

## HIGHLANDS COUNTY LAND DEVELOPMENT REGULATIONS

### Section 12.05.240. B-1 neighborhood business district.

- A. **Intent.** The B-1 neighborhood business district is intended primarily to provide for very limited retail and personal service needs for a limited surrounding residential area. The retail and service establishments permitted therein are intended to provide convenience goods and personal service needs which are customary daily necessities for residential neighborhoods. Such establishments do not require large lots and do not do large volumes of business. Businesses of a type deleterious to residential property by reason of excessive noise, lights or night operation are prohibited.
- B. **Permitted principal uses and structures in this district are:**
1. Retail outlets for sale of food and nonalcoholic beverages, wearing apparel, sundries and notions, drugs, hardware, garden supplies, including fertilizer packaged for retail sale, toys and similar products. Florist, gift and jewelry shops, pet and hobby supply outlets are permitted. Other retail outlets of similar character are permitted.
  2. Personal service establishments, such as barber shops, beauty parlors, shoe repair and shine shops, restaurants, self-service laundry, ice stations, tailor or dressmaking shop, watch or jewelry repair, laundry or dry cleaning pickup station.
  3. Miscellaneous uses such as medical or dental office, church, school, nursery school or child care center, parking lot and parking garage. (Ord. No. 16-17-17 § 104)
  4. Central wastewater and water treatment facilities serving a single development. (Ord. No. 16-17-17 § 104; Ord. No. 19-20-09 § 48)
  5. Assisted living facility (see definition 26A).
  6. Boarding home for sheltered care (see definition 32A).
  7. Congregate living facility (see definition 62A).
  8. Intermediate care facility (see definition 157A).
  9. Nursing home (see definition 211). (Ord. No. 05-06-05, § 42; Ord. No. 05-06-30, § 42)
- C. **Limitation on uses.** The following limitations on uses apply in this district:
1. Sale, display, preparation and storage to be conducted within a completely enclosed building.
  2. No sale, display or storage of secondhand or used merchandise, except as incidental to the sale of new merchandise.
  3. No retail store to have floor area open to the public, including display, service and sale of greater than 5,000 square feet.
  4. Products to be sold at retail only.

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5. a. Central wastewater treatment facilities or structures or water treatment facilities or structures shall conform to the standards contained in section 12.08.131. (Ord. No. 16-17-17 § 105)
- b. All central potable water facilities shall comply with all applicable federal and state laws, rules, and regulations, including permitting requirements. (Ord. No. 16-17-17 § 105; Ord. No. 19-20-09 § 49)

(Ord. No. 05-06-05, § 43; Ord. No. 05-06-30, § 43; Ord. No. 16-17-17 § 105)

- D. **Permitted accessory uses and structures** in this district are accessory uses and structures, including residential uses incidental to a permitted use.
- E. **Prohibited uses and structures.** Listed permissible uses in this district do not include, either as a principal or accessory use, any of the following, which are listed for emphasis:
  1. Automobile, truck, trailer, motorcycle, boat or machinery sales, storage or service, including repair garages, used car lots and washing and polishing establishments.
  2. Mortuaries.
  3. Business offices and professional offices not listed under permitted uses.
  4. Vocational or business schools.
  5. Drive-in restaurants or drive-in refreshment stands.
  6. Wholesale establishments.
  7. Pawnshops.
  8. Sales, storage or display of lumber or building materials.
  9. Theaters, nightclubs, establishments for sale or consumption of alcoholic beverages on or off the premises.
  10. Plumbing, electrical or sheet metal shops.
  11. Animal hospitals and veterinary clinics.
  12. Cabinet or carpenter shops.
  13. Storage or warehouse uses, except as incidental to a permitted use.
  14. Any other use first permitted in a less restrictive district.
- F. **Special exceptions.** Permissible in this district by the BOA after public hearing and subject to appropriate conditions and safeguards are:
  1. Service stations, but not to include garage repair services.

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2. Central wastewater and water treatment facilities serving more than one development. (Ord. No. 16-17-17 § 106; Ord. No. 19-20-09 § 50)
  3. Wireless communications facility (WCF) or transmission tower or tower, including lattice towers, guyed towers, monopole towers, ground-mounted towers and alternative tower structure or other similar wireless communications facilities, pursuant to the standards contained in sections 12.08.133 and 12.08.135 of this Code.
- G. **Minimum lot requirements** in this district, in regard to area and width, are 80 feet frontage, 10,000 square feet.
- H. **Minimum yard requirements.** (Depth of front and rear yards, width of side yards.) See sections 12.05.307 and 12.05.402 of this Code. Side yard, seven and one-half feet minimum.
- I. **Maximum intensity (floor area ratio) and height of structures.**
1. **No portion intended for human occupancy shall exceed:**
    - a. **For use first permitted in B-1 district,** 30 feet in height, except as provided in Sections 12.05.302, 12.08.133, and 12.08.135. See definition of Height of buildings in Section 12.02.104.
    - b. **For any other use:** 50 feet in height, except as provided in Sections 12.05.302, 12.08.133, and 12.08.135. See definition of Height of buildings in Section 12.02.104. (Ord. No. 09-10-03 § 11)
  2. **Maximum intensity (floor area ratio):** Up to 0.70 FAR for office; Up to 0.80 for other commercial uses. (Ord. No. 05-06-05, § 44; Ord. No. 05-06-30, § 44; Ord. No. 13-14-02 § 16)
- J. **Limitations on signs shall apply in this district as follows:** No sign intended to be read from off the premises except:
1. Signs as permitted in R-3.
  2. No off-site, animated, projecting or roof signs, except as specified.
  3. No signs within 50 feet of EU, M-1-S, M-1, M-2, R-1A, R-1, R-2 or R-3 districts.
  4. On-site ground sign each not to exceed 100 square feet in area and not exceeding 12 feet in overall height above ground.
  5. On-site wall signs not exceeding 20 percent of wall area upon which such signs are placed.
  6. Marquee signs not to extend beyond marquee and not to exceed four feet in height.
  7. On-site combination vertical and roof signs, not to extend more than four feet above the building wall and not to extend more than five feet above the roof.

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8. Aggregate area of all signs not to exceed four square feet in area for each foot of frontage of building displaying sign or two square feet for each foot of frontage of property occupied by such buildings or devoted to such use, whichever is the greatest.
9. Neon type sign allowed.
10. Strip lighting allowed.
11. Signs shall be permitted along the front edge of any required front yard, provided all other setback requirements are met; (Ord. No. 16-17-17 § 107)
12. All signage must be located entirely within the property of the applicant; and (Ord. No. 16-17-17 § 107)
13. No sign shall be placed that would obstruct the visibility of pedestrians or motorists, or that would minimize or restrict access to adjoining properties. (Ord. No. 16-17-17 § 107)

(Res. of 8-18-70, § 5 (sched. B-1); Ord. No. 89-21; Ord. No. 90-02; Ord. No. 93-15, § 47; Ord. No. 99-18 § 14; Ord No. 00-01-42 §6)(Ord No. 03-04-1)(Old Sec. 12-94)(Ord. No. 05-06-05, §§ 42--44; Ord. No. 05-06-30, §§ 42--44; Ord. No. 09-10-03 § 11; Ord. No. 16-17-17 § 104--107; Ord. No. 19-20-09 § 48-50)