

408 B-2 NEIGHBORHOOD BUSINESS DISTRICT

This district is intended to accommodate the retail sale of convenience goods and services in shopping districts of limited size that serve neighboring residential uses. Access for pedestrian and vehicular traffic shall be provided.

A. Permitted Uses.

1. Amusement Centers, indoor only and not exceeding 3,500 square feet of floor area.
2. Appliance Repair Shops not exceeding 3,500 square feet of floor area.
3. Appliance Sales and Rental Shops.
4. Arts and Craft Shops.
5. Automotive Supply Stores, but not including parts installation or tire mounting.
6. Banks, Savings and Loans and Credit Unions, including drive-through facilities and automated teller machines (ATM).
7. Barber Shops.
8. Beauty, Tanning and Nail Care Shops.
9. Bed and Breakfast Inns.
10. Bicycle Sales and incidental bicycle rental and Bicycle Repair Shops.
11. Book Stores.
12. Business, Professional and Public Offices.
13. Camera and Film Processing Shops, including drive-through facilities for film pick-up.
14. Candy and Ice Cream Stores.
15. Carpet and Tile Sales.
16. Clothing and Wearing Apparel Shops.
17. Coffee and Donut Shops.
18. Convenience Stores which do not include the sales of gasoline, except as may be permitted as an exception.
19. Drug Stores and Pharmacies, including drive-through facilities for medicine pick up.
20. Dry Cleaning and Laundry Receiving Stations where processing or cleaning of clothing is done on the premises by no more than five employees. The dry cleaning or laundry receiving station may include drive-through facilities for clothing drop-off and pick-up.
21. Food Stores, including Grocery Stores, Meat Markets, Bakeries, Specialty Stores and Delicatessens.
22. Florist Shops.
23. Furniture Stores not exceeding 6,000 square feet of floor area.
24. Gift, Antique and Collectable Shops.
25. Hardware Stores, including incidental rental of tools, gardening and lawn maintenance equipment.

26. Jewelers and Jewelry Repair.
27. Key, Security Devices, and Locksmith Shops not exceeding 3,500 square feet of floor area. This may include sales of security devices for automobiles, but shall not include on-site installation.
28. Mail Receiving and Packaging Services not exceeding 3,500 square feet of floor area.
29. Medical Services.
30. Mirror and Decorative Glass Shops, but not including automobile glass.
31. Music and Record and Tape/Disc Stores, including incidental musical instrument rental and instruction.
32. Novelty Stores, including costume and apparel rental.
33. Office Supply and Stationery Stores, including incidental rental and servicing of office equipment.
34. Pet Supply and Pet Grooming Shops.
35. Picture or Portrait Framing Shops.
36. Photographic Studios.
37. Printing or Copying Shops, Limited.
38. Restaurants not exceeding 3,500 square feet of enclosed floor area plus an option for an outdoor eating and serving area not exceeding in size 20% of the enclosed portion of the business. The area of any outdoor eating and serving area shall be a factor in determining the number of required off-street parking spaces.
39. Self Service Laundries.
40. Shoe Sales and Repair Shops.
41. Sporting Goods Shops, including incidental sporting equipment rental.
42. Tailor, Dress Making and Bridal Shops, including incidental apparel rental.
43. Tobacco and Smoking Accessory Shops.
44. Toy Stores.
45. Upholstery and Furniture Repair Shops not exceeding 3,500 square feet of floor area.
46. Variety Stores.
47. Vision and Optical Shops.
48. Wallpaper and Home Decorating Shops.
49. Window Blind, Tinting and Drapery Sales.
50. Communication structures, television and radio antennas and broadcasting and microwave transmitting and relay towers which are mounted on the roof or directly secured to a wall of a principal building when the height of the communication equipment is 50 feet or less [See 303.G].

51. Other general retail or service uses not specifically listed above as permitted uses, but which in the opinion of the Zoning Administrator are in keeping with the intent of this section.

52. Mobile food vending as permitted by the Derby Municipal Code.

B. Special Uses.

1. See Section 1101 of these regulations.

C. Exceptions.

1. See Section 1004 of these regulations.

D. Lot Size Requirements.

1. Minimum lot area: 10,000 square feet.
2. Minimum lot width: 70 feet.
3. Minimum lot depth: 100 feet.

E. Bulk Regulations.

1. Maximum structure height: 40 feet, except that communication structures, television and radio antennas and broadcasting and microwave transmitting and relay towers mounted on the roof or directly secured to a wall of a principal building may have a maximum height of 50 feet without a special use permit.
2. Yard requirements:
 - a) Minimum front yard: 35 feet on all sides abutting a street, unless adjacent to a commercial or industrial district and then the yard may be reduced to 20 feet. No portion of a communication structure, television and radio antenna or broadcasting and microwave transmitting and relay tower, aerial, or any anchor or guy may encroach upon the land or airspace of a required front yard.
 - b) Minimum side yard: None, but if a side yard is provided, it shall not be less than 10 feet.
 - c) Minimum rear yard: None, but if a rear yard is provided, it shall not be less than 10 feet.
3. Maximum lot coverage: 40%
4. Maximum impervious surface: 90%, unless a smaller percentage is required to meet the requirements of Section 304 of these regulations (Screening and Landscaping).

F. Use Limitations.

1. Retail, medical and service businesses located in this district are limited to 8,000 square feet of floor area unless otherwise indicated
2. All areas not otherwise used for structures, parking, loading, driveways or walkways, shall be landscaped with plant materials.
3. Unless specifically established for certain uses, no separate business establishment shall occupy more than 8,000 square feet of floor space.

4. All business establishments shall be retail or service establishments dealing directly with consumers. Wholesaling establishments are not permitted.
5. Unless specifically permitted, all business, service, storage and display of goods, shall be conducted within completely enclosed structures.
6. The providing of outdoor vending machines and/or outdoor storage lockers for ice or similar products is prohibited unless specifically provided for as part of an exception authorizing a car wash, and/or automobile service station or in conjunction with the approval of incidental sales of gasoline for a convenience store.
7. Unless specifically permitted, no business establishment shall offer goods or services directly to customers waiting in motor vehicles.
8. Exterior lighting shall be shaded and/or directed to minimize light cast upon adjoining properties and public streets.
9. Off-street parking facilities shall not be used for the display of vehicles or items for sale.
10. No business establishment shall assemble goods or items for off-site sales.
11. The promotional activities of any business establishment shall not involve the following:
 - a. Outdoor use of string type lighting;
 - b. Outdoor use of sound projecting devices or loudspeakers;
 - c. Advertisement attached or painted on any wall or fence erected to provide screening from adjacent properties;
 - d. Outdoor placement of temporary signage or displays, unless such signage constitutes a wall sign, in compliance with the requirements of Article 7 (Signs) of these regulations, which advertises types of products, name brands or management policies, i.e., matching of competitor prices, double coupons value, etc.
12. Temporary outdoor uses identified by Section 601 of these regulations are prohibited in the B-2 Neighborhood Business District.
13. Outdoor signs as permitted by Article 7 of these regulations.
14. Off-street parking and loading as required by Article 5 of these regulations.
15. Screening and Landscaping as required by Section 304 of these regulations, unless specified otherwise by this District's provisions. For purposes of the B-2 District, the term SOLID VISUAL SCREENING means an opaque wall or fence with a height of at least six feet which is required to prevent the passage of debris and light to mitigate adverse visual impacts. The wall or fence shall be constructed of brick, stone, masonry, architectural tile, concrete, wood or a combination of those materials, but may not include the use of woven wire, welded wire or metal panels. When the wall or fence is located within 20 feet of a street right-of-way line, the height of the wall or fence shall be reduced to three feet.

G. Uses Not Permitted.

Nothing in the preceding subsections shall be construed to permit the following uses in the B-2 District:

1. Any general retail business, service business or office use, such as an office for a building contractor, electrical or plumbing business, heating and air conditioning firm or excavating business, which involves the outside storage of inventory and/or equipment on either a temporary or permanent basis.
2. Motels or Hotels.
3. Physical Fitness Centers.
4. Raising and wholesaling of plant nursery stock.
5. Repair or servicing of motor vehicles, boats or trailers, including the on-site installation or removal of parts or accessories, except as may be permitted as part of an exception authorizing an automobile service station.
6. Sale of new or used automobiles, trucks, recreational vehicles, motorcycles, trailers, farm tools/implements or boats.
7. Storage Warehouses or Mini-Storage Warehouses.
8. Theaters.
9. Truck Service Stations.
10. Vehicle Body and Fender Repair Shops.