



CITY OF SALEM, MASSACHUSETTS

Dominick Pangallo
Mayor

Office of the Mayor

May 23, 2024

Salem City Council
93 Washington Street
Salem, MA 01970

Dear Councillors,

The enclosed Ordinance makes modifications to the B1 zone to allow for additional types of neighborhood-centered commercial activity within walking distance from residential areas, with the goal of fostering more resident-serving amenities in these locations. B1 zones are transitional areas that reflect elements of both residential and commercial activity, and, in many cases, they provide a key part of the economic vibrancy and quality of life outside of the downtown.

In considering which approach to take for each of the uses below, we determined that if something is allowed in the abutting residential zone by right, it is appropriate to allow it in the adjacent B1 area by right. If the use is not allowed in the residential zone, but could reasonably serve the adjacent residents and provide a service or activity for them near their home, it is appropriate to allow it in the adjacent B1 area by special permit.

Indoor commercial recreation (currently: N, proposed: BA)

This category includes uses such as yoga studios, fitness spaces, martial arts studios, etc. The proposed amendment allows this use in the B1 zone by a special permit, which is identical to how it is allowed in the less-neighborhood centered business zones (B2 and B4).

Restaurant with alcoholic beverages (currently: N, proposed: BA)

This use is currently allowed by right in the B2 and B5 only, however there are some establishments of this type currently adjacent to several residential neighborhoods already. The proposed amendment would allow this use in the B1 zone by special permit.

Retail grocery (new use category)

This modification to the existing use category for “Retail store” allows for grocery stores (distinguished from “supermarket” and “convenience store” as a type of use) in the same zones and under the same conditions as retail stores: namely, allowed by right in the B1, B2, B4, B5, and I zones. This change comes with the favorable recommendation of the Food Policy Council, which views this as way to address food access by allowing for smaller scale grocery stores within walking distance to residences.

Small family daycare (currently: N; proposed: Y)

Small-scale family daycare use is already allowed in adjacent residential areas by right. The proposal is to extend that allowance into the nearby B1 zone, as well.

Home occupation (currently: N; proposed: BA)

This type of commercial activity is of less intensity than mixed-used development commercial, which is allowed in the B1 currently. It is also a use allowed, by special permit, in residential zones. The proposal is to extend that same allowance into the B1 zone.

Walkable commercial areas are a key part of cultivating a vibrant and livable community. We have identified these changes as ways to help make that more possible for Salem, by creating the structures to allow for these amenities – child care, small workplaces and entrepreneurial spaces, dining, grocery shopping, and recreation – to more easily flourish closer to where people live. I recommend adoption of the enclosed zoning Ordinance.

Sincerely,



Dominick Pangallo
Mayor
City of Salem

City of Salem

In the year Two Thousand and Twenty-Four

An Ordinance to amend an ordinance relative to business neighborhood zoning

Be it ordained by the City Council of the City of Salem, as follows:

Section I. Section 3.1 Table of Principal and Accessory Use Regulations of the Zoning Ordinance is hereby amended by:

- a. Replacing the “N” in the B1 zoning district column with a “BA” for two Commercial Uses, Commercial recreation and Indoor Restaurant, with service of alcoholic beverages;
- b. Replacing the commercial use text “Retail store, except department store, not elsewhere set forth” with “Retail or grocery store, except department store, not elsewhere set forth;”
- c. Replacing the “N” in the B1 zoning district column with a “Y” for the Accessory Use of Family day care, small; and
- d. Replacing the “N” in the B1 zoning district column with a “BA” for the Accessory Use of Home occupation.

Section II. This Ordinance shall take effect as provided by City Charter.

In City Council May 23, 2024

Referred to the Planning Board to Schedule a Joint Public Hearing

ATTEST:

ILENE SIMONS
CITY CLERK