

**OFFERED BY COUNCILORS MINIARD CULPEPPER, DURKAN, FLYNN,
LOUIJEUNE, MEJIA, MURPHY, PEPÉN, WEBER, AND WORRELL**



CITY OF BOSTON

IN THE YEAR TWO THOUSAND TWENTY SIX

**ORDER REGARDING A TEXT AMENDMENT TO
THE BOSTON ZONING CODE TO RESTRICT
TRASH TRANSFER AND WASTE-RELATED USES
AND PREVENT ILLEGAL DUMPING IN
RESIDENTIAL AND MIXED-USE
NEIGHBORHOODS**

WHEREAS, Illegal dumping in residential and mixed-use neighborhoods, especially in Roxbury, has historically contributed to significant public health concerns, including increased exposure to pollutants, vermin, and unsafe environmental conditions; *and*

WHEREAS, Community-led organizing efforts have reduced illegal dumping over time, but ongoing land use patterns and zoning conditions continue to allow the concentration of waste-related facilities in environmental justice communities; *and*

WHEREAS, The presence of multiple trash transfer stations and waste handling facilities within close proximity to residential areas creates adverse impacts including air pollution, odors, noise, truck traffic, and public safety risks; *and*

WHEREAS, Recent incidents, including a multi-alarm fire at a waste transfer facility, have demonstrated that such uses can pose immediate threats to life, safety, and surrounding housing when located within densely populated neighborhoods; *and*

WHEREAS, Residents have identified that certain waste facilities located in Roxbury process waste generated outside the neighborhood, including from other municipalities, thereby disproportionately burdening local communities with regional waste impact; *and*

WHEREAS, Mixed-use zoning districts such as Newmarket and surrounding areas currently allow commercial uses that are incompatible with nearby residential uses, including large-scale waste transfer and processing facilities; *and*

WHEREAS, The continued siting and operation of such facilities in proximity to housing contributes to higher rates of asthma, respiratory illness, and reduced quality of life for residents; *and*

WHEREAS, The concentration of waste transfer and waste handling facilities in predominantly Black and Brown, low-income, and environmental justice communities may contribute to inequitable housing conditions and barriers to fair housing choice; *and*

WHEREAS, It is the intent of the City of Boston to promote environmental justice, protect residential neighborhoods, and ensure that incompatible commercial uses, including waste transfer stations, are not located in areas where they endanger public health or contribute to illegal dumping patterns; ***NOW, THEREFORE BE IT***

ORDERED: That the Boston City Council by and through Councilor Miniard Culpepper, submits a petition to amend the text of the Boston Zoning Code as established under Chapter 665 of the Acts of 1956, as amended, to restrict waste-related uses and address illegal dumping in residential and mixed-use neighborhoods.

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

The Boston City Council, through and by Councilor Miniard Culpepper, hereby petitions to amend the text of the Boston Zoning Code, as established under Chapter 665 of the Acts of 1956, as amended, as follows:

By inserting provisions to restrict the siting and operation of trash transfer stations, waste handling facilities, and similar uses, and to prevent illegal dumping, to read substantially as follows:

Section 1. Restriction on Waste Transfer and Handling Uses Near Residential Areas.

Trash transfer stations, solid waste handling facilities, recycling processing facilities, and similar uses shall be prohibited within any residential zoning district and within any mixed-use district that includes residential uses, including but not limited to areas where housing is located within a one-half (0.5) mile radius of such facilities.

Section 2. Buffer and Separation Requirements.

No trash transfer station or waste handling facility shall be permitted within a one-half (0.5) mile radius of:

- (a) Any residential dwelling unit;
- (b) Any public or private school;

- (c) Any park, playground, or community center; or
- (d) Any public housing development.

Section 3. Nonconforming Uses and Amortization.

Any existing waste transfer or waste handling facility that does not conform to the requirements of this section shall be deemed a nonconforming use. The Zoning Commission may establish an amortization schedule requiring such uses to cease operations or relocate within a defined period of time, consistent with applicable law.

Section 4. Special Permit Prohibition in Environmental Justice Areas.

No special permit or zoning relief shall be granted for the establishment, expansion, or intensification of trash transfer or waste handling facilities within neighborhoods designated as environmental justice communities or where such uses would exacerbate cumulative environmental burdens.

Section 5. Illegal Dumping Prevention Measures.

The Boston Planning Department, in coordination with relevant City agencies, shall incorporate zoning and land use controls that discourage illegal dumping, including:

- (a) Requiring site design standards that prevent unauthorized waste disposal on vacant or underutilized parcels;
- (b) Prioritizing activation, redevelopment, or interim uses of vacant lots to reduce dumping activity;
- (c) Coordinating enforcement strategies with inspectional services and public works to address illegal dumping hotspots.

Section 6. Regional Waste Equity Consideration.

In reviewing any proposed waste-related use, the City shall consider whether the facility primarily processes waste generated outside the City of Boston and whether such use disproportionately impacts environmental justice communities.

Section 7. Consistency with Environmental Justice Goals.

All zoning approvals and land use decisions related to waste handling uses shall be consistent with the City's environmental justice objectives, including reducing cumulative pollution burdens and protecting vulnerable populations from disproportionate impacts.

Section 8. Consistency with the City's Commitment to Affirmatively Furthering Fair Housing.

All zoning approvals and land use decisions related to trash transfer stations, waste handling facilities, recycling processing facilities, and similar uses shall be consistent with the City's commitment to Affirmatively Furthering Fair Housing, including the commitments established in the 2020 amendment to the Boston Zoning Code under Chapter 665 of the Acts of 1956, as amended, and any applicable analyses of impediments to fair housing choice, fair housing assessments, or successor equity planning frameworks adopted by the City. In evaluating any proposed waste-related use, the City shall consider whether the siting, concentration, expansion, or continued operation of such uses would contribute to disproportionate environmental, health, or housing impacts in communities of color, low-income neighborhoods, or other protected populations.

Section 9. Severability.

The provisions of this ordinance 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 10. Effective Date.

The provisions of this ordinance shall be effective immediately upon passage.

Filed on: June 24, 2026

Petitioner: Boston City Council

By: Councilor Miniard Culpepper

Address: 1 City Hall Square, Boston, MA 02201