

HIGHLANDS COUNTY LAND DEVELOPMENT REGULATIONS

Section 12.05.242. B-3 business district.

- A. **Intent.** The B-3 business district is intended to apply to general business, retail and wholesale, warehouse storage and other services of a general character.
- B. **Permitted principal uses and structures in this district are:**
1. Any use permitted in a B-1 or B-2 district.
 2. Retail establishments such as those for display and sale of heavy machinery, new automobiles, trucks, mobile homes and boats; display and sale of used automobiles in running order and of used mobile homes and boats; display and storage of utility trailers for sale or rental; tires and batteries; plumbing and electrical fixtures; lawnmower service, sale and rental; dairy supplies; feed and fertilizer; flea markets--inside only.
 3. Service establishments such as repair and service garage; pest control agency; carwash, hand laundry, home appliance repair--inside only, job printing shop or newspaper plant, locksmith, barbecue stand or drive-in restaurant or refreshment stand, pawnshop, auction houses, plant nursery or landscaper, taxidermist, veterinarian or animal hospital or boarding kennels; dyeing; cleaning; carpet or rug cleaning establishments; diaper service; linen supply; crating, packing, shipping service, including fruit packing and shipping; distribution service; packing, delivery, wholesale magazine agency; milk distribution agency or creamery; soft drink bottling; telephone exchange.
 4. Commercial sports activities, such as bowling alley, golf driving range or miniature golf course, skating rink, swimming pool, archery range, pony ride.
 5. Commercial recreation activities, such as boxing, sports arena or go-cart track; nightclub, tavern, bar or other establishment for consumption of alcoholic beverages on-premises, pool room, theater, aquarium, assembly hall, museum and exhibits, games of skill and chance, penny arcades.
 6. Sale and display of automobile secondhand parts, (no wrecking); secondhand merchandise, inside storage only; construction machinery and equipment, tractors, agricultural implements, heavy machinery; pumps; welding equipment and supplies; restaurants and hotel supplies and equipment; motorcycles; monuments; building supplies (in a building); lumberyard; utility trailers (including storage).
 7. Service establishments, such as ambulance service, trade or vocational school.
 8. Miscellaneous utility uses, such as express office, gas regulator station, railroad freight yards and storage tracks, transformer and electrical switching station, motor bus terminal.
 9. Repair and shop uses, such as auto body and paint shop, awning and canvas shop, carpenter, cabinet or furniture repair shop, heating, roofing, sheet metal, electrical or plumbing contractor or repair shop, sign shop, upholstery, tinsmith, boat and boat motor repair (up to 45 feet).

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10. Light assembly of pre-manufactured products.
 11. Water related uses, such as boat and marine motor service and repair while boats are in water, boat rental, charter boats, commercial wharves, piers, slips and anchorages.
 12. Wholesale, warehouse or storage uses, such as ice or cold storage plant and frozen food lockers; wholesale establishments, storage warehouse.
 13. Central wastewater treatment and water treatment facilities serving a single development. (Ord. No. 16-17-17 § 112; Ord. No. 19-20-09 § 55)
 14. Community residences for the developmentally disabled (see definition 55A).
 15. Continuing care retirement community (see definition 67A).
 16. Convalescent home (see definition 70).
 17. Extended care facility (see definition 114A).
 18. Intermediate care facility (see definition 157A).
 19. Residential health care facility (see definition 250A). (Ord. No. 05-06-05, § 48; Ord. No. 05-06-30, § 48)
 20. Residential uses when accessory to a commercial use, provided that the residential FAR does not exceed the commercial FAR, does not exceed 50% of the property, and is located behind or above the commercial use. (Ord. No. 19-20-09 § 56)
- C. **Permitted accessory uses and structures** in this district are accessory uses and structures, including residential uses incidental to a permitted use.
- D. **Prohibited uses and structures.** Permissible uses in this district do not include, either as a principal use or accessory use, any of the following, which are listed for emphasis:
1. Motor freight terminal.
 2. Open air display, sale or storage of used building materials.
 3. Any use first permitted in a less restricted district.
- E. **Special exceptions.** Permissible in this district by the BOA after public hearing and subject to appropriate conditions and safeguards are:
1. Mobile home as accessory use for security to protect property against vandals, thieves, etc., providing that any grant of a special exception shall set a time limit of not to exceed five years. However, this shall not permit the use of an RV or travel trailer for this purpose.
 2. Central wastewater and water treatment facilities serving more than one development. (Ord. No. 16-17-17 § 113; Ord. No. 19-20-09 § 57)

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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.
4. Keeping of exotic and wild animals pursuant to section 12.05.316 of this Code.
5. Flea market, open. Approval shall be subject to the conditions and requirements pursuant to section 12.08.108 of this Code.

F. Minimum lot requirements in this district, in regard to area and width, are:

1. **Width:** 100 feet.
2. **Area:** 20,000 square feet.

G. Minimum yard requirements (Depth of front and rear yards, width of side yards). Minimum side yard width seven and one-half feet. See sections 12.05.307 and 12.05.402 of this Code. (Ord. No. 16-17-17 § 114)

H. Maximum intensity (floor area ratio) and height of structures.

1. No portion intended for human occupancy shall exceed 90 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 § 13)
2. **Maximum intensity (floor area ratio):**
 - a. When the comprehensive plan category is **commercial/industrial mixed use**: Up to 0.80 FAR.
 - b. When the comprehensive plan category is **commercial**: Up to 0.70 FAR for office; up to 0.80 for other commercial uses. (Ord. No. 13-14-02 § 18)

I. Limitations on signs shall apply in this district as follows. No signs intended to be read from off the premises, except:

1. Signs as permitted for B-2.
2. No sign within 50 feet of R-1A, R-1, R-2, R-3, M-1-S, M-1, M-2 or EU district.
3. No ground sign to exceed 25 feet in overall height above ground.
4. Off-site signs permitted subject to general Regulations for such signs.
5. Roof signs not to exceed 25 feet in height above the roof and not to obstruct light or air of adjacent property.
6. Vertical projecting signs, not to extend over five feet beyond the wall.

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7. Temporary construction signs. Same as for R-3.
8. 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 § 115)
9. All signage must be located entirely within the property of the applicant; and (Ord. No. 16-17-17 § 115)
10. 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 § 115)

J. Limitations on uses. The following limitations on uses apply in this district:

1. Light assembly uses shall not require the processes or machinery which could, by the emission of noise, vibration, odor, water or pollution create conditions detrimental to the value of, or existing use of adjacent properties.
2. 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 § 116)
3. All central potable water facilities shall comply with all applicable federal and state laws, rules, and regulations, including permitting requirements. (Ord. No. 05-06-05, § 50; Ord. No. 05-06-30, § 50; Ord. No. 16-17-17 § 116; Ord. No. 19-20-09 § 58)

(Res. of 8-18-70, § 5 (sched. B-3); Res. of 7-8-75; Ord. No. 89-21; Ord. No. 90-02; Ord. No. 93-15, § 49; Ord. No. 95-28, § 5-7; Ord. No. 99-15 § 2; Ord. No. 99-18 §§ § 16, 35, 54; Ord No. 00-01-42 §8; Ord No. 00-01-11 §25; (Ord No. 00-01-25 § 21)(Ord No. 03-04-1)(Old Sec. 12-96) (Ord. No. 05-06-05, §§ 48--50; Ord. No. 05-06-30, §§ 48--50; Ord. No. 09-10-03 § 13; Ord. No. 16-17-17 § 112--116; Ord. No. 19-20-09 § 55-58)