

From: John Mirsky <johnmirsky@gmail.com>
Sent: Monday, October 10, 2022 3:03 PM
To: Gibb-Randall, Shannon ; Lenart, Brett <BLenart@a2gov.org>; Planning <Planning@a2gov.org>
Cc: Stults, Missy <MStults@a2gov.org>; Radina, Travis <TRadina@a2gov.org>; Briggs, Erica <EBriggs@a2gov.org>; Ken Garber <kengarber@prodigy.net>
Subject: Boston's Zero Net Carbon Building ZONING Initiative

Brett and Shannan,

As I briefly discussed with Shannan last Friday at the end of a meeting on another subject, the City of Boston has been investigating how to drive new net-zero carbon buildings *through zoning changes*. See the Boston's Planning & Development Agency's website dedicated to this initiative: [Zero Net Carbon Building Zoning Initiative | Boston Planning & Development Agency \(bostonplans.org\)](https://www.bostonplans.org/zero-net-carbon-building-zoning-initiative). In particular, see the initiative's final report: [Zero Net Carbon Building Zoning Initiative Final Report](https://www.bostonplans.org/zero-net-carbon-building-zoning-initiative-final-report). The recommendations in the report have already been incorporated into a new draft zoning language as reflected in these [Executive Summary Proposed Zoning Update and Proposed Policy and Standards](#). It is noteworthy that Boston's zoning-based approach is supported by a large number of precedents from around the country detailed in the Recommendations section of the Final Report, for example those listed at the bottom of page 34 and subsequent pages.

The following are just a few noteworthy aspects of Boston's work:

1. The proposed zoning changes address:
 1. Embodied carbon reduction, including life cycle assessments and reducing construction and demolition waste, leading to the implementation of a zero net embodied carbon standard in Boston's next climate action plan update;
 2. Low carbon buildings, including Carbon Emission Intensity (pCEI) targets, based on performance modeling for different building uses;
 3. On-site renewable energy, including minimum solar coverage requirements for roofs, and parking decks and lots; and
 4. Renewable energy procurement and reporting standards necessary to achieve building-level annual net-zero carbon performance.
2. The plan is to apply the new standards to all buildings > 20,000 ft²
3. The minimum LEED score for new construction is being raised from LEED Certified (40+ points) to LEED Gold (60+ points) AND achieving specific LEED Credits will be required.

While I realize that Boston and the other municipalities referenced in its reports are located in other states governed by their own laws which differ from Michigan's Stille-Derossett-Hale Single State Construction Code Act, I know that both of you are aware that the interpretation of the Michigan Act has been questioned and documentation to that effect, including a statement from no less an authority than Mr. Stille himself, has been assembled by Ken Garber and provided to City staff. Moreover, an analysis and comparison of the respective zoning approaches vs. state statutes could be instructive for what is possible in Ann Arbor and the State of Michigan.

Given the above, it seems to me that the course of action that you, Brett, laid out to the Ordinance Revisions Committee in your memorandum "Electrification/Solar Energy Readiness" dated September 23, 2022 should be the floor of our zoning change aspirations. As I continue to say, I would hope that the

City breaks paradigms and pushes the boundaries of what had been thought to be possible, especially given the actions of other municipalities, we are in a climate emergency, and 2.5 years have passed since the A2ZERO Plan was approved with its assumption that all new construction will be net-zero ready and energy-efficient (Strategy 2, Action 1 and Strategy 3 action 2).

Please share my email with the entire Planning Commission. I have also copied Missy Stults, the two council member liaisons to the energy commission, Travis Radina and Erica Briggs, and Ken Garber for their information.

Thank-you.

John