

12 November 2004

To: Federal Street Neighborhood Association

From: Martin Imm, 174-A Federal Street, (978) 745-5231, mimm@compuserve.com

Re: **A Reader's Guide to the Proposed North River Canal Corridor (NRCC) Mixed Use District Zoning.**

You should all become familiar with the proposed NRCC zoning ordinance which is so important for our neighborhood. You should understand how it is expected to benefit the Federal Street neighborhood and, indeed, all of Salem. As a backup to several members of the Implementation Committee I participated in the drafting of the proposed ordinance. I have written this memorandum to assist in your reading of it and help you come to a better understanding of it.

**Overview:** Try to visualize the Ordinance as a three-dimensional map of the area covered with different levels of uses in different places. There is a map of the NRCC and surrounding area included with the draft ordinance. Sorting out the uses, their various locations, and interrelationships is what the Ordinance is all about.

The uses fall into three categories:

1. **Permitted Uses**, "uses by right", are *new* uses that typically are clearly definable and have a predictable impact on surrounding areas. A property owner is permitted to change the property to these uses without any review or supervision, other than satisfying the Building Inspector that the new use is what the Ordinance allows and that all related building codes are being followed. You will see some uses are "Encouraged Uses".
2. **Special Permit Uses**, are *new* uses that are less clearly definable and/or, because of variations that can occur, give those uses a less predictable impact on surrounding areas. A property owner is permitted to change the property to these uses, but only with the approval of the Planning Board to assure that the more subtle aspects of the zoning are adhered to.
3. **Prohibited Uses**, are new uses that are considered inconsistent with the standards set out by the Master Plan and overall best interests of the City of Salem. By definition, any uses not specifically permitted are prohibited. It should also be noted that present uses, even if prohibited by the Ordinance, are "grandfathered", i.e., may continue.

You will see that the Planning Board also must conduct a "Site Plan Review" of all buildings and building additions, other than single or two family homes. The criteria for these reviews are necessarily more subjective and require judgments to be made on a case by case basis, within the general principles set out and the *Neighborhood Master Plan for the North River Canal Corridor*.

Special treatment is given to areas adjacent to the existing residential areas and the area east of North Street, along the North River waterfront, called a **Transitional Overlay**. These transitional areas are all given special treatment by adjusting the Permitted, Special Permit, and Prohibited Uses to assure compatibility with the adjoining residential areas and encourage appropriate waterfront development. There are also separate details and standards applied to uses in the Transitional areas which a reader should review carefully. Note it is the Transitional area on the South side of Bridge St. which can have the biggest impact on our neighborhood.