicable.

Section 37-10. Regulations.

The Boston Redevelopment Authority may promulgate regulations to administer this article.

Section 37-11. Severability.

The provisions of this article are severable, and if any such provision or provisions shall be held invalid by any decision of any court of competent jurisdiction, such decision shall not impair or otherwise affect any other provision of this article.

2. In **Article 2, Definitions:**

Insert the following definitions in appropriate alphabetical order:

The Building Emissions Reduction and Disclosure Ordinance (BERDO).

City of Boston Code Chapter VII, Sections 7-2.1 and 7-2.2, and its implementing regulations and policies, all as may be amended from time to time.

Carbon Dioxide Equivalent (CO₂e). Greenhouse gas Emissions, including carbon dioxide, methane and nitrous oxide. CO₂e shall be calculated using a methodology as set forth in the Building Emissions Reduction and Disclosure Ordinance (BERDO) and related regulations, policies, and guidance.

Greenhouse Gas Emissions. The emission of greenhouse gasses, measured in units of Carbon Dioxide Equivalent, associated with the generation and transmission of energy used by a building or structure within a Proposed Project.

LEED Certifiable. A structure that is planned, designed, and constructed to achieve the level "Certified" using the LEED building rating system most appropriate for the Proposed Project.

3. In **Section 80B-3. Scope of Large Project Review; Content of Reports:**

Insert the following text in appropriate order:

(o) *Green Building and Net Zero Carbon.* An analysis to determine how well the proposed project complies with LEED and to assess the level of environmental performance that will be achieved by the Proposed Project under the most appropriate LEED building rating system; An analysis to determine how well the Proposed Project complies with the requirements detailed in Section 37-6.

4. Section 80B-5. - Boston Redevelopment Authority Procedures for Large Project Review.

Insert the following text in appropriate order:

(ix) Preliminary Green Building and Net Zero Carbon information. A completed LEED scorecard indicating the level of performance/point outcome of the Proposed Project based on the most appropriate LEED building rating system with an explanation of how each credit will be achieved. A completed checklist as detailed in Section 37-7.1.a.

5. Section 80B-6. - Enforcement: Certification of Compliance for Large Project Review:

Insert the following text in appropriate order:

(vii) Article 37: Green Buildings and Net Zero Carbon;

6. Section 80C-3. Scope of Planned Development Area Review; Content of Plans:

Insert the following text in appropriate order:

3. **PDA Master Plans and Development Plans.** Projects seeking PDA Master Plan or Development Plan approval pursuant to this Section must satisfy, as part of Article 80B Large Project Review, the (2)Environmental Protection – (o)Green Building and Net Zero Carbon; the (9) AFFH Assessment Component, (10) Accessibility

Component, and (11) Smart Utilities Component as required in
"Article 80B-3, Scope of Large Project Review, Content of Reports.

7. Section 80E-2. – Applicability of Small Project Review:

- a. At the end of the first paragraph, insert the following text:

Net Zero Carbon (Section 80E-2.6)

- b. Insert the following text in appropriate order:

6. Net Zero Carbon Component: The Net Zero Carbon Component of Small Project Review shall apply to any Proposed Project which will:

- (a) to erect a building or structure having a gross floor area of twenty thousand (20,000) or more square feet; or
- (b) to erect a building or structure containing fifteen (15) or more Dwelling Units; or
- (c) to extend a building by a gross floor area of fifty thousand (50,000) or more square feet, except that Hospital Use, as defined in Article 2 and in Article 8 (Table A), or as Use No. 22 as defined in Article 8 (Table B), is exempt from this Section C.

8. In Section 80E-3. - Scope of Small Project Review; Content of Application:

At the end of the first sentence, insert the following text:

6. Net Zero Carbon Component. If a Proposed Project is subject to the Net Zero Carbon of Small Project Review, the application submitted pursuant to Section 80E-5 shall include such descriptions, analysis, performance modeling, plans, drawings,

and specifications as are necessary for the Boston Redevelopment Authority to determine that the Proposed Project is consistent with the standards set forth in Section 37-6.

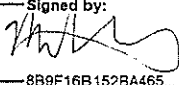
9. Section 80E-4. - Standards for Small Project Review Approval:

Insert the following text in appropriate order:

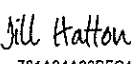
5. Net Zero Carbon. Any Proposed Project that is subject to the Net Zero Carbon of Small Project Review shall be consistent with the applicable standards set forth in Section 37-6.

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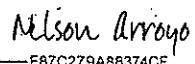
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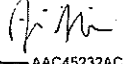
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Chairman


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Vice Chairman


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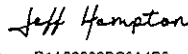
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In Zoning Commission

Adopted: 1/29/2025

Attest:

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Executive Secretary
Jeffrey Hampton

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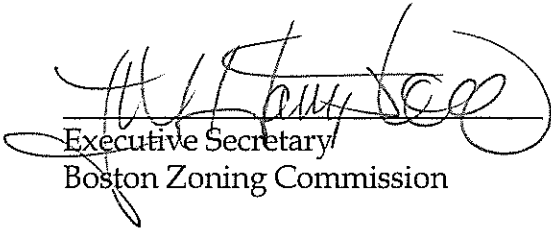
Mayor, City of Boston

Date: _____

2/6/25

The foregoing amendment was presented to the Mayor on FEBRUARY 6, 2025, and was
signed by her on FEBRUARY 6, 2025 whereupon it became effective on
FEBRUARY 6, 2025, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as
amended.

Attest:



Executive Secretary
Boston Zoning Commission