

**OFFERED BY COUNCILORS BRIAN WORRELL, MINIARD CULPEPPER, JOHN FITZGERALD, AND FLYNN**



**CITY OF BOSTON**

**IN THE YEAR TWO THOUSAND TWENTY SIX**

**AN ORDER REGARDING A TEXT AMENDMENT TO ARTICLE 37 OF THE BOSTON ZONING CODE ‘GREEN BUILDINGS AND NET ZERO CARBON’ TO EXPEDITE AND LOWER COSTS FOR DEVELOPMENT PROCESSES**

**WHEREAS,** Adopted January 29, 2025, and pertaining to development projects undergoing Large Project Review, Planned Development Area Review, Institutional Master Plan Review, or Small Project Review, Article 37 of the Boston Zoning Code is an important tool designed to help promote sustainable development and mitigate adverse environmental impacts caused by projects proposed in the City of Boston, and outlines requirements for projects to obtain Leadership in Energy and Environmental Design (LEED) certification, report energy and water usage, and comply with greenhouse gas emission standards of the Building Emissions and Reduction Disclosure Ordinance (BERDO) that decline over time toward a net-zero goal by the year 2050; *and*

**WHEREAS,** The costs of fulfilling Article 37 requirements can include providing the Boston Redevelopment Authority (BRA; dba Boston Planning and Redevelopment Agency) a LEED scorecard, purchasing MA Class I Renewable Energy Certificates, and otherwise demonstrating that a project will undergo documentation and expert certification related to green building and net-zero carbon requirements; *and*

**WHEREAS,** Such costs can add up prohibitively in the earlier pre-schematic design phases as projects are still getting off the ground, making it especially harder for developers of smaller-scale projects to direct funds to build the kind of affordable housing stock that our neighborhoods need; *and*

**WHEREAS,** An opportunity exists to help alleviate some of the financial burdens of the process by resituating the timing of Article 37’s certification and reporting requirements to be included later in a project’s phase – right before construction begins – providing more time for disbursement of any project subsidies, revenue, and other resources to help finance the costs of such requirements; **NOW, THEREFORE BE IT**

**ORDERED:** That the Boston City Council, by and through Councilor Brian Worrell, submits a petition to amend the text of the Boston Zoning Code.

## TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

Boston City Council through and by Boston City Councilor Brian Worrell petition to amend the text of the Boston Zoning Code by amending the following language to Article 37:

1. In Article 37, Section 5-1.- Applicability of Net Zero Carbon
  - a. Insert to the end of the first sentence, before the word “to”: provided that said requirements shall be tolled until after all relevant approvals but prior to issuance of building permit.
  
2. In Article 37, Section 7 - Procedures of Net Zero Carbon
  - a. Strike: the second sentence in Subsection a
  - b. Replace with: This checklist must be filed with the Boston Redevelopment Authority after all relevant approvals but prior to issuance of building permit.

### SECTION 2.

The provisions of this act are severable and if any provision, or portion thereof, should be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining provisions, which remain in full force and effect.

### SECTION 3.

This act shall take effect upon its passage.

Petitioner: Boston City Council

By: Councilor Brian Worrell

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Filed on: February 27, 2026