



ORDINANCE COMMITTEE

COMMITTEE MEETING

~ MINUTES ~

Wednesday, January 4, 2023

5:00 PM

Sullivan Chamber
795 Massachusetts Avenue
Cambridge, MA 02139

The Ordinance Committee will hold a public hearing on Citizens Zoning Petition from Duane Callender, et al. Cambridge Lab Regulation Zoning Amendment – APP 2022 #53

Attendee Name	Present	Absent	Late	Arrived
Burhan Azeem	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Dennis J. Carlone	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Alanna Mallon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marc C. McGovern	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Patricia Nolan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E. Denise Simmons	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5:15 PM
Paul F. Toner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Quinton Zondervan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sumbul Siddiqui	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

A public meeting of the Cambridge City Council's Ordinance Committee was held on Wednesday, January 4, 2023. The meeting was called to order at 5:00 p.m. by the Chair, Councillor McGovern. Pursuant to Chapter 20 of the Acts of 2022 adopted by Massachusetts General Assembly and approved by the Governor, this public meeting was hybrid, allowing participation in person, in the Sullivan Chamber, 2nd Floor, City Hall, 795 Massachusetts Avenue, Cambridge, MA and by remote participation via Zoom.

City Clerk LeBlanc called the roll.

Councillor Azeem – Present/Remote

Councillor Carlone – Present/Remote

Vice Mayor Mallon – Present/In Sullivan Chamber

Councillor McGovern – Present/Remote

Councillor Nolan – Present/In Sullivan Chamber

Councillor Simmons – Absent*

Councillor Toner – Present/In Sullivan Chamber

Councillor Zondervan – Present/In Sullivan Chamber

Mayor Siddiqui – Absent

Present – 7, Absent – 2. Quorum established.

***Councillor Simmons was marked present at 5:15p.m.**

The Chair, Councillor McGovern recognized Councillor Toner who made a motion to allow two minutes for public comment.

City Clerk LeBlanc called the roll.

Councillor Azeem – Yes

Councillor Carbone – Yes
Vice Mayor Mallon – Yes
Councillor McGovern – Yes
Councillor Nolan – Yes
Councillor Simmons – Absent
Councillor Toner – Yes
Councillor Zondervan – Yes
Mayor Siddiqui – Absent
Yes – 7, No – 0, Absent – 2. Motion passed.

The Chair, Councillor McGovern noted that the call of the meeting was to hold a public hearing on Citizens Zoning Petition from Duane Callender, et al. Cambridge Lab Regulation Zoning Amendment – APP 2022 #53.

Joined with the Petitioner, Duane Callender, were Lee Farris, Kavish Gandhi, and Charles Franklin. Lee Farris began by doing an overview of their presentation titled “Regulating Labs in Cambridge” (Attachment A). The presentation offered concerns about intensive biotech and pharma labs that outcompete new housing. The presentation highlighted how the City can balance the economic and scientific upside of labs with goals of having more housing and lively squares and business districts. The group of petitioners went over their rationale, intent, and approach, and offered their definition on laboratory space. They noted what the overall impact of the petition would be and shared how labs outcompete housing.

The Chair, Councillor McGovern introduced Iram Farooq, Assistant City Manager for Community Development Department (CDD), who was joined by Daniel Messplay, Senior Zoning Manager for CDD. Daniel Messplay reviewed the outcome of the Planning Board meeting that was held on December 20, 2022, noting that the Planning Board does not recommend adoption (Attachment B), and noted that CDD also had sent memo to the Planning Board (Attachment C) regarding the petition.

The Chair, Councillor McGovern opened public comment.

Public Comment

Stephen Cellucci, 32 Vineyard Street, Cambridge, MA, spoke in favor of the petition and noted that neighborhoods would be better off with a diverse mix of businesses and outlets.

Carolyn Magid, 71 Reed Street, Cambridge, MA, spoke in favor of the petition and asked the City to intervene and regulate the development of labs in Cambridge.

Madison Chacon, 20 Brooks Park, Medford, MA, spoke in favor of the petition and noted the importance to promote more housing and restrict development growth.

Jessie Lan, 50 Bishop Allen Drive, Cambridge, MA, spoke in favor of the petition and urged Councillors to work with the Petitioners to investigate potential damage of lab development in Cambridge Squares and business districts.

Faria Afreen, 151 Washington Street, Cambridge, MA, spoke in favor of the petition and noted they would like to see more affordable and social housing for communities.

Andy Nash, 18 Worcester Street, Cambridge, MA, spoke in favor of the petition and shared concerns about the impact of labs on housing.

Ellen Mei, 383 Prospect Street, Cambridge, MA, spoke on favor of the petition and asked for a better balance between commercial real estate and housing real estate.

Henry Wortis, 106 Berkshire Street, Cambridge, MA, spoke in favor of the petition and fears that the construction of new laboratories is a threat to life in Cambridge as we know it.

State Representative Mike Connolly spoke in favor and support of the petition and noted that he believes the petition could be a win-win for the entire region because by prioritizing housing in Cambridge it would give an opportunity for other communities to share the commercial development.

Laura Koemppel, 89 Plymouth Street, Cambridge, MA spoke in favor of the petition and the affordable housing crisis.

Annamay Boyle Bourdon, 150 Erie Street, Cambridge, MA, spoke in favor of the petition and echoed a comment made by a petitioner, saying that if lab developments take over areas like Porter and Central Squares, it will become harder to build affordable housing in the City.

Sarah Gallop, 77 Massachusetts Avenue, Cambridge, MA, representing MIT, spoke against the petition and noted that there is no illustration on how the lab ban would produce any additional housing, but a ban would prevent future research in areas like climate, computation, food systems, and waste management.

Nancy Donohue, 1 Kendall Square Building, Cambridge, MA, representing the Chamber of Commerce, spoke against the petition and noted that having labs have allowed Cambridge to be the epicenter of the industry worldwide and has a profound economic impact and economic asset to the City.

Nancy Ryan, 4 Ashburton Place, Cambridge, MA, spoke in support of the petition and was happy to hear there has been attempted to define lab space because of how different it is then commercial buildings.

Jonathan King, 40 Essex Street, Cambridge, MA, spoke in favor of the petition and stressed the importance of the motivated young medical bio students and scientists.

Donald Grossman, 179 Sidney Street, Cambridge, MA, spoke against the petition and noted that there was a wide agreement that this petition would be harmful to small property owners.

Mary Bane Campbell, 36 Linnaean Street, Cambridge, MA, spoke in favor of the petition and asked for more affordable housing.

Saskia James, 251 Garden Street, Cambridge, MA, spoke in favor of the petition and noted that there is a lot of talk around resident's concern for affordable housing and being able to enjoy the culture of Cambridge.

Barbara Taggart, 2 Cottage Court, Cambridge, MA, spoke on the issue of diversity and read a passage from Jane Jacobs' From the Death and Life of Great Cities.

William Morse, 269 Norfolk Street, Cambridge, MA, spoke in favor of the petition commenting that large lab developments raise the cost of land in Cambridge which prevent housing and from the City doing anything to benefit the residents.

James Williamson, 30 Churchill Avenue, Cambridge, MA spoke in support of the petition noting the Nexus Study and how commercial real estate development drives up the rent in housing.

Rabbi Yoni, spoke in support of the petition sharing that it is important and beneficial for scientists to have places that are livable, and the City needs more space for people.

Heather Hoffman, 213 Hurley Street, Cambridge, MA, spoke in support of the petition and the financial underpinnings of the City which is the commercial real estate.

Ben Simon, 67 Bishop Allen Drive, Cambridge, MA, spoke in favor of the petition and noted that science does not raise rent.

Beth O'Neil Maloney, One Kendall Square, Cambridge, MA, representing the Kendall Square Association, commented that innovation and housing are not mutually exclusive, labs do not blight community centers, and that Cambridge knows how to develop regulation with an economic mix of business and residential areas.

The Chair, Councillor McGovern recognized Councillor Nolan for a motion to close public comment.

City Clerk LeBlanc called the roll.

Councillor Azeem – Yes

Councillor Carlone – Yes

Vice Mayor Mallon – Yes

Councillor McGovern – Yes

Councillor Nolan – Yes

Councillor Simmons – yes

Councillor Toner – Yes

Councillor Zondervan – No

Mayor Siddiqui – Absent

Yes – 7, No – 1, Absent – 1. Motion passed.

The Chair, Councillor McGovern recognized Councillor Toner who commented that he would like to bring forward a motion to forward the citizen petition to the next City Council meeting with a negative recommendation. Councillor Toner spoke and gave his reasoning.

The Chair, Councillor McGovern recognized Councillor Azeem and Councillor Zondervan for comments, and questions. CDD staff and Megan Bayer, Deputy City Solicitor, were available to answer questions.

The Chair, Councillor McGovern recognized Councillor Zondervan who made a motion to extend the meeting by thirty minutes.

City Clerk LeBlanc called the roll.

Councillor Azeem – Present

Councillor Carlone – Yes

Vice Mayor Mallon – Yes

Councillor McGovern – Yes

Councillor Nolan- Yes

Councillor Simmons – Present

Councillor Toner – Yes

Councillor Zondervan – Yes

Mayor Siddiqui – Absent

Yes – 6, No – 0, Present – 2, Absent – 1. Motion passed.

The Chair, Councillor McGovern recognized Councillor Nolan, Councillor Carlone, and Vice Mayor Mallon for comments and questions. Staff from CDD and the Law Department were available to provide answers to Committee members.

Vice Mayor Mallon asked if this petition could be sent to the Economic Development and University Relations and Neighborhood and Long-Term Planning, Public Facilities, Arts & Celebrations Committees for a joint meeting because a similar petition was being considered. Councillor Toner had a clarifying question about the ninety-day timeline of the petition and how this would be impacted by sending it to another Committee(s). Deputy City Solicitor Bayer responded explaining that the time clock starts from the public hearing date and that would not change.

The Chair, Councillor McGovern recognized Councillor Zondervan who made a motion to extend the meeting by thirty minutes.

City Clerk LeBlanc called the roll.

Councillor Azeem – Yes

Councillor Carlone – Yes

Vice Mayor Mallon – Yes

Councillor McGovern – Yes

Councillor Nolan- Yes

Councillor Simmons – Yes

Councillor Toner – Yes

Councillor Zondervan – Yes

Mayor Siddiqui – Absent

Yes – 8, No – 0, Absent – 1. Motion passed.

The Chair, Councillor McGovern recognized Councillor Simmons who made a motion to call the question.

City Clerk LeBlanc called the roll.

Councillor Azeem – Yes

Councillor Caralone – No

Vice Mayor Mallon – No

Councillor McGovern – No

Councillor Nolan- No

Councillor Simmons – Yes

Councillor Toner – Yes

Councillor Zondervan – No

Mayor Siddiqui – Absent

Yes – 3, No – 5, Absent – 1. Motion failed.

The Chair, Councillor McGovern recognized Councillor Simmons who noted that she fully supports Councillor Toner's attempt to streamline and organize the two similar petitions into one conversation.

The Chair, Councillor McGovern offered comments regarding the discussions and noted that he agreed with the idea of bringing the petition to the Economic Development and University Relations and Neighborhood and Long-Term Planning, Public Facilities, Arts & Celebrations Committees.

The Chair, Councillor McGovern recognized the Petitioners for comments and questions regarding points that were brought up by Committee members. Lee Farris, Kavish Gandhi, and Charles Franklin all responded respectively.

The Chair, Councillor McGovern recognized Councillor Toner who noted that he was withdrawing his original motion and would support a motion to send to the Economic Development and University Relations and Neighborhood and Long-Term Planning, Public Facilities, Arts & Celebrations Committees.

The Chair, Councillor McGovern recognized Councillor Zondervan and Councillor Caralone for comments.

The Chair, Councillor McGovern recognized Councillor Toner who made a motion to extend the meeting by fifteen minutes.

City Clerk LeBlanc called the roll.

Councillor Azeem – Yes

Councillor Caralone – Yes

Vice Mayor Mallon – Yes

Councillor McGovern – Yes

Councillor Nolan- Yes

Councillor Simmons – Yes

Councillor Toner – Yes

Councillor Zondervan – Yes

Mayor Siddiqui – Absent

Yes – 8, No – 0, Absent – 1. Motion passed.

The Chair, Councillor McGovern recognized Councillor Toner who made a motion to forward Citizens Zoning Petition from Duane Callender, et al. Cambridge Lab Regulation Zoning Amendment – APP 2022 #53 to the full City Council with a recommendation to forward to the Economic Development and University Relations Committee and to the Neighborhood and Long Term Planning, Public Facilities, Arts and Celebration Committee.

City Clerk LeBlanc called the roll.

Councillor Azeem – Yes

Councillor Carbone – Yes

Vice Mayor Mallon – Yes

Councillor McGovern – Yes

Councillor Nolan- Yes

Councillor Simmons – Yes

Councillor Toner – Yes

Councillor Zondervan – No

Mayor Siddiqui – Absent

Yes – 7, No – 1, Absent – 1. Motion passed.

The Chair, Councillor McGovern recognized Councillor Toner who made a motion that the City Manager ask the City Solicitor to provide a legal opinion concerning (1) whether there is a two-year bar on considering repetitive zoning petitions that have been unfavorably acted upon by the Council, (2) if so, whether that bar on repetitive petitions would prohibit the Council from moving forward with a Council initiated lab use zoning petition if there is unfavorable action on the pending Callender, et al. Petition, and (3) if so, what types of changes to zoning petition would be necessary for it to no longer be considered a repetitive petition.

City Clerk LeBlanc called the roll.

Councillor Azeem – Yes

Councillor Carbone – Yes

Vice Mayor Mallon – Yes

Councillor McGovern – Yes

Councillor Nolan- Yes

Councillor Simmons – Yes

Councillor Toner – Yes

Councillor Zondervan – Yes

Mayor Siddiqui – Absent

Yes – 8, No – 0, Absent – 1. Motion passed.

ORDERED: That the City Manager ask the City Solicitor to provide a legal opinion concerning (1) whether there is a two-year bar on considering repetitive zoning petitions that have been unfavorably acted upon by the Council, (2) if so, whether that bar on repetitive petitions would prohibit the Council from moving forward with a Council initiated lab use zoning petition if there is unfavorable action on the pending Callender, et

al. Petition, and (3) if so, what types of changes to zoning petition would be necessary for it to no longer be considered a repetitive petition.

The Chair, Councillor McGovern recognized Councillor Toner for a motion to adjourn.
City Clerk LeBlanc called the roll.

Councillor Azeem – Yes
Councillor Carlone – Yes
Vice Mayor Mallon – Yes
Councillor McGovern – Yes
Councillor Nolan- Yes
Councillor Simmons – Yes
Councillor Toner – Yes
Councillor Zondervan – Yes
Mayor Siddiqui – Absent
Yes – 8, No – 0, Absent – 1. Motion passed.

The Ordinance Committee adjourned at 8:13 p.m.

Attachment A, Regulating Labs in Cambridge
Attachment B, Planning Board Recommendation Letter
Attachment C, Memo from CDD to the Planning Board
Attachments D-O, Written Communications from the public

Clerk's Note: The City of Cambridge/22 City View records every City Council meeting and every City Council Committee meeting. This is a permanent record. The video for this meeting can be viewed at:

https://cambridgema.granicus.com/player/clip/386?view_id=1&redirect=true&h=b426d2140982ac7d4426185d0491c858

A Zoning Petition Has been received from Duane Callender, et al. Cambridge Lab Regulation Zoning Amendment

A communication was received from Director of Zoning and Development, Community Development Jeffrey Roberts, transmitting Planning Board report.

A communication was received from Senior Zoning Manager, Community Development Daniel Messplay, transmitting a memorandum from Community Development Department to the Planning Board.

A communication was received from Kavish Gandhi, regarding Regulations Labs in Cambridge.

Regulating Labs in Cambridge

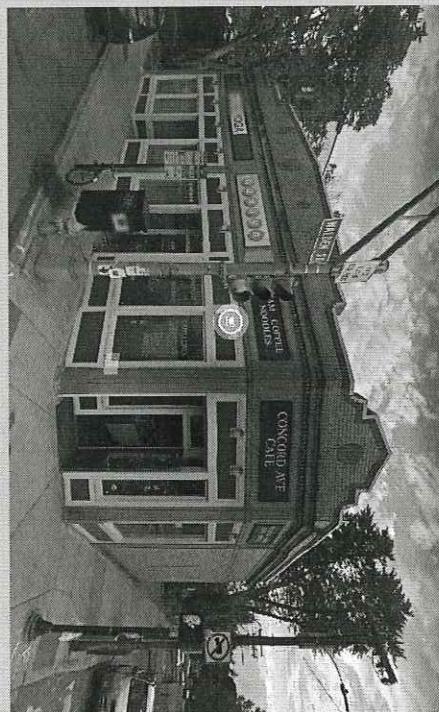
Callender Petition
Cambridge Ordinance Committee
January 4, 2022

Questions We're Asking

Should intensive biotech & pharma labs that outcompete new housing be allowed in all of our squares and business districts?



How do we balance the economic and scientific upside of labs with our goals of more housing and lively squares/business districts?



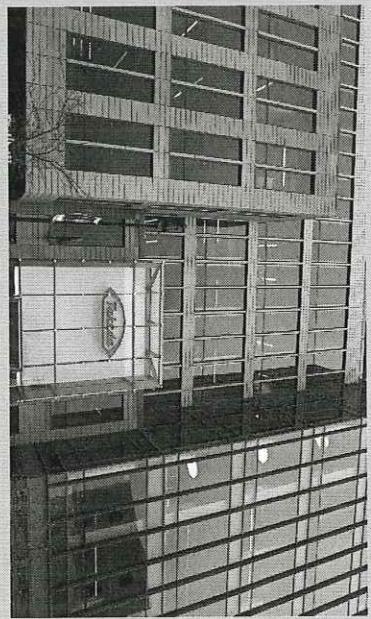
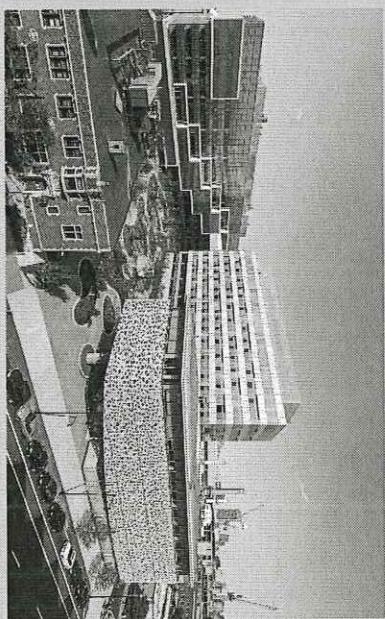
Rationale

Unrestricted commercial development makes

- existing housing and ground floor retail more expensive
- new housing of all types more expensive to build

Current zoning is too permissive of intensive biotech & pharma labs

Regulation and a better balance between new commercial and residential development is sorely needed in Cambridge



Establishing Our Intent

We love science and innovation!

Not trying to regulate existing labs, big or small, anywhere in Cambridge

Not trying to stop all new lab development in Cambridge

Not overly concerned with biosafety levels or light/noise impacts - this is an economic issue

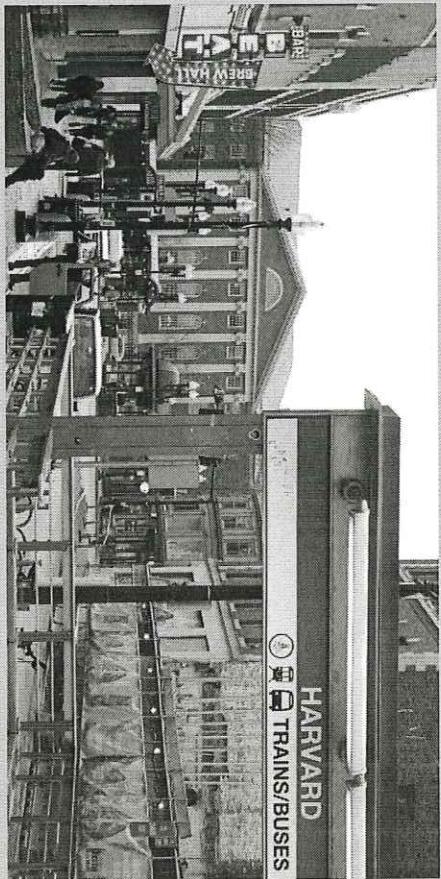


Our Approach

Zoning is how we regulate land use

First we defined the use in question, then we restricted it in areas where we think it doesn't belong

We've also completely grandfathered in all existing instances of the use



Our Definition

Technical office for research and development, laboratory & research facility.

Any laboratory engaged in research, experimental and testing, including but not limited to the fields of biology, chemistry, electronics, engineering, geology, medicine, and physics, **including activities that require additional air exchanges over and above a regular office use, or require the use of chemical hoods, biosafety cabinets, regulated chemicals, or dangerous substances.**

Our Definition

This definition exempts:

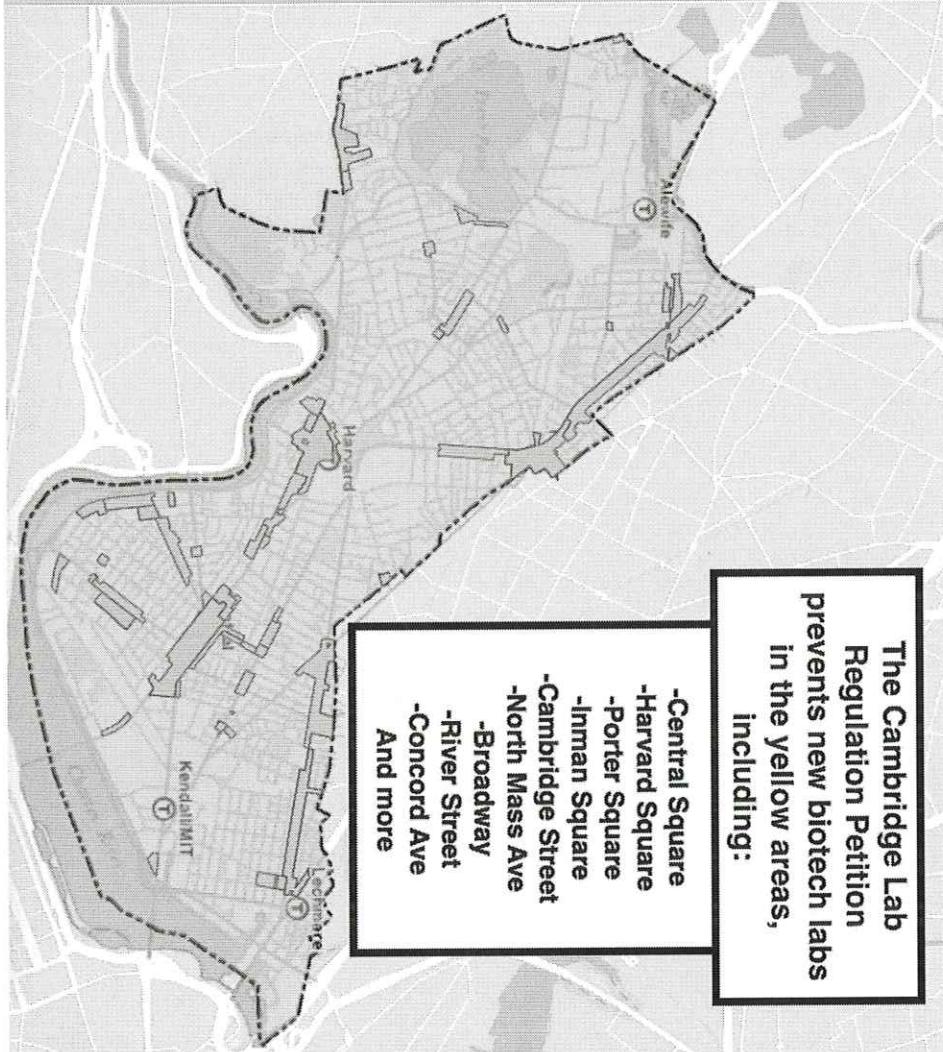
- Laboratories primarily used for **educational purposes**
- **Medical and dental offices**, including medical and dental offices providing laboratory services to patients such as blood tests, stool sample analysis and other similar services
- **Innovation spaces**, maker spaces, or other similar uses
- Any **purely software** based activities.

Amending the Table of Uses

- Once the use is defined, we can add a new row to the Table of Uses and decide where it belongs and where it doesn't belong
- Our proposal restricts the use in the city's business and office districts
- All commercial development is already restricted in the city's residential districts

4.30 - TABLE OF USE REGULATIONS

Areas of Interest

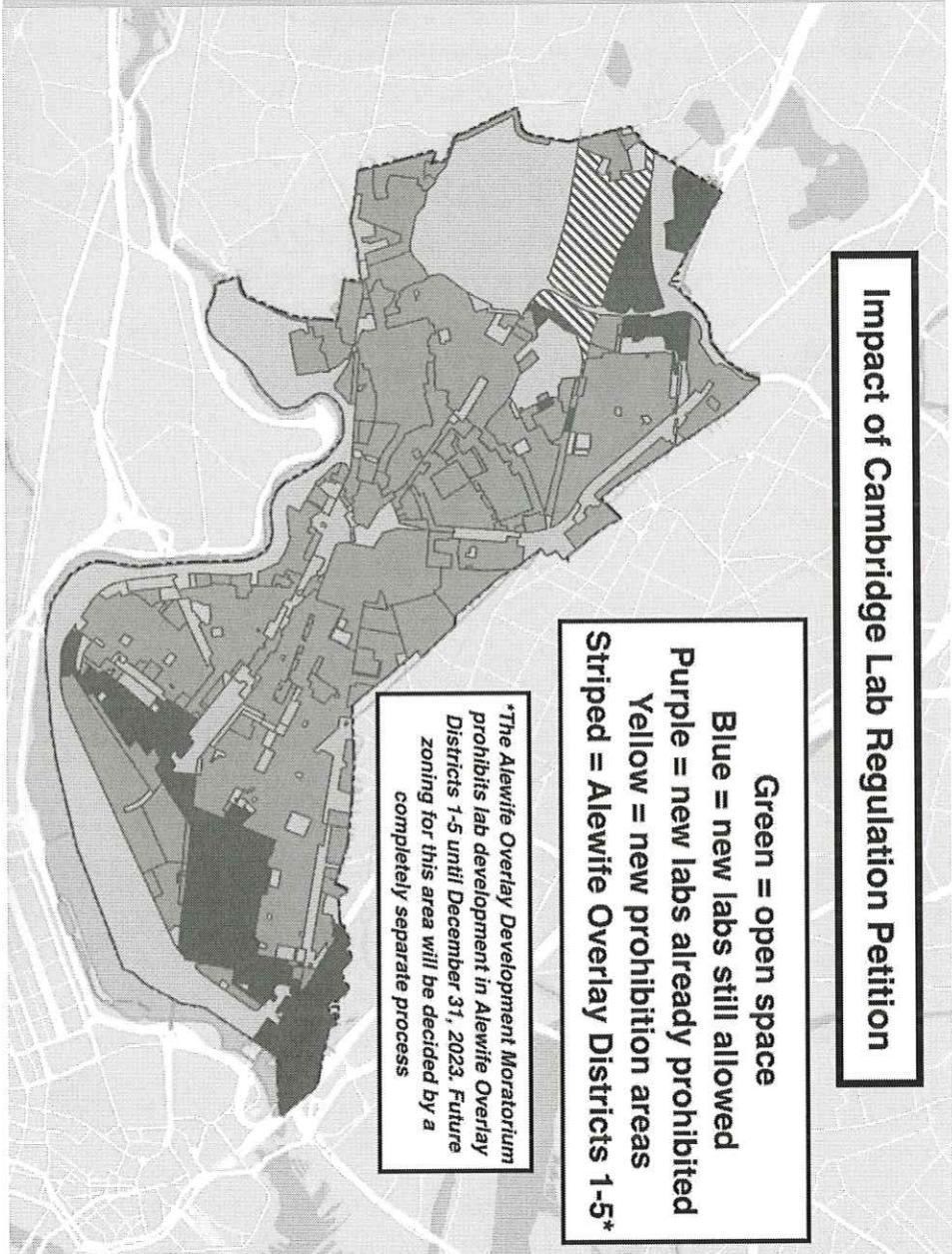


Overall Impact of Petition

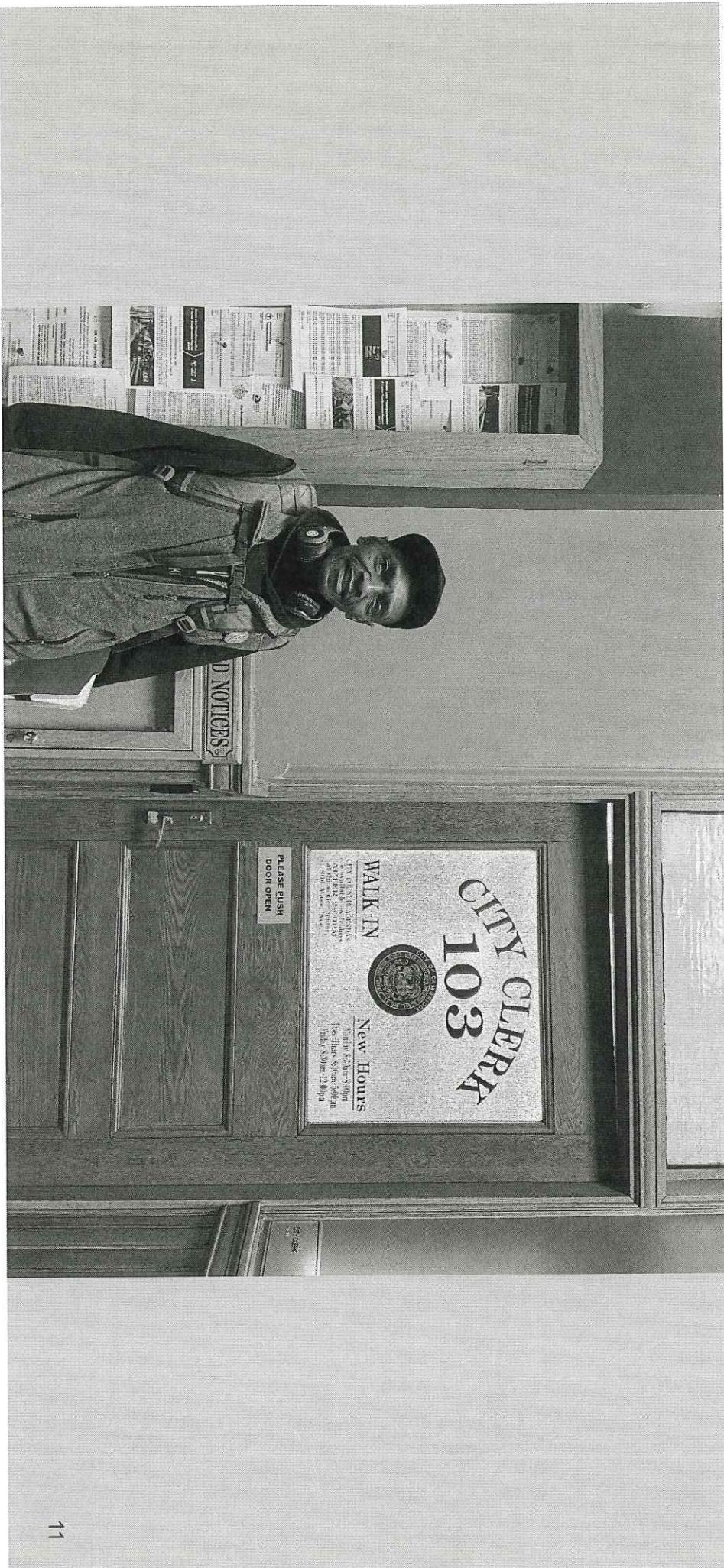
Impact of Cambridge Lab Regulation Petition

- Green = open space
- Blue = new labs still allowed
- Purple = new labs already prohibited
- Yellow = new prohibition areas
- Striped = Alewife Overlay Districts 1-5*

*The Alewife Overlay Development Moratorium prohibits lab development in Alewife Overlay Districts 1-5 until December 31, 2023. Future zoning for this area will be decided by a completely separate process



Let's Hear From Duane Callender



Labs Outcompete Housing

Our key economic argument: intensive lab use outcompetes housing uses

It is simply **more profitable**, for many parcels, to develop for a biotech lab use

We can see this quantitatively in the relative rents of lab & office space in Cambridge.

On average, office rents for 73% of lab.

Restricting the lab use facilitates more potential housing to be built in these contested corridors

	Lab	Office
	RSF	Asking Rate
East Cambridge	10,289,725	\$118.89
Mid Cambridge	4,246,437	\$108.24
West Cambridge	1,448,448	\$97.79

	RSF	Asking Rate
East Cambridge	6,741,085	\$97.71
Mid Cambridge	3,161,435	\$71.67
West Cambridge	1,273,292	\$49.90

Labs Outcompete Housing

Developers know and acknowledge this!

- Alewife developer of 735-755 Concord Ave, which is currently a single story lab, explicitly contemplates that labs are 3x more profitable per sq ft
- Absent regulation, much more density is needed for housing to compete
- With a lab moratorium, this site is now being developed as 140-200 units of housing!

MARKET PRICING

Life Science vs Multifamily

- Price per square foot for life science land is approximately three times higher than multifamily land values
- A land seller needs appropriate compensation to sell their property
- This disparity drives the need for density to make purchasing multifamily sites feasible

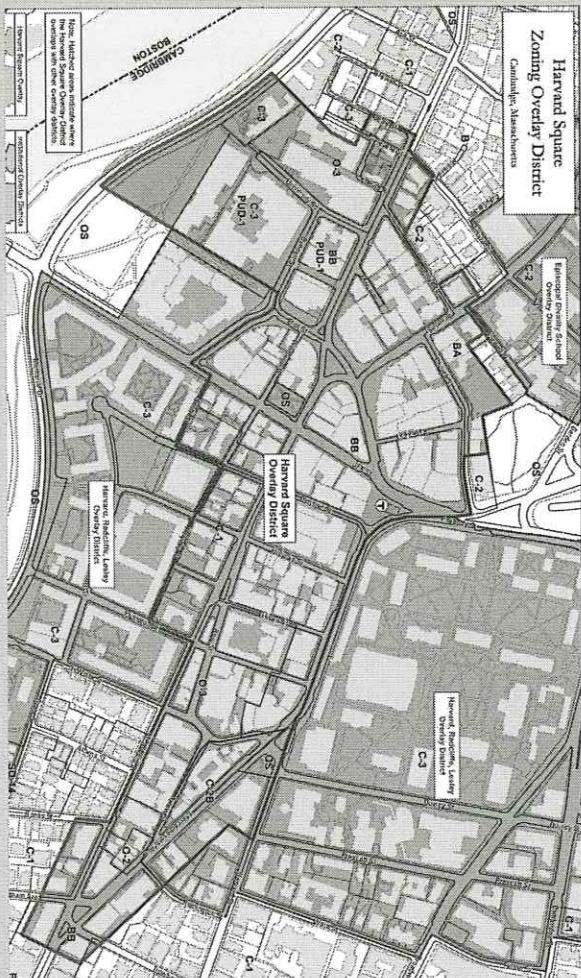
Source: presentation to Alewife Working Group by Boylston Properties, commercial developer, about 735-755 Concord Ave

Harvard Square

Global tourist destination

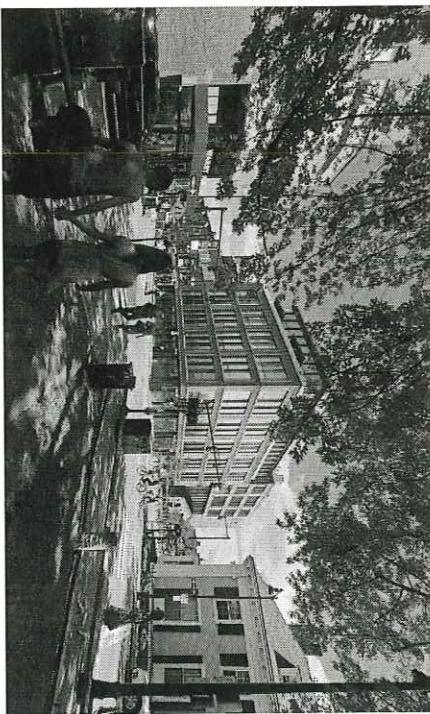
Eclectic mix of retail,
nightlife, and institutional

R&D use currently allowed
80 feet by special permit
or 60 feet as-of-right



Harvard Square Overlay District

Harvard Square Example



The Garage would have been a great place for new housing.

R&D use is allowed as-of-right

BELOW: excerpt from PB-386 describing future use of approved rebuild of The Garage

THE GARAGE

Proposed Uses

The building is being developed to accommodate a full range of retail business and Consumer Service Establishments identified in Section 4.35 as well as the office and laboratory uses identified in Section 4.34. All of the proposed uses are allowed "as of right" in the Business B Zoning District and the Harvard Square Overlay District. Thus, this application does not seek a Special Permit for any of the proposed uses.

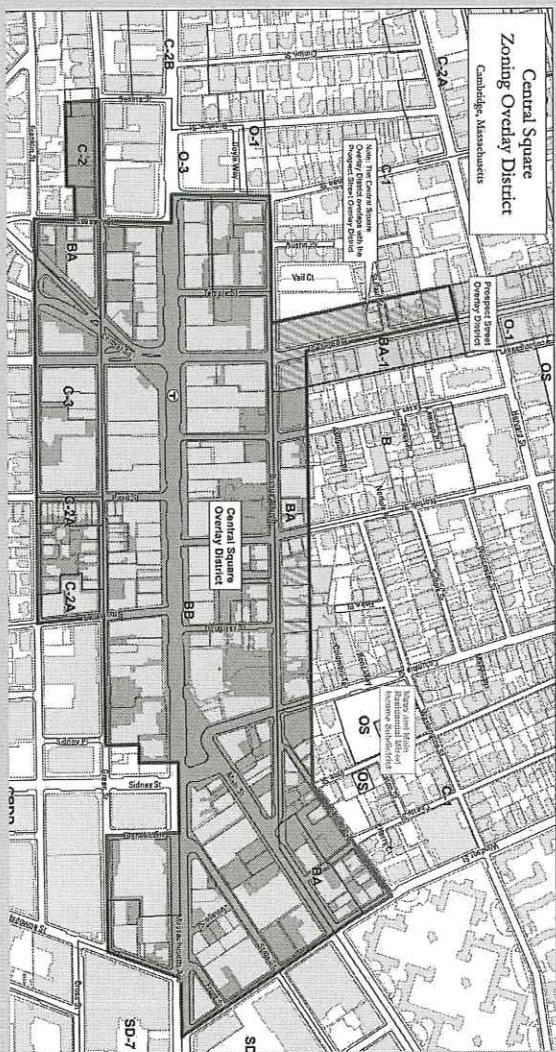
Central Square

Cambridge's cultural district

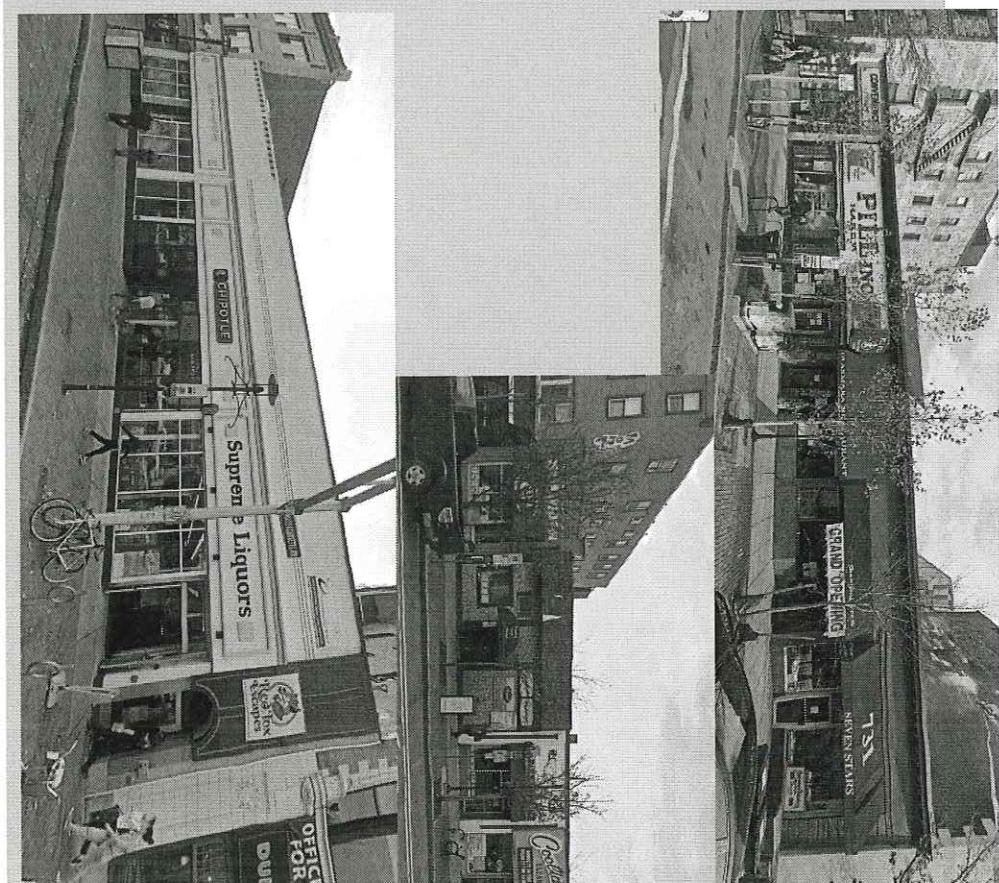
Eclectic mix of retail, nightlife,
and housing

R&D use currently allowed 80
feet by special permit or 55 feet
as-of-right

Central Square Overlay District



Central Square



Map of existing R&D and laboratory locations, from 12/7 CDD presentation

Cambridge Street

Neighborhood retail corridor, subject of recent planning study
“Our Cambridge Street”



Alignment With “Our Cambridge Street” Goals

- A. Discourage commercial only buildings to encourage including residential units in new development

Preserve existing housing stock by:

Studying options to discourage the replacement of housing with only commercial use

- 5. Work to maintain a supply of affordable commercial spaces for local diverse businesses by:



Mayflower Poultry Example

Just-A-Start and HRI both considered the Mayflower Poultry building:



JAS	Cambridge Street, 621	FY20	Site visit; feasibility analysis	Decided not to pursue
HRI & JAS	Cambridge St, 629	FY21	Site visit	Decided not to pursue

But it wasn't feasible for affordable housing. It will be developed for lab, research, & office uses

LOCATION OF PROPERTY: 621 Cambridge St., Cambridge, MA

TYPE OF OCCUPANCY: Retail/Manufacturing/Residential (single-fam)

ZONING DISTRICT: Business A Zone

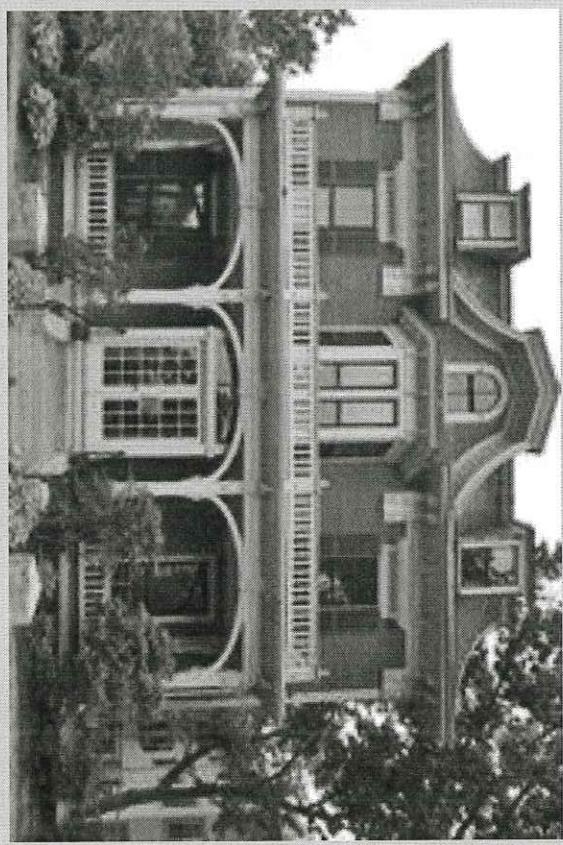
The Petitioner seeks a special permit to allow for the issuance of a certificate of occupancy for occupancy of the renovated structures to allow for the following office, research and development, and/or lab uses, as defined in Section 4.34.b, 4.34.c, 4.34.d and 4.34.f (including Technical office for research and development, laboratory & research facility subject to the restrictions in Section 4.21m).

Labs Outcompete Affordable Housing

2022 AHO Annual Report

- 10 instances of “decided not to pursue”
- 4 instances of “offer rejected”
- Many of these 14 parcels are in business or office districts

Impact of potential future commercial development makes it difficult for affordable housing providers to compete for parcels



1627 Mass Ave, recently acquired by HRI for creation of housing under the AHO. It was acquired directly from Lesley University

Why focus on lab development?

New Lab Development is Widespread

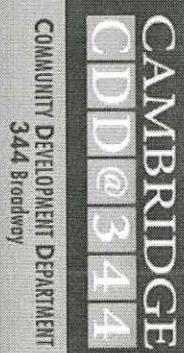
- Previous examples are part of a wider trend
- At least 2.5 million sq ft of new lab development expected between 2020 and 2029
- Far outstrips other new types of commercial development

Projected New Cambridge Development by Use
2020 to 2029

Use/Tenant Type	Projected Square Feet	Estimated New Employment
Office/Lab: Scientific Research and Development Services	2,500,000	5,000
Office/Lab: Computer Systems Design and Related Services	1,250,000	3,846
Office: Individual and Family Services	200,000	615
Office: Other Information Services	400,000	1,231
Office: Employment Services	100,000	308
Office: Software Publishers	150,000	462
Office: Other Schools and Instruction	100,000	308
Office: Doctor's Offices	100,000	308
Office: Real Estate Activities	100,000	308
Office: Other Professional & Technical Services	100,000	308
Retail: Food and Beverage Stores	10,000	20
Retail: Pharmacy	10,000	20
Retail: General Merchandise	10,000	20
Retail: Clothing Stores	10,000	20
Day Care Center	10,000	20
Bank branches	10,000	20
Real estate offices	10,000	31
Insurance Agencies, Brokerage and Support	10,000	31
Restaurants	120,000	1,000
Institutions/Universities	520,000	867
Hotel	120,000	120
Total	5,840,000	14,863

Source: 2019 Cambridge Incentive Zoning Nexus Study

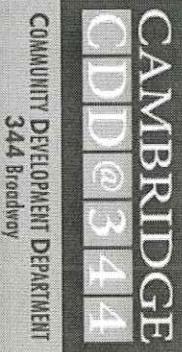
Response to CDD Memo



1. Definition feedback
2. Restriction areas feedback
3. Grandfathering clause feedback
4. PUD contradictions feedback

We appreciate the feedback and thorough response and look forward to working with the Planning Board, CDD, and the community on refining the language to achieve our shared goals

CDD Definition Feedback

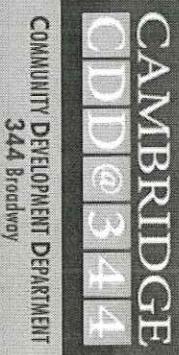


With regard to definitions, we

- appreciate the range of Commercial R&D activities in the city and the challenges raised
- are certainly open to refining the definition
- could use more specific feedback on how to best define terms to better accomplish our goals

Ultimate desire is restricting intensive biotech/pharma labs that outcompete new housing

CDD Restriction Areas Feedback



Aren't intending to restrict

the dark blue areas on this

map

Wherever language needs
refinement, we are
completely open to that!

Impact of Cambridge Lab Regulation Petition

Green = open space

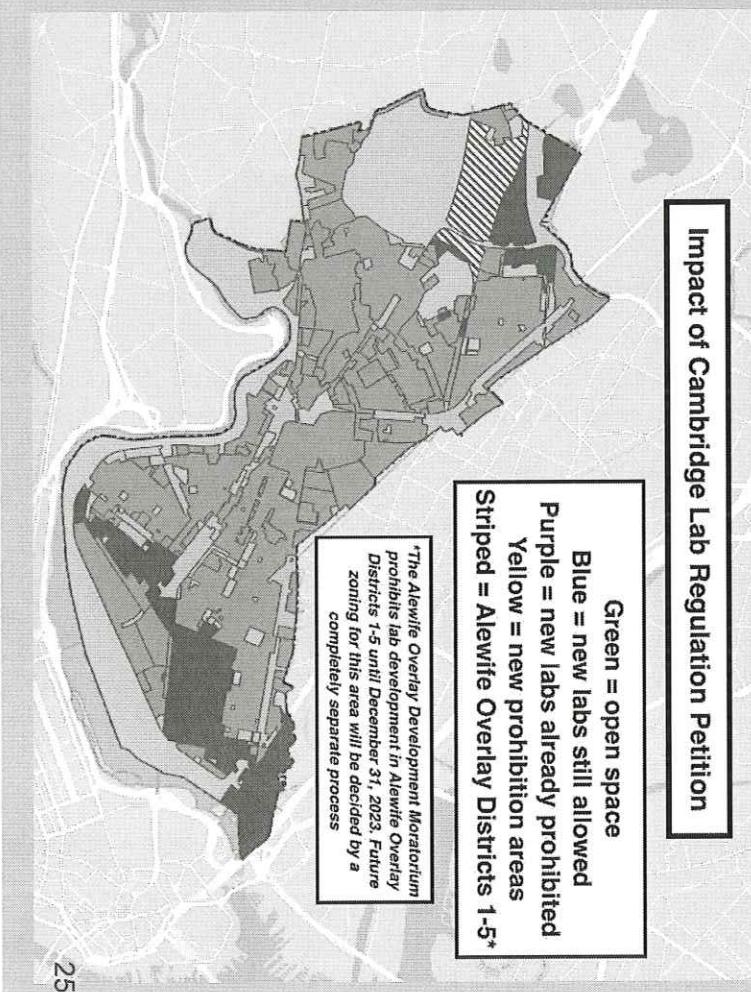
Blue = new labs still allowed

Purple = new labs already prohibited

Yellow = new prohibition areas

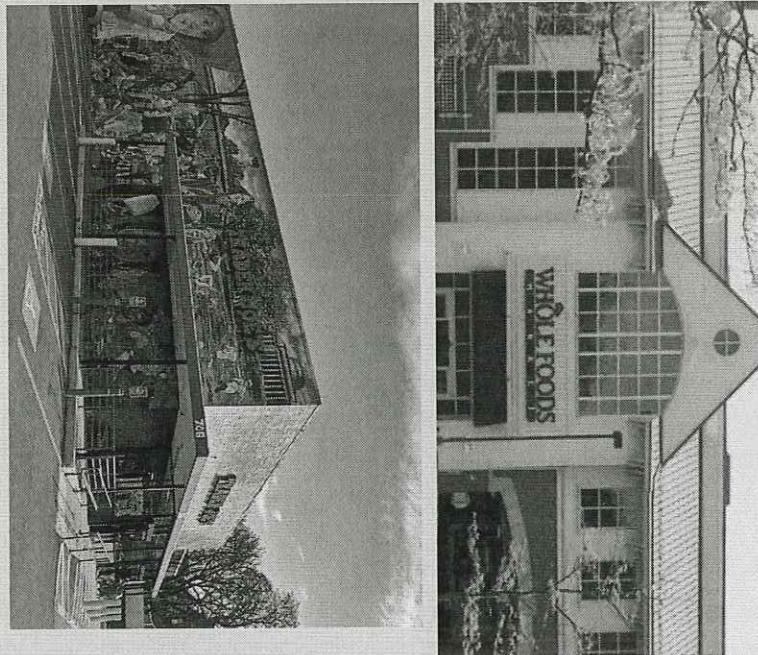
Striped = Alewife Overlay Districts 1-5*

*The Alewife Overlay Development Moratorium prohibits lab development in Alewife Overlay Districts 1-5 until December 31, 2023. Future zoning for this area will be decided by a completely separate process.



CDD Restriction Areas Feedback

Why Memorial Drive area?



BA-2: potential for development

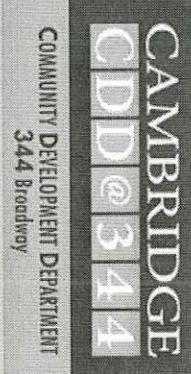
O-2: built out with biotech

BA: potential for development



CAMBRIDGE
CDD @ 344
COMMUNITY DEVELOPMENT DEPARTMENT
344 Broadway

CDD Grandfathering Clause Feedback



If the intent of the Petition is to create additional protections for legally preexisting nonconforming technical office uses that are not otherwise applied to all legally nonconforming uses, then a better approach would be to propose including those protections in Article 8.

We agree and would be happy to work with staff on clarifying this language and incorporating it into Article 8 (Nonconformity) as recommended

Our intent is to avoid impacting any existing instances of the lab use

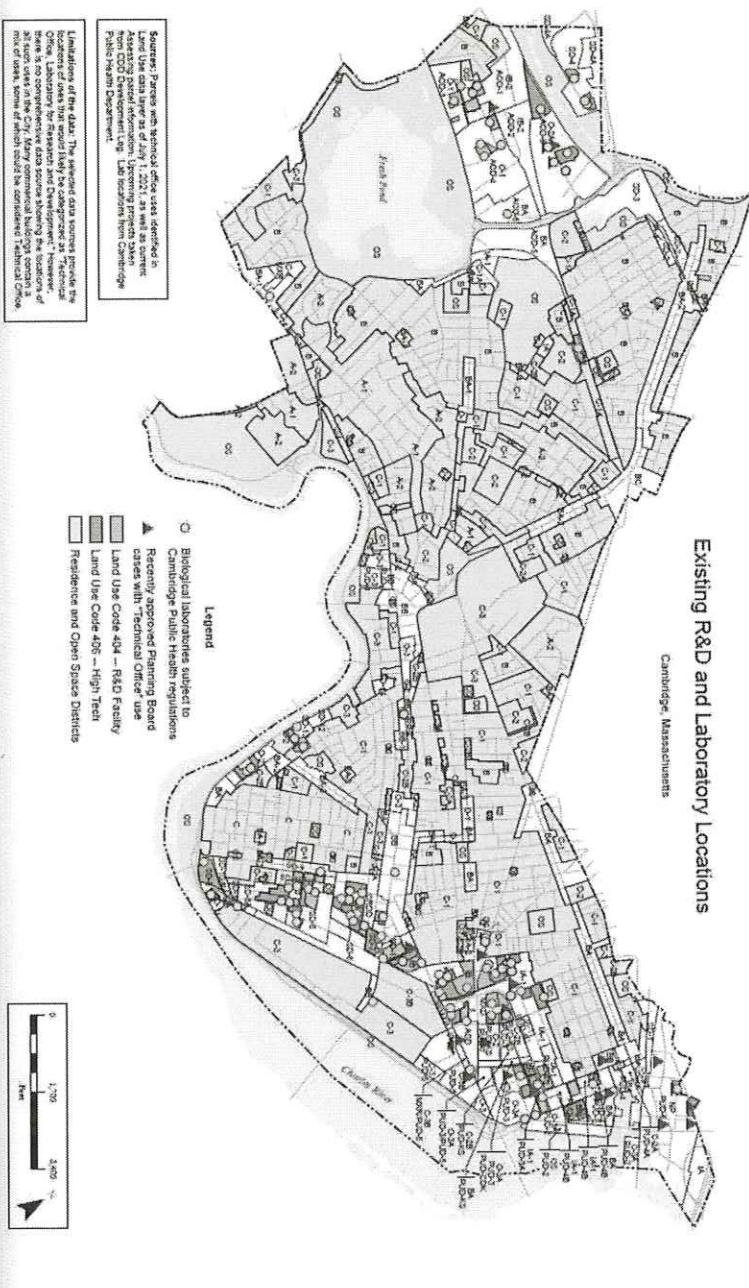
This means current labs and future lab use in the same buildings

Grandfathered Labs

CAMBRIDGE
CDD@344
COMMUNITY DEVELOPMENT DEPARTMENT
344 Broadway

Existing R&D and Laboratory Locations

Cambridge, Massachusetts



Map of existing R&D and laboratory locations, from 12/7 CDD presentation

CDD PUD Contradictions Feedback



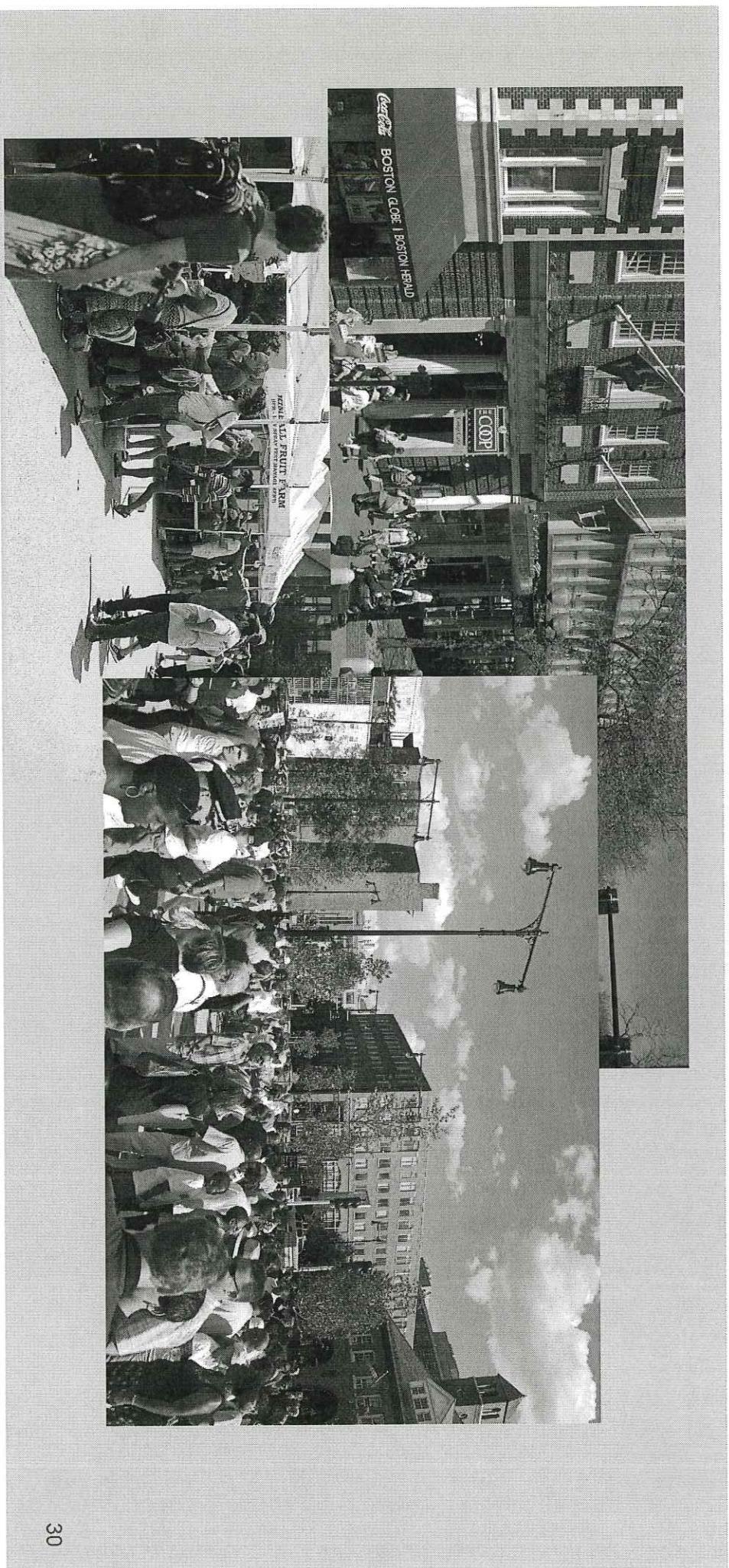
Attempting to modify overlay district requirements through a footnote

in the base zoning creates a circular logic that will likely cause problems in application. The base zoning should be as clear and simple as possible, and any desired modifications to an overlay district or special district should be made within the provisions of that overlay district or special district.

-CDD memo, page 7

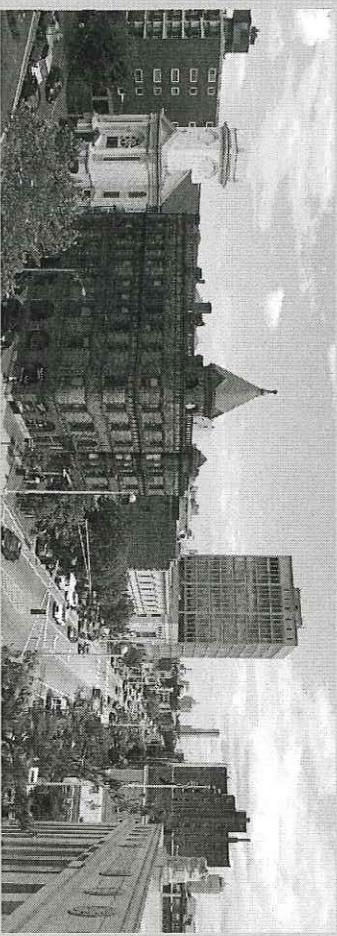
We agree with this point and would be happy to work with staff to remove these pieces from the base zoning and put them where they belong

What a Square Should Be



Conclusion and Next Steps

- Suggested action tonight: keep in committee
- Continue discussions with CDD staff, councillors, community
- Improve petition and narrow the scope based on feedback
- Current petition expires on April 4th



Attachment B



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

Date:	December 21, 2022
Subject:	Callender, et al., Zoning Petition
Recommendation:	The Planning Board does NOT RECOMMEND adoption.

To the Honorable, the City Council,

On December 20, 2022, the Planning Board (the “Board”) held a public hearing to discuss a Zoning Petition by Duane Callender, et al., to amend Article 2 and Article 4 of the Zoning Ordinance (the “Petition”). The Petition would create a new definition for “Technical office for research and development, laboratory & research facility” (4.34(f) in the Table of Use Regulations) and prohibit said use in all office and business zoning districts, with exceptions for certain special districts and overlay districts and subject to additional considerations. The Board heard a presentation from Duane Callender, Lee Farris, and Kavish Gandhi, representing the petitioners, and received written materials from staff in the City’s Community Development Department (CDD).

Following the presentation, public comment, and discussion among Board members, the Planning Board voted to transmit an unfavorable recommendation on this Petition to the City Council.

Board members generally agreed with the petitioners’ goal to promote new housing development. Board members also recognized the issue that commercial lab development may outcompete other land uses in the City, such as housing. However, Board members agreed that this Petition takes too blunt an approach to addressing this issue, and that a more nuanced approach that incorporates more study and more input from stakeholders would be preferable.

Board members acknowledged that there are many different types of lab facilities throughout Cambridge, and that commercial research and development generates distinct benefits for the City, such as jobs, tax revenue, and contributions to affordable housing development through requirements such as incentive zoning. Some Board members emphasized that labs have been an important part of the City’s identity and ethos, and that research done in Cambridge labs addresses many global problems. New restrictions on lab uses could potentially have the deleterious effect of stifling innovation and harming smaller property owners. Board members also remarked that lab development and housing development are not necessarily mutually exclusive, and there may be other ways to regulate the specific differences between labs and other types of commercial development.

City of Cambridge, MA • Planning Board Report
Callender, et al., Zoning Petition

While some Board members noted that certain areas of the City may benefit from protections from large-scale lab development, Board members agreed that the Petition was not structured properly to achieve the outcomes desired. The majority of Board members agreed that the best way to proceed would be to engage in a collaborative planning process involving the Petitioners, property owners, businesses, City staff, City Council, and other stakeholders before advancing this initiative. One Board member agreed that more work should be done but suggested that it could be done by amending this Petition within the current timeframe for consideration.

The Planning Board voted with 6 members in favor of transmitting the above recommendation, and one member voting against. One member was absent.

Respectfully submitted for the Planning Board,



Mary Flynn, Vice Chair.



Attachment C

CITY OF CAMBRIDGE

Community Development Department

To: Planning Board

From: Community Development Department (CDD) Staff

Date: December 13, 2022

Re: Callender, et al., Zoning Petition

Overview

KHALIL MOGASSABI Petitioner: Duane Callender, et al. (group of at least 10 registered voters)

Deputy Director
Chief of Planning

Zoning Articles: 2.000 (Definitions), 4.000 (Use Regulations)

Petition Summary: Amends Article 2 of the Zoning Ordinance by creating a new definition for "Technical office for research and development, laboratory & research facility (4.34(f) in the Table of Permitted Uses)", and amends the Table of Permitted Uses in Article 4 by prohibiting technical office uses in all office and business districts, subject to two new footnotes.

Planning Board Action: Recommendation to City Council

Memo Contents: Summary of the proposed zoning, background information on the topic of the Petition, and considerations and comments from staff.

Summary of Petition Effects

The stated intent of the Petition is to prevent an unfettered expansion of biotech laboratories in Cambridge, in order to minimize competition with other land uses such as housing and retail.

The Petition creates a new definition for the existing use category *Technical office for research and development, laboratory & research facility*. The proposed definition focuses on a range of potential lab-related activities, while also specifically excluding educational institutions, medical/dental offices, innovation/maker spaces and pure software-based activities.

The Petition amends the current use table for technical office uses such that they would no longer be permitted in any Business or Office district, with modifications contained in two proposed footnotes:

- The first footnote states that any pre-existing technical office use in existence or permitted prior to January 1, 2023 in a Business or Office district shall be considered a conforming use under auspices of modifying an existing building or relocating the use within an existing building.
- The second footnote states that technical office uses will be permitted in any Planned Unit Development (PUD), Alewife Overlay District (AOD), Special District (SD), Mixed-Use Development: Kendall Center (MXD) district, or other “special zoning district” that already permitted the use prior to January 1, 2023. The footnote continues that technical offices are no longer permitted in Special Districts 2, 9, and 10, or any Overlay Districts with a base zoning of Residential, Business or Office.

Background

Defining Lab Uses in Cambridge Zoning

Cambridge's current system of zoning puts all commercial research and development (R&D) uses under the umbrella of the *Technical office for research and development, laboratory & research facility* definition in the Table of Permitted Uses. These commercial lab uses can range from software development and engineering to life science research and development, medical research, chemical testing, and robotics. One feature that differentiates “technical office” from “general office” is that the former can include limited manufacturing of products, such as prototyping. There is currently a separate land use category for academic and non-commercial research (Noncommercial Research Facility) in the use table.

Commercial Labs in Cambridge

Commercial R&D activities exist within a wide variety of built contexts throughout the City, from sprawling, low-scale developments (e.g., in the Alewife Quadrangle), to more mid-rise mixed-use developments along the City's commercial corridors, and in new high-rise developments in the densest parts of the City. Companies engaging in R&D in the City can be smaller, start-up operations all the way to major, international technology corporations. Because the range of lab types and entities can widely vary, so too do the building needs and physical space requirements. Certain types of facilities, such as biosafety labs, have specific needs for larger mechanical arrays to accommodate requirements for specialized piped utilities and air handling. Conversely, a computer-based research facility may not have

building requirements that differ much from general office uses. Lab facilities are found in newer buildings that are specifically built to accommodate them, as well as in older commercial buildings that might be retrofitted to support different R&D activities.

Cambridge has one of the largest and densest clusters of commercial R&D activity in the country and is regarded as a worldwide leader in fields such as commercial life science. "Spin-off" commercialization of research from MIT, Harvard, and affiliated institutions is often cited as an explanation for Cambridge's status. Cambridge's regulatory environment is also regarded as a factor. Cambridge has allowed "technical office" in all commercial districts since the 1970s. Also in the 1970s, Cambridge established public health regulations for biosafety that became a model for other cities.

Where Lab Uses are Generally Permitted

Technical office uses are generally permitted in all office, business and industrial districts in the City as well as some overlay districts and PUD's (see Figure 1 below). These uses are primarily concentrated in the East Cambridge and Alewife areas, as well as along some of the City's commercial corridors (Mass Ave, Cambridge Street, Alewife Brook Pkwy) and the City's major squares (Kendall Square, Porter Square, Central and Harvard Square), subject to additional requirements and review (detailed below).

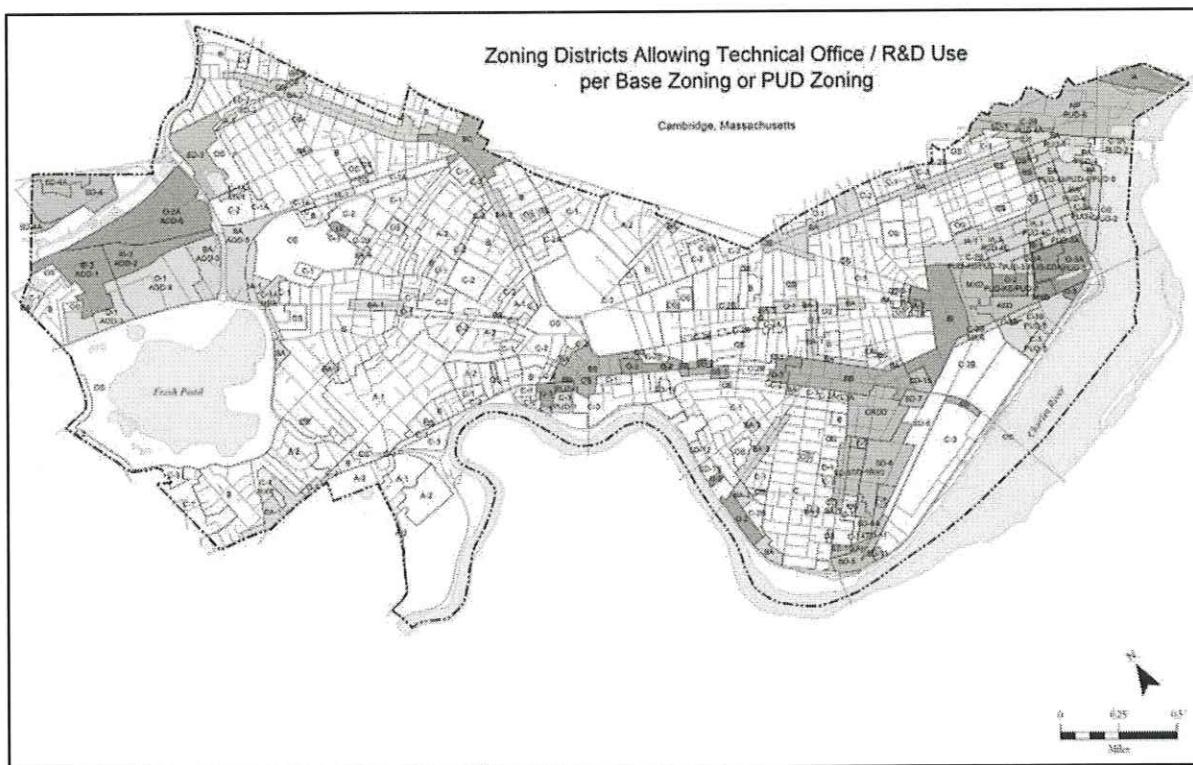


Figure 1: Existing zoning districts which permit lab use. Source: City of Cambridge, 2022.

Current Regulatory Framework

Lab development in Cambridge generally follows the review thresholds for other types of development in the City. Development of at least 50,000 square feet requires a Project Review Special Permit (or

20,000 square feet in Business A, A-1 and A-2 districts). The Planning Board must make findings of approval based on environmental impacts, including potential visual and noise effects from mechanical equipment, loading and deliveries, and lighting. Development of at least 25,000 square feet requires compliance with the City's Building & Site Plan requirements in Article 19.50, which includes prescriptive design requirements for the location and screening of mechanical equipment and solid waste, as well as noise regulations supported by acoustical studies from a professional engineer. Additional requirements may need to be met depending on the specific zoning requirements for a district.

There are also applicable non-zoning regulations for lab uses, such as laboratory safety requirements (administered by the Cambridge Public Health Department), state environmental compliance (Massachusetts Department of Environmental Protection), building codes, and noise requirements (License Commission or the Inspectional Services Department (ISD)).

Current Lab Locations in Cambridge

There is no definitive list of all “technical office” uses in Cambridge. Figure 2 maps locations based on data available from ISD, the Public Health Department, the Assessing Department, and the Special Permits Database. Labs are generally clustered in higher-density office and industrial districts. There are rare instances of labs being located in higher-density Business districts such as Harvard or Central Square. Labs are even more rare in lower-density office and business districts. Although they are allowed by zoning, they are more difficult to establish due to smaller building and lot sizes, limits on allowable height and density, and physical constraints on activities like loading and deliveries.

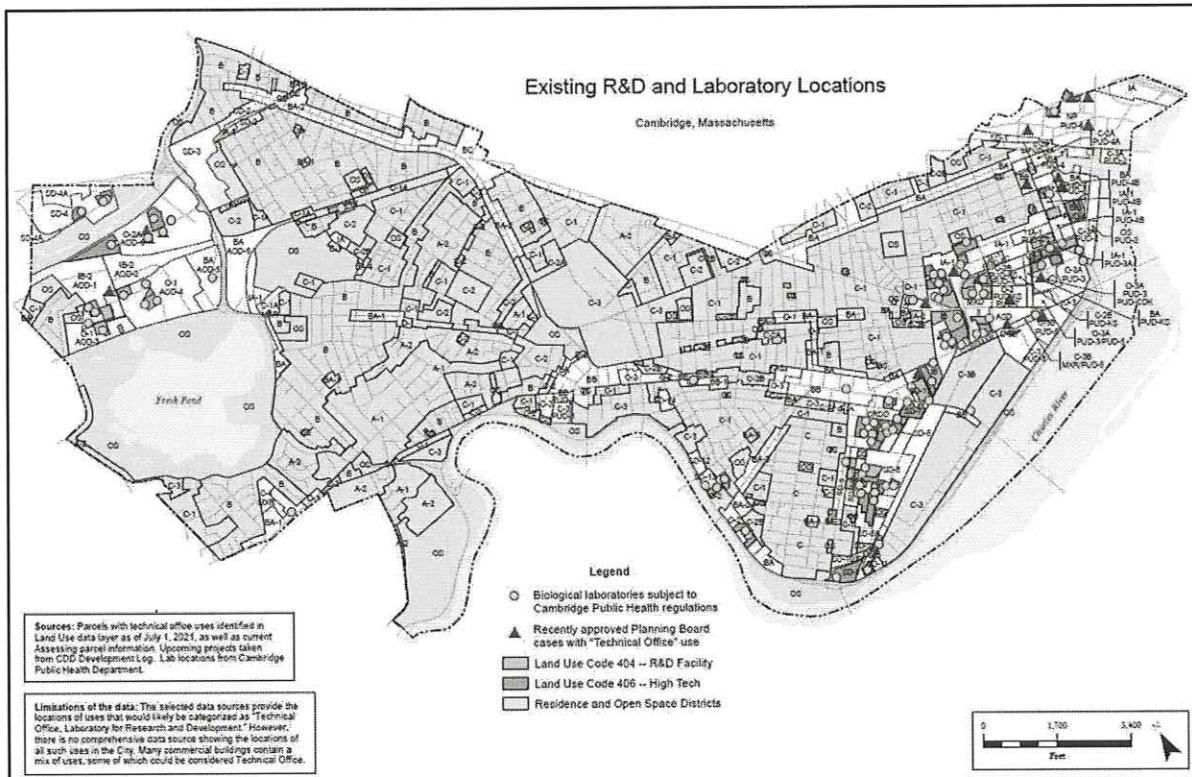


Figure 2: Existing lab locations from available data. Source: City of Cambridge, 2022.

Considerations

Policy Discussions

The Petition would effectively prohibit technical office uses in most commercial districts of the City, including areas that have strong R&D clusters and are outside the squares and neighborhood-scale commercial corridors that are cited in the Petition's stated intent. Figure 3 (below) illustrates the net effect the Petition would have on where new lab uses are permitted. In addition to Central and Harvard Squares, Cambridge Street, and the Mass Ave corridor, new lab uses would be restricted along some parts of Memorial Drive, First and Second Streets in East Cambridge, many parts of Cambridgeport, parts of Kendall Square, and other areas. As explained below, the regulations in some areas would be ambiguous.

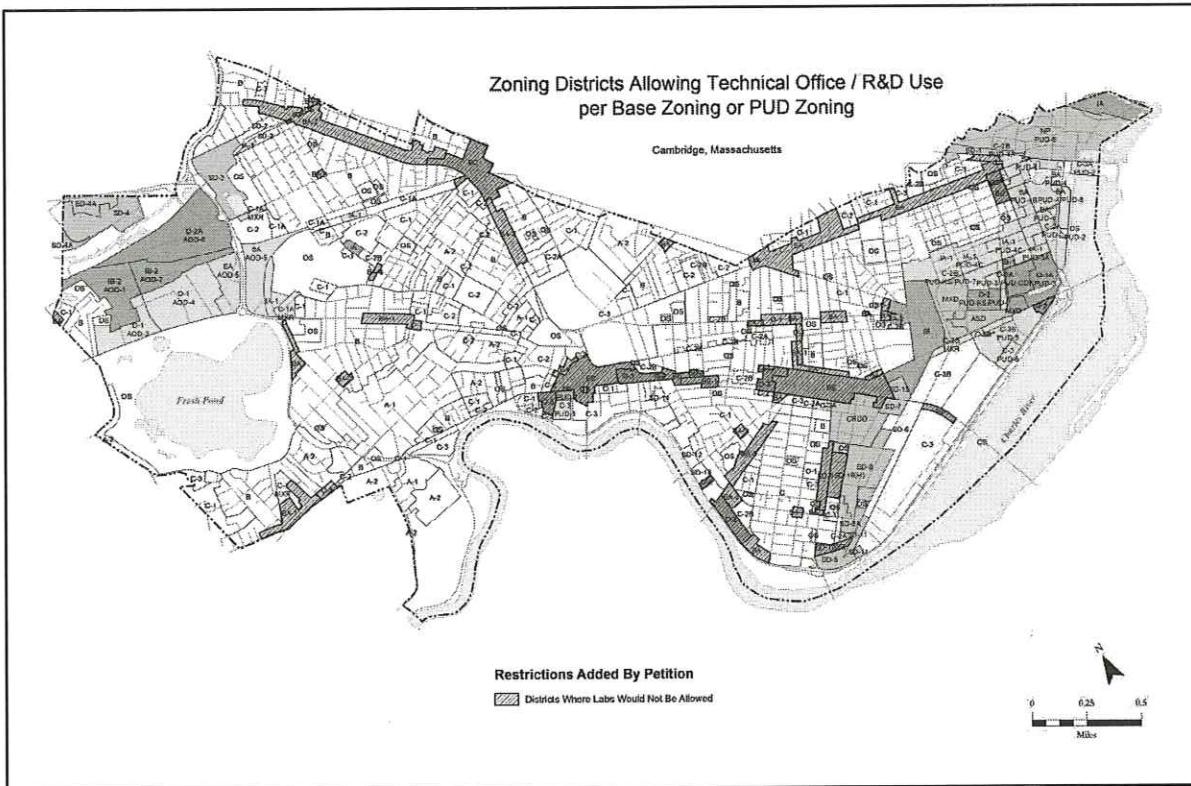


Figure 3: Illustration of effects of Petition on permitted lab locations. Source: City of Cambridge, 2022.

In addition to the substantive planning issues raised by the Petition, there are issues with the form of the Petition that are described below.

Definitions

The proposed definition for technical office uses specifically excludes labs primarily used for educational purposes, medical and dental offices that provide accessory lab services, innovation spaces, maker spaces and similar uses, and software-based laboratories. Some of these are uses already listed elsewhere in the Table of Use Regulations in Article 4.

However, “innovation space,” “maker space,” and “purely software based” (for instance) are undefined terms, which could create confusion in determining what uses would fit those terms and how they would be classified in the Table of Use Regulations. If a use is not expressly permitted in Article 4, then it is prohibited, pursuant to Section 4.13 of the Zoning Ordinance. The effect of the Petition could be that many types of facilities which are currently permitted throughout the City would not be permitted anywhere in the City.

The Zoning Ordinance should define uses comprehensively, so that any use that is intended to be allowed in any zoning district is listed in the Table of Use Regulations. The proposed definition attempts to describe what is included or excluded in this one definition, but as a stand-alone definition, it does not provide clear guidance on how to classify and regulate the various uses that might exist now or in the future.

Proposed Footnotes

The first proposed footnote attempts to create an exception for lab uses in existing buildings to be considered “conforming uses” in districts where the Petition would prohibit them. This is a confusing usage of the term “conforming,” which normally means “meeting current zoning standards.” This footnote applies the term “conforming” to uses that would be considered “legally preexisting nonconforming.”

Legally preexisting nonconforming uses can be maintained but cannot be enlarged or replaced by another nonconforming use. The City’s provisions for nonconforming uses are in Article 8 of the Zoning Ordinance. If the intent of the Petition is to create additional protections for legally preexisting nonconforming technical office uses that are not otherwise applied to all legally nonconforming uses, then a better approach would be to propose including those protections in Article 8.

Additionally, the first proposed footnote may create confusion as there is a distinction between a legally preexisting nonconforming use and a legally preexisting nonconforming structure. A legally preexisting nonconforming use does not provide protections for dimensional alterations of structures. If the intent here is to do so, those additional protections would need to be included in Article 8. Also, the first proposed footnote seems to provide protections for technical offices uses that are in existence or permitted prior to January 1, 2023, but under the state Zoning Act, a use that is in existence or has a building or special permit issued before the first publication of notice of the public hearing is protected from amendments to the zoning. There may be confusion caused by the discrepancy in these dates.

The second footnote attempts to maintain the permissibility of lab uses in the City’s overlay and PUD districts. Again, the effects of this footnote are somewhat unclear because the footnote contradicts itself. For example, the footnote expressly permits technical office uses in PUD and AOD districts, but goes on to say that technical office uses in overlay districts with base office or business districts are not permitted. Many PUD and AOD districts contain base office and business districts, in some cases containing multiple underlying zoning districts that may or may not permit lab uses.

The purpose of overlay districts (which include PUD and AOD districts) is to modify the provisions of the base district. Many base “special districts” use a similar approach of referencing another base district and listing specific modifications. Attempting to modify overlay district requirements through a footnote

in the base zoning creates a circular logic that will likely cause problems in application. The base zoning should be as clear and simple as possible, and any desired modifications to an overlay district or special district should be made within the provisions of that overlay district or special district.

Erwin, Nicole

Attachment D

From: Madeline Lee <lee.madeline.g@gmail.com>
Sent: Monday, January 2, 2023 12:57 PM
To: City Council
Cc: City Clerk
Subject: Zoning Petition: Lab Regulation

Dear City Councilors:

I write to urge the City Council's support of the zoning petition on the regulation of lab development in Cambridge scheduled to be presented to the Ordinance Committee this Wednesday, January 4th.

The petition proposes parameters for further new biotech lab expansion in Cambridge; this is critical to maintaining housing and small retail affordability and diversity in multiple squares and neighborhoods.

Letting the profitability of untethered lab development continue unchecked will result in significant displacement to small businesses and residential areas. This petition presents a pathway for existing and future development, and the economy that comes from supporting residential, and cultural areas that benefit from

As a person who lives, works, and rents in Cambridge, I believe it is important for Cambridge to continue to be a place where people of all backgrounds can partake in making the city work for everyone.

Thank you for your thoughtful consideration of this petition.

Sincerely,
Madeline Lee

Neighborhood Nine

COMMUNICATIONS

resents great risks of
nts simply cannot compete.
ow for biotech labs and lab
areas that are rich retail,
s.

long-term livability and
and entrepreneurial

Erwin, Nicole

Attachment E

From: Steven Miller <semiller48@gmail.com>
Sent: Wednesday, January 4, 2023 8:29 PM
To: City Council
Cc: City Clerk; Kavish Gandhi; Lee Farris
Subject: Please Support Petition To Limit Spread of Labs & R&D

City Councillors:

New private, for-profit development is what generates the tax revenue that allows Cambridge to cover the cost of the broad spectrum of programs and subsidies we have that make our city a great place to live for a wide range of people. Friends who work for other Massachusetts cities are simply amazed at our budget.

But the point of development is to keep our city livable by as broad a spectrum of people as possible – a diversity of education levels, ways of making a living, ethnic/racial/cultural backgrounds, recreational preferences, and incomes.

We know that high-end commercial development – both residential and, even more powerfully, commercial, particularly lab and R&D space which has the highest potential profits -- has peripheral effects. Most directly, it pulls up the surrounding property values and brings in lots of higher income professionals and managers. The rising land costs raises rents and acquisition costs, making it harder for small retail outlets and for less wealthy people to afford to stay. Rising land values raises taxes, but makes it significantly more difficult, often impossible, to build affordable housing – or even new residential housing of any kind. The new workforce understandably wants to live near their jobs (and to live in our fair city) and their presence further raises rents on the current apartments as well as incentivized developers to focus on luxury units. This is not theoretical – we all know that its what is already happening.

We also know that it's a balancing act. We need development, but we also need to control its negative peripheral impact. So far, lab development has been mostly contained within a couple of specific areas – Kendal Square, North Point/Camb Crossing, and around Alewife. However, high risers are already creeping up Main Street and Mass Ave from MIT towards Central Square. They are spreading in Alewife. And they will soon be extending down from Somerville's Union Square.

An open real estate market for the highest bidder inevitably means that the spread will continue and probably escalate. Already, we see banks replacing the priced-out small stores in nearly every one of our Squares. We need to build guardrails that will not close existing labs nor prevent future development – but will restrict it to specific areas of the city and prevent their spread to neighborhoods where the negative effect would outweigh the revenue.

Therefore, I urge you to give a positive response to the community petition that was presented to the Ordinance Committee today, 1/4/2023. I'm sure that some of the technical details of what is being asked for could be tweaked and improved. But the overall thrust must be maintained.

Thanks for all the work you all do to keep our city pointed in the right direction. This petition is just one small part of the large push we need to commit ourselves to to maintain affordability and diversity in the city we love.

Steve

Steven E. Miller
92 Henry St.
617-686-1050

Steven E. Miller

Movement Voter Project, volunteer

Book: Advocacy Organizing: Smarter Strategies, Bigger Victories

Erwin, Nicole

Attachment F

From: Sarah Eusden Gallop <seg@mit.edu>
Sent: Wednesday, January 4, 2023 6:31 PM
To: City Clerk
Cc: City Council; Council Aide; Huang, Yi-An; Farooq, Iram; O'Riordan, Owen
Subject: MIT Testimony on Lab Ban
Attachments: Lab Ban OC Testimony 1423.docx

Dear Madame City Clerk,

Please find, below and attached, MIT's testimony in regard to the proposed lab ban to be included in the record of the meeting.

Lab Ban Zoning Petition

1/4/23

Thank you, Mr. Chair, and good evening members of the Ordinance Committee. My name is Sarah Gallop and I'm Director of Government and Community Relations at MIT.

At issue tonight is the erroneous assertion that housing and laboratory uses are mutually exclusive. The petition would have you believe that such a conflict exists in Central Square, Harvard Square, Cambridge Street, the Mass Ave corridor, parts of Memorial Drive, First and Second Streets in East Cambridge, many parts of Cambridgeport, parts of Kendall Square, and other sections of the City.

The petition's solution to this contrived scenario is that labs should be banned in basically every business district in the City.

Yet, there's no analysis that backs up the claim of the clash in uses, and no demonstration of how a lab ban would actually produce any additional housing.

What a lab ban in most of Cambridge's business districts **will** do is:

- prevent future research in the areas of climate, transportation, computation, disease, manufacturing, health care, food systems, and waste management, among other topics
- decrease vibrancy in our commercial districts because lab employees work on-site — and therefore actively support ground level retail and contribute to the animation of street life
- curtail the signature cross-fertilization that takes place in Cambridge's business districts among workers, residents, students, tourists, and visitors. These interactions create unique synergies that contribute to the healing of our planet and the betterment of society — and are the envy of the world

- jeopardize the City's chances of capitalizing on the state's new focus on clean energy. Governor Healey has indicated that her administration will commit significant financial resources to make Massachusetts "a global epicenter" in clean technology (her words) — but that won't happen in Cambridge if this petition passes because there will be no place to do that work
- reduce the amount of money being contributed by lab developers to the Affordable Housing Trust — the City's designated fund for the creation of affordable housing

This City Council recently implemented significant increases to two effective housing mechanisms — linkage and inclusionary housing. Those tools actually produce housing. This one doesn't.

I urge the Ordinance Committee to defeat this ill-considered petition.

Thank you,
Sarah Gallop
Director, MIT Government and Community Relations

Learn about why we love our work!

[MIT in Cambridge: Impact Report](#)

[MIT 2022 Town Gown Report](#)

[Website](#) | [Twitter](#) | [Instagram](#)

Thank you, Mr. Chair, and good evening members of the Ordinance Committee. My name is Sarah Gallop and I'm Director of Government and Community Relations at MIT.

At issue tonight is the erroneous assertion that housing and laboratory uses are mutually exclusive. The petition would have you believe that such a conflict exists in Central Square, Harvard Square, Cambridge Street, the Mass Ave corridor, parts of Memorial Drive, First and Second Streets in East Cambridge, many parts of Cambridgeport, parts of Kendall Square, and other sections of the City.

The petition's solution to this contrived scenario is that labs should be banned in basically every business district in the City.

Yet, there's no analysis that backs up the claim of the clash in uses, and no demonstration of how a lab ban would actually produce any additional housing.

What a lab ban in most of Cambridge's business districts **will** do is:

- prevent future research in the areas of climate, transportation, computation, disease, manufacturing, health care, food systems, and waste management, among other topics
- decrease vibrancy in our commercial districts because lab employees work on-site — and therefore actively support ground level retail and contribute to the animation of street life
- curtail the signature cross-fertilization that takes place in Cambridge's business districts among workers, residents, students, tourists, and visitors. These interactions create unique synergies that contribute to the healing of our planet and the betterment of society — and are the envy of the world
- jeopardize the City's chances of capitalizing on the state's new focus on clean energy. Governor Healy has indicated that her administration will commit significant financial resources to make Massachusetts "a global epicenter" in clean technology (her words) — but that won't happen in Cambridge if this petition passes because there will be no place to do that work
- reduce the amount of money being contributed by lab developers to the Affordable Housing Trust — the City's designated fund for the creation of affordable housing

This City Council recently implemented significant increases to two effective housing mechanisms — linkage and inclusionary housing. Those tools actually produce housing. This one doesn't.

I urge the Ordinance Committee to defeat this ill-considered petition.

Erwin, Nicole

Attachment 6

From: Mary Baine Campbell <campbell@brandeis.edu>
Sent: Wednesday, January 4, 2023 6:15 PM
To: City Clerk; Lee Farris; City Council
Subject: Petition in support of regulating lab space in Cambridge squares

Hello--I was unable to deliver my remarks as the audio wasn't on, and since I have to leave at 6:20 you may not get back to me though my hand has been raised since I finally got the audio link. I'm therefore sending you the script of the remarks intended to be read at the Ordinance Committee meeting.

Hi. My name is Mary Baine Campbell and I live in a condoized apartment building on Linnaean St, off Mass Ave near Porter Square. One of the areas under threat from unrestricted lab development is Mass Ave from roughly the Common, through Porter Square into North Cambridge, and I'll speak only of my neighborhood, though similar things have been said of other Cambridge squares. It's this commercial stretch that makes my residential neighborhood lively and walkable: it hosts food, clothing, music and book shops, bakeries and pharmacies, services like dentistry, acupuncture, yoga, tai chi, fitness centers, restaurants and cafes, local banks, community services, real estate and insurance offices, auto repair shops and household goods stores, live music, readings and lectures, an art gallery, a pre-school. I moved here 30 years ago largely because of that stretch of Mass Ave. It knits together a real neighborhood, with a Neighborhood Association, an identity, a history.

That particular stretch of Mass Ave isn't primarily residential, though it has many condo and apartment buildings and it could and *should* support more. But it's the main artery of the residential neighborhood I sketched, and we're the lifeblood of those businesses--who thrive also because they are close together. We didn't lose one small business to the pandemic: neighbors joined together to keep them all in business. I support labs--my partner was a biologist--and they have a real place in the life and economic success of our city. But they'll be kudzu in residential neighborhoods and on streets of small businesses. **What we need in Cambridge is more affordable housing, which they will chase out while jacking up real estate costs.** And what my neighborhood has to offer (though the Zoning Board killed a 100% affordable housing project 2 years ago because it was one story higher than the building next to it), is the perfect area for it along Mass Ave, with its subway and commuter trains, bus routes and bike paths. Too many of the city's essential workers, not to mention multi-generational residents like Mr. Callender was, can't afford to live here. We need them and they need us. Let new labs be built in parts of the city that aren't already performing important functions that will be lost.

Thank you,

Mary Baine Campbell

36 Linnaean St, Apt 9

Cambridge, MA

02138

--

Mary Baine Campbell
(she/her)
Professor Emerita of English, Comparative Literature,
Women's and Gender Studies
Brandeis University
Waltham, MA 02454-9110

Erwin, Nicole

Attachment H

From: Rachel Wyon <r.wyon2010@gmail.com>
Sent: Wednesday, January 4, 2023 4:22 PM
To: City Council
Cc: City Clerk
Subject: Regulating New Lab Locations

Dear Mayor Siddiqui and Cambridge City Council,

I've been a Cambridge resident since 1984 at a time when I was barely earning a living wage but was able to live in Cambridge. Later, my employment changed and I was fortunate to buy a home before the property values increased astronomically. Otherwise, I know that I would have had to leave Cambridge as well. We all believe that Cambridge needs more housing and especially more affordable housing - both for low income and moderate income individuals and families. Housing justice and the diversity of Cambridge are already in danger, and more lab development will increase housing injustice.

This Lab Regulation zoning petition is not against current labs, nor is it against new labs which can be built in certain areas of Cambridge. However, market housing is much less profitable than lab development (3 to 5 times less). Affordable housing is even less profitable and cannot compete with lab development. Also locally and independent businesses will be driven out with higher rents.

For Cambridge to be the community we know and love, we need to build more affordable housing in the squares near public transit and keep rents sustainable for independent businesses. New labs in the squares would push out current residents and prevent affordable housing from being built.

Please vote for this petition which proposes three zoning changes. It:

1. Defines the lab use, differentiating it from other commercial uses. Similar but non-threatening uses like dentist offices and academic research buildings are explicitly carved out.
2. Restricts new instances of lab use in vulnerable squares and zoned business districts.
3. Completely "grandfathers" all existing instances of the lab use within newly restricted areas.

Thank you for supporting the community of Cambridge.

Sincerely,

Rachel Wyon
283 Sidney St.

Erwin, Nicole

Attachment I

From: Susan Redlich <sredlich2010@hotmail.com>
Sent: Wednesday, January 4, 2023 2:28 PM
To: City Clerk; City Council
Subject: Lab Regulations Needed

Dear Mayor Siddiqui and Councilors,

I support the Citizens' Petition to prohibit new labs being built close to our residential neighborhoods. The greater ability of lab developers to take-over properties shrinks the availability of housing for lower income residents, many of whom are employees of local businesses. The labs will also draw new residents who are able to out-compete working class folk for the higher rents.

Please consider the housing needs of people who are employees of our public agencies and who serve as essential workers.

Susan Redlich
19 Sacramento Street

Erwin, Nicole

Attachment J

From: Shelley Rieman <shelleyrieman@gmail.com>
Sent: Wednesday, January 4, 2023 2:09 PM
To: City Council; City Clerk
Subject: Support for lab regulation petition

Dear Mayor Siddiqui and City Councilors,

I am writing to you to support the Citizens' Petition to prohibit new labs being built in our squares.

Abra Berkowitz is a friend and colleague and I just saw her powerful letter to you. Our city promotes diversity, equity, equal rights and access to all of our residents. Clearly, people of color in Cambridge do not have the same access to housing as do white residents. There is no consideration given for being a long-time resident vs. a newly minted PhD scientist from another state or country who wants to live and work here.

I taught at the Community Learning Center off and on for many years. The end of rent control saw the end of many of my students' homes here. As time went on, my students struggled financially in order to live here. Many had to work 2 and 3 jobs in order to pay the rent; consequently they were too exhausted to really participate in class and/or had to drop out of school from the constraints they experienced. By dropping out of their classes, they then weren't able to study for citizenship or gain the language and computer skills that would enhance their employment opportunities. It was a downward spiral for hard-working people who were thrilled to be in a country which offered a better life and future than their countries of origin. They had free, excellent education at a renowned school, The Cambridge Community Learning Center, but could not fully benefit in class after a few hour's rest from working around the clock. When I listened to the recent Planning Board hearing about this petition, I was swayed by a respected member of Mothers Out Front when she talked about the scientific discoveries that help our world so much. These labs will continue their important work.

This petition is only about building new labs, for which there are other more appropriate locations in Cambridge. Our squares need housing! People who live near the squares can access public transit which is a boon to the environment and lessens traffic, another local issue.

Please give your thoughtful consideration to this petition and vote to keep new labs from being built in some of our squares.

Thank you,
Shelley Rieman
201 Franklin St.

Erwin, Nicole

Attachment K

From: Susan Markowitz <susanmarkowitz@gmail.com>
Sent: Wednesday, January 4, 2023 1:33 PM
To: City Council; City Clerk
Subject: Support Lab Regulation petition

Dear Cambridge City Councilors,
I am writing in support of the Lab Regulation petition. As an Inman Square resident, I am particularly concerned about the development along Cambridge Street from Inman Square to the old Lechmere Station. My hope is that development along this corridor will create a more vibrant community with more housing and support for local businesses.

Since lab development is much more profitable than housing, I fear housing will be shortchanged in favor of labs. Labs will also cause rents for small and independent businesses to go up. Businesses are already hurting and we need to find ways to support them not push them out.

Thank you for your consideration.

Susan Markowitz
20 Oak Street
Cambridge, MA 02139
617-631-7013

Erwin, Nicole

Attachment L

From: Susan Martin <Susan.Martin@massbio.org>
Sent: Wednesday, January 4, 2023 12:51 PM
To: City Council; City Clerk
Cc: Zachary Stanley
Subject: MassBio Letter in opposition to the proposed ban to new laboratory construction in the City of Cambridge
Attachments: Lab Ban Letter to Ordinance Committee LH 1.4.23.pdf

On behalf of Kendalle Burlin O'Connell, CEO & President of MassBio, please see the attached comments expressing MassBio's opposition to the proposed ban to new laboratory construction in the City of Cambridge that will be heard during this evenings Ordinance Committee hearing.

Thank you for your consideration.

Susan Martin
Senior Director of Government Affairs and Advocacy
Massachusetts Biotechnology Council
700 Technology Square, 5th Floor
Cambridge, MA 02139
P: (617) 674-5109



This transmission is intended only for use by the addressee(s) named herein and may contain information that is proprietary, confidential and/or legally privileged. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or use of the information contained herein (including any reliance thereon) is STRICTLY PROHIBITED. If you received this transmission in error, please immediately contact the sender and destroy the material in its entirety, whether in electronic or hard copy format.



January 3, 2023

Cambridge City Councilors
Cambridge City Hall
Cambridge, MA 02139

main: 617 • 674 • 5100 fax: 617 • 674 • 5101

Massachusetts Biotechnology Council
700 Technology Square, 5th Floor
Cambridge, MA 02139

The Honorable Members of the Cambridge City Council:

On behalf of MassBio and our 1,600+ members, we appreciate your consideration of these written comments in opposition to the proposed ban to new laboratory construction in the City of Cambridge.

MassBio, and our member companies, want to be a good neighbor and partner with the City of Cambridge but we have serious concerns with the recent lab ban proposals and we urge the Ordinance Committee to not adopt the Callendar petition.

The argument that new lab development is crowding out potential new housing development is a false choice and ignores existing barriers toward housing developing, such as the City's 2017 adoption of a new inclusionary zoning policy that has subsequently reduced the cumulative number of market rate units built by 33% in the five years since its passage. Combined with current market dynamics, sky-high construction and lending costs, and growing office vacancies, the choice for Cambridge is not between permitting lab or housing. It is more likely to be lab or nothing.

This petition also ignores the realities of what makes Cambridge such a dynamic and prosperous city. Despite being only 22% of total property value in the City, labs across Cambridge provide 31% of all tax revenue, allowing residents to have one of the lowest residential property tax rates in the state. Labs also require people to work in-person, generating revenue to local businesses. As traditional offices sit empty and vacancies increase significantly—threatening the vibrancy of Cambridge squares and neighborhoods, City officials should be seeking ways to encourage smart lab development, not killing it with a sweeping, across-the-board ban.

MassBio represents a wide range of member organizations, including biotech companies, teaching hospitals, and academic institutions, the majority of which are directly engaged in cutting-edge research, development, and manufacturing of innovative products that improve the lives of sick people around the world.

We hope that the proposed bans to new laboratory construction are not adopted and that we can continue the stakeholder dialogue to ensure that we can identify the best path forward. MassBio and our members want to work with the City, and all the relevant stakeholders, to be part of crafting a real solution that achieves our shared goals.

Sincerely,

A handwritten signature in black ink, appearing to read "Kendalle O'Connell".

Kendalle Burlin O'Connell, Esq.
Chief Executive Officer & President

Attachment M

Jonathan King
Professor of Molecular Biology Emeritus



Massachusetts Institute of Technology
77 Massachusetts Avenue, Building 68-
330
Cambridge, Massachusetts 02139-4307

Department of Biology

Phone 617-253-4700
Email jaking@mit.edu
<http://web.mit.edu/king-lab/www/index.html>

3 January 2023
Cambridge City Council

Dear Councilors:

I am writing in support of the resident's Lab Zoning petition to limit construction of new biotech labs to well-defined and appropriate areas of the City.

I have taught graduate students and led biomedical research projects at MIT through the entire history of the growth of the Biopharma industry in Cambridge. My research group was intimately involved with the development of the fundamental procedures for expressing animal proteins in bacteria, as well as the lab safety policies that allowed the initial development of the industry in Cambridge. My former students are employed at Pfizer, Merck, Amgen, Takeda and other Biopharma firms.

The most important component of the appeal of the Cambridge community to the Biotech and Biopharma industries is the presence of a very high density of highly trained, engaged and motivated young biomedical graduate students and scientists. There are thousands of graduate students and postdoctoral fellows at MIT, Harvard, Tufts and Boston University who live and work in Cambridge. **This critical group is being forced out of Cambridge by their inability to find affordable housing.**

Both the MIT Graduate Student Council and the Postdoctoral Association have reported that scarcity of affordable rental housing is the single largest stressor in their professional lives, and a major barrier to their scientific productivity.

As the Chair of the Editorial board of the MIT Faculty Newsletter I have been regularly in touch with representatives of graduate student and postdoctoral fellows, who for more than a decade have been increasingly distressed over their inability to afford lodging in Cambridge. This has become sufficiently problematic that potential students are going elsewhere for their training.

Allowing biotech labs into otherwise residential neighborhoods, or mixed commercial /residential areas will further drive up the costs of housing, and make it more difficult for students and younger scientists to live in Cambridge. Sites that become available for biotech labs become too expensive to acquire for maintaining existing affordable housing or building new affordable housing.

Failing to properly plan for further biotech lab development, rather than advancing Cambridge as an environment for biotech/biopharma, will undermine the basis of the environment.

Sincerely,

Jonathan King

Erwin, Nicole

Attachment N

From: Michael Grill <m grill@fairlaneproperties.com>
Sent: Tuesday, January 3, 2023 3:55 PM
To: City Council; City Clerk
Cc: Jason Alves; Nancy Donohue
Subject: Ordinance Committee - Banning Lab Uses
Attachments: Fairlane - 1035 Cambridge letter to Ordinance Comm 1-3-23.pdf

I have attached my testimony regarding the banning of lab uses being considered at the 1/4/23 Ordinance Committee meeting. Best, Michael Grill

Michael S. Grill
Fairlane Properties, Inc.
1035 Cambridge Street
Cambridge, MA 02141
(617) 725-1000 Tel
(617) 494-1911 Fax
m grill@fairlaneproperties.com
<http://www.linkedin.com/in/michaelgrillboston1>
[@michaelgrill](https://twitter.com/michaelgrill)
www.fairlaneproperties.com

Fairlane Properties, Inc.

Commercial Real Estate

January 3, 2023

Ordinance Committee
City Council
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

RE: Appropriateness of Lab and Tech Uses in Business A Districts

Dear Members of the Committee,

As Chairman of the 432 Columbia Street Condominium Trust, which is the operating trust for 1035 Cambridge Street, I would like to provide my concerns about the City Council order considering the removal of R&D uses and laboratories from Business A districts. 1035 Cambridge Street, with 110,000 square feet and approximately 30 tenants, is located at the intersection of Cambridge and Columbia Streets and Webster Avenue in a Business A district. I have served as Chairman of the Condo Trust since 2008 and I am also Manager of Fairlane Columbia, LLC which owns approximately 70% of the 100,000 square feet at 1035 Cambridge Street.

While I have concerns regarding the citywide impact of these proposals, I would like to focus my comments primarily on our 100,000 square foot office, R&D and lab building at 1035 Cambridge Street. Zoned Industrial B prior to 1999, the property is the location of the former Hyde Shoe factory which eventually occupied nine separate, but combined, buildings on this site from 1915 to 1985. Although high-rise residential properties such as Roosevelt Towers (1950) and 305 Webster Avenue (2020) abut 1035 Cambridge Street, the commercial and industrial uses of our building preceded more recent residential development. After the Hyde Shoe company ended its 70-year occupancy, Marvin Gilmore purchased the property with a \$1 million federal government grant in the late 1980's. In 1988, Mr. Gilmore's Cambridge Enterprise Collaborative, Inc. established the 432 Columbia Street Condominium Trust to renovate the former Hyde factory specifically as an incubator for, as stated in the 1988 Condominium Master Deed, 'commercial, office, research and development and light industrial use(s)'.

Marvin Gilmore's vision has been realized by the various uses and tenants at 1035 Cambridge Street. The activities of Fairlane Columbia, LLC tenants include:

- developing **mRNA and cell-engineering technologies** to advance the study and treatment of disease
- creating a **kitchen countertop appliance which refrigerates and cooks in multiple zones**, giving customers an easy hands-free cooking experience

- developing an industrial platform providing a fully automated, image-based, **continuous methane monitoring** and quantification solution
- outsourced **video game programmers**
- developing a new technology for **3D metal printing**
- creating a **portable sterile operating room** system
- providing technologies for **3D tissue mapping, tissue staining** and immunolabeling

Several businesses at 1035 Cambridge Street are owned by City residents and employ Cambridge residents, many of whom walk, bicycle or take public transit to work. These are the kinds of businesses I believe the City wants to locate in Cambridge. Zoning use restrictions will drive these tenants out of Cambridge because of the uncertainty around the grandfathering language proposed in this amendment. Tenants have located at 1035 because of the building's moderate rents, with rents at least 40% to 50% lower than Kendall Square.

Without moderately-priced buildings like 1035, startups would be forced to move to Somerville, Medford, Watertown, Woburn or Brighton. Several companies at 1035 have grown from small startups in 1,000 to 2,000 square foot spaces to established companies in 6,000 to 12,000 square foot offices and labs at 1035. And when growing companies have grown too large for 1035 Cambridge Street and leave, as did Simplisafe, the burglar alarm company, we take their spaces and repurpose them for other biolab or tech tenants.

The proposed amendment seeks to 'remove technical offices and labs' from the Business A Zoning District, without any analysis of the current uses of existing properties in the Business A Zoning District, such as 1035 Cambridge Street, and the abutting uses of these existing properties. In 1999, the City of Cambridge changed the zoning for the area that includes 1035 Cambridge Street (then called 432 Columbia Street) from Industrial B to Business A. This 1999 zoning change was not part of any larger scheme of zoning changes or any zoning study, but possibly approved because of the lack of height limits in Industrial B zones (according to the 1996 Wellington Harrington Neighborhood Study). As is the case today, the Business A zone in 1999 allowed 'technical office for research and development, laboratory & research facility...'

I've had the chance to hear some of the common concerns about lab impacts on a neighborhood. I believe that 1035 Cambridge Street is a good example of how not all labs behave the same way and that this issue is more nuanced. For instance, 1035 Cambridge Street **does not have**:

-24 hour on site activity which allows for all night light pollution. Businesses at 1035 are generally M-F, 8 – 6 with very little evening or weekend activity. On-site video demonstrates this.

-30 foot tall rooftop mechanical equipment. No rooftop equipment is taller than approximately 10 feet with most no taller than 6 feet. A rooftop office penthouse constructed in 1999 shields residents of Roosevelt Towers from most of 1035's mechanical equipment.

-extensive exhaust systems create noise and chemical odors – 1035 currently has four operating rooftop exhaust fans, three of which are only occasionally used and the fourth,

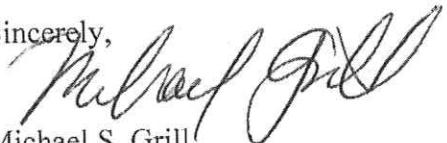
for an ISO 7 Class 10,000 lab for mRNA research, is primarily for recirculating air to keep particle matter in the lab extremely low. This fourth exhaust fan is located behind the Shell station on Cambridge Street.

In summary, many of the perceived issues with laboratories do not apply to 1035 Cambridge Street, which instead of being categorized as a blight to its surroundings should be applauded for fulfilling the vision of Marvin Gilmore to serve as an incubator for ‘commercial, office, research and development and light industrial use(s).’

While I am proud of our tenants’ work at 1035 Cambridge Street and think that our building has a unique place in the City, the reality is that there are likely many other Cambridge buildings which small tech companies and lab operators call home. Please consider a more nuanced approach that will allow businesses like I have described continue to thrive at 1035 Cambridge Street and in other Business A areas. I believe buildings with these kinds of spaces strengthen the local economy and encourage the type of innovation that we desire here in Cambridge.

Please contact me with any comments via email at mgrill@fairlaneproperties.com.

Sincerely,



Michael S. Grill

Chairman, 432 Columbia Street Condominium Trust
Manager, Fairlane Columbia, LLC
President, Fairlane Properties, Inc.

cc: Jason Alves, Executive Director, East Cambridge Business Association

Erwin, Nicole

Attachment 0

From: Nancy Donohue <ndonohue@cambridgechamber.org>
Sent: Tuesday, January 3, 2023 2:48 PM
To: City Clerk
Cc: Crane, Paula
Subject: January 4th Ordinance Committee on proposed lab zoning
Attachments: DOC010323.pdf

Madame Clerk,

For the record, please find our opposition letter to the citizens petition before the Ordinance Committee.

Thank you,
Nancy Donohue
Director of Government Affairs
Cambridge Chamber of Commerce



January 4, 2023

David P. Maher
Chamber President & CEO
Gilda Nogueira, Chair
East Cambridge Savings Bank
Robyn Culbertson, Vice Chair
Cambridge Office for Tourism
Jay Kiely, Vice Chair
Buchied Realty
Paul Lee, Treasurer
Hong Kong Restaurant
Katherine Rafferty, Secretary
Mount Auburn Hospital
Alex Altia
The Charles Hotel
Ken Barron
CARU Associates
Dennis Benzan
Le Fenice
Michelle Consolvo
Takero
Kara Cournoyer
Norwicks
Julie Cox
Astellas
Sarah Gallop
MIT
Bob Gittens
Bridges Forward
Sean Hope
Hope Real Estate
Michelle Lower
Alexandria Real Estate
Thomas Lucy
Harvard University
Susan Martin
Mossbrae
Jim McSweeney
CIP Group
Michael Guleserian
Sheraton Cambridge
Carl Nagy-Koechlin
Just A Step Corporation
Krina Patel
Bogen
Wayne Potengouda
Cambridge Savings Bank
Sasha Purpura
Food for Trees
Elizabeth Schwab
Gocash

Councillor Marc McGovern, Chair
Councillor Quinton Zondervan, Chair
Mayor Sumbul Siddiqui
Members of the Ordinance Committee
Cambridge City Hall
Cambridge, MA 02139

Dear Ordinance Committee Chairs, Madame Mayor, and Members of the Committee,

On behalf of the Cambridge Chamber of Commerce, I write to express concerns with the proposed zoning petition that is before you tonight that proposes to ban new laboratory space in certain business zoning districts of Cambridge.

As you know, throughout the city, the life sciences industry is partnering with the research community, healthcare institutions, and each other, to develop diagnostics, treatments, and cures. This collaboration has enabled Cambridge to become the epicenter of the industry worldwide.

The city has enthusiastically embraced mixed-used zoning, with the intent of creating neighborhoods in Cambridge that are a desirable place to live, work and thrive. However, proposals that seek to limit or even downregulate the ability to site lab space are extremely worrisome, especially with lab space at a 0% vacancy rate across the city and with no expected change in the near-term. Efforts to curtail or limit groundbreaking innovation would be detrimental to the city in the long-term.

The life sciences industry has had a profound economic impact in Cambridge and has proven to be a valuable partner to the city.

Sincerely,

A handwritten signature in black ink that reads "David P. Maher".

David P. Maher
Cambridge Chamber of Commerce
President & CEO