

# **LEESBURG ZONING DISTRICTS (CITY ZONING)**

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## ***CITY OF LEESBURG ZONING DISTRICTS***

### **Article IV. R-1 Single Family Residential District**

#### SECTION 4.01. STATEMENT OF PURPOSE.

This district is composed of certain areas having a single-family residential character and undeveloped land where it is desirable and likely that similar development will occur. This district will be characterized by medium density residential development. The specific purpose of this district is to:

- (1) Encourage the construction and continued use of the land for single-family dwellings;
- (2) Prohibit business, commercial or industrial use of the land, and to prohibit any other use which would substantially interfere with development or maintenance of single-family dwellings in the district;
- (3) Encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of these regulations;
- (4) Discourage any land use that would generate traffic on minor or local streets, other than normal traffic to serve residences on those streets;
- (5) Discourage any use which, because of its size or character would create requirements and costs for public services such as fire and police protection, water supply and sewerage substantially in excess of such requirements and costs if the district were developed solely for residential purposes.

#### SECTION 4.02. PERMITTED USES.

- (a) Single family, detached dwellings, except for manufactured or mobile homes.
- (b) Zero lot-line housing if shown on an approved subdivision plat.
- (c) Accessory buildings or uses customarily incidental to any of the permitted uses, when located on the same lot as the primary dwelling and not involving any business, profession, trade or occupation, provided that all accessory buildings shall conform and be located as required in section 3.10 of this ordinance.
- (d) Places of worship
- (e) Home occupations.
- (f) Gardens.

#### SECTION 4.03. CONDITIONAL USES.

- (a) Public cemeteries, provided that a complete site development sketch is submitted with the application. The proposed site must be at least five acres and have an adequate buffer.
- (b) Nursery schools, kindergartens or day care facilities provided that all state licensing requirements are met.
- (c) Social or fraternal clubs, lodges, union halls and other similar uses.
- (d) Bed and breakfast inn.
- (e) Temporary emergency construction and repair residences.
- (f) Group homes.
- (g) Halfway houses.
- (h) The keeping of horses for home use and enjoyment; provided that the lot is not less than five acres total and only three such animals shall be permitted for each 50,000 square feet of land area not to

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include the front or side yard of the principal dwelling and all horses shall be adequately fenced within the property and maintained 25 feet from all property lines in the rear yard.

- (1) The keeping, breeding or training of any animals for monetary gain or profit shall be deemed a commercial business and is expressly prohibited in all residential districts except where such operations may qualify as a non-conforming use as defined in this ordinance.
- (2) No keeping of horses shall become a nuisance as defined in the city nuisance ordinance.
- (3) No horses shall be kept on a lot in this zoning district when there is no principal dwelling on the lot.

SECTION 4.04. AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

R-1

TABLE INSET:

| <i>Dwelling Units Per Acre of Developable Land -- R-1</i> |                                     |
|---|-------------------------------------|
| Well and septic   | 1 per every 2 acres                 |
| Water and septic  | 1 per every 1 acre                  |
| Water and sewer   | 1/3 acre minimum**                  |
| <i>Minimum Lot Width at Setback</i>                       |                                     |
| Well and septic   | 150'                                |
| Water and septic  | 100'                                |
| Water and sewer   | 80'                                 |
| <i>Minimum Front Building Setback</i>                     |                                     |
| Front   | 35'                                 |
| Side and rear   | 10'                                 |
| <i>Maximum lot coverage</i>                               | 40%                                 |
| <i>Maximum building height</i>                            | 32' or 3 stories, whichever is less |

\*Each lot shall have, at a minimum, a 30' wide access to a public road.

\*\*Refers to minimum lot size versus dwelling units per acre

- (1) Lot length shall not be more than four (4) times the lot width.
- (2) This height limitation shall not apply to grain elevators, silos, windmills, elevator legs, cooling towers, water towers, chimneys and smokestacks, or spires on places of worship.
- (3) With the exception of well and septic tank developments, all new roads in this district shall be curb and gutter roads as specified in the Land Development Regulations.
- (4) All new roads in this district shall directly connect to existing, paved, public roads.
- (5) All final lot sizes shall be approved by the county health department.

**ARTICLE V. R-2 MULTI-FAMILY RESIDENTIAL DISTRICT**

SECTION 5.01. STATEMENT OF PURPOSE.

The R-2, multi-family residential district is designed to permit residential use of land with various types of multiple dwellings and related uses. For good accessibility, this district shall be located adjacent to arterial and/or collector roads as described in Land Development Regulations. Public water and sewer

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shall be required. Any developments in this district shall be designed to complement adjacent, existing or planned, single-family developments. Various types and sizes of residential accommodations, for ownership or rental, would thereby be provided to meet the needs of the different age and family groups in the community without overtaxing existing community facilities, utilities or services.

It is also the intention of this section to provide areas of sufficient size and allowing reasonable flexibility in design and orientation for the establishment of a structure or group of structures which include multiple dwellings designed in a planned unit development of more than one building on a given site. The requirements of area, height, bulk, and placement regulations, as they are usually applicable to individual buildings and individual lots of record would in certain cases of large scale development have results affording less protection to the public health, safety and welfare than if a measure of flexibility were permitted. The permitting of these planned unit developments as special and particular land uses can, in certain cases, increase the desirability and convenience to the residents or occupants of the planned unit development without causing adverse effects on adjoining properties. This type of development will permit a creative approach to residential development. A planned unit development will provide for an efficient use of land potentially resulting in more economical networks of streets and utilities thereby lowering housing and other land development costs as well as enhancing the appearance of neighborhoods through the preservation of natural features and the provision of recreation areas and open space.

In creating this zoning district the city intends to encourage home ownership; increase the variety of dwelling types in the housing market; and allow for innovative uses of real property which may not be suitable for development for other kinds of residential uses.

### SECTION 5.02. PERMITTED USES.

- (a) Single-family detached dwellings, except manufactured or mobile homes.
- (b) Duplexes.
- (c) Apartments (multi-family dwellings).
- (d) Townhouses.
- (e) Condominiums.
- (f) Patio houses.
- (g) Zero-lot-line houses.
- (h) Other high-density residential developments.
- (i) Residential planned unit development.
- (j) Temporary emergency construction and repair residences.
- (k) Accessory buildings or uses customarily incidental to any of the permitted uses, when located on the same lot and not involving any business, profession, trade or occupation, provided that all accessory buildings shall conform and be located as required in section 3.10 of this ordinance.
- (l) Places of worship.
- (m) Home occupations.
- (n) Gardens.
- (o) Recreational facilities.
- (p) Community clubs.

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(q) Accessory commercial uses permitted. The following commercial establishments may be permitted as customary accessory uses in a planned residential development in this district provided such uses do not occupy a total of more than ten percent of the area of the development; are located a minimum distance of 100 feet from any adjoining property line, street, or highway right-of-way; and are intended for the convenience of, and for service to the occupants of the development.

(1) Laundry and dry cleaning establishments or pick up stations for dry cleaning and laundry concerns; beauty shops; barber shops; and similar personal service businesses.

(2) Retail store intended for the convenience of, and for service to the occupants of the development.

(3) Coin operated vending machines provided such are located within a building and are not visible from the street or adjoining property lines.

(4) The planning commission may allow other uses when in its judgment the proposed use will not conflict with the intent of this article or other city ordinances and is appropriate to a residential development.

**SECTION 5.03. CONDITIONAL USES.**

(a) Public cemeteries provided that a complete site development sketch is submitted with the application. The proposed site must be at least five acres and have an adequate buffer.

(b) Nursery schools, kindergartens or day care facilities provided that all state licensing requirements are met.

(c) Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs and similar uses.

**SECTION 5.04. SINGLE FAMILY AND DUPLEX DEVELOPMENTS.**

**TABLE INSET:**

|  |                                     |
|--|-------------------------------------|
| <i>Minimum Development Size</i>                    | 5 acres                             |
| <i>Dwelling Units Per Acre of Developable Land</i> | 4 units per acre                    |
| <i>Minimum Lot Width at Setback</i>                | 80'                                 |
| <i>Minimum Building Setback</i>                    |                                     |
| Front  | 35'                                 |
| Side and rear                                      | 10'                                 |
| <i>Maximum Building Height</i>                     | 32' or 3 stories, whichever is less |

\*Each lot shall have, at a minimum, a 30-foot-wide access to a public road.

(1) Lot length shall not be more than four times the lot width.

(2) This height limitation shall not apply to grain elevators, silos, windmills, elevator legs, cooling towers, water towers, chimneys and smokestacks, or spires on places of worship.

(3) The minimum distance between buildings on separate lots shall be 20 feet.

(4) All new roads in this district shall be curb and gutter roads as specified in the Land Development Regulations.

(5) All new roads in this district shall directly connect to existing, paved, public roads.

(6) Developments in this district shall only access arterial and/or major collector streets as defined in the Land Development Regulations.

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SECTION 5.05. TOWNHOUSE, CONDOMINIUM, AND APARTMENT COMPLEXES.

TABLE INSET:

|                                 |                                     |
|---------------------------------|-------------------------------------|
| <i>Dwelling Units Per Acre</i>  | 12 units per acre                   |
| <i>Minimum Building Setback</i> | 35'                                 |
| <i>Maximum Building Height</i>  | 32' or 3 stories, whichever is less |

\*Each lot shall have, at a minimum, a 30-foot-wide access to a public road.

(1) The rezoning of any property for a townhouse, condominium or apartment development shall follow rezoning procedures established in this ordinance. No rezoning of property for townhouses, condominiums or apartments will be effected until preliminary development plans have been reviewed and approved for the proposed site.

(2) An accessory building may abut an accessory building located on an adjacent lot along interior lot lines in developments in this district subject to all city building and fire codes.

(3) Each individual dwelling unit in this district shall contain at least 900 square feet of floor area within outside walls exclusive of basements, unfinished attics, garages, porches or other such areas not normally used for human habitation.

(4) No more than four individual dwelling units shall be built in a row having the same building line. In setting forth this requirement, the city intends to discourage that creation of long unbroken lines of dwelling units. In complexes having more than four dwelling units, the required minimum offset in the building line shall be three feet. A row or grouping of dwelling units shall not exceed 250 feet in length.

(5) Any dwelling unit in this district on a subdivided lot shall have the required minimum frontage on a public street.

(6) Parking:

a. A minimum of two paved off-street parking spaces constructed in compliance with the Land Development Regulations, shall be provided for each individual dwelling unit.

b. Each dwelling unit in this district on a subdivided lot shall have its own parking spaces with direct access to a city street. Parking spaces and driveways are permitted in the front yard of a lot if a setback of 35 feet from the right-of-way is maintained and the front yard is properly landscaped.

c. All parking facilities shall be constructed according to the requirements of the Land Development Regulations.

(7) All buildings shall be constructed in accordance with the building and fire codes adopted by the council.

(8) All new roads in this district shall be curb and gutter roads as specified in the Land Development Regulations and shall directly connect to existing, paved, public roads.

SECTION 5.06. PLANNED UNIT DEVELOPMENT.

R-2

TABLE INSET:

|   |
|---|
| <i>R-2; MULTI-FAMILY, RESIDENTIAL DISTRICT;<br/>RESIDENTIAL PLANNED UNIT DEVELOPMENT REQUIREMENTS</i> |
| Individual Dwelling Unit Per Acre In R-PUD:   |

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|  |   |
|--|---|
| 1. Single-family                           | ¼ acre minimum**                        |
| 2. Duplex                                  | 4 per acre                              |
| 3. Multi-family                            | 12 per acre                             |
| Building setbacks from exterior lot lines: | 35 feet                                 |
| Building height:                           | 32 feet or 3 stories, whichever is less |

\*\*refers to minimum lot size versus dwelling units per acre

(1) Ownership. There shall be unified control of the entire site. Prior to final approval of the development plan, evidence of unified control of the entire site shall be submitted to the planning commission. In addition, an agreement shall be submitted to the planning commission by all owners of the planned unit development, which includes their commitment to:

- a. Proceed with the proposed development in accordance with the planned unit development plans as submitted, and such conditions and safeguards as may be set by the city council granting the rezoning; and,
- b. Provide agreements and deed restrictions acceptable to the city council for completion of such development according to plans approved and for the maintenance of such areas, functions, and facilities as are not to be provided, operated or maintained by the city, pursuant to written agreement; and,
- c. To notify and bind their successors in title to any commitments made in their petitions of PUD approval.
- d. All plans approved shall be reviewed as a form of commitment to execute the development precisely, and only as submitted to and ultimately accepted and approved by the city council. No variations, changes, departures or exceptions to the approved plans shall be permitted except through the formal amendment process.
- e. After rezoning for a PUD in this district has been given formal approval no use shall be made of a PUD site except that which had been approved as a result of the application or the continuation of uses that existed at the time of the application.
- f. All new roads in this district shall be curb and gutter as specified in the Land Development Regulations and shall directly connect to existing paved public roads.

**SECTION 5.07. OPEN SPACE REQUIREMENTS.**

Open space, as defined in section 1.07 of this ordinance, shall be required. In addition:

- (1) The common open space shall be situated such that it will best serve residents and be totally integrated within the various uses of the development.
- (2) The development schedule must coordinate the improvement of the common open spaces, the construction of the buildings, structures and improvements in the common open space, and the construction of residential dwellings in the development.
- (3) The pedestrian circulation system and its related walkways shall be separated as completely as possible from the street or vehicular circulation system. All walks shall be of permanent nature and material and shall be constructed in accordance with the Land Development Regulations.

**SECTION 5.08. ACCESS.**

Private vehicular access drives not maintained by the city throughout the development shall meet all city street requirements.

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### **SECTION 5.09. OFF-STREET PARKING.**

All parking and loading in developments in this district shall meet all off-street parking and loading requirements of this ordinance and be constructed in accordance with the Land Development Regulations.

### **SECTION 5.10. PROCEDURES FOR REZONING THIS DISTRICT ONLY.**

(a) A petition for rezoning land in this district shall be submitted to the city planning office the same as with any zoning request.

(b) A written statement to accompany the zoning application must contain the following:

- (1) An explanation of the character of the development.
- (2) A statement of present ownership of all land included within the development.
- (3) A general indication of the expected schedule of development.

(c) Preliminary development plan. Following the official rezoning of the proposed property, the applicant shall submit a preliminary development site plan. The preliminary development plan shall include all of the following information:

- (1) A preliminary site plan at a scale not less than 1" = 200', depicting all existing masses of trees and other natural features including the topography of the land. A preliminary solution of all storm drainage needs shall be included.
- (2) The location and grouping of all uses and the amount of area for each, plus preliminary utility service plans.
- (3) The tentative location of each residential density district, the number of residential units proposed for each density district, their general location, proposed lot designs and district lines. Tentative floor plans and exterior elevations, which need not be the result of final architectural decisions but which shall adequately describe the development, shall also be included.
- (4) A preliminary vehicular and pedestrian circulation system including driveways, walkways, loading areas, parking areas including the number of parking spaces, and streets to be dedicated.
- (5) A system of open space and recreational uses in residential projects with estimates of acreage to be dedicated for public use and that to be retained in common ownership.
- (6) A draft of the declaration by which the use, maintenance and continued protection of the development and any of its common open space areas shall be submitted.
- (7) A development schedule indicating the stages in which the project will be built and the approximate date when construction of each stage can be expected to begin, the anticipated rate of development, the approximate dates when the stages in the development will be completed and the area and location of common space that will be provided at each stage.

(d) The planning commission shall review and approve the preliminary development plan. In reviewing a development site plan in this district, the planning commission shall consider the following criteria, to the extent relevant in each case, in evaluating the merits and purpose of a multi-family development. Individual lots, buildings, streets and parking areas should be designed and situated to:

- (1) Minimize alteration of the natural features and topography.
- (2) Minimize the adverse effects of noise and traffic on off-site residents.

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- (3) Allow for proper and adequate access for fire fighting purposes and access to service areas to provide garbage and waste collection and for other emergency and accessory services.
  - (4) Achieve a compatible relationship between development and the land as well as with adjacent developments and land.
  - (5) The proposed development should not adversely affect the orderly development of the city.
  - (6) The proposed development shall accomplish the objectives and shall meet the standards and performance criteria as outlined in this article.
- (e) Final development plan. Following the approval of the preliminary development plan, the applicant shall, within six months, submit to the planning commission a final development plan containing in final form the information required in the preliminary development plan. The planning commission shall review and approve the final development plan to see that it is in compliance with the preliminary development plan. The planning commission may approve changes in the final development plan which comply with the following criteria:
- (1) The revised plan contains the same or a fewer number of dwelling units or structures and/or floor area, or
  - (2) The open space is in the same general location and in the same general amount, or a greater amount, or
  - (3) The buildings have the same or less number of stories and/or floor area, or
  - (4) The roads and drives follow approximately the same course.
- (f) Final approval. No building permits shall be issued until the approval process is complete and all necessary plans, drawings, specifications and other required data have been submitted and approved. No construction may commence until the entire approval process is completed and appropriate permits issued.

### **ARTICLE VI. R-3 MIXED USE, SINGLE FAMILY RESIDENTIAL DISTRICT**

#### SECTION 6.01. STATEMENT OF PURPOSE.

This district is composed of certain areas where a mixture of site built and manufactured, single-family residential structures is desirable or necessary. This district will be characterized by medium density residential development.

#### SECTION 6.02. PERMITTED USES.

- (a) Single family, detached dwelling, including manufactured homes.
- (b) Zero lot-line housing if shown on an approved subdivision plat.
- (c) Accessory buildings or uses customarily incidental to any of the permitted uses, when located on the same lot as the primary dwelling and not involving any business, profession, trade or occupation, provided that all accessory buildings shall conform and be located as required in section 3.10 of this ordinance.
- (d) Places of worship.
- (e) Home occupations.
- (f) Gardens.

#### SECTION 6.03. CONDITIONAL USES.

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- (a) Public cemeteries provided that a complete site development plan is submitted with the application. The proposed site must be at least five acres and have an adequate buffer.
- (b) Nursery schools, kindergartens or day care facilities provided that all state licensing requirements are met.
- (c) Social or fraternal clubs, lodges, union halls and other similar uses.
- (d) Bed and breakfast inn.
- (e) Temporary emergency construction and repair residences.
- (f) Group homes.
- (g) Halfway houses.
- (h) The keeping of horses for home use and enjoyment; provided that the lot is not less than five acres total and only three such animals shall be permitted for each 50,000 square feet of land area not to include the front or side yard of the principal dwelling and all horses shall be adequately fenced within the property and maintained 25 feet from all property lines in the rear yard.
  - (1) The keeping, breeding or training of any animals for monetary gain or profit shall be deemed a commercial business and is expressly prohibited in all residential districts except where such operations may qualify as a non-conforming use as defined in this ordinance.
  - (2) No keeping of horses shall become a nuisance as defined in the city nuisance ordinance.
  - (3) No horses shall be kept on a lot in this zoning district when there is no principal dwelling on the lot.

SECTION 6.04. AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

R-3

TABLE INSET:

| <i>Dwelling Units Per Acre of Developable Land--R-3</i> |                     |
|---|---------------------|
| Well and septic   | 1 per every 2 acres |
| Water and septic  | 1 per every 1 acre  |
| Water and sewer   | 1/3 acre minimum**  |
| <i>Minimum Lot Width at Setback</i>                     |                     |
| Well and septic   | 150'                |
| Water and septic  | 100'                |
| Water and sewer   | 80'                 |
| <i>Minimum Building Setbacks</i>                        |                     |
| Front   | 35'                 |
| Side and rear   | 10'                 |

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|                                |                                     |
|--------------------------------|-------------------------------------|
| <i>Maximum Building Height</i> | 32' or 3 stories, whichever is less |
|--------------------------------|-------------------------------------|

\*Each lot shall have, at a minimum, a 30-foot-wide access to a public road.

\*\*Refers to minimum lot size versus dwelling units per acre

- (1) Lot length shall not be more than four times the lot width.
- (2) This height limitation shall not apply to grain elevators, silos, windmills, elevator legs, cooling towers, water towers, chimneys and smokestacks, or spires on places of worship.
- (3) Side and rear setbacks may be less if indicated on approved subdivision plans.
- (4) With the exception of well and septic tank developments, all new roads in this district shall be curb and gutter roads as specified in the Land Development Regulations.
- (5) All new roads in this district shall directly connect to existing, paved, public roads.
- (6) All final lot sizes shall be approved by the county health department.

### **ARTICLE VII. MHP MANUFACTURED HOME PARK DISTRICT**

#### SECTION 7.01. STATEMENT OF PURPOSE.

This district is for areas suitable for manufactured home or recreational vehicle parks. For good accessibility, this district shall be located adjacent to arterial and/or collector roads as described in the Land Development Regulations. All new developments and roads in the development shall directly connect to existing, paved, public roads. Public water and sewer shall be required. The minimum development size for this district shall be five acres. In promoting the general purpose of these regulations, the specific intent of this district is:

- (1) To require adequate space and facilities for healthful living conditions for occupants of such manufactured home parks.
- (2) To require all such districts to have access to a major arterial public road for easy accessibility.
- (3) To insure suitable water and sewer facilities are provided according to health regulations and state statutes and the city council.
- (4) To encourage the development of manufactured home parks for long term residential use rather than transient travel trailer use.

#### SECTION 7.02. PERMITTED USES.

- (a) Manufactured home parks.
- (b) Recreational vehicle parks.
- (c) Accessory buildings or uses customarily incidental to any of the permitted uses, when located on the same lot and not involving any business, profession, trade or occupation, provided that all accessory buildings shall conform and be located as required in section 3.10 of this ordinance.
- (d) Home occupations.
- (e) Gardens.
- (f) Accessory commercial uses. The following commercial establishments may be permitted as customary accessory uses provided such uses do not occupy a total of more than ten percent of the area of the park; are located a minimum distance of 100 feet from any adjoining property line, street, or

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highway right-of-way; and are intended for the convenience of, and for service to the occupants of the park.

- (1) Laundry and dry cleaning establishments or pick up stations for dry cleaning and laundry concerns; beauty shops; barber shops; and similar personal service businesses.
- (2) Retail stores intended for the convenience of, and for service to the occupants of the park.
- (3) Coin operated vending machines provided such are located within a building and are not visible from the street or adjoining property lines.
- (4) The planning commission may allow other uses when, in its judgment, the proposed use will not conflict with the intent of this or other city ordinance and is appropriate to a residential development.

### SECTION 7.03. CONDITIONAL USES.

(a) Nursery schools, kindergartens or day care facilities provided that all state licensing requirements are met.

(b) Temporary emergency construction and repair residences.

### SECTION 7.04. MANUFACTURED HOME PARK AND RECREATIONAL VEHICLE DEVELOPMENT STANDARDS.

See Leesburg Manufactured Homes and Recreational Vehicles Regulations.

## **ARTICLE VIII. AG-1 ACTIVE AGRICULTURE DISTRICT**

### SECTION 8.01. STATEMENT OF PURPOSE.

The Ag-1, Active Agriculture district was established for the purpose of preserving, promoting, maintaining, and enhancing the use of land for commercial agricultural purposes, to prevent scattered and leap-frog non-farm growth, to protect and preserve natural resource areas and to stabilize increases in public expenditures for such public services as roads and road maintenance, police and fire protection, and schools.

This district is designed to protect and preserve prime agricultural areas for continued agricultural and agriculturally oriented uses. Their loss cannot be readily compensated, since these prime agricultural areas are relatively scarce, particularly on the national level and other areas require more capitol energy and nutrients to provide equal productivity. For these reasons, land should not be converted from the AG-1 district to another zoning classification unless and until there is no other land available in the city to accommodate the nonagricultural uses.

The standards and densities prescribed for this district are intended to preserve the open character of the area and thereby to protect the business of agriculture. This district is intended not to regulate agricultural uses, but to regulate those uses which threaten agriculture. The intent of these regulations for this district is to discourage subdivision of land for typical residential type lots requiring public services such as fire and police protection, paved roads, water, sewer, etc.

This district is generally intended to apply to lands in productive farm operations including:

- (1) Lands historically producing good crop yields or capable of such yields;
- (2) Lands productive for dairying, livestock raising and grazing;
- (3) Other lands which are integral parts of such farm operations;
- (4) Land used to produce specialty crops such as cranberries, mint, sod, fruits and vegetables;  
and

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(5) Lands capable of productive use through economically feasible improvements such as irrigation.

### SECTION 8.02. PERMITTED USES.

- (a) Beekeeping.
- (b) Dairying.
- (c) Floriculture (cultivation of ornamental flowering plants).
- (d) Grazing.
- (e) Livestock raising.
- (f) Feedlots.
- (g) Poultry raising.
- (h) Plant nurseries and orchards.
- (i) Raising of grain, grass, mint and seed crops.
- (j) Raising of tree fruit, nuts, and berries.
- (k) Sod farming.
- (l) Vegetable raising.
- (m) Viticulture (grape growing).
- (n) Forest and game management.
- (o) Nature trails and walks.
- (p) Greenhouses.
- (q) One roadside stand per farm, of not, more than 250 square feet, used solely for the sale of products produced on the premises or adjoining premises.
- (r) Single family residences or manufactured home subject to the requirements of section 3.04 of this ordinance.
- (s) Farm dwellings and related structures that remain after farm consolidation may be subdivided from the farm lot subject to the county health department requirements.
- (t) Essential services--telephone, power, etc.
- (u) Public recreation areas.
- (v) Historic sites and areas.
- (w) Agricultural products and livestock processing plants.
- (x) Commercial grain storage and drying.
- (y) Hatcheries.
- (z) Temporary housing for migratory or other farm workers, provided it meets all applicable city regulations.

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- (aa) Equestrian trails.
- (bb) Fish farms.
- (cc) Dams and flowages.
- (dd) Governmental or institutional uses such as police and fire stations, highway storage garages, solid waste disposal and sewage treatment plants, gravel pits and quarries, schools, parks and campgrounds, airports and landing strips.
- (ee) Places of worship,, schools, and cemeteries.
- (ff) Nursery schools, kindergartens, or day care facilities provided that all state licensing requirements are met.
- (gg) Customary home occupations and professional offices conducted within and accessory to a permitted agricultural residence. Subject to all other applicable city regulations pertaining to home occupations.
- (hh) Fur farms.
- (ii) Stables and paddocks.
- (jj) The storage and sale of seed, feed, fertilizer and other products essential to agricultural production.

SECTION 8.03. CONDITIONAL USES.

- (a) Saw mills.
- (b) Bed and breakfast inns.
- (c) The sale and service of machinery used in agricultural production.
- (d) Facilities for the centralized bulk collection, storage, and distribution of agricultural products to wholesale and retail markets.
- (e) Facilities used to provide veterinarian services for livestock.
- (f) Facilities used in processing agricultural products.
- (g) Other agricultural-related, religious, utility, institutional or governmental uses to those listed in section 8.03 which are compatible with the purposes of this district, which do not conflict with agricultural use and which are found necessary in light of alternative locations available for such uses.
- (h) Any structure over 100 feet tall.

SECTION 8.04. AREA, HEIGHT AND PLACEMENT REQUIREMENTS.

AG-1

TABLE INSET:

|                                 |          |
|---------------------------------|----------|
| <i>Minimum Lot Sizes--AG-1</i>  | 25 acres |
| <i>Lot Width at Setback</i>     | 500'     |
| <i>Maximum Lot Coverage</i>     | 40%      |
| <i>Minimum Building Setback</i> | 100'     |

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|                             |     |
|-----------------------------|-----|
| <i>Minimum Side Setback</i> | 20' |
| <i>Minimum Rear Setback</i> | 50' |

- (1) This height limitation shall not apply to grain elevators, silos, windmills, elevator legs, cooling towers, water towers, chimneys and smokestacks, or spires on place of worship.
- (2) The minimum distance between buildings on separate lots shall be 20 feet.

**ARTICLE IX. C-1, NEIGHBORHOOD BUSINESS DISTRICT**

SECTION 9.01. STATEMENT OF PURPOSE.

The neighborhood business district established in this article is intended to permit retail business, office, and service uses that are needed to serve adjacent residential areas. In order to promote such business development so far as is possible and appropriate in each area, uses are prohibited which would create hazards, offensive and loud noises, vibration, smoke, glare, heavy truck traffic, or late hours of operation. The intent of this district is also to encourage the concentration of local business areas in locations proposed in the future land use plan to the mutual advantage of both consumers and merchants and thereby promote the best use of land at certain strategic locations and avoid the continuance of encouraging marginal, strip business development along city/county roads.

SECTION 9.02. PERMITTED USES.

All permitted uses are subject to the restrictions set forth in section 9.06 of this ordinance.

- (1) Barber or beauty shops and similar uses.
- (2) Custom dress making and tailoring establishments and similar uses.
- (3) Personal service establishment.
- (4) Eating or drinking places.
- (5) Laundry, dry cleaning, coin laundry.
- (6) Business, professional, or governmental office designed to attract and serve customers or client on premises.
- (7) Household appliance repair shop without outdoor storage, display, or business operations of any type.
- (8) Retail store for food, drugs, clothing, etc. with no outdoor storage, display, or business operations of any type.
- (9) Contractor's office with no outdoor storage, display, or business operations of any type.
- (10) Veterinarian offices provided there are no outdoor kennels. Runs designed for animal exercise are allowed as long as the animals are kept inside at night.
- (11) Post office.
- (12) Medical and/or dental clinics.
- (13) Other uses similar to the above, subject to the restrictions set forth in section 9.06 of this ordinance.
- (14) Temporary trailer for emergency construction and repair of buildings.

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(15) Nursery schools, kindergartens or day care facilities provided all state licensing requirements are met.

(16) Places of worship

SECTION 9.03. CONDITIONAL USES.

All conditional uses are subject to the restrictions set forth in section 9.06 of this ordinance.

(1) Bed and breakfast inn.

(2) Horticulture sales with outdoor display.

SECTION 9.04. PROTECTIVE SCREENING.

Protective screening for C-1 districts adjacent to or across the street (with the exception of arterial or collector roads) from residential zoning districts shall be in compliance with section 3.12 of this ordinance.

SECTION 9.05. RESTRICTIONS.

The following restrictions shall apply to all permitted and conditional business covered by this article.

(1) All outdoor business operations shall be subject to the following restrictions:

a. There shall be no outdoor storage or display of any kind.

b. Eating and drinking establishments are allowed to have tables outside. There shall be no more than ten tables, or up to 25 percent of the number of indoor tables, whichever number is less.

c. Convenience stores may have up to two fuel pumps and as many as eight propane tanks stored in a cage outside.

d. No business or activity, indoor or outdoor, shall be conducted in a manner which violates section 30-31 of the Leesburg City Code, nor shall any business activities, indoor or outdoor, cause decibel levels as taken in nearby residential neighborhoods to be such that they violate the restrictions set forth for that neighborhood in the nuisance ordinance of the Leesburg City Code.

(2) Retail businesses shall have no more than 7,000 square feet of gross floor area.

(3) No business operations shall be conducted between the hours of 11:00 p.m. and 7:00 a.m. with the exception of normal business opening and closing activities, i.e. cleaning, restocking, etc. Nor shall any establishment be open to the public during those hours.

(4) Unless specifically covered by this article, all other sections of this ordinance shall apply to all establishments.

(5) Manufactured or mobile homes are not to be used as retail, office, etc.

(6) Buildings constructed under this article shall not have a metal facade fronting any public road.

SECTION 9.06. AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

C-1

TABLE INSET:

|                         |
|-------------------------|
| <i>Minimum Lot Size</i> |
|-------------------------|

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|                                     |                |
|-------------------------------------|----------------|
| Well and septic                     | 1.5 acres      |
| Water and septic                    | .75 acres      |
| Water and sewer                     | No requirement |
| <i>Lot Width at Minimum Setback</i> |                |
| Well and septic                     | 150'           |
| Water and septic                    | 100'           |
| Water and sewer                     | 80'            |
| <i>Minimum Building Setback</i>     |                |
| Front                               | 35'            |
| Rear                                | 10'            |
| Side                                | 10'            |
| Firewall                            | 0'             |
| No firewall                         | 10'            |
| <i>Maximum Building Height</i>      | 50'            |

\*Each lot shall have, at a minimum, a 30-foot-wide access to a public road.

This height limitation shall not apply to grain elevators, silos, windmills, elevator legs, cooling towers, water towers, chimneys and smokestacks, or spires on places of worship.

SECTION 9.07. COMMERCIAL DESIGN STANDARDS.  
See Article XVIII.

**ARTICLE X. C-2 GENERAL BUSINESS DISTRICT**

SECTION 10.01. STATEMENT OF PURPOSE.

The purpose of the general business district is to provide areas for development that permit a wider range of business and entertainment activities than that permitted in the neighborhood business district. The permitted uses would serve not only nearby residential areas, but also people further away. This district is intended for types of businesses and services usually found in major shopping centers and central business districts at the juncture of principal streets. These uses would generate larger volumes of vehicular traffic, would need more off-street parking and loading, and would require more planning to integrate such districts with adjacent residential areas.

SECTION 10.02. PERMITTED USES.

- (a) Any retail or service establishment.
- (b) Wholesale stores, storage buildings, warehouses, distributing plants, freezers and lockers.
- (c) Commercial greenhouses and nurseries.

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(d) Adult entertainment establishments provided all requirements of the city’s adult entertainment ordinance are met.

(e) Indoor shooting ranges provided all applicable federal, state and local government requirements are met.

(f) Place of worship

(g) Clubs and fraternal organizations operating not for profit.

(h) Hospitals, clinics, sanitariums, nursing homes, rest homes, residences for aged persons and orphanages, group homes and halfway houses.

(i) Nursery schools, kindergartens or day care facilities provided all state licensing requirements are met.

(j) Mortuaries.

**SECTION 10.03. CONDITIONAL USES.**

Mini-warehouses.

**SECTION 10.04. RESTRICTIONS.**

The following restrictions shall apply to all businesses covered by this article:

(1) No manufactured or mobile homes shall be used for commercial purposes except for manufactured home sales offices.

(2) No buildings constructed under this article shall have a metal facade fronting any public road.

**SECTION 10.05. AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.**

C-2

TABLE INSET:

|                                 |                |
|---------------------------------|----------------|
| <i>Minimum Lot Size</i>         |                |
| <i>Well and septic</i>          | 1.5 acres      |
| <i>Water and septic</i>         | .75 acres      |
| <i>Water and sewer</i>          | No requirement |
| <i>Lot Width at Setback</i>     |                |
| <i>Well and septic</i>          | 150'           |
| <i>Water and septic</i>         | 100'           |
| <i>Water and sewer</i>          | 80'            |
| <i>Minimum Building Setback</i> |                |
| Front                           | 35'            |
| Rear                            | 10'            |

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|                                |     |
|--------------------------------|-----|
| Side                           | 10' |
| Firewall                       | 0'  |
| No firewall                    | 10' |
| <i>Maximum Building Height</i> | 50' |

\*Each lot shall have, at a minimum, a 30-foot-wide access to a public road.

This height limitation shall not apply to grain elevators, silos, windmills, elevator legs, cooling towers, water towers, chimneys and smokestacks, or spires on places of worship.

**SECTION 10.06. PROTECTIVE SCREENING.**

Protective screening for C-2 districts adjacent to or across the street (with the exception of arterial or collector roads) from residential zoning districts shall be in compliance with section 3.12 of this ordinance.

**SECTION 10.07. COMMERCIAL DESIGN STANDARDS.**

See Article XVIII.

**ARTICLE XI. C-3 COMMERCIAL RECREATION DISTRICT**

**SECTION 11.01. STATEMENT OF PURPOSE.**

The commercial recreation district as established in this article is intended to provide areas for the development of recreation facilities as a commercial venture.

**SECTION 11.02. PERMITTED USES.**

- (a) Archery ranges.
- (b) Amusement parks.
- (c) Country clubs.
- (d) Campgrounds.
- (e) Commercial fish ponds.
- (f) Camps, day or overnight.
- (g) Educational facilities such as:
  - (1) Zoos.
  - (2) Botanical gardens.
- (h) Fairgrounds.
- (i) Golf courses of all types and all accessory uses such as driving ranges and practice putting greens.
- (j) Gun clubs, outdoor (shooting ranges must meet all applicable federal, state and local government requirements).
- (k) Marinas.
- (l) Reservoirs.
- (m) Commercial swimming pools and tennis courts.

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- (n) Race tracks and drag strips.
- (o) Places of worship
- (p) Similar uses to the above subject to all other applicable ordinances.

SECTION 11.03. AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

C-3

TABLE INSET:

|                                 |                |
|---------------------------------|----------------|
| <i>Minimum Lot Size</i>         |                |
| Well and septic                 | 1.5 acres      |
| Water and septic                | .75 acres      |
| Water and sewer                 | No requirement |
| <i>Lot Width at Setback</i>     |                |
| Well and septic                 | 150'           |
| Water and septic                | 100'           |
| Water and sewer                 | ??             |
| <i>Minimum Building Setback</i> |                |
| Front                           | 35'            |
| Rear                            | 10'            |
| Side                            | 10'            |
| Firewall                        | 0'             |
| No firewall                     | 10'            |

\*Each lot shall have, at a minimum, a 30-foot-wide access to a public road.

SECTION 11.04. PROTECTIVE SCREENING.

Protective screening for C-3 districts adjacent to or across the street (with the exception of major arterial or major collector roads) from residential zoning districts shall be in compliance with section 3.12 of this ordinance.

**ARTICLE XII. C-4 TRADITIONAL OFFICE DISTRICT**

SECTION 12.01. STATEMENT OF PURPOSE.

The traditional office district established in this article is intended to permit those offices and restricted business uses which will provide opportunities for local employment close to residential areas, thus reducing travel to and from work and which will provide clean, modern office buildings in a landscaped setting or the appropriate re-use of existing residential dwellings; which will provide, adjacent to residential areas, appropriate districts for uses which do not generate large volumes of traffic, traffic congestion and parking problems; and which will promote the most desirable use of land in accordance with the future land use plan. The zones are intended for those corridors in transition where residential uses are adjacent and also are still located along the corridor.

SECTION 12.02. PERMITTED USES.

- (a) All permitted uses are subject to the restrictions set forth in section 12.05 of this article.
- (b) Single family dwellings, except manufactured homes.
- (c) Family day care, group day care, adult day care and related uses.

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- (d) Nursery schools, kindergartens, or day care facilities provided all state licensing requirements are met.
- (e) Temporary emergency construction and repair residences.
- (f) Offices of any type; clinical, research and services not primarily related to goods of merchandise.
- (g) Operations designed to attract and serve customer or client on the premises such as office of attorney, physicians and other professions.
- (h) Other uses similar to the above, subject to the restrictions set forth in section 12.05 of this article.

### **SECTION 12.03. CONDITIONAL USES.**

All conditional uses are subject to the restrictions set forth in section 12.05 of this article.

- (1) Bed and breakfast inn.
- (2) Banks with drive in windows.
- (3) Hospitals or nursing homes.
- (4) Personal care homes for groups or families.
- (5) Group homes or halfway houses.
- (6) Places of worship

### **SECTION 12.04. PROTECTIVE SCREENING.**

Protective screening for C-4 districts adjacent to or across the street (with the exception of arterial or collector roads) from residential zoning districts shall be in compliance with section 3.12 of this ordinance.

### **SECTION 12.05. RESTRICTIONS.**

The following restrictions shall apply to all permitted and conditional businesses covered by this article.

- (1) All outdoor business operations shall be subject to the following restrictions:
  - a. There shall be no outdoor storage or display of any kind.
  - b. No business or activity, indoor or outdoor, shall be conducted in a manner which violates the noise ordinance or the City of Leesburg, nor shall any business activities, indoor or outdoor, cause decibel levels as taken in nearby residential neighborhoods to be such that they violate the restrictions set forth for that neighborhood in the noise ordinance or the City of Leesburg.
- (2) Retail businesses shall have no more than 7,000 square feet of gross floor area.
- (3) No business operations shall be conducted between the hours of 11:00 p.m. and 7:00 a.m. with the exception of normal business opening and closing activities, i.e. cleaning, restocking, etc. Nor shall any establishment be open to the public during those hours.
- (4) Unless specifically covered by this article, all other sections of this article shall apply to all establishments.
- (5) Manufactured or mobile homes are not to be used as retail, office, etc.
- (6) Buildings constructed under this article shall not have a metal facade fronting any public road.

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SECTION 12.06. AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

C-4

TABLE INSET:

| <i>Minimum Lot Size</i>         |                |
|---------------------------------|----------------|
| Well and septic                 | 1.5 acres      |
| Water and septic                | .75 acres      |
| Water and sewer                 | No requirement |
| <i>Lot Width at Setback</i>     |                |
| Well and septic                 | 150'           |
| Water and septic                | 100'           |
| Water and sewer                 | 80'            |
| <i>Minimum Building Setback</i> |                |
| Front                           | 35'            |
| Rear                            | 10'            |
| Side                            | 10'            |
| Maximum Height                  | 50'            |

\*Each lot shall have, at a minimum, a 30-foot-wide access to a public road.

This height limitation shall not apply to grain elevators, silos, windmills, elevator legs, cooling towers, water towers, chimneys and smokestacks, or spires on places of worship.

**ARTICLE XIII. I-1 LIGHT INDUSTRIAL DISTRICT**

SECTION 13.01. STATEMENT OF PURPOSE.

The light industrial district is intended to permit certain firms, which are of a light manufacturing character to locate in planned areas of the city. Firms that utilize substantial quantities of water in manufacturing are not permitted in this district. Industrial firms in this district do not necessarily require rail frontage.

SECTION 13.02. PERMITTED USES.

- (a) Wholesale bakeries, baking plants, etc.
- (b) Bottling or packaging of cleaning compounds, polishes, etc.
- (c) Building equipment, building materials, lumber, sand, gravel storage yards and yards for contracting equipment, maintenance or operating equipment of public agencies or public utilities, or materials or equipment of similar nature.
- (d) Carpet manufacturing.
- (e) Carpenter and cabinet making shops.

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- (f) Cold storage plants.
- (g) Dental, surgical and optical goods manufacturing.
- (h) Electronic manufacturing and assembly plants.
- (i) Electric motors and generators manufacturing.
- (j) Research and testing laboratories.
- (k) Pharmaceutical products manufacturing.
- (l) Printing, engraving and bookbinding shops.
- (m) Soft drink bottling establishments.
- (n) Tool, die, gauge and machine shops.
- (o) Processed agricultural products other than meat, poultry or animal products.
- (p) Textile and clothing manufacturing.
- (q) Natural gas and petroleum products storage and sales.
- (r) Plastic product manufacturing, but not including the processing of the raw materials (no actual plastic making).
- (s) Warehouse, storage and transfer, electric and gas service buildings and yards, public utility buildings, telephone exchange buildings and substations, gas regulator stations.
- (t) Electrical, glazing, heating, painting, paper hanging, plumbing, roofing or ventilation contractor's establishments including outside storage yards.
- (u) Moving or storage offices and warehouse.
- (v) Publicly owned buildings, public utility buildings and service yards including storage yards.

SECTION 13.03. AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

I-1

TABLE INSET:

|                                 |         |
|---------------------------------|---------|
| <i>Minimum Lot Size</i>         | 3 acres |
| <i>Lot Width at Setback</i>     | 225'    |
| <i>Minimum Building Setback</i> |         |
| Front                           | 75'     |
| Side                            | 20'     |
| Rear                            | 50'     |

\*Each lot shall have, at a minimum, a 30-foot-wide access to a public road.

SECTION 13.04. PROTECTIVE SCREENING.

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Protective screening for I-1 districts adjacent to or across the street (with the exception of arterial or collector roads) from residential zoning districts shall be in compliance with section 3.12 of this ordinance.