

**ORDINANCE NO. 11-89**

**AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REPEALING §§25 – 322 THROUGH 25 – 338 OF THE CODE OF ORDINANCES, PERTAINING TO LANDSCAPE REGULATION; ENACTING NEW §§25 – 323 THROUGH 25 – 338 OF THE CODE OF ORDINANCES PERTAINING TO LANDSCAPE REGULATION; PROVIDING DEFINITIONS; PROVIDING A MECHANISM TO DEAL WITH NONCONFORMING LANDSCAPING; SETTING OUT LANDSCAPING STANDARDS; REQUIRING LANDSCAPING TO BE DESIGNED AND IMPLEMENTED TO CONSERVE WATER; PROVIDING LISTS OF RECOMMENDED AND PROHIBITED PLANT MATERIALS; REGULATING IRRIGATION OF LAWNS AND LANDSCAPING; PROVIDING FOR BUFFERS; PRESCRIBING STANDARDS FOR WALLS AND FENCES; PROVIDING FOR LANDSCAPING IN PARKING LOTS; SPECIFYING STANDARDS FOR LANDSCAPING IN AND AROUND WETLANDS AND WATER BODIES; PROVIDING FOR TREE PROTECTION; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Leesburg has existing ordinances regulating landscaping, and

**WHEREAS**, the City of Leesburg has obtained a Consumptive Use Permit from the St. Johns River Water Management District (the “District”); and

**WHEREAS**, certain conditions contained in that Consumptive Use Permit require the City to implement various water conservation measures in general, and to adopt a “water wise” landscaping ordinance in particular; and

**WHEREAS**, the District has promulgated a suggested form of landscaping ordinance which it recommends be adopted by local governments within the geographical boundaries of the District, for the purpose of conserving water and encouraging the use of landscaping techniques and materials which require less irrigation and therefore promote water conservation; and

**WHEREAS**, the City of Leesburg desires to comply with the conditions of its Consumptive Use Permit and to encourage the conservation of water, a scarce resource, and has evaluated the District’s form of ordinance and elected to adopt it with certain modifications,

**NOW THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA:**

**SECTION I.**

§§22 – 322 through 22 – 338 of the Code of Ordinances of the City of Leesburg, Florida, are hereby repealed, and new §§22 – 323 through 22 – 338 are hereby enacted in the place and stead of the repealed sections, to read as set forth below:

## **Sec. 25-323. Purpose and General Requirements.**

**A. Purpose:** The purpose of this chapter is to establish minimum standards for landscaping, buffers, tree protection and reduction of energy cost within the city. This section is to be implemented to achieve the following intents and purposes:

1. To improve the appearance of the community;
2. To provide shade for the ground surfaces;
3. To buffer adjacent land uses;
4. To preserve natural and native vegetation;
5. To screen vehicular movement from pedestrian and public view;
6. To provide for the protection and preservation of trees and vegetation; and
7. To encourage water-efficient (xeriscape) landscaping principles.

### **B. General requirements of this section shall include:**

1. All landscaping shall be designed and located to provide a logical, consistent and attractive pattern of landscaping that relates to the human-scale, softens the built environment, and creates an attractive environment within the city.
2. All landscaping standards shall meet the requirements of the 'Plant Material List' for plant species, specification of Revised Florida Grades and Standards as may be revised. All landscape and irrigation plans for projects of five (5) or more acres proposed for development excluding single family projects shall be signed and sealed by a landscape architect licensed to practice in the State of Florida and shall be submitted as part of an application for site plan approval.
3. All parts of a required landscape buffer or other landscape planting area shall contain shrubs, groundcovers, landscape mulch, rock or sod. Required buffers may contain retention, drive isles, public trails and natural vegetation. No areas except landscape planting area shall contain gravel or mulch unless specifically approved by the planning and zoning manager.
4. Where required landscape materials are not available due to the time of year or local availability, alternative materials may be approved by the planning and zoning manager. Alternative such as increasing the number of plants with smaller plants for buffer areas shall be considered.
5. In administering this code, the City Manager or designee shall have authority to waive and/or adjust requirements on a case by case basis due to site constraints or other factors that are specific to the site in question. This authority is subject to meeting the overall intent and purpose of this section and providing written justification in the project file as a part of the public record.

## Sec. 25-324. Definitions

*Agriculture--Field crops/wholesale nursery* - Shall mean the production, keeping, or maintenance, for sale, lease, or personal use, of plants useful to man, and may include, but not be limited to, forage and sod crops, grain and seed crops, fruits of all kinds, vegetables, and nursery, floral, ornamental, and greenhouse products. This would not include a home garden.

*Agriculture--Processing/hatcheries* - shall mean the production, keeping, maintenance, or processing, for sale, lease, or personal use, of animals and plants useful to man, and may include, but not be limited to, dairy animals and dairy products, grain mills, poultry and poultry products. This would not include domestic pets such dogs, cats, birds, fish, etc.

*Caliper*- shall mean the minimum trunk diameter of a replacement tree as measured at a predetermined point measurement.

*Clearing*- shall mean the removal of any trees or vegetation from the land, but shall not include mowing of lawn and field grasses.

*Diameter at breast height (DBH)* - shall mean the trunk diameter of a tree measured four and one-half (4.5) feet above the average ground level at the base of the tree. Provided, however, if the tree forks four and one-half (4.5) feet above ground level, it is measured below the swell resulting from the double stem.

*Drip line* shall mean the ground area surrounding the trunk of a tree that is described by the vertical plane enclosing the outermost branches of the tree. For asymmetrical specimens, or those with unusually small crown spear, the drip line area shall in no case be less than that area described by a radial dimension of one (1) foot for each one (1) inch of trunk radius.

*Landscaping* shall mean areas set aside from structures and parking which are developed with natural materials (i.e., lawns, trees, shrubs, vines, hedges, bedding plants, rock) and decorative features, including paving materials, walls, fences, and street furniture.

*Plant List for the City of Leesburg* shall mean a listing of recommended canopy trees, ornamental trees, shrubs, groundcover and grasses for the City of Leesburg approved by the Leesburg City Commission. The publication shall also contain a listing of prohibited exotic plants, prohibited invasive plants and drought tolerant plants as listed by the **USDA**.

*Remove or Removal* as used in Section 25-338 of these regulations, the cutting down, destruction, or damaging of a tree or trees, or to cause the cutting down, destruction, or damaging of a tree or Trees.

*Tree* shall mean any living, self-supporting, woody perennial plant which has a trunk diameter of at least two (2) inches at breast height.

*Wetlands* shall mean lands which are identified by being inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do or would support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The definition includes all contiguous and non-contiguous or isolated wetlands to waters, water bodies, and watercourses. Wetlands include, but are not limited to, swamp hammocks, hardwood

hybrid hammocks, riverine cypress, cypress ponds, bayheads, bogs, wet prairies, and freshwater marshes. Dominant wetland vegetation shall be determined as provided in Rule 17-3.022, Florida Administrative Code. In circumstances where the natural boundary of wetland vegetation is unclear, the line of demarcation may be approximated at a surveyed elevation measured at a location in the same wetland where the natural line is clear. In the event an undeveloped area has been recently cleared of all vegetation, the wetland boundary may be determined by a study of the soils, aerial mapping, photography, hydrology, and other historical information as appropriate.

**Sec 25-325. Nonconforming Landscaping.**

**A. Nonconforming Landscaping.** For landscaping that is nonconforming, the following shall apply:

1. Existing development shall comply with the landscape regulations of Sections 25-327, 25-328 and 25-329 when the floor area of a structure or parking area is increased by twenty-five (25) percent or more.
2. Where the increase in area of a new structure, an additional structure, parking area or vehicular use area is less than any of the requirements of subsection (1) above, only the new structure, addition, increased parking area or increased vehicular use area shall be buffered in accordance with these provisions.
3. Nonconforming landscaping shall not be required to be brought into compliance as a result of a natural disaster.

**Sec. 25-326. Landscaping Standards.**

**A. Purpose.** The purpose of this section is to provide minimum standards for landscaping, buffering and site clearing within the City of Leesburg. This section shall be implemented so as to promote the preservation of native plant species, to provide for aesthetic landscaping complements to proposed development and to encourage the use of plants that qualify as Florida Friendly Landscaping. The provisions of this section may be cited as the Landscape Code.

**B. General Requirements and Exemptions.** It shall be unlawful for any person to clear, develop or increase the developed area of any site or lot unless in compliance with the terms of this Section. No development order or development permit shall be issued unless it complies with these requirements or unless such development is specifically exempted as specified below. The following activities are exempt from the provisions of this Section:

1. *Agriculture and Silviculture.* So long as the operation qualifies as a bona fide farm operation on land classified as agricultural pursuant to Section 193.461, Florida Statutes, or if such activity is regulated through implemented best management practices, interim measures, or regulations developed through the Florida Department of Environmental Protection, Florida Department of Agriculture and Consumer Services or a water management district and adopted under Chapter 120, FLORIDA STATUTES under a regional program; or if such activity is expressly regulated by the U.S. Army Corps of Engineers or U.S. Environmental Protection Agency. In addition, an exemption may be granted by the City Manager or his designee for a proposed agricultural exemption activity. However, a surety bond shall be

required to guarantee the restoration of the property should a bona fide agricultural exemption not be obtained within eighteen (18) months.

2. *Emergency maintenance* work performed for the protection of public health and welfare.
3. *Any maintenance to an existing approved landscaped area* made in accordance with approved landscape plan.
4. *Parks and Conservation* lands with an approved Land Management Plan shall be exempt from complying with the Landscaping Standards and Tree Protection Standards required herein.

### **Sec 25-327 Waterwise and Florida Friendly Landscaping.**

**A. Landscaping.** All ground surface areas of any lot shall maintain landscaping to eliminate erosion, reduce the generation of dust particles and other windborne particles, provide aesthetic relief, and further the objectives of this section.

**B. Mandatory Waterwise and Florida Friendly Landscape Measures with Site-Appropriate Plants.**

All required landscaping shall be installed and maintained to meet the following purposes:

1. To conserve and use water efficiently.
2. To encourage creative landscape design.
3. To use Waterwise and Florida Friendly Landscaping, implementing right plant-right place principles.
4. To use native vegetation.
5. To re-establish native plant communities.
6. To recognize the need to protect groundwater as a natural resource.
7. To use site appropriate plants.
8. To reduce energy costs and maintenance.

**C. Water Efficiency.** All required landscaping shall be installed and maintained to be consistent with the water-efficient landscaping requirements established herein. Landowners are additionally encouraged to follow Waterwise Florida Landscapes and Florida Irrigation Society standards. The water-efficient requirements are as follows:

1. *Use of mulch.* Mulches shall be used and maintained around all trees located in turf grass areas, in landscaped areas not planted or not appropriate for growing turf grass, and in all planted areas. Mulch shall be installed two (2) to four (4) inches deep and kept off the root ball and a minimum of two (2) feet away from the foundation of any structure. Mulch shall be kept a minimum of one (1) foot from the base of a tree trunk.
2. *Limit irrigated lawn areas.* The use, type, and location of lawn area in the landscape shall be selected in a planned manner and not used as a fill-in material. Since most lawn varieties used

in the landscape require supplemental watering more frequently than other types of landscape plants, turf shall be placed so that it can be irrigated separately. For existing development which is redeveloped through the removal of the existing structures, compliance with C.4 below for new development shall be required using Florida-friendly landscaping, mulch, gravel, rock, other low water use materials or any combination thereof.

3. *Low water use plants.* Landscape plants shall be selected based on appropriateness to the site considering conditions such as soil type, moisture, and sunlight using the principle of “right plant-right place. The plants shall be grouped in accordance with their respective water needs. A list of low water use plants is contained in The Plant List for the City of Leesburg.
4. *Efficient and well-designed irrigation.* Up to sixty (60%) of the pervious area equal to or less than 15,000 square feet of the lot in any single family or duplex platted residential development with more than ten (10) lots, which had plats approved after the effective date of this ordinance, and commercial site plans submitted after the effective date of this ordinance may be irrigated with a conventional in-ground irrigation system. Micro-irrigation, drip systems and temporary irrigation necessary to establish new plantings are permitted on all areas of the lot or development. Golf course fairways and greens, public active recreation fields, greenhouses, landscape nurseries, retail nurseries, and agricultural production systems are exempt from meeting these requirements. Landscape production and retail centers shall comply with the watering restrictions for any landscape that is required under these regulations that is not related to the production or selling of landscape material on site. The following criteria for irrigating a site shall be used in the design of the system.
  - a. *Rain Sensors.* Functioning rain sensor devices shall be required on all automatic irrigation systems to avoid irrigation during periods of sufficient rainfall. Sensors shall be of the “instant off” type designed to prevent operation of the installed irrigation system during a rain event and shall be installed in a suitable locations not obstructed to rain fall.
  - b. *Irrigation Overthrow.* The irrigation system shall be designed to minimize irrigation overthrow onto impervious surfaces and to avoid any ponding effects.
  - c. *Temporary Irrigation.* Minimum size canopy trees requiring irrigation prior to becoming established shall use tree bubblers or micro-irrigation on a separate zone. Hand watering or a temporary irrigation system may be allowed to ensure the plants become established. Temporary irrigation lines shall be covered by mulch or buried.
  - d. *Irrigation is not required in* (existing wooded/forested) areas which are intended to be maintained in a natural condition.

## **Sec 25-328. General Landscaping Requirements.**

### **A. Plant Materials.** All required landscaping shall meet the following general requirements:

1. *Quality.* All required plant materials shall be installed and maintained in conformance with the provisions of this Section and shall conform to the standards for Florida No. 1 or better as given in Grades and Standards for Nursery Plants, State of Florida, Department of Agriculture and Consumer Services, Tallahassee (97T-05, second edition, February 1998). All plant material shall be planted in suitable soil to permit its survival. Any plant materials not

contained in the Landscape Plant Materials List under Section 25-328. I, for the City of Leesburg and not prohibited by this ordinance must be shown to be suitable for planting.

2. *Soil Reviewed.* The existing soils on the site should be reviewed to help determine the appropriate plant types for the site.
3. *Native Plants.* A minimum of fifty (50) percent of the required trees and shrubs shall be native species suitable for the site.
4. *Canopy Trees.* All required canopy trees shall be a minimum of two and one-half (2.5) caliper inches and in a thirty (30) gallon container or greater. Equivalent ball and burlap trees may be used but container trees shall be preferred. The minimum height of trees should be approximately eleven (11) to twelve-foot in height and the minimum spread should be approximately five (5) feet. Trees that are not required by this section are not subject to this provision. New tree calipers shall be measured six (6) inches above grade for trees that are under four (4) inches caliper and measured twelve (12) inches above grade for trees larger than four (4) inches tree caliper. Existing tree calipers are measured at Diameter at Breast Height (DBH) or fifty-four (54) inches height from grade. Additional Tree Credits for new larger Canopy Trees planted:

- a. Minimum 4-inch caliper x 12-foot Height x 5-foot Spread = 2 Canopy Tree Credits
- b. Minimum 6-inch caliper x 14-foot Height x 6-foot Spread = 3 Canopy Tree Credits

Canopy trees shall be provided with a minimum one hundred (100) square foot pervious planting area around the trunk with a minimum diameter of eight (8) feet. Large maturing canopy trees will need more planting area typically. Each planting area shall be landscaped with a mulch ring, groundcover, or other landscape material, in addition to the required tree.

Clustering may be utilized if needed for design intent. Special precautions shall be taken to not locate canopy trees under or near utility easements.

5. *Ornamental trees.* Ornamental trees may be used in place of canopy trees in situations where height restrictions or root zone intrusion issues are shown to be a concern, such as under power lines at a ratio of two (2) ornamental trees to replace each canopy tree. All required ornamental trees shall be a minimum of two (2) caliper inches and in a thirty (30) gallon container or greater. Equivalent ball and burlap trees may be used, but container trees shall be preferred. The minimum height of trees should be approximately six (6) to eight foot height overall and the minimum spread should be approximately three (3) feet. Trees that are not required by this section are not subject to this provision. New tree calipers shall be measured six (6) inches above grade for trees that are under four (4) inches caliper and measured twelve (12) inches above grade for trees that are larger than four (4) inches tree caliper. Existing tree calipers are measured at Diameter at Breast Height (DBH) or fifty-four (54) inches height from grade. For multi-trunk trees, trunks shall have an average cumulative caliper of two (2) inches. Credits for new larger Ornamental trees planted:

- a. Minimum 3-inch caliper x 10-foot Height x 5-foot Spread = 2 Ornamental Tree Credits
- b. Minimum 4-inch caliper x 14-foot Height x 6-foot Spread = 3 Ornamental Tree Credits

Adequate spacing shall be maintained to protect and allow for the growth of the root systems of each tree. Special precautions shall be taken to not locate ornamental trees under or near utility easements.

Required ornamental trees shall have a maximum spacing of fifty (50) feet. However, clustering may be utilized if needed for design intent. Spacing of tree groupings shall not exceed 150-feet.

6. *Palms.* Palms may be used in place of ornamental or canopy trees to meet the minimum tree requirements. In no case shall the total number of palms of all species combined account for more than twenty (20) percent of the required canopy trees nor more than twenty (20) percent of the required ornamental trees (Note: Sec. 25-331 Internal Landscaping, 5. *Parking Lot Trees and Substitutions*). The minimum size of palms is four (4) feet of clear trunk for tree form palms. Two (2) palm trees count as one (1) canopy or ornamental tree unless it is a large specimen palm tree such as a Medjool or Date Palm which may be counted as one (1) palm tree to one (1) canopy or ornamental tree.
7. *Shrubs.* Shrubs shall be used for all visual screens that are required pursuant to the provisions of this Section and shall be planted on minimum centers no greater than forty-eight (48) inches. The minimum installed height of shrubs shall be an average of two (2) feet in height by eighteen (18) inches spread. Their spread shall be appropriate for their size and species.
  - a. Landscape buffer, shrubs shall be a minimum of a minimum of a three (3) gallon container. Shrubs planted shall be able to obtain an approximate height of three (3) feet within twelve (12) months of planting under normal growing conditions.
8. *Ground Covers.* Ground covers shall be used when required pursuant to the provisions of this Section and shall be planted on minimum centers no greater than thirty-six (36) inches. The minimum installed size of groundcovers shall be one (1) gallon. Their spread shall be appropriate for their size and species. Required groundcovers shall be planted to provide complete coverage planted to industry standards.
9. *Lawn Grass.* Required grass areas may be sodded, plugged, sprigged, or seeded including St. Augustine, Bahia and other grasses. Nothing herein shall be construed to prevent the conversion of lawn grass areas to Florida Friendly landscapes. Solid sod shall be used on slopes greater than fifteen (15) percent.
10. *Site Appropriateness.* All landscape material shall be suited to soil and climate conditions of the site in order to conserve water.
11. *Synthetic Lawns and Plants.* Synthetic or artificial turf, trees, and plants shall be prohibited from use in lieu of required live plantings.
12. *Architectural Planters.* The use of permanent or moveable architectural planters may be permitted as an alternative where appropriate with approval by the City Manager or his designee. The planters shall be adequately sized for palms, ornamental trees, and shrubs, shall not cause the roots to bind and shall permit water to drain through the base of the planter. Required canopy trees are prohibited from being planted in moveable planters.

13. *Existing Trees.* Existing trees may be used to meet tree requirements in accordance with the following criteria:

- a. The tree shall be in very good health and free of pests, disease, or injury.
- b. The tree shall meet the requirements above for canopy, ornamental and palms.
- c. The tree shall not be a prohibited species.
- d. To count for buffering or interior landscape requirements; the tree shall be located within the appropriate corresponding area.
- e. Tree credits shall be given for existing qualifying canopy trees are as follows:

Existing Tree Size based on DBH	*Number of Trees Credited for required landscape (not used for replacement trees)
2.5" - 6.99"	1 Canopy Tree Credits
7" - 12.99"	2 Canopy Tree Credits
13" or greater	3 Canopy Tree Credits

\* Existing natural tree grow typical does not meet Grade #1 standards

- f. Ornamental trees meeting a minimum cumulative caliper shall be credited as one (1) existing ornamental tree = 1 replacement [Minimum two-inch (2") Caliper x eight (8) foot height x four (4) foot spread].

14. *Existing Shrubs.* Existing shrubs may be used to meet shrub requirements in accordance with the following criteria:

- a. The shrub shall be in very good health and free of pests, disease, or injury.
- b. The shrub shall not be a prohibited species.
- c. To count for buffering or interior landscape requirements; the shrub shall be located within the appropriate corresponding area.

15. *Plant Substitutions to approved plans.* Changes to the landscape section of the approved site plan shall require an amendment to the site plan, unless:

- a. The change affects five (5) percent or less of any plant species; or
- b. A buffer is moved less than twenty (20) feet.

Any change authorized by subsection (a) and (b) above shall require written notification by the applicant to the City Manager, or designee, including plans indicating the change.

**B. Diversity.** In order to help guard against disease susceptibility, all required landscaping shall meet the requirements below. No more than fifty (50) percent of the trees or shrubs required shall be

of the same species. Live Oak Trees required for parking lot landscaping are exempt from this requirement.

**C. Installation.** All landscaping should be installed according to "Selecting and Planting Trees and Shrubs," published by the University of Florida/Florida Cooperative Extension Service (Institute of Food and Agricultural Sciences, Circular 858, October 2003) or to "Waterwise Florida Landscapes" published by the St. Johns River Water Management District, which describes the principles of "right plant, right place." The natural growth habit of a tree shall be considered in advance of conflicts which might arise (i.e. view, signage, lighting and similar conflicts). Plantings in close proximity to roadways and intersections shall meet the site distance requirements of the Florida Green Book as published by the Florida Department of Transportation.

**D. Irrigation Systems.** All installed irrigation systems shall be designed to provide irrigation appropriate to meet the needs of the landscape area to be served. An irrigation plan shall be required for other than single family lots. In evaluating irrigation plans, the primary consideration shall be water conservation. Irrigation systems shall be designed to provide the minimum irrigation necessary to ensure the survival of the plant material and shall be designed to avoid runoff and promote optimal percolation.

1. *Temporary irrigation is the preferred method* of irrigation and installed irrigation shall be discouraged.
2. *The irrigation system shall be in compliance with the Florida Building Code and Section 373.62, Florida Statutes, for rain sensor shut-off devices.* The use of micro-irrigation shall be encouraged to conserve water resources, provided it is in compliance with the Florida Building Code. All irrigation systems shall use zones, automatic timers, back-flow preventers, soil-moisture sensors and rain sensors. Landscaped areas less than five (5) feet in width shall incorporate micro-irrigation, if irrigated.
3. *Irrigation shall be limited* as required by the applicable Water Management District irrigation rule.
4. *To conserve potable water, reclaimed water, storm water ponds and cistern collection shall be encouraged for irrigation water if the water quality will meet the needs of the landscape.* Developments seeking to use water from retention ponds or natural lakes shall comply with all requirements of the appropriate Water Management District.

**E. Maintenance.** All landscaping shall be maintained so as to present a neat, healthy, and orderly appearance free of refuse and debris. Use of high amounts of fertilizer and pesticides is discouraged.

**F. Pruning.** All pruning shall be in accordance with Standard Practice for Trees, Shrubs and Other Woody Plant Maintenance, ANSI 300 of the National Tree Care Association.

**G. Notification.** In any residential plat where landscaping is proposed on individual lots, the restrictive covenants shall contain a provision that notifies prospective lot purchasers of the landscape maintenance requirements.

## H. Re-vegetation Required.

1. *Re-vegetation shall be required within six (6) months* of expiration of any development order if natural vegetation was disturbed and if the landscaping has not been completed in accordance with the landscape plan. Re-vegetation shall be to pre-development conditions or through an alternative mitigation plan approved by the City Manager or his designee to provide groundcover to prevent erosion and provide appropriate tree coverage.
2. *If work ceases for six (6) months* on a site, then the entire site shall be re-vegetated if natural vegetation was disturbed and if the landscaping has not been completed in accordance with the landscape plan.
3. *If re-vegetation is required*, the property owner shall submit and have approved an interim landscape plan within thirty (30) days by the City Manager or designee for re-vegetation of the subject property, which shall provide for stabilized vegetative groundcover of trees, grasses, forbs, or legumes consistent with the original condition of the site. The Re-vegetation plan shall indicate the method and location of tree replacement required by any tree removal permit.
4. When the proposed development of a site requires the removal of fifty (50) percent of the protected trees on the site and the estimated total caliper inches for the site exceeds one (1,000) inches, a performance bond equal to the value of the trees to be removed may be required by the City Manager or designee for re-vegetation of the subject property.

## I. Landscape Plant Materials List

All required landscape materials shall be selected from the official plant materials list. These common plant materials shall be used along streets, buildings, buffers, and parking lots.

1. Decorative plant materials, not included on the list, may be used only with written city approval. All landscape materials shall be allowed to grow in a natural condition and not be pruned back to avoid overgrowth.
2. Tree standards.
  - a. Canopy shade trees.  
Minimum size: Two and one-half (2.5) caliper, eleven (11) to twelve-foot height, five-foot spread.
  - b. Ornamental trees.  
Minimum size: Two-inch caliper, six (6) to eight foot height overall, three foot spread.

**TABLE 1**

### Canopy Trees

Common Name	Botanical Name	Water Zone
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Cedar	<i>Cedrus sp.</i>	L
Chinese elm / Drake elm	<i>Ulmus parvifolia</i>	L, M
Eastern red cedar	<i>Juniperus virginiana</i>	L
Florida scrub hickory	<i>Carya floridana</i>	L, M
Laurel oak	<i>Quercus laurifolia</i>	L, M
Live oak	<i>Quercus virginiana</i>	L, M
Longleaf pine	<i>Pinus palustris</i>	L, M
Mockernut hickory	<i>Carya alba (carya tomentosa)</i>	L, M
Pignut hickory	<i>Carya glabra</i>	L, M
Red mulberry	<i>Morus rubra</i>	L
Sand pine	<i>Pinus clausa</i>	L
Slash pine	<i>Pinus ellioti</i>	L
Southern magnolia	<i>Magnolia grandiflora</i>	L, M
Southern red oak	<i>Quercus falcata</i>	L
Turkey oak	<i>Quercus laevis</i>	L
Wild date palm	<i>Phoenix sylvestris</i>	L

### Understory Trees (Ornamental)

Common Name	Botanical Name	Water Zone
Avocado	<i>Persea americana</i>	L
Bluejack oak	<i>Quercus incana</i>	L
Bronze loquat	<i>E. deflexa</i>	L
Calamondin orange	<i>C. mitis</i>	L
Canary island date palm	<i>Phoenix canariensis</i>	L, M
Chinese fan palm	<i>Livistonia chinensis</i>	L, M
Chinquapin	<i>Castanea pumula</i>	L, M
Crape myrtle	<i>Lagerstroemia indica</i>	L, M
Dioon cycad	<i>Dioon edule</i>	L
Dwarf elm	<i>Ulmus parvifolia</i>	L
Dwarf siberian elm	<i>Ulmus pumila</i>	L, M
East Palatka holly	<i>Ilex x attenuata</i>	L, M
European fan palm	<i>Chamaerops humilis</i>	L, M
Hood pear	<i>Pyrus communis "hood"</i>	L, M
Italian cypress	<i>Cupressus sempervirens</i>	L, M
Japanese persimmon	<i>Diospyros kaki</i>	L, M
Jerusalem thorn	<i>Parkinsonia aculeata</i>	L, M
Jujube	<i>Zizyphus jujuba</i>	L
Limequat	<i>Citrus x fortunella</i>	L
Myrtle oak	<i>Quercus myrtifolia</i>	L
Orange, grapefruit, etc	<i>Citrus spp.</i>	L
Osage orange	<i>Maclura pomifera</i>	L
Persimmon	<i>Dispyros virginiana</i>	L
Pindo palm	<i>Butia capitata</i>	L
Queen palm	<i>Arecastrum romanzoffianum</i>	L, M
King sago	<i>Cycas circinalis</i>	L, M
Red cedar	<i>Juniperus silicicola</i>	L
Red stopper	<i>Eugenia rhomboda</i>	L, M

Sabal palm	<i>Sabal palmetto</i>	L, M, H
Sand Live Oak / Scrub live oak / Small post oak	<i>Quercus geminata</i>	L
Sand post oak	<i>Quercus stellata</i>	L
Scrub holly	<i>I. opaca arenicola</i>	L
Seagrape	<i>Coccoloba uvifera</i>	L, M
Shiny sumac	<i>Rhus copallina</i>	L
Silk bay	<i>Persea humulis</i>	L
Simpson's stopper / Twinberry	<i>Myrcianthes fragrans</i>	L
Soapberry	<i>Sapindus marginatus</i>	L, M
Southern red cedar	<i>Juniperus silicicola</i>	L
Spineless Yucca	<i>Yucca elaphantipes</i>	L, M
Summer haw	<i>Crataegus flava</i>	L
Sweet acacia	<i>Acacia farnesiana</i>	L, M
Tough bumelia	<i>Bumelia tenax</i>	L
Wild lime	<i>Zanthoxylum fagara</i>	L, M
Wild plum	<i>Prunus americana</i>	L
Windmill palm	<i>Trachycarpus fortunei</i>	L, M
Winged elm	<i>Ulmus alata</i>	L, M
Yaupon holly	<i>Ilex vomitoria</i>	L, M

3. *Hedges Shrubs, groundcovers and vines & flowers.* All hedges, shrub, groundcover, vine and flower landscaped areas shall be planted to achieve one hundred (100) coverage of the planting area within one (1) year of installation. All continuous shrub hedges shall be installed at minimum eighteen (18) to twenty-four (24) inches overall height (depending on species) Hedges to be a height of thirty-six (36) to forty-two (42) inches and ninety (90) percent opacity within one (1) year of planting.
  - a. Specific requirements for hedges and shrubs: Three (3) gallon, container grown, planted thirty-six (36) inches on center maximum spacing. Plant count at thirty-six (36) inches triangular spacing equals Planting Area x .129.
  - b. Specific requirements for groundcovers: One (1) gallon, container grown, planted twenty-four (24) inches on center maximum spacing. Plant count at twenty-four (24) inches triangular spacing equals Planting Area x .290
  - c. Specific requirements for flowers/annuals - (four (4) inch pots, planted six (6) to twelve (12) inches on center)

**TABLE 2**

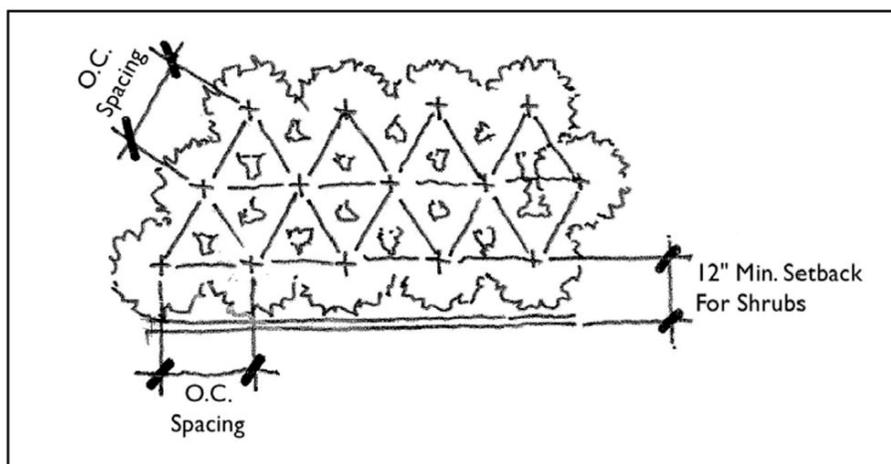
**Shrubs**

Common Name	Botanical Name	Water Zone
Adams needle / Beargrass	<i>Yucca filamentosa</i>	L
American Beautyberry	<i>Callicarpa americana</i>	**
Beach elder	<i>Iva imbricata</i>	L
Bear grass	<i>Yucca smalliana</i>	L, M
Beard Tongue	<i>Penstemon multiflorus</i>	
Boxwood	<i>Buxus microphylla</i>	M
Blue Porterweed	<i>Stachytarpheta jamaicensis</i>	**
Burford holly	<i>I. cornuta burfordii</i>	L
Burford holly	<i>Ilex cornuta "Burfordi"</i>	M
Butterfly bush	<i>Buddleia asiatica</i>	L
Cardboard plant	<i>Zamia furfuracea</i>	L, M
Candy Corn	<i>Cuphea melvilla</i>	**
Carolina holly	<i>Ilex ambigua</i>	L, M
Chickasaw plum	<i>Prunus angustifolia</i>	L
Chinese holly	<i>Ilex cornuta</i>	M
Chinese juniper	<i>Juniperus chinensis</i>	L
Devilwood	<i>Osmanthus megacarpa</i>	L
Dwarf yaupon holly	<i>Ilex vomitoria &amp; cultivars</i>	L, M
Firethorn pyracantha	<i>Pyracantha coccinea</i>	L, M
Flag pawpaw	<i>Asimina obovata</i>	L
Garberia	<i>Garberia heterophylla</i>	L
Glorybower	<i>Clerodendron speciosissimum</i>	L
Gold dust plant	<i>Aucuba japonica</i>	L
Gum bumelia	<i>Bumelia languinosa</i>	L
Indian hawthorn	<i>Raphiolepis indica</i>	L, M
Japanese Anise	<i>Illicium anisatum</i>	L
Japanese boxwood	<i>Buxus microphylla</i>	L
Japanese privet	<i>Ligustrum japonicum</i>	L, M
Junipers	<i>Juniperus spp.</i>	L, M
King sago	<i>Cycas revoluta</i>	L, M
Kumquat	<i>Fortinella japonica</i>	L, M
Muhly Grass	<i>Muhlenbergia capillaris</i>	**
Nagi podocarpus	<i>Podocarpus nagi</i>	M
Natal plum	<i>Carissa macrocarpa</i>	L
Partridgeberry	<i>Mitchella repens</i>	L
Partridge Pea	<i>Cassia sp.</i>	**
Pineapple guava / Feijoa	<i>Feijoa sellowiana</i>	L, M
Pittosporum	<i>Pittosporum tobira</i>	L, M
Plumbago (Leadwort)	<i>Plumbago auriculata</i>	L, M
Podocarpus	<i>Podocarpus macrophyllus</i>	L, M
Prickly pear	<i>Opuntia spp.</i>	L
Primrose Jasmine	<i>J. mesnyi</i>	L
Purple Lovegrass	<i>Eragrostis spectabilis</i>	**
Rose of Sharon	<i>Hibiscus syriacus</i>	L
Rosemary	<i>Rosmarinus officinalis</i>	L
Rusty lyonia	<i>Lyonia ferruginea</i>	L

Salt bush, (Groundsel Bush)	<i>Baccharis halimifolia</i>	L
Sand Cord Grass	<i>Spartina bakeri</i>	**
Sand holly	<i>Ilex ambigua</i>	L
Saw palmetto	<i>Serenoa repens</i>	L, M, H
Schillings holly	<i>Ilex vomitoria</i>	L
Scrub holly	<i>Ilex opaca arenicola</i> & cultivars	L
Scrub mint	<i>Conradina canescens</i>	L
Scrub palmetto	<i>Sabal etonia</i>	L, M
Scrub plum	<i>Prunus geniculata</i>	L, M
Sea lavender	<i>Argusia gnaphalodes</i>	L
Simpson Stopper	<i>Myrcianthes simpsonii</i>	**
Snowberry	<i>Chiococca alba</i>	L, M
Spanish bayonet	<i>Yucca aloifolia</i>	L, M
Spanish dagger	<i>Yucca gloriosa</i>	L, M
Staggerbush	<i>L. fruticosa</i>	L
Tar flower	<i>Befaria racemosa</i>	L
Thryallis	<i>Galphimia glauca</i>	L, M
Vaccinium / Evergreen blueberry	<i>Vaccinium darrowii</i>	L, M
Varnish leaf	<i>Dodonaea viscosa</i>	L, M
Walter viburnum	<i>Viburnum obovatum</i>	L, M, H
Wild rosemary	<i>Conradina canescens</i>	L
Wild Sage / Lantana	<i>Lantana involucrata</i>	L
Yarrow	<i>Achillea millefolium</i>	**
<b>Groundcovers</b>		
Beach sunflower	<i>Helianthus debilis</i>	L, M
Beargrass	<i>Nolina brittoniana</i>	L
Bigleaf periwinkle	<i>Vinca major</i>	M
Bitter panicgrass	<i>Panicum amarum</i>	L
Blue sage	<i>Salvia azurea</i>	L
Caltrop	<i>Kallstroemia maxima</i>	L
Carolina jessamine / Blanket flower	<i>Gaillardia pulchella</i>	L
Cassia	<i>Cassia rotundifolia</i>	L
Coontie	<i>Zamia floridana</i>	L, M
Creeping fig	<i>Ficus pumila</i>	L, M
Creeping juniper	<i>Juniperus horizontalis</i>	L, M
Dyckia	<i>Dyckia spp.</i>	L
Dune Sunflower	<i>Helianthus debilis</i>	**
Dycschoriste / Blue twinflower	<i>Dyschoriste oblongifolia</i>	L
False heather	<i>Cuphea byssopifolia</i> and cultivars	L
Galactica	<i>galactica elliotii</i>	L
Galactica	<i>Galactica regularis</i>	L
Gopher apple	<i>Licania michauxii</i>	L
Green eyes	<i>Berlandiera subacaulis</i>	L, M
Holly fern	<i>Cyrtomium falcatum</i>	M
Indian Blanket	<i>Gaillardia aristata</i>	**

Japanese Clover	<i>Lespedeza striata</i>	L
Juniper	<i>Juniperus spp.</i>	L
Lantana	<i>Gold mound Lantana</i>	**
Lopsided Indiangrass	<i>Sorghastrum secundum</i>	L, M
Matchweed	<i>Lippia nodiflora</i>	L
Mondo grass	<i>Ophiopogon japonicus</i>	L, M
Moss verbena	<i>Glandularia pulchella (verbena tenneuesecta)</i>	L, M
Nick's compact juniper	<i>Juniperus c.p. 'nick's compact'</i>	L, M
Pampas grass	<i>Cortaderia selloana</i>	L, M
Parrot plant	<i>Alternanthera amoena</i>	L
Parson's juniper	<i>Juniperus squamata 'Parsonii'</i>	L, M
Pennyroyal	<i>Piloblephis rigida</i>	**
Pfitzer's juniper	<i>Juniperus chinensis 'Pfitzeriana'</i>	L, M
Piriqueta	<i>Piriqueta caroliniana</i>	L
Porcupine Grass	<i>Miscanthus sinensis</i>	L, M
Purple heart	<i>Setcreasea pallida</i>	L
Purple queen	<i>Tradescantia pallida</i>	L, M
Railroad vine / Morning glory	<i>Ipomoea pes-caprae</i>	L
Rosemary	<i>Ceratiola ericoides</i>	L, M
Sea oats	<i>Uniola paniculata</i>	L
Sea purslane	<i>Sesuvium portulacastrum</i>	L
Seashore Elder		L
Sedum	<i>Sedum spp.</i>	L, M
Shield fern	<i>Thelypteris spp.</i>	M
Shore juniper	<i>Juniperus conferta</i>	L, M
Society garlic	<i>Tulbaghia violacea</i>	L, M
St. John's wort - Atlantic	<i>Hypericum spp.</i>	L
Star begonia	<i>Begonia heracleifolia</i>	L
Stylisma	<i>Stylisma patens</i>	L
Sunshine Mimosa	<i>Mimosa strigilosa</i>	L
Trailing fig	<i>Ficus sagittata</i>	L, M
Wandering jaw	<i>Tradescantia pendula</i>	L, M
Weeping lantana	<i>Lantana montevidensis</i>	L, M
Wild buckwheat	<i>Eriogonum spp.</i>	L
Wintercreeper	<i>Euonymus fortunei 'coloratus'</i>	M
Wiregrass	<i>Aristida stricta</i>	L
<b>Vines</b>		
Allamanda	<i>Allamanda cathartica</i>	L
Beach bean	<i>Canavalia maritima</i>	L
Beach morning glory	<i>Ipomoea stolonifera</i>	L
Bougainvillea	<i>Bougainvillea spectabilis</i>	L
Cape honeysuckle	<i>Tecomaria capensis</i>	L
Coral Honeysuckle	<i>Lonicera sempervirens</i>	**
Creeping live oak	<i>Quercus maxima</i>	L
Crossvine	<i>Bignonia carpeolata</i>	L, M
Downy jasmine	<i>Jasminum multiflorum</i>	M

Flame vine	<i>Pyrostegia venusta</i>	L
Florida bonamia	<i>Bonamia grandiflora</i>	L
Grape	<i>Vitis spp.</i>	L
Mexican flame vine	<i>Senecio confusus</i>	L, M
Running oak	<i>Quercus pumila</i>	L
Tallowood, Hog plum	<i>Ximenia americana</i>	L
Trumpet vine	<i>Campsis radicans</i>	L, M
Virginia creeper	<i>Parthenocisus quinquefolia</i>	L, M
Yellow jessamine	<i>Gelsemium sempervirens</i>	L, M



**Triangular spacing Detail (O.C. – on center)**

Flower		
Florida Paint Brush	<i>Carphephorus corymbosus</i>	**
Gaura	<i>Gaura angustifolia</i>	**
Goldenrod	<i>Sandhill Solidago chapmannii</i>	**
Goldenrod	<i>Seaside</i>	**
Greeneyes	<i>Berlandiera subacaulis</i>	**
Indian Blanket	<i>Gaillardia aristata</i>	**
Lance Leaved Coreopsis	<i>Coreopsis lanceolata</i>	**
Scarlet Milkweed	<i>Asclepias curassavica</i>	**
Scarlet Sage	<i>Salvia coccinea</i>	**
Scorpion Tail	<i>Heliotropum angiospermum</i>	**

Notes:

WATER ZONE: L = Low irrigation required  
M = Medium irrigation required

- \*\* Plants are reasonably drought tolerant once established (Source [www.biospherenursey.com](http://www.biospherenursey.com))
- List developed by Sarah M. Whitaker, P.G. of SMW GeoSciences and list was reviewed by Teresa Watkins, Florida Yards & Neighborhoods Multi-County Program Coordinator, University of Florida/IFAS, June 2006

d. Approved aquatic plant material list.

1. Upper littoral zone six (6) inches above or below the normal water level

:

Botanical Name	Common Name
<i>Taxodium disticum</i>	Bald Cypress (large native tree)
<i>Iris hexagona</i>	Blue Flag Iris (native perennial)
<i>Scirpus californicus</i>	Giant Bulrush
<i>Canna flaccida</i>	Golden Canna (native plant)
<i>Spartina Bakeri</i>	Cordgrass

2. Middle littoral zone (from one (1) inch to three (3) inch below normal water level)

:

Botanical Name	Common Name
<i>Sagittaria lancifolia</i>	Arrowhead (native plant)
<i>Taxodium ascendens</i>	Pond Cypress (large native tree)
<i>Pontederia cordata</i>	Pickerel Weed (native perennial plant)

3. Lower littoral zone (from three (3) inch to five (5) inch below normal water level)

:

Botanical Name	Common Name
<i>Nymphaea odorata</i>	Fragrant White Water Lily

4. Other aquatic plants may be used from the list of aquatic plants found in Florida, as prepared by the Florida Department of Environmental Protection, Bureau of Aquatic Plant Management.

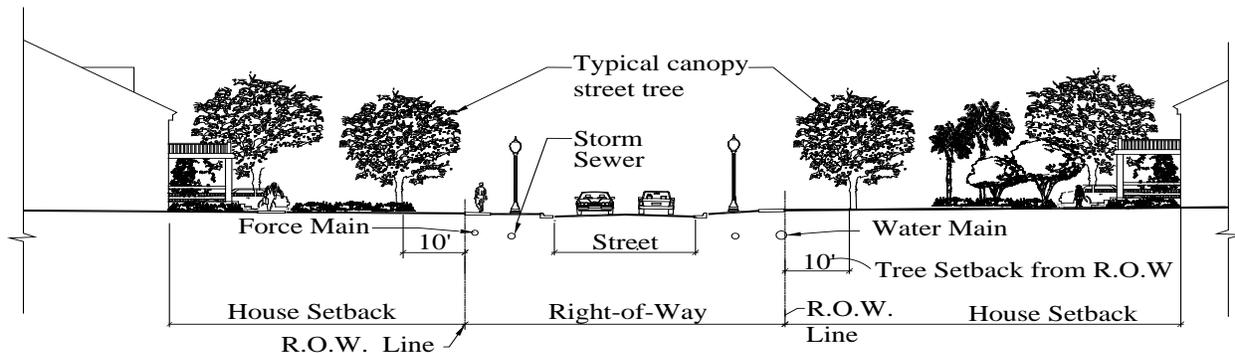
**Sec 25-329 Landscape Buffer Requirements**

**A. General Buffer Requirements.** Any approved development order, other than for a single-family or duplex lot, shall provide for the following buffers.

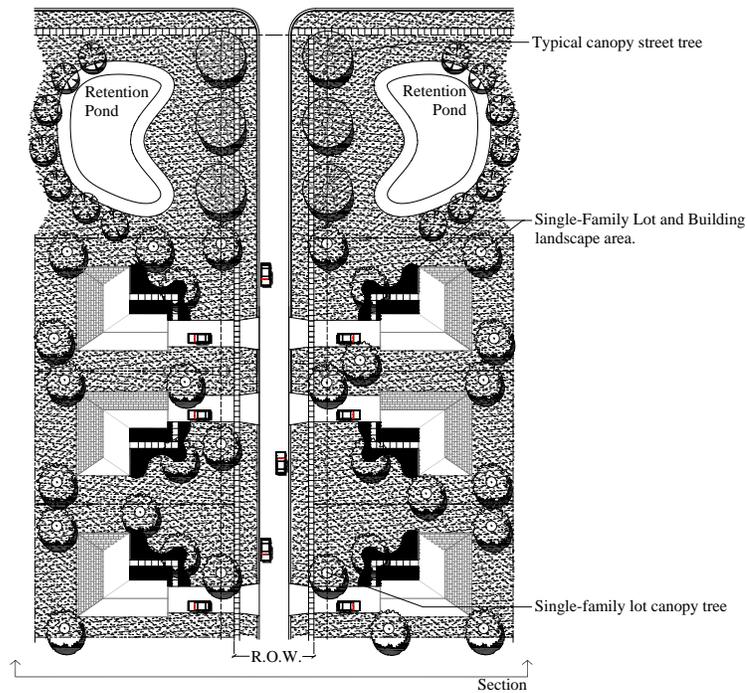
1. *Buffering from adjacent Properties.* Landscape buffering shall be required at the time of development as specified in herein.
  - a. If no buffer exists on the adjoining property or if the existing buffer fails to meet the requirements herein, buffering shall be required.
  - b. Single-Family residential subdivisions of less than ten (10) lots and a density of less than one (1) dwelling unit per net acre shall be exempt from this buffer requirement.

2. *Buffering from Public Roadways.* Any parcel adjacent to a public right-of-way shall have a landscape buffer along its right-of-way that reflects the landscape requirements of the zoning district across the road/street or as required herein, whichever is greater.
3. *Internal Roadway Buffering.* Any development order shall require that:
  - a. All single-family and multifamily development shall provide internal tree-lined roads. Street trees shall be selected from the canopy tree list, as listed in the Landscape Plant Materials List for the City of Leesburg, at an average spacing of fifty (50) feet on center alternating along both sides of roads. The canopy trees required for residential lots may also be used as required street trees as long as they are no more than twenty (20) feet away from the right-of-way line unless prohibited by an easement.
  - b. Canopy trees shall be planted a minimum of ten (10) feet and a maximum of twenty (20) feet outside the right-of-way (R.O.W.) with an alternating pattern on each side of the road. When the proposed development is only on one side of the road, then street trees shall be required for that side of the road. Developers may plant trees in the right-of-way or within ten (10) feet of the R.O.W., with a R.O.W. Utilization Permit. Any tree planted within the R.O.W. shall comply with the Florida Green Book. Canopy trees shall be planted a minimum of an eight (8) foot distance from public sidewalks.
4. *Access Roads adjacent to Subdivisions.* A landscape buffer shall be installed between any internal subdivision road and the property line of the adjacent subdivision or lot(s).

**Figure A – Typical Street Tree Section**



**Figure B – Typical Street Tree Plan**



**B. Landscape buffer along public streets.**

Landscape buffers along public streets shall meet the following guidelines.

1. *A fifteen (15) to twenty-five-foot landscape buffer shall be required along public streets and shall include canopy trees and groundcover. Where no utility easements are in the required buffer, the minimum buffer may be reduced to ten (10) feet. Optional ornamental and shrubs are permitted within the buffer and must follow the standards provided herein.*
2. *In areas where the buffer must be reduced to meet individual site constraints the planting area should be planted according to the following table of required buffer standards. Buffers smaller than fifteen (15) feet may be permitted by approval from the City Manager, or designee.*
3. *Permitted features for front buffers.* Sidewalks, signs, low wall and picket fences (wrought iron, wood or PVC), retention features according to section 25-330 and equipment according to section 25-334.
4. *Additional features such as a knee walls and decorative picket fencing is permissible with the following standards.*
  - a. Knee wall. Maximum twenty-four (24) inches.
  - b. Decorative fencing. Maximum forty-eight (48) inches and must have at least fifty (50) percent of required buffer planting adjacent to right-of-way.
5. *Prohibited features in front buffers.* Chain-link fences, walls greater than two (2) feet, loading, service or dumpsters areas or similar items may not be placed in the front buffer or in any additional "open space" adjacent to the street or any direction visible from the street except for the Industrial or PUD Districts.

6. *Recreational vehicles (RV's), automobile/truck and boating sales.*

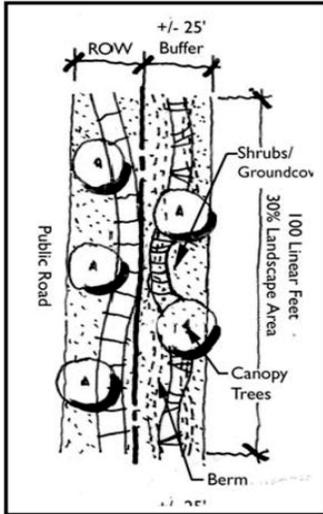
- a. In the special case of front and side buffers for automobile/truck sale, recreational vehicle sale or boat sale property uses, all canopy trees shall be allowed to be substituted in favor of ornamental or palm trees in order to protect on site merchandise from leaf/bird droppings. For these uses only, two (3) ornamental trees or palms may be substituted for one (1) required canopy tree if the ornamental trees or palms are at least twelve (12) foot clear trunk height. Canopy tree shall not be substituted adjacent to rear buffers or residential uses.

**TABLE 3**

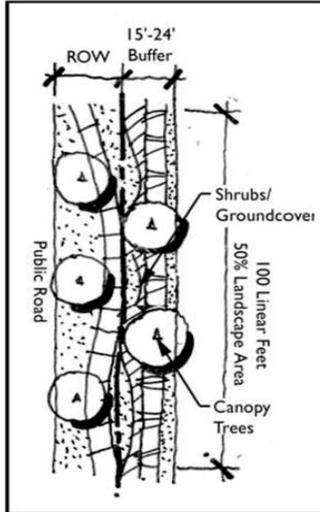
Front Buffer Requirements			
Canopy Trees (per 100 LF)	2 per 100 linear ft		
Buffer Width (ft)	+/=25'	15'-24'	5'-14'
CAL	2"	3"	4"
Height	12'-0"	13'-0"	14'-0"
Optional-Ornamental Trees (per 100 l.f.)	3 per 100 linear ft		
Buffer Width (ft)	+/=25'	15'-24'	5'-14'
Tree Height (ft)	7'-0"	11'-0"	11'-0"
Optional Shrub Screen (per 100 l.f.)			
Width (ft)	+/=25'	15'-24'	5'-14'
Sq.Ft of Shrubs	(33) 3 gal plants, 18"-24" minimum at installation (depending on species) Hedges to be 36"-42" high by 36" wide hedge or continuous landscape screen with a 90% opacity within 1 year of planting		
Container size	3 gal		
Groundcovers (per 100 l.f.)			
# of plants	As needed in combination with shrubs to meet Total Required Landscaped Area %		
Container size	1 gal		
Total Required % Landscaped area (Shrubs & groundcovers vs. sod)	30%	75%	100%

### Figure C - Landscape Buffer Plan Views

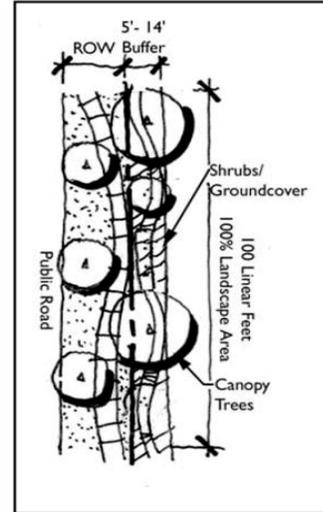
Note: Below landscape buffer layouts are schematic and designer may adjust layouts as long as minimum requirements are provided.



Front Buffer Yard - 25' buffers along public streets require 30% coverage with groundcover.

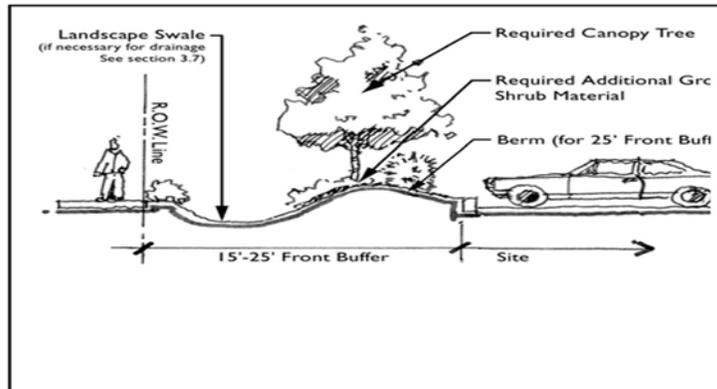


Front Buffer Yard - 15'-24' buffers along public streets require 75% coverage with groundcover.



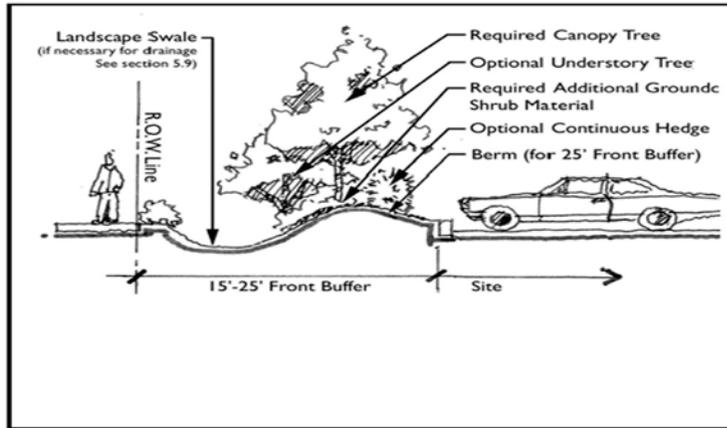
Front Buffer Yard - 5'-14' Width Buffer along Public Streets requires 100% coverage with groundcover.

### Front Yard Buffer



Front Buffer Yard Section

Required



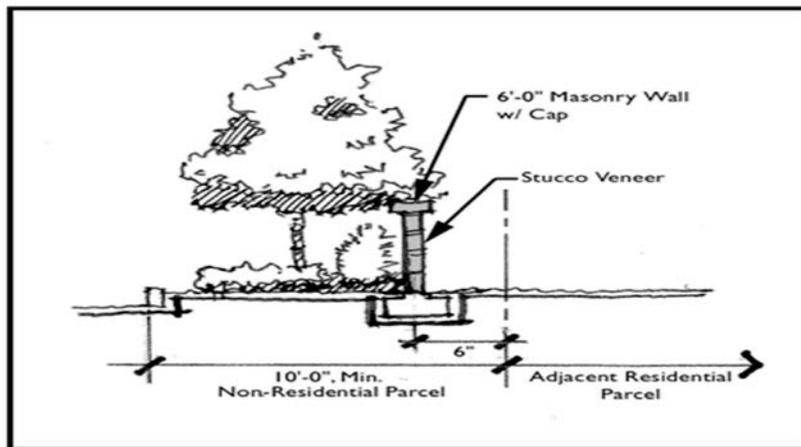
**Buffer Yard Section with Optional Landscape**

**C. Landscape buffers between parcels when required.**

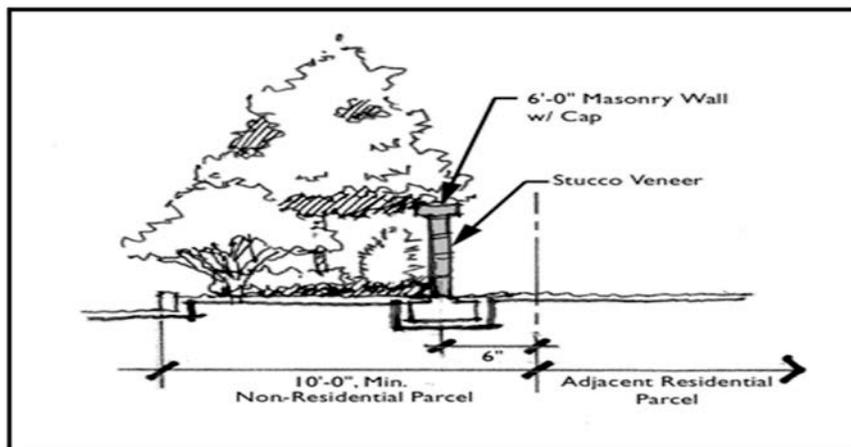
1. *A minimum ten-foot landscape buffer is required between adjacent tracts* (side and rear property boundaries). In addition to tree requirements, shrubs and groundcover shall comprise one hundred (100) percent coverage of the landscaped area.
  
2. *On adjoining parcels of similar use*, when designed as one (1) buffer (such as adjacent commercial outparcels with automobile and pedestrian cross access), the combined buffers may be reduced to a total of ten (10) feet if the shrub and groundcover landscape areas are increased to one hundred (100) percent of the total required buffer area. The combined ten-foot buffer shall require a total of two (2) canopy trees per one hundred (100) linear feet. If approved by the City Manager, or designee, the applicants may use optional landscaping of ornamental trees, where existing large canopy trees are located in the buffer area. The standards will require three (3) ornamental trees per one hundred (100) linear feet. No less than five (5) feet is required on each of the adjoining parcels.
  
3. *Side or rear buffers adjoining non-commercial or residential parcels* shall also be designed with a six-foot fence or wall. The fence or wall shall be of a decorative "split face" concrete masonry, decorative brick, wood or PVC or standard concrete masonry clad with painted stucco or other masonry veneer that is compatible with the adjacent area. When these materials are used for a visual screen, they shall conform to the architectural style, materials and color of the development. Wood fencing shall not be used along street sides. The fence or wall shall include a continuous cap and end column features if applicable. The fence or wall shall be placed a minimum of six (6) inches from the adjoining property line and provide pedestrian access deemed necessary by city staff. In addition, all open work areas or other supply areas shall be treated with a similar six-foot masonry, wood or PVC wall. Buffers smaller than ten (10) feet may be permitted through approval of the City Manager, or designee provided the buffer is not adjacent to single-family residential uses. If the buffer is decreased, the planting median shall be planted according to Figure 5.6.1 plus additional shrubs and groundcovers planting to achieve one hundred (100) percent coverage. Where the potential for adverse impacts to residential areas is probable, a wall may be required by the City Manager, or designee

**TABLE 4**

Side and Rear Buffer Requirements	
Canopy Trees (per 100 l.f.)	2 per 100 linear ft
Tree CAL/Height	2" cal, 12' overall height
Optional Ornamental Trees (per 100 l.f.)	3 per 100 linear ft
Tree CAL/Height	2" cal, 7' overall height
Shrub Screen (per 100 l.f.)	
Square Ft of Shrubs	(33) 3 gal plants, 18"-24" minimum at installation (depending on species) Hedges to be 36"-42" high by thirty-six (36) inches wide hedge or continuous landscape screen with a ninety (90) percent opacity within one (1) year of planting
Container size	3 gal



**Section of Required Rear Buffer**

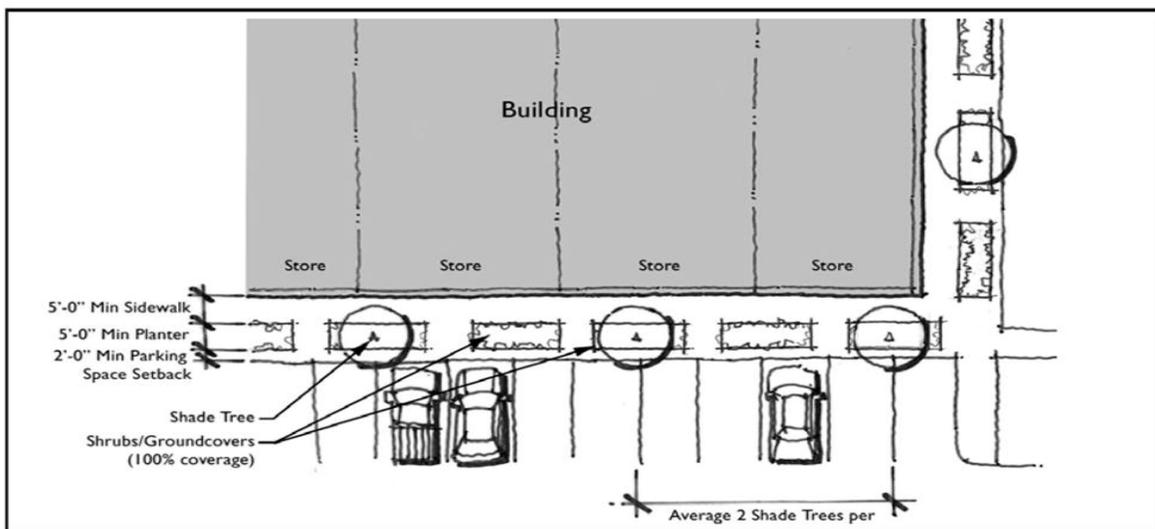


### Section of Required Rear Buffer with Optional Landscape

- D. Supplemental Requirements for Subdivisions and Site Plans. The following requirements supplement the tables above and shall be used to install and maintain the required buffer.
1. *Separately platted or phased developments* shall require a landscape buffer pursuant to the landscape buffer requirements between internal plats or phases.
  2. *Required walls shall be solid, and surfaces shall be finished.* Allowed wall types mean solid walls and include Exterior Insulation Finish Systems (EIFS) with stucco, brick, stucco, finished or textured block, vinyl plastic, pre-cast and poured-in-place concrete wall with a finished surface. Solid fences where required shall be opaque. One-sided wood fences shall be installed with wood posts to the inside of the property that is installing the fence. Chain-link and barbwire fencing may not be used to meet the screening requirement.
  3. *Additional requirements:*
    - a. Seventy-five (75) percent of the required landscape buffer shall be located on the right-of-way side of any required fencing, walls, or any other screening structures. In addition, at least one row of required screening shrubs shall be located on the right-of-way side of any screen, wall, or other screening structures.
    - b. Any wall, fence, or other screening structure built along a public right-of-way for property which requires a landscape plan shall consist of harmonious screening material that has a consistent and uniform texture, color, and pattern along all major collector or arterial roadways.
  4. *All pervious areas* shall have five (5) Canopy trees per acre minimum. Some parts of the site may be left as open space, but the total number of trees shall average five (5) canopy trees per acre for pervious areas. Other landscape requirements may be used to meet this requirement such as required landscape buffering and retention pond landscaping. Permanent water bodies, wetlands and wet retention ponds shall be excluded in calculating the amount of pervious area requiring five (5) canopy trees per acre.
  5. *Subdivisions greater than ten (10) lots* shall place the required landscape buffers in a separate tract or easement that shall be maintained by a homeowners association.
  6. *Landscape materials within buffers along rights-of-way* shall be designed to display variety, color, form, and texture, by emphasizing native and drought tolerant plants. Such variety and color may be accomplished by using a combination of shrubs and ornamentals from the Plant List for the City of Leesburg. The placement of landscape materials within landscape buffers shall have a rational relationship to the existing patterns and densities of adjoining areas which have been designed or preserved. Arrangements shall replicate natural conditions and shall not be linear unless dimensional limitations necessitate such an arrangement or linear arrangement are part of a formal landscape directly related to the architecture of the building(s) or are part of a formal street tree landscape.

### **E. Supplemental Requirements for Big Box Structures**

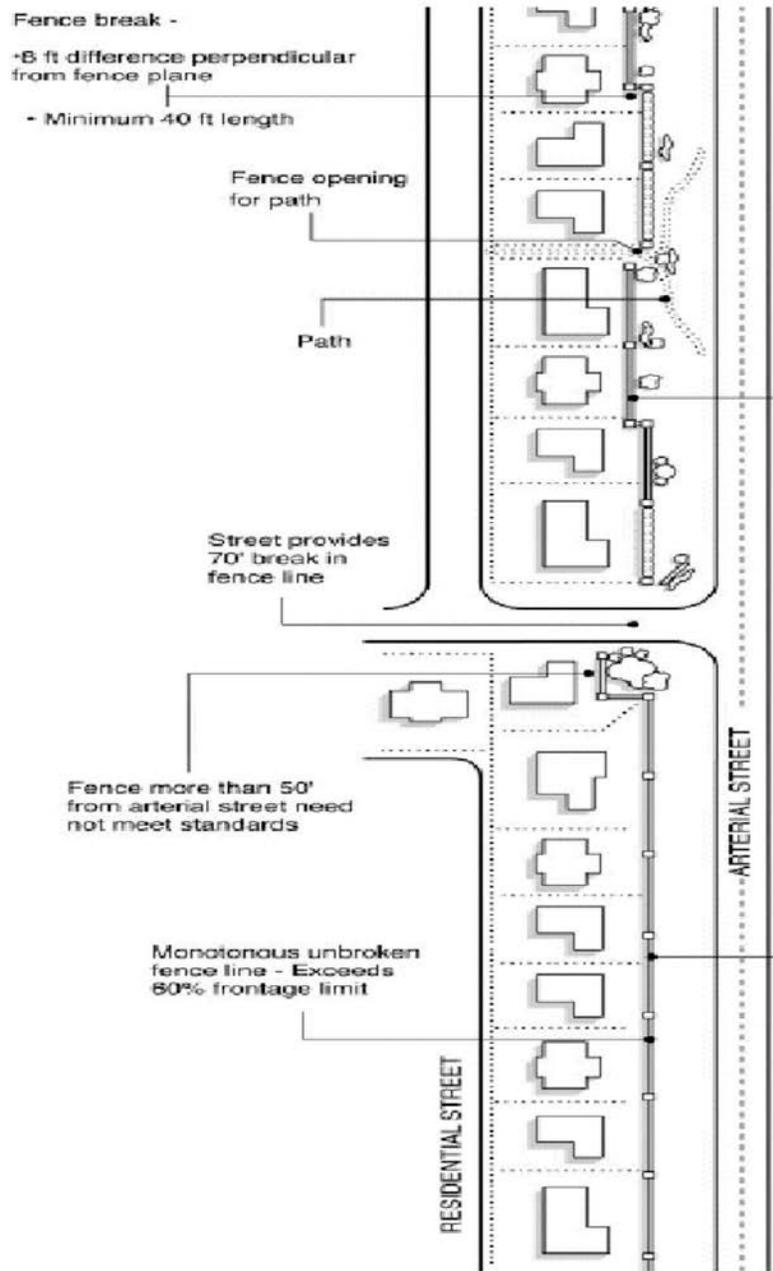
1. Big box structures--Landscaping requirement around the perimeter of large strip commercial centers or "Big Box" structures with a continuous building length of at least two hundred and fifty (250) feet along the primary street frontage as follows (refer to figure 5.4.3):
2. Rear/service area does not require planting.
3. The remaining three (3) sides of building perimeter shall include a five-foot continuous sidewalk as well as landscape planter areas along at least sixty (60) percent of that linear distance.
4. The required sixty (60) percent landscape coverage shall be in at-grade or raised planters at least five (5) inches to zero (0) inches deep and five (5) inches to zero (0) inches wide. Raised planters shall not exceed twenty-four (24) inches overall height.
5. Planters may be located along building edge, or along street, drive or parking edge. Planters along head-in parking shall be located at least two (2) feet clear from edge of curb to allow for continuous pedestrian access without stepping in landscape area.
6. All required planters shall be planted one hundred (100) percent with shrubs and groundcovers. Sod is prohibited.
7. An average of one (1) ornamental tree per fifty (50) linear feet shall be required for the remaining three sides of building perimeter. Trees may be placed in planter areas. A walkway with a minimum width of five (5) feet shall be constructed to connect the main public entrance door of a building to the public walkway along right-of-way. Where the walkway extends through parking areas or an access drive, the walkway shall be delineated. A landscaped area, which includes sidewalk and landscaping, a minimum of nine (9) feet in total width, shall separate the walkway from parking spaces when extending through parking areas. The use of architectural features and landscaping is encouraged to define pedestrian gateways. If the area is landscaped with shrubs a setback shall be maintained and shall not form a wall effect along the edge of the walk.



**Sec. 25-330. Garden walls, fences, and hedges.** All garden walls, fences or hedges located or constructed within the required yard area shall conform to the following regulations, except where special requirements are set forth for specific screening purposes elsewhere in this article.

1. Front yard in a residential district. All garden walls, fences or hedges located within the required front yard shall not exceed four (4) feet in height.
2. Side and rear yards in a residential district. All garden walls, fences or hedges located within the required side or rear yards shall not exceed six (6) feet in height.
3. Side yard of corner lot in a residential district. All garden walls, fences, or hedges located in the side-yard abutting the secondary street of a corner lot must not exceed four feet in height.
4. Rear yard abutting water in a residential district. All garden walls, fences, or hedges located in the required rear yard abutting a body of water shall not exceed four (4) feet in height.
  - (5) Commercial and industrial districts. All garden walls, fences, or hedges located in a commercial or industrial district shall not exceed eight (8) feet in height and must be constructed to allow an unobstructed view of the front yard of the property from adjacent property or a public street.
6. Perimeter fences and walls along collector or arterial street. All perimeter fences and walls located adjacent to these streets shall meet the following requirements:
  - a. No more than sixty (60) percent of the street frontage may be occupied by the fence or wall; and
  - b. The required forty (40) percent openings in the fence or wall frontage may occur to provide exposure for intersecting streets, pedestrian entryways, parks or open space, or any non-walled or non-fenced land use (e.g., a church or school). Fences or walls that have a surface area that is twenty-five (25) percent or less opaque, hedges and screens composed of living plant material, or any land use with a wall or fence lower than forty-two (42) inches may count toward the forty (40) percent requirement. Treatments should emphasize the incorporation of berms and landscape materials.
  - c. A break in the length of the wall or fence shall be required every forty (40) feet in length (measured parallel to the street), at least eight (8) feet wide (measured perpendicular to the street), and is landscaped with at least one (1) tree and one (1) row of shrubs for each forty (40) feet in length. Landscaping shall incorporate species with seasonal color and plant variety and shall be in addition to any other landscaping required in this Code.

Garden walls,  
fences and hedges



7. Transition yard screening requirements. Where a residential district abuts a nonresidential district, there shall be provided, by the nonresidential development, an opaque screen adequate to conceal such developments from the adjacent residential property. Such screen must be the maximum height, which is allowed elsewhere in this ordinance. No such screen shall be required in the front yard of the nonresidential development.

8. Use of barbed wire. No fence shall be maintained or constructed, in whole or in part, of barbed wire, unless it is in an M-1 or M-2 (industrial) district, or an approved A (agricultural) district use, unless it is specifically allowed in a conditional use permit or a planned district within another zoning classification, based on the necessity of barbed wire for the particular use permitted by the conditional use, or unless it is in conjunction with either (1) a use by a public body, or (2) bona fide commercial agricultural pursuits lawfully being carried on in the particular zoning district involved.

9. General Regulations

The following regulations shall apply to fences in all zoning districts or as specified.

- a. Prohibited Materials. No fence shall be composed of scrap materials, tires, canvas, cardboard, asphalt-style shingles, or chicken wire. All fences must be maintained in good and sound condition. The City or utility company is not responsible for repair or replacement of any fence in an easement that is removed for purposes of work or maintenance of the easement.
- b. Appearance. All fences shall be uniform in material and color. In the case of a fence with a finished side and an unfinished side, the finished or more decorative side shall face outward toward the adjoining property or the street.
- c. Barbed Wire. Where permitted by regulations of this chapter, barbed wire may be installed at the top of a fence if not more than three (3) strands are used, and if the lowest strand is at least six (6) feet above the adjoining ground. In the case of a fence located less than four (4) feet from a public sidewalk or a Residential District line, the vertical supports for the strands shall slant away from the nearest property line at an angle of not less than 45°. Such barbed wire may be placed above the otherwise applicable height limit for the fence to which it is attached.
- d. Maintenance. All fences shall be maintained in good condition, free of significant rust, peeling paint, breaks or missing structural members or other damage. Furthermore, all fences shall be kept plumb, with no more than a two-inch deflection from a vertical position. Vegetation adjacent to the fence must be maintained in good condition or trimmed as appropriate. The City has the authority to order the repair or removal of any fence that constitutes a nuisance or hazard and take appropriate action to recovery cost and assess penalties.
- e. Recreation Facilities. On the grounds of a school or on the grounds of a public or private recreation use, an open fence erected to enclose a playground, playfield, swimming pool, tennis court, golf course or similar facility may exceed the otherwise applicable height limits, but shall not exceed twelve (12) feet in height.
- f. Utility Properties. An open fence erected for security purposes around a public utility use may exceed the otherwise applicable height limits, but shall not exceed twelve (12) feet in height.
- g. Temporary Construction Fences. Notwithstanding other provisions of this chapter, a temporary fence shall be permitted in any zoning district to enclose a site at which construction activity is underway. Such fence shall be in place only for the duration of

the construction activity and shall be removed when construction activity has been completed or has been discontinued for a period of three (3) months or more. Such fence shall be located as necessary to protect the public and to secure the construction site, as approved by the Community Development Director. The fence may be chain link, wood or another material approved by the Director.

- h. Nonconforming Fences. Except as specified in this chapter, any fence not conforming to the regulations of this chapter may be retained and repaired but shall not be moved or replaced in whole unless made to conform with the provisions of this chapter. Replacement of less than half of a nonconforming fence in a twelve (12) month period shall be considered "repair" and not "replacement" for purposes of this provision.

### **Fence Maintenance**



*Homeowners and occupants are responsible for ensuring the proper maintenance of fence structures. This includes the repair/replacement of all posts, gates, and other structural elements, and ensuring your fence is properly painted.*

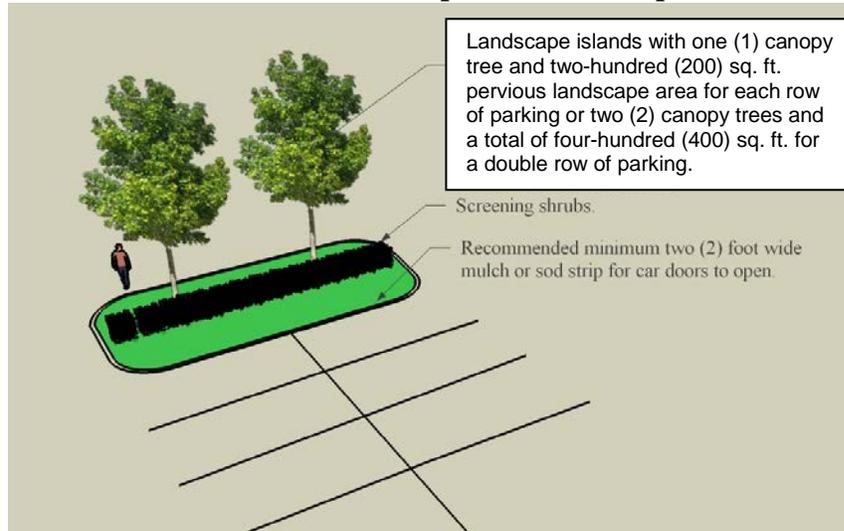
### **Sec. 25-331 Internal Landscaping in Parking Areas and other Site Areas, other than Single-Family and Duplex Lots**

Any development order other than for single-family or duplex dwellings shall require that all ground surface areas used on commercial, institutional, community facility, industrial, condominium, recreational vehicle parks, or multifamily sites shall have internal landscaping to provide visual and climatic relief from broad expanses of pavement and channelize and define logical areas for pedestrian and vehicular circulation. The following special landscaping requirements apply to commercial, institutional, community facility, industrial, condominium, recreational vehicle parks and multifamily sites.

**A. Interior Parking Areas.** Landscape islands shall be provided within parking areas, as described below to prevent excessively long, contiguous runs of parking spaces. These areas shall use curbs, wheel stops, bollards or other control measures to prevent encroachment or damage to trees and vegetation. This requirement shall not apply to parking garages, staging and storage areas at distribution centers. A minimum of fifty percent (50%) of the required Interior Parking areas trees shall be Live Oak trees.

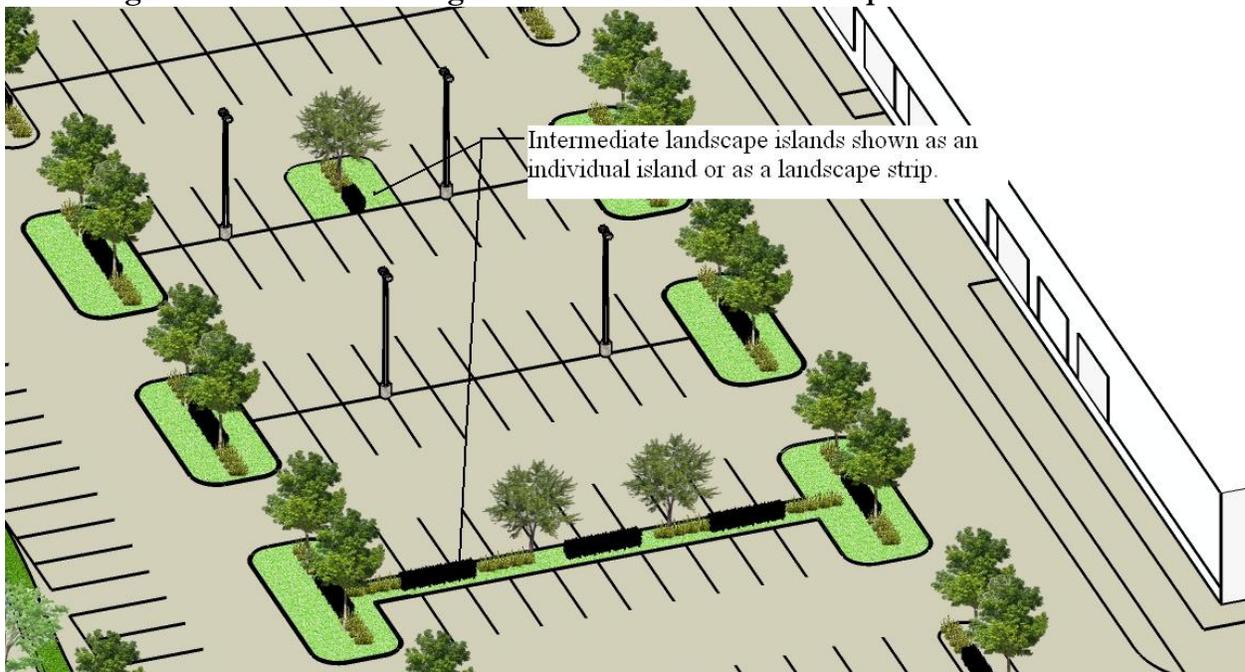
1. *Single-Row Terminal Landscape Islands.* A single row parking bay shall not contain more than twelve (12) contiguous parking spaces. One single-row terminal landscape island, with a minimum pervious area of two hundred (200) square feet and a minimum width of ten (10) feet, shall be provided at each end of a single-row parking bay. Each single-row terminal landscape island shall contain at least one (1) canopy tree. Required maximum two (2) foot high screening shrubs shall be utilized the entire length of the landscape island, or as limited by sight distances. Please see below *Figure D – Single and Double-Row Terminal Landscape Island*

**Figure D – Interior Parking Areas**  
**Single and Double-Row Terminal Landscape Island – Perspective View**



2. *Double-Row Terminal Landscape Islands.* A double-row parking bay with head-to-head parking shall not contain more than twenty (24) contiguous parking spaces in a two (2) rows x 12 space configuration. One double-row terminal landscape island, with a minimum pervious area of four hundred (400) square feet and a minimum width of ten (10) feet, shall be provided at each end of a double-row parking bay. Each double-row terminal landscape island shall contain at least two (2) canopy trees. Required maximum two (2) foot high screening shrubs shall be utilized the entire length of the landscape island, or as limited by sight distances.
3. *Intermediate Landscape Islands.* Intermediate landscape islands shall be provided for any parking lot with eighty (80) or more parking spaces, and an additional intermediate landscape island shall be provided for every additional twenty (20) parking spaces in excess of eighty (80). Each intermediate landscape island shall have a minimum pervious area of three hundred (200) square feet and a minimum width of twelve (12) feet, and each intermediate landscape island shall contain at least one (1) canopy tree. Required maximum two (2) foot high screening shrubs shall be utilized the entire length of the landscape island, or as limited by sight distances. Alternatively, a minimum five (5) foot wide landscape strip may be provided between head-to-head parking, which may count as the required intermediate landscape island for every three hundred square feet (300) of pervious area provided. If a landscape strip is used, ornamental landscape trees and shrubs shall be planted within the landscape strip on minimum thirty (30) foot centers. Please see below *Figure E – Intermediate Landscape Islands.*

**Figure E – Interior Parking areas - Intermediate Landscape Islands**

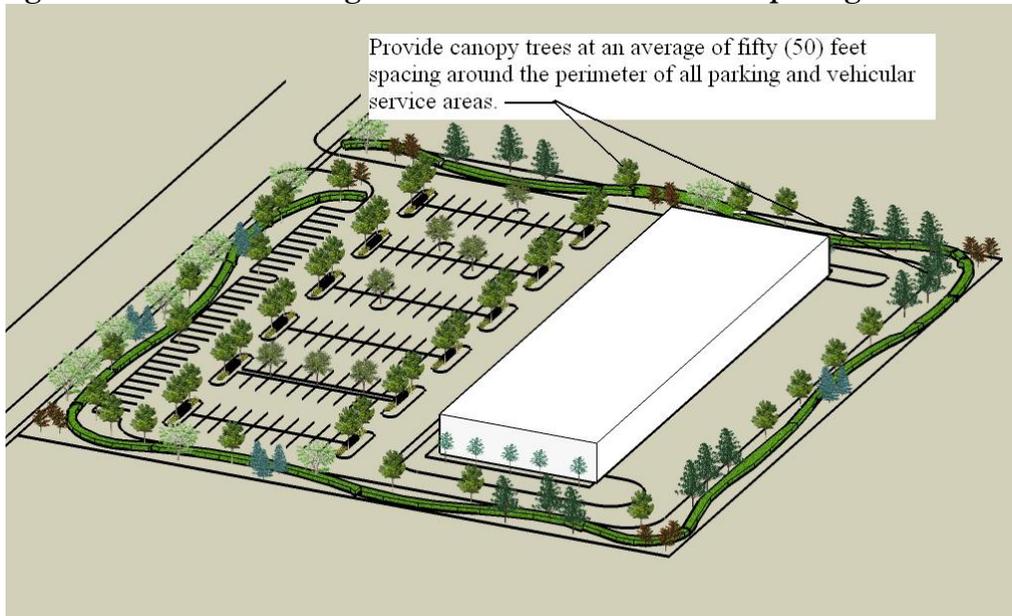


4. *Limited Off-Street Paved Parking areas.* Interior portions of off-street parking facilities, which are not specifically designed as parking spaces or maneuvering areas, shall not be paved for vehicle use.
5. *Parking Lot Trees and Substitutions.* All trees in the parking lots shall be canopy trees, unless otherwise provided. A maximum of twenty (20) percent of the required canopy trees in the parking lots may be substituted with palm trees. Vehicle display areas for such uses as autos, recreation vehicles (boats, motor homes, camper trailer, motor cycles etc.) shall be exempt for the percentage requirement. Palm trees used as substitutions in parking lots shall be planted at a 2:1 ratio (Cabbage Palms, *Washingtonia* Palms and Windmill Palms) in relation to canopy trees with the exception of Canary Island Palms, Date Palms and *Paurotis* Palms, which may be planted at a 1:1 ratio.
6. *Perimeter Trees and Spacing.* Canopy trees shall be planted an average of fifty (50) foot centers around the total perimeter of the parking lot and all vehicular service areas. Clustering may be utilized, but spacing shall not exceed one hundred and fifty (150) foot spacing. The canopy trees shall be planted between eight feet (8) and thirty (30) feet from the edge of pavement. Canopy trees within the landscape buffers may be used if they fall within thirty (30) feet from the edge of paving or vehicular service area as shown in *Figure F – Perimeter Trees and Spacing*.

Figure 5.7.2 Chart for determining number trees to be replaced or credited on site.

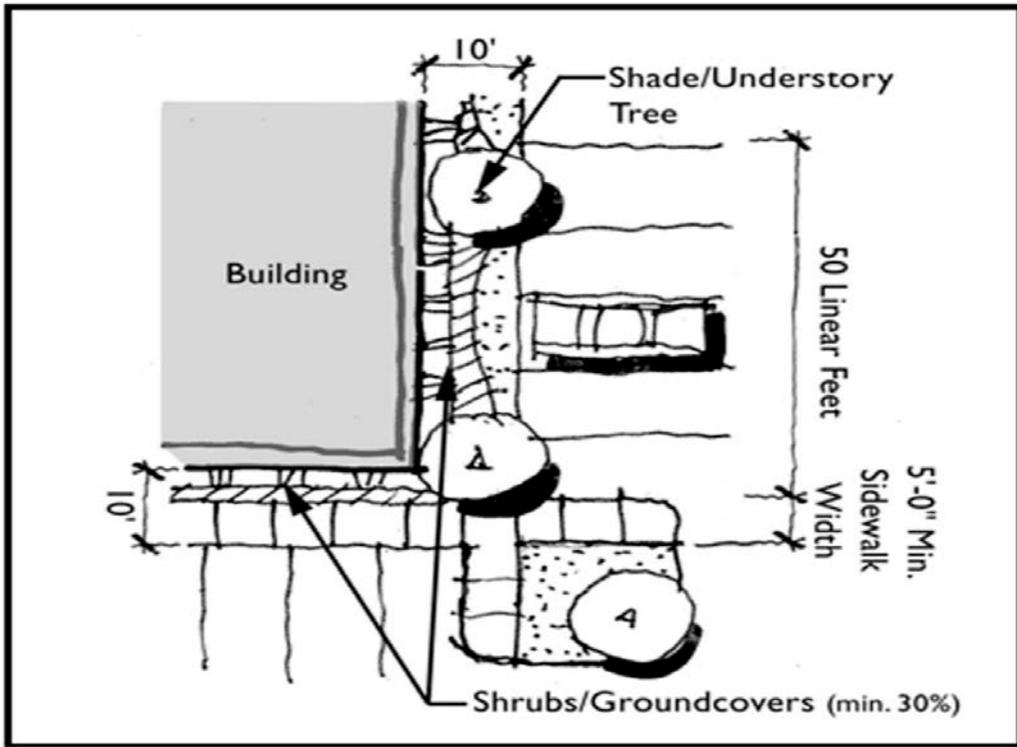
Caliper of Existing Tree	Number and size of Replacement Trees Required
(1) 5"--6"	(1) 3" caliper
(1) 7"--12"	(1) 6" caliper
(1) 13"--18"	(2) 6" caliper
(1) 19"--24"	(2) 6" caliper
(1) 25"--30"	(3) 6" caliper
(1) 36"--41"	(4) 6" caliper
(1) 42" and greater	(5) 6" caliper

Figure F – Interior Parking areas – Perimeter Trees and Spacing

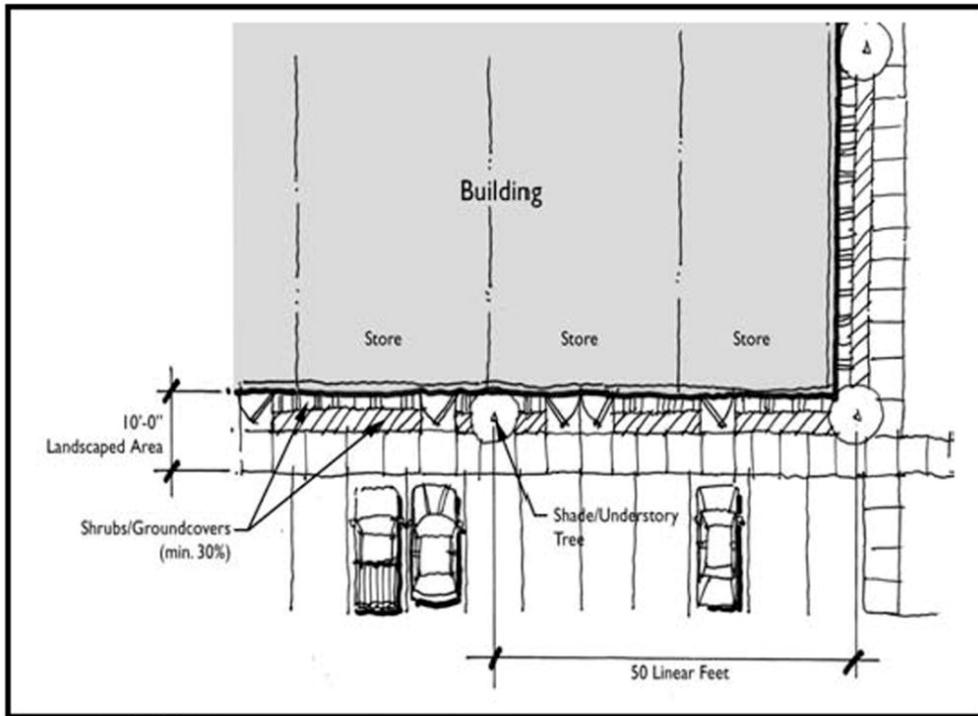


**B. Building Landscapes, other than industrial.**

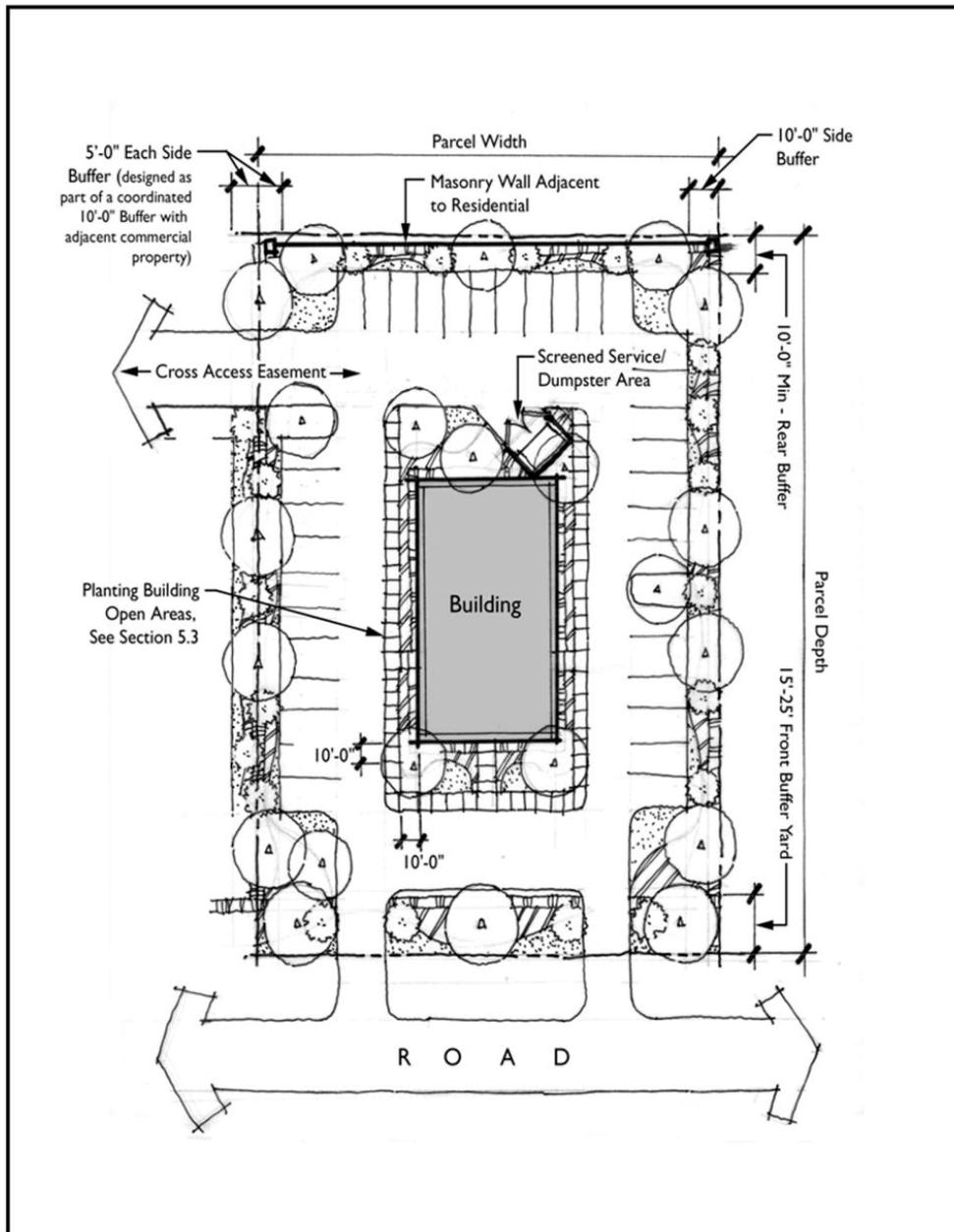
1. Buildings shall have landscape areas planted with trees, shrubs or groundcovers, other than sod, around the building as follows:
  - a. *Building Perimeter landscaping.* A minimum three (3) foot wide landscape area, with an average of five (5) feet or more, around a minimum of forty (40) percent of the total building perimeter and within twenty-five (25) feet of the building walls.
  - b. *Minimum planting requirement.* One (1) canopy tree or three (3) ornamental trees, and twenty-eight (28) shrubs shall be required for every three hundred and fifty (350) square feet of planting area in (a) above. Trees installed for any other requirement of this section may be credited towards this requirement if in the required location.



Single Tenant Building Open Areas



Multiple-Tenant Building Open Areas



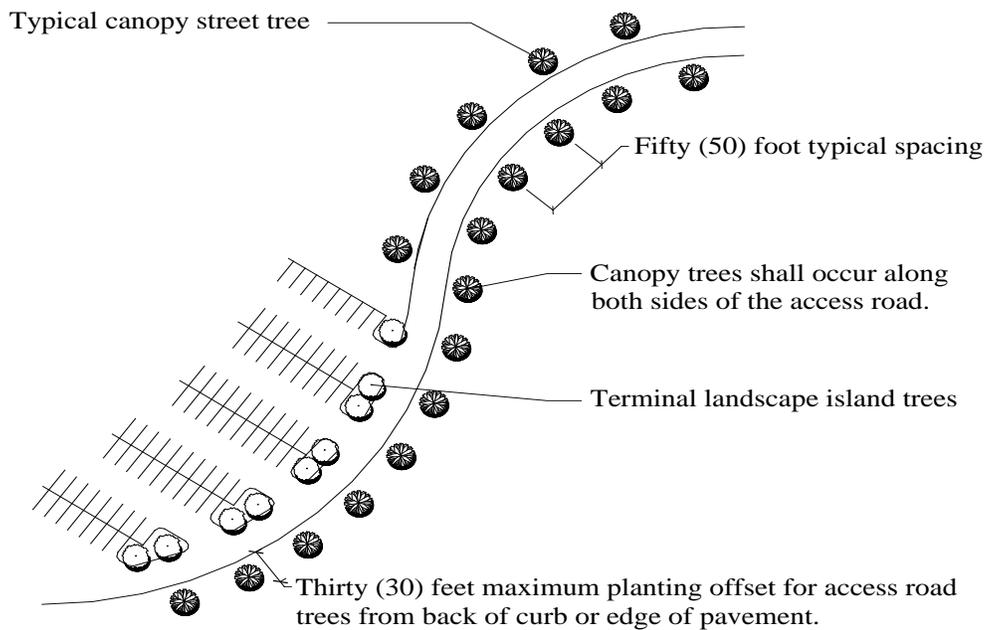
**Sample Design**

**C. Pervious Parking.** Parking spaces provided in excess of the minimum required shall be constructed of pervious materials, such as turf blocks or grassed parking areas. Additional pervious parking may be provided, if not otherwise prohibited by other provisions of the City of Leesburg Code, in the following areas:

1. Adjacent to parking lot landscape islands to allow for the percolation of water and the exchange of oxygen for the tree roots.
2. In low impact areas or infrequent use areas such as churches or the outlying parking areas of malls or other shopping areas.

**D. Internal Access Roads.** Developments with internal access roads shall be required to plant one (1) canopy tree on each side of the road approximately every fifty (50) feet. Access roads immediately in front of commercial structures and other buildings do not have to meet the access road tree requirement but do have to meet other parking landscape requirements. Parking lot island canopy trees may be used to meet this requirement if they fall within thirty (30) feet from the edge of the pavement along the internal access road. *Figure G – Internal Access Roads.*

**Figure G – Interior Parking areas – Internal Access Roads**



**E. Accommodations for Lighting and Other Features.** Islands shall be enlarged beyond the minimum requirement if necessary to accommodate light poles, fire hydrants, or other necessary features. Light poles may be located within the parking area rather than in landscape islands if necessary to ensure that the lighting placement does not conflict with the location or normal growth of landscape island trees. *Figure H – Parking Lot Light Placement* below.

**Figure H – Interior Parking areas – Parking Lot Light Placement**



- F. Rain Gardens.** Parking lot islands are encouraged to use curb breaks and create swale or depression areas to allow for the percolation of rainwater and parking storm water. Attention shall be given to the selection, placement and durability of landscape material within rain garden areas to ensure their long-term viability. Any proposed rain garden areas must comply with all storm water requirements. Smaller rain gardens that serve as landscape islands shall adhere to all canopy and understory requirements for landscape islands. Periodic maintenance to maintain proper function of rain gardens as designed is required. Lack of maintenance may be referred to the Code Enforcement division for action, with penalties as described by the City of Leesburg Code of Ordinances. *Figure I – Rain Garden Photo* below

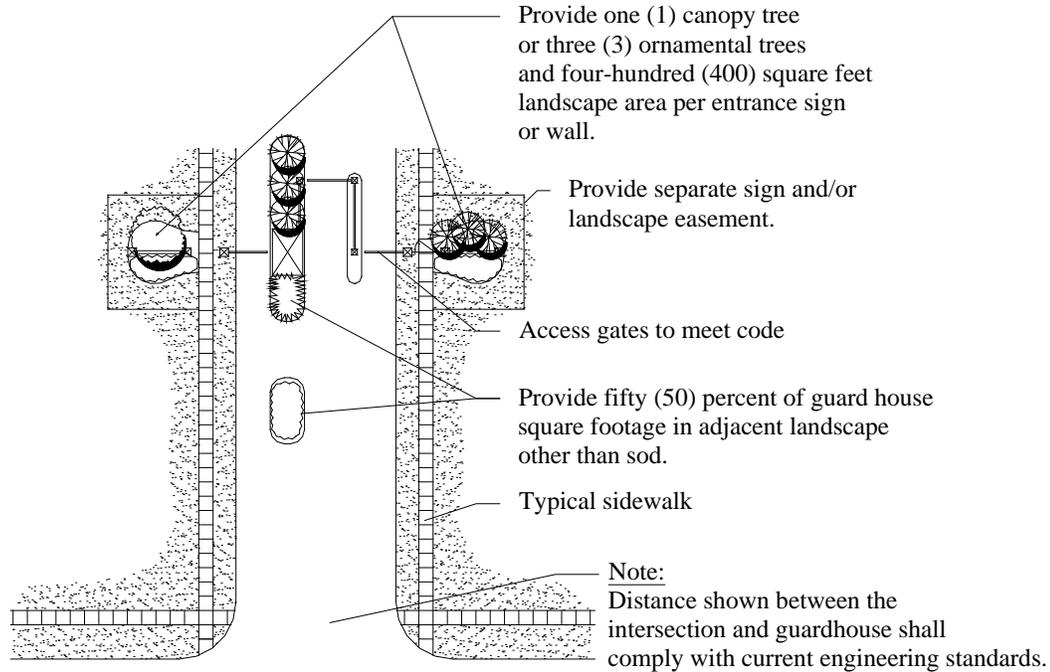
**Figure (Photo) I – Interior Parking areas – Rain Garden Example**



- G. Guardhouses.** An area greater than or equal to fifty (50) percent of the footprint of any guardhouse shall be landscaped immediately adjacent to the guardhouse to create an aesthetic landscape. When the guardhouse is located within the roadway median, the required landscaping shall also be planted in the median. Clear zones and clear sight lines must be maintained for any landscape within the road right of way. The clear zone shall consist of an area between two (2) feet and eight and one half (8.5) feet height from the road elevation. The landscape area shall consist of shrubs, groundcovers, and trees. Sod or other ornamental landscaping may be utilized in the remaining area around the guardhouse as long as fifty (50) percent of the guardhouse square footage area has been landscaped as described (see *Figure J Vehicular Gates and Associated Security Walls*).
- H. Vehicular Gates and Associated Security Walls.** Landscaping shall be required on the entrance side of gates and walls as follows (see Figure J):
1. A minimum of four hundred (400) square feet of landscape area shall be provided on each side of an entrance road.
  2. Within each entrance area of four hundred (400) square feet, one (1) canopy tree or three (3) ornamental trees shall be provided.
  3. The landscape area shall have shrubs, perennials, vines or other ornamental plantings other

than sod. When a utility easement or other restrictive condition restricts the use of trees, then the tree portion of this requirement may be waived or limited by the City Manager or designee.

**Figure J – Vehicular Gates and Associated Security Walls**



**I. Screening of Heating/Ventilation/Air Conditioning Units.** Where heating/ventilation/air conditioning units are located on the ground surface area, they shall be screened from view. A combination of a fence and a berm or shrubs shall be required.

**J. Pedestrian Walkways-** shall be landscaped with additional shade or ornamental trees equal to an average of one (1) tree per fifty (50) linear feet of walkway, unless the walkway is adjacent or included within an existing compliant buffer or frontage planting.

1. One (1) canopy tree shall be planted for each two hundred (200) square feet of separate additional landscaped area.

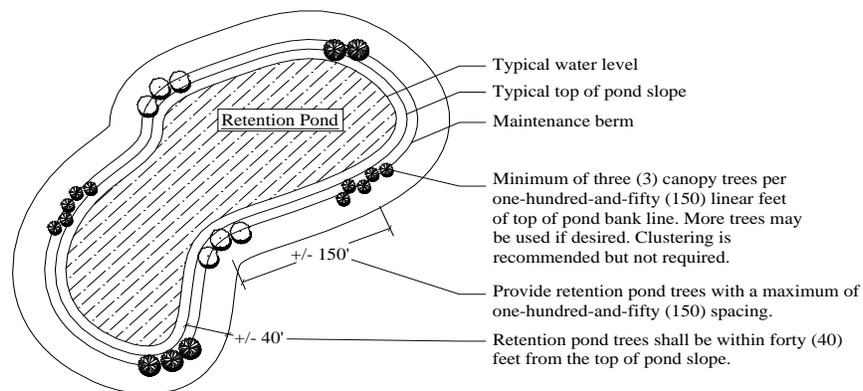
**Sec. 25-332. Stormwater facilities.**

**A.** All stormwater retention ponds and retention areas shall be designed, landscaped and constructed so as to resemble as closely as possible a natural body of water, or if intended to operate as a "dry" retention area, to resemble a natural feature of the topography of the land, rather than being designed, landscaped and constructed as a parallelogram, triangle or other geometric shape. Stormwater retention areas shall also be sloped at no greater than a 4:1 ratio in order to avoid the necessity of fencing or other barriers surrounding the retention area. Landscaping shall be required at the same ratio as set forth in this chapter or any successor landscape ordinance. The city engineer along with the planning and zoning manager may waive this requirement where physical constraints of the property make it difficult to achieve the

desired shape and the pond is located to the rear of the property and is not readily visible to a public right-of-way.

- B. Stormwater facilities (ponds and/or depressions) shall be designed and utilized as site amenities along entrances and street frontages or incorporated with buffers between incompatible uses. These areas shall count toward open space requirements if the impervious area of the site does not exceed seventy-five (75) percent. Refer to figure K.
- C. Stormwater facilities should be designed and permitted so as not to require fencing. If fencing is required, a green vinyl/painted finish fence with solid hedge landscaping shall be required. Walls or other railings for structured stormwater "boxes" must be decorative. Fenced or walled ponds shall not count toward open space requirements within a project and shall only be located at the side or rear of a site with approval of the planning and zoning manager. The maximum fence height shall be four (4) feet.
- D. Subject to the requirements of St. Johns River Management District, other governmental agencies, and a consideration of safety related issues stormwater facilities that are located in the front of a property may be prohibited from having fencing.
- E. Wet stormwater detention/retention facilities adjoining public streets shall include a water feature such as a fountain or spray jet, and shall be planted with appropriate aquatic materials as outlined in the "Landscape Plant Materials List ". Detention/retention along the front of a property shall be designed with curvilinear edges -- not as a straight "box". Retention embankments shall be planted with one (1) tree per fifty (50) linear feet of retention perimeter measured from top of slope. Trees shall be suitable for wet locations as identified in the commercial corridor planter materials List.
- F. Dry retention areas shall be planted with grass, and unless maintained as an open lawn swale, shall be screened from view with a continuous hedge of shrubs on thirty-six (36) inch centers around at least seventy-five (75) percent of the perimeter at the top of the slope.
- G. Retention Ponds Landscaping. Three (3) canopy trees for every 150 linear feet of retention pond bank shall be required as measured at the top of pond bank. Trees shall be planted within forty (40) feet from the top of bank line and include a ten (10) foot clear zone for maintenance. A minimum of three (3) canopy trees shall be required at retention ponds. Curvilinear retention ponds, rather than geometric or rectangular ponds, are required. (See *Figure K Retention Ponds*).

**Figure K – Retention Ponds (Landscaping)**



**Sec. 25-333. Lake edges and wetlands.**

Development abutting surface water bodies or wetlands shall be planted with appropriate aquatic plantings as outlined in the "Landscape Plant List",

**Sec. 25-334. Site utilities.**

- A. All solid waste areas shall be designed with a six-foot decorative masonry wall. The wall shall be of the same materials as the primary structure or concrete masonry, decorative brick or standard concrete masonry clad with painted stucco or other masonry veneer. The wall shall include a continuous cap feature and closing gate. For industrial districts this requirement may be waived by the depending on the location of container(s) and whether they are located in a building except for pick up days.
- B. In addition to the masonry enclosure, storage and dumpster/solid waste areas shall be treated with an eighteen (18) to twenty-four (24) inch high planted hedge (depending on species) that shall reach thirty-six (36) to forty-two (42) inches in height and ninety (90) percent opacity within one (1) year.
- C. Long-term storage containers are prohibited unless located on a parcel with a fully screened masonry or brick enclosure designed and constructed for that purpose.

**Section 25-335 Landscape Requirements for Individual Single-Family Residential and Duplex Lots.**

No development permit or Certificate of Occupancy shall be issued unless in compliance with this section. The requirements of this Section shall be noted on the development permit; however this section shall not require the submittal of a Single Family Residential Landscape Plan unless required by other provisions in the City of Leesburg Code or any other development order.

- A. **Canopy tree requirements.** Each single-family or duplex lot shall provide canopy trees as follows:
  - 1. A minimum of two (2) trees for lots to six thousand (6,000) square feet or less.
  - 2. A minimum of three (3) trees for lots between six thousand one (6,001) and ten thousand (10,000) square feet.
  - 3. A minimum of five (5) trees for lots greater than ten thousand one (10,001) square feet. Three (3) trees for each additional acre in excess of one (1) acre, with a maximum number of trees not to exceed fifteen (15) for the total acreage.
  - 4. Existing trees may be used to meet the provisions in per this section. Trees shall be in very good health and maintained in good condition for one (1) year during which survival is guaranteed by the property owner. One (1) of the required trees shall be planted within ten (10) feet of the front yard right-of-way for lots less than or equal to one-half (1/2) acre.
- B. **Street trees within lots.** One (1) or more of the required trees shall be planted at a minimum of ten (10) feet and maximum of twenty (20) feet outside of the right-of-way for lots less than or equal to one-half (1/2) acre. More canopy trees may need to be planted along the road right-of-way to satisfy other requirements of the code.
- C. **Preservation of existing trees.** Existing trees that are classified as protected trees in Section25-338 and greater than four (4) inches in diameter shall be preserved unless within the areas required for access, infrastructure, building footprint or within a five (5) foot offset of the

footprint for the residence. Stem wall construction shall be used where necessary to achieve this requirement. The following exceptions may be allowed to this requirement:

1. Trees in fire prone areas, such as pine forests, or in rural communities with a density of less than two (2) dwelling units per acre, may be removed with the appropriate permit, a distance of up to thirty (30) feet from a building upon written authorization by the City of Leesburg Fire Chief or designee.
2. Existing fire-prone vegetation may also be removed up to thirty (30) feet from the structure's wall with permission granted by the City of Leesburg Fire Chief or designee. The minimum landscaping required by this section shall be provided.
3. Any trees or vegetation that are protected by other laws such as wetland trees shall not be removed without the prior written approval from the Water Management District or the appropriate jurisdictional agency.

**D. Avoid damage by structures.** Structures shall be located to avoid removing or damaging protected trees to the maximum extent possible.

**Sec. 25-336. Landscaping requirements for Industrial District.**

- A.** The main entrances of the facilities shall be required to maintain a landscaped area adjacent to the entry area equivalent to a minimum of ten (10) percent of the office area or five hundred (500) square feet, whichever is greater.
- B.** For the primary building there shall be landscaping totaling twenty-five (25) percent of the building perimeter, excluding the entry area, with a minimum of a five-foot width along the area of the building face which is most visible to the employees and visitors. As an option for facilities with layouts which prohibit such layout due to needed doors and service areas, the required landscaping may be provided in other areas of the site with approval of the planning and zoning manager.
- C.** Parking lot landscape islands shall be at a total ratio of two hundred (200) square feet per one hundred fifty (150) linear feet of parking or one every fifteen (15) spaces. All parking areas shall terminate with a minimum of one hundred (150) square feet of landscaping area. Parking lot landscaping shall consist of one (1) ornamental tree and five (5) shrubs per two hundred (200) square feet of required landscaping.
- D.** General open area site shall have canopy trees located on the site at a ration of one (1) tree per ten thousand (10,000) square feet of developed property.

**Sec 25-337 Prohibited Plant Species.**

The control and elimination of invasive, non-native plant species helps protect the natural vegetative communities existing within the City of Leesburg.

- A. Planting.** Prohibited plant species shall not be planted or counted toward minimum tree or vegetation requirements.

**B. Prohibited Plants.** Prohibited vegetation shall be listed in the Plant List for the City of Leesburg based on the following sources:

1. Prohibited Aquatic Plants per F.A.C. 5B-64.011

**C. Removal.** Removal and eradication of Prohibited Plant Species listed below shall be a condition of development approval on the parcel within one-hundred (100) feet of principal structure(s) or up to fifty (50) feet from the overall limits of construction, whichever is greater.

1. *Plants to be Removed.* All Prohibited Plants listed in the following resources require removal as a condition of development approval. The Prohibited Tree Species List for the City of Leesburg lists the plant to be removed based on the following specific sources:
  - a. Plants listed on the Noxious Weed List developed by The Florida Department of Agriculture and Consumer Services 5B-57.007 Florida Administrative Code;
  - b. Plants listed in Florida Statutes 369.251 (1);
  - c. All other Prohibited Plants are encouraged, but not required, to be removed.
2. *Prohibited vegetation* shall not be required to be removed from wetlands or natural water bodies that are regulated or protected by the Water Management Districts or other regulatory agencies without approval.

### CITY OF LEESBURG - PROHIBITED PLANT LIST

**Aquatic – Class I (F.A.C. 5B-64.011)**

Alligatorweed, green lead plant	<i>Alternanthera philoxeroides</i>
Australian Pine	<i>Casuarina spp.</i>
Swamp stone crop	<i>Crassula helmsii</i>
Waterhyacinth	<i>Eichhornia spp.</i>
Hydrilla, Florida elodea, stargrass, oxygen grass	<i>Hydrilla verticillata</i>
Water spinach	<i>Ipomoea aquatica</i>
	<i>Ipomoea fistulosa</i>
African elodea	<i>Lagarosiphon spp.</i>
Sawah flowing rush	<i>Limnocharis flava</i>
Purple loosestrife	<i>Lythrum salicaria</i>
Melaleuca	<i>Melaleuca quinquenervia</i>
Giant sensitive plant, cat's claw	<i>Mimosa pigra</i>
	<i>Monochoria hastata</i>
	<i>Monochoria vaginalis</i>
Eurasian watermilfoil	<i>Myriophyllum spicatum</i>
	<i>Nechamandra alternifolia</i>
Wild Red rice	<i>Oryza rufipogon</i>
Tropical pickerelweed	<i>Pontederia rotundifolia</i>
	<i>Salvinia spp.</i> , (excluding <i>S. minima</i> )
Brazilian-pepper	<i>Schinus terebinthifolius</i>
Exotic bur-reed	<i>Sparganium erectum</i>
Water-aloe, soldier plant	<i>Stratiotes aloides</i>

Water chestnut	<i>Trapa spp.</i>
Hippo grass	<i>Vossia cuspidata</i>

### Aquatic – Class II (F.A.C. 5B-64.011)

Hygro	<i>Hygrophila polysperma</i>
Ambulia	<i>Limnophila sessiliflora</i>
Waterlettuce	<i>Pistia stratiotes</i>

### Exotic/Invasive Plants – (Florida Exotic Pest Plant Council)

#### Class I

Common Name	Scientific Name
rosary pea	<i>Abrus precatorius</i>
earleaf acacia	<i>Acacia auriculiformis</i>
mimosa, silk tree	<i>Albizia julibrissin</i>
woman's tongue	<i>Albizia lebbek</i>
coral ardisia	<i>Ardisia crenata</i> (= <i>A. crenulata</i> misapplied)
shoebutton ardisia	<i>Ardisia elliptica</i> (= <i>A. humilis</i> misapplied)
asparagus-fern	<i>Asparagus aethiopicus</i> (= <i>A. sprengeri</i> ; <i>A. densiflorus</i> misapplied)
orchid tree	<i>Bauhinia variegata</i>
bishopwood	<i>Bischofia javanica</i>
santa maria (names "mast wood", "Alexandrian laurel" used in cultivation)	<i>Calophyllum antillanum</i> (= <i>C. calaba</i> and <i>C. inophyllum</i> misapplied)
Australian-pine, beach sheoak	<i>Casuarina equisetifolia</i>
Australian-pine, beach sheoak	<i>Casuarina equisetifolia</i>
suckering Australian-pine, gray sheoak	<i>Casuarina glauca</i>
camphor tree	<i>Cinnamomum camphora</i>
wild taro	<i>Colocasia esculenta</i>
lather leaf	<i>Colubrina asiatica</i>
carrotwood	<i>Cupaniopsis anacardioides</i>
winged yam	<i>Dioscorea alata</i>
air-potato	<i>Dioscorea bulbifera</i>
water-hyacinth	<i>Eichhornia crassipes</i>
Surinam cherry	<i>Eugenia uniflora</i>
laurel fig	<i>Ficus microcarpa</i> ( <i>F. nitida</i> and <i>F. retusa</i> var. <i>nitida</i> misapplied)
hydrilla	<i>Hydrilla verticillata</i>
green hygro	<i>Hygrophila polysperma</i>
West Indian marsh grass	<i>Hymenachne amplexicaulis</i>
cogon grass	<i>Imperata cylindrica</i> ( <i>I. brasiliensis</i> misapplied)
water-spinach	<i>Ipomoea aquatica</i>
Gold Coast jasmine	<i>Jasminum dichotomum</i>
Brazilian jasmine	<i>Jasminum fluminense</i>

lantana, shrub verbena	<u><i>Lantana camara</i></u> (= <i>L. strigocamara</i> )
glossy privet	<u><i>Ligustrum lucidum</i></u>
Chinese privet, hedge privet	<u><i>Ligustrum sinense</i></u>
Japanese honeysuckle	<u><i>Lonicera japonica</i></u>
Peruvian primrosewillow	<u><i>Ludwigia peruviana</i></u>
Tropical American water grass	<u><i>Luziola subintegra</i></u>
Japanese climbing fern	<u><i>Lygodium japonicum</i></u>
Old World climbing fern	<u><i>Lygodium microphyllum</i></u>
cat's claw vine	<u><i>Macfadyena unguis-cati</i></u>
sapodilla	<u><i>Manilkara zapota</i></u>
melaleuca, paper bark	<u><i>Melaleuca quinquenervia</i></u>
Natal grass	<i>Melinis repens</i> (= <i>Rhynchelytrum repens</i> )
catclaw mimosa	<u><i>Mimosa pigra</i></u>
nandina, heavenly bamboo	<u><i>Nandina domestica</i></u>
sword fern	<u><i>Nephrolepis cordifolia</i></u>
Asian sword fern	<i>Nephrolepis brownii</i> (= <i>N. multiflora</i> )
Burma reed, cane grass	<u><i>Neyraudia reynaudiana</i></u>
snowflake	<u><i>Nymphoides cristata</i></u>
sewer vine, onion vine	<u><i>Paederia cruddasiana</i></u>
skunk vine	<u><i>Paederia foetida</i></u>
torpedo grass	<u><i>Panicum repens</i></u>
Napier grass	<u><i>Pennisetum purpureum</i></u>
water-lettuce	<u><i>Pistia stratiotes</i></u>
strawberry guava	<u><i>Psidium cattleianum</i></u> (= <i>P. littorale</i> )
guava	<u><i>Psidium guajava</i></u>
kudzu	<u><i>Pueraria montana var. lobata</i></u> (= <i>P. lobata</i> )
downy rose-myrtle	<u><i>Rhodomyrtus tomentosa</i></u>
Natal grass	<i>Rhynchelytrum repens</i> (= <i>Melinis repens</i> )
Mexican petunia	<i>Ruellia brittoniana</i> (= <i>R. tweediana</i> misapplied)
water spangles	<u><i>Salvinia minima</i></u>
popcorn tree, Chinese tallow tree	<u><i>Sapium sebiferum</i></u> (= <i>Triadica sebifera</i> )
scaevola, half-flower, beach naupaka	<u><i>Scaevola taccada</i></u> (= <i>Scaevola sericea</i> , <i>S. frutescens</i> )
schefflera, Queensland umbrella tree	<u><i>Schefflera actinophylla</i></u> (= <i>Brassaia actinophylla</i> )
Brazilian pepper	<u><i>Schinus terebinthifolius</i></u>
Wright's nutrush	<u><i>Scleria lacustris</i></u>
climbing cassia, Christmas cassia, Christmas senna	<u><i>Senna pendula var. glabrata</i></u> (= <i>Cassia coluteoides</i> )

wetland nightshade, aquatic soda apple	<i>Solanum tampicense</i> (= <i>S. houstonii</i> )
tropical soda apple	<i>Solanum viarum</i>
arrowhead vine	<i>Syngonium podophyllum</i>
jambolan plum, Java plum	<i>Syzygium cumini</i>
incised halberd fern	<i>Tectaria incisa</i>
seaside mahoe	<i>Thespesia populnea</i>
small-leaf spiderwort	<i>Tradescantia fluminensis</i>
Para grass	<i>Urochloa mutica</i> (= <i>Brachiaria mutica</i> )

## Class II

Common Name	Scientific Name
red sandalwood	<i>Adenanthera pavonina</i>
sisal hemp	<i>Agave sisalana</i>
tung oil tree	<i>Aleurites fordii</i> (= <i>Vernicia fordii</i> )
devil tree	<i>Alstonia macrophylla</i>
alligator weed	<i>Alternanthera philoxeroides</i>
coral vine	<i>Antigonon leptopus</i>
calico flower	<i>Aristolochia littoralis</i>
Ganges primrose	<i>Asystasia gangetica</i>
wax begonia	<i>Begonia cucullata</i>
green shrimp plant, Browne's blechum	<i>Blechnum pyramidatum</i>
paper mulberry	<i>Broussonetia papyrifera</i>
inch plant, spironema	<i>Callisia fragrans</i>
bottlebrush, weeping bottlebrush	<i>Callistemon viminalis</i>
river sheoak, Australian-pine	<i>Casuarina cunninghamiana</i>
trumpet tree	<i>Cecropia palmata</i>
day jessamine	<i>Cestrum diurnum</i>
bamboo palm	<i>Chamaedorea seifrizii</i>
Japanese clematis	<i>Clematis terniflora</i>
rubber vine	<i>Cryptostegia madagascariensis</i>
umbrella plant	<i>Cyperus involucratus</i> ( <i>C. alternifolius</i> misapplied)
dwarf papyrus	<i>Cyperus prolifer</i>
Durban crowfootgrass	<i>Dactyloctenium aegyptium</i>
Indian rosewood, sissoo	<i>Dalbergia sissoo</i>
silverberry, autumn olive	<i>Elaeagnus umbellata</i>
silverthorn, thorny olive	<i>Elaeagnus pungens</i>
pothos	<i>Epipremnum pinnatum</i> cv. 'Aureum'
false banyan, council tree	<i>Ficus altissima</i>
governor's plum	<i>Flacourtia indica</i>
limpo grass	<i>Hemarthria altissima</i>
mahoe, sea hibiscus	<i>Hibiscus tiliaceus</i> (= <i>Talipariti tiliaceum</i> )

jaragua	<i>Hyparrhenia rufa</i>
shrub morning-glory	<i>Ipomoea fistulosa</i> (= <i>I. carnea</i> ssp. <i>fistulosa</i> )
Arabian jasmine	<i>Jasminum sambac</i>
life plant	<i>Kalanchoe pinnata</i>
flamegold tree	<i>Koelreuteria elegans</i> ssp. <i>formosana</i> (= <i>K. formosana</i> ; <i>K. paniculata</i> misapplied)
lead tree	<i>Leucaena leucocephala</i>
Spotted Duckweed	<i>Landoltia punctata</i> (= <i>Spirodela punctata</i> )
Asian marshweed	<i>Limnophila sessiliflora</i>
Chinese fan palm	<i>Livistona chinensis</i>
Chinaberry	<i>Melia azedarach</i>
Molassesgrass	<i>Melinis minutiflora</i>
wood-rose	<i>Merremia tuberosa</i>
orange-jessamine	<i>Murraya paniculata</i>
Eurasian water-milfoil	<i>Myriophyllum spicatum</i>
Guinea grass	<i>Panicum maximum</i> (= <i>Urochloa maxima</i> , <i>Megathyrsus maximus</i> )
two-flowered passion vine	<i>Passiflora biflora</i>
green fountain grass	<i>Pennisetum setaceum</i>
Senegal date palm	<i>Phoenix reclinata</i>
golden bamboo	<i>Phyllostachys aurea</i>
Philippine pittosporum, Taiwanese cheesewood	<i>Pittosporum pentandrum</i>
Chinese brake fern	<i>Pteris vittata</i>
solitaire palm	<i>Ptychosperma elegans</i>
castor bean	<i>Ricinus communis</i>
roundleaf toothcup, dwarf Rotala	<i>Rotala rotundifolia</i>
bowstring hemp	<i>Sansevieria hyacinthoides</i>
purple sesban, rattlebox	<i>Sesbania punicea</i>
two-leaf nightshade	<i>Solanum diphyllum</i>
Jamaica nightshade	<i>Solanum jamaicense</i>
susumber, turkey berry	<i>Solanum torvum</i>
wedelia	<i>Sphagneticola trilobata</i> (= <i>Wedelia trilobata</i> )
nettle-leaf porterweed	<i>Stachytarpheta cayennensis</i> (= <i>S. urticifolia</i> )
queen palm	<i>Syagrus romanzoffiana</i> (= <i>Arecastrum romanzoffianum</i> )
mahoe, sea hibiscus	<i>Talipariti tiliaceum</i> (= <i>Hibiscus tiliaceus</i> )
tropical-almond	<i>Terminalia catappa</i>

Australian-almond	<i>Terminalia muelleri</i>
oyster plant	<u>Tradescantia spathacea (=Rhoeo spathacea, Rhoeo discolor)</u>
puncture vine, burr-nut	<i>Tribulus cistoides</i>
Caesar's weed	<i>Urena lobata</i>
simple-leaf chaste tree	<i>Vitex trifolia</i>
Washington fan palm	<i>Washingtonia robusta</i>
Chinese wisteria	<i>Wisteria sinensis</i>
malanga, elephant ear	<i>Xanthosoma sagittifolium</i>

**Sec.25-338 Tree Protection**

- A. **Purpose.** The purpose of this Section is:
1. To encourage the proliferation of trees and palms.
  2. To establish rules and regulations governing the protection and replacement of trees and palms within the City of Leesburg; and
  3. To recognize the importance of trees and palms and their meaningful contribution to a healthy, beautiful, and safer community attributable to their carbon dioxide absorption, oxygen production, dust filtration, wind and noise reduction, soil erosion prevention, lakeshore erosion protection, wildlife habitat, surface drainage improvement, beautification and aesthetic enhancement of improved and vacant lands and the general promotion of the health, safety, welfare and well-being of the community.
- B. **Protected Trees.**
1. *Designation of Protected Trees.* The following trees and palms are designated protected trees:
    - a. All trees and palms native to Florida or Florida Friendly, including, but not limited to those identified within the *Protected Tree List* four (4) inches or larger in diameter at breast height.
    - b. Sand Pine and Xeric Oak Scrub community four (4) inches diameter or larger at breast height.
    - c. Wetland trees of any size.
    - d. Historic, Specimen, and Heritage trees.
  2. *Protected tree list.* All trees native to Florida including, but not limited to, the types of trees set forth below are protected. The protected palm trees listed below may not be used for more than twenty-five (25) percent of the replacement trees required pursuant to subsection (e). These trees require an approved City of Leesburg Tree Removal Permit for removal.

<b>CEDAR</b>	
(1) Atlantic White Cedar	( <i>Chamaecyparis thyoides</i> )
<b>CYPRESS</b>	
(2) Bald Cypress	( <i>Taxodium distichum</i> )
(3) Pond Cypress	( <i>Taxodium ascendens</i> )
<b>ELM</b>	

(4) American Elm; White Elm*	( <i>Ulmus americana</i> )
(5) Winged Elm; Cork Elm	( <i>Ulmus alata</i> )
*Or other engineered <i>U. americana</i> cultivars	
<b>HICKORY</b>	
(6) Mockemut Hickory	( <i>Carya tomentosa</i> Nutt.)
(7) Pignut Hickory	( <i>Carya glabra</i> )
(8) Scrub Hickory	( <i>Carya floridana</i> )
(9) Water Hickory	( <i>Carya aquatica</i> )
<b>HOLLY</b>	
(10) American Holly	( <i>Ilex opaca</i> )
(11) Dahoon Holly	( <i>Ilex cassine</i> )
(12) Palatka Holly	( <i>Ilex attenuata</i> )
MAPLE	
(13) Florida Maple	( <i>Acer barbatum</i> Mich.)
(14) Red Maple	( <i>Acer rubrum</i> )
<b>MAGNOLIA</b>	
(15) Sweet Bay	( <i>Magnolia virginiana</i> )
(16) Southern Magnolia	( <i>Magnolia grandiflora</i> )
<b>OAK</b>	
(17) Bluejack Oak	( <i>Quercus incana</i> )
(18) Chapman Oak	( <i>Quercus chapmanii</i> )
(19) Laurel Oak	( <i>Quercus laurifolia</i> )
(20) Live Oak	( <i>Quercus virginiana</i> )
(21) Myrtle Oak	( <i>Quercus myrtifolia</i> )
(22) Post Oak	( <i>Quercus stellata</i> )
(23) Sand Live Oak	( <i>Quercus geminata</i> )
(24) Turkey Oak	( <i>Quercus laevis</i> )
(25) Water Oak	( <i>Quercus nigra</i> )
PALM	
(26) Sabal Palm; Cabbage Palm	( <i>Sabal palmetto</i> )
(27) Silver Palm	( <i>Coccothrinax argentata</i> )
<b>PINE</b>	

(28) Loblolly Pine	( <i>Pinus taeda</i> )
(29) Longleaf Pine	( <i>Pinus palustris</i> )
(30) Pond Pine	( <i>Pinus serotina</i> Mich.)
(31) Sand Pine	( <i>Pinus clausa</i> )
(32) Slash Pine	( <i>Pinus elliottii</i> )
<b>RED CEDAR</b>	
(33) Southern Red Cedar	( <i>Juniperus silicicola</i> )
<b>OTHERS</b>	
(34) Basswood	( <i>Tilia americana</i> )
(35) Blackgum	( <i>Nyssa sylvatica</i> )
(36) Chickasaw Plum	( <i>Prunus angustifolia</i> )
(37) Fringe Tree	( <i>Chionanthus virginica</i> )
(38) Hackberry	( <i>Celtis canadensis</i> )
(39) Sugarberry	( <i>Celtis laevigata</i> )
(40) Hornbearn	( <i>Carpinus caroliniana</i> )
(41) Loblolly Bay	( <i>Gordonia lasianthus</i> )
(42) Persimmon	( <i>Diospyros virginiana</i> )
(43) Red Bay	( <i>Persea borbonia</i> )
(44) Redbud	( <i>Cercis canadensis</i> )
(45) Red Mulberry	( <i>Morus rubra</i> )
(46) Sparkleberry	( <i>Vaccinium arboreum</i> )
(47) Sweetgum	( <i>Liquidambar styraciflua</i> )
(48) Tulip Tree	( <i>Liriodendron tulipifera</i> )
(49) Walter's Vibumum	( <i>Vibumum obovatum</i> )
(50) Wax Myrtle	( <i>Myrica cerifera</i> )
(51) Wild Olive-Devilwood	( <i>Osmanthus americanus</i> )
(52) River Birch	( <i>Betula nigra</i> )
(53) Flowering Dogwood	( <i>Cornus florida</i> )

C. **Exemptions to Protected Trees.** Prohibited trees, invasive trees, citrus or non-native fruit trees of any species shall not be considered a protected tree.

D. **Tree Removal Permit.** It shall be unlawful and a violation of this Section to clear, kill or remove a protected tree or palm by any method without first obtaining a tree removal permit.

When a development order is issued for a site plan, subdivision or master park plan, a separate tree removal permit shall not be required if the trees to be removed are identified and mitigated on the approved landscape plan. Approval of a preliminary plat does not authorize approval for the removal of trees or other vegetation. Any tree removal permit shall require replacement trees in compliance with this Section and shall specify the schedule when trees will be removed and when such replacement trees will be planted. When the removal of trees is associated with a development project, the removal of trees authorized pursuant to the City of Leesburg Tree Removal Permit shall not commence until one (1) of the following has been approved or issued:

1. Subdivision construction plan;
2. Final master site plan;
3. Master park plan; (only applicable within parks);
4. Building permit; or
5. Tree removal permit, Lot grading / site alteration plan.

Existing hard wood trees on site that are over five (5) inches caliper shall be required to be shown on site plan and those removed shall be replaced at the ratio as per the following chart. Replacement trees may also count as credit toward required trees. When replacement of existing dense hard wood would be impracticable because of the large number involved, the City Manager or designee may grant a waiver if the result would be in conformance with the content of this chapter.

**Chart for determining number trees to be replaced or credited on site.**

Caliper of Existing Tree	Number and size of Replacement Trees Required
(1) 5"--6"	(1) 3" caliper
(1) 7"--12"	(1) 6" caliper
(1) 13"--18"	(2) 6" caliper
(1) 19"--24"	(2) 6" caliper
(1) 25"--30"	(3) 6" caliper
(1) 36"--41"	(4) 6" caliper
(1) 42" and greater	(5) 6" caliper

**E. Tree protection.**

1. *Tree removal permit.* It shall be unlawful and subject to the penalties herein for any person directly or indirectly by another on his behalf to conduct any of the following activities without securing a tree removal permit from the City of Leesburg, unless exempted herein:
  - (a) Perform any land-clearing or grubbing unless a land-clearing permit, if required, has been issued and is posted on-site pursuant to this article;

- (b) Perform tree removal, land clearing, grubbing, grading, excavation, construction, or make or install any improvement upon any site or tract, regardless of the existence of valid permits or approvals for the given activity, unless each protected tree to be preserved pursuant to this article has been marked by a highly visible band and unless all protected areas established pursuant to this article has been surrounded by a protective barrier.
- (c) No person shall pluck, cut, break, or otherwise deface or damage any flowers, trees, shrubs, or other things kept for ornament, screening, or existing in a natural, undisturbed state in any park, greenway, bicycle path, or public square, or along any roadway, city easement or other public property. Any person desiring to remove, destroy, cut, or severely prune (including the root system) any tree or shrub in or upon any public street, right-of-way or public property owned by the city, shall first obtain permission from the City Manager or designee. Any work performed must be done in strict compliance with the conditions set forth in granting such permission, except permission shall not be required for the development of any property for a site plan or subdivision, as required under other sections of this article. The appropriate utilities departments shall supervise and inspect any utility work that may affect trees located in public rights-of-way, streets, or alleys within the city limits.

**F. Violations.**

1. Each tree damaged or destroyed without a permit required under this Section shall be considered a separate violation punishable pursuant to Chapter 8, The City of Leesburg Code of Ordinances. Determinations of the number of cleared trees shall be based on best available data that may include surveys of adjacent property or aerial photographs taken prior to clearing.
2. If a protected/specimen tree is removed without a tree removal permit, each tree shall be replaced at a ratio of 1.25:1 of the mitigation requirement. If three (3) or more specimen/protected trees are removed without a tree removal permit, each tree shall be replaced at a ratio of 1:1 for mitigation. Any other tree removal without a tree removal permit shall be replaced in accordance with the replacement requirements stated for a permitted removal.
3. If a protected/specimen tree is removed without a permit, a restoration plan shall be prepared and submitted within thirty (30) days for approval by the City Manager or designee. All trees shown of the approved site restoration plan must be installed on the property.

**G. Exemptions to Tree Removal Permit Requirements.**

Notwithstanding anything to the contrary within this article, the following activities shall be lawful without application or issuance of a tree removal or land clearing permit. None of these exemptions shall apply to any wetland conservation area. The burden of proving entitlement to any particular exemption shall lie with the person claiming use of the exemption, in the event the exempted activity ever becomes subject to an enforcement action.

1. *One (1) to three (3) trees, not to exceed a combined cumulative caliper of thirty (30) inches, within any one three year period; and are not required for any landscape requirement.*

2. *Trees located within new or existing* recorded or prescriptive public road or drainage rights-of-way and easements that are to be removed as part of a Leesburg City Commission approved project. However, all protected trees removed under this exemption shall be avoided or relocated whenever feasible.
3. *Any tree determined to be in a hazardous or dangerous condition* so as to endanger the public health, safety or welfare and requires immediate removal. Authorization may be given by the City Manager or designee pursuant to the following procedures:
  - a. Photo documentation of the hazardous tree(s) by property owner is required prior to removal and shall be submitted to the City Manager or designee.
  - b. If the tree, due to immediate danger, is removed prior to obtaining written authorization, a letter and photo documentation demonstrating the immediate danger shall be submitted to the City Manager or designee within fifteen (15) days of the removal.
4. *Agriculture and Silviculture* so long as the operation qualifies as a bona fide farm operation on land classified as agricultural pursuant to Section 193.461, Florida Statutes, if such activity is regulated through implemented best management practices, interim measures, or regulations developed through the Florida Department of Environmental Protection, Florida Department of Agriculture and Consumer Services or a water management district and adopted under Chapter 120, Florida Statutes under a regional program; or if such activity is expressly regulated by the U.S. Army Corps of Engineers, or U.S. Environmental Protection Agency.
5. *Trees that have died* through natural causes or diseased trees shall not require replacement or relocation. Trees killed or toppled by Acts of God such as lightning, hurricanes and tornadoes shall not be required to be replaced or mitigated unless the tree(s) are required as part of a Development Order issued by the City of Leesburg.
6. *Routine landscape maintenance* such as trimming or pruning of vegetation which is not intended to result in the eventual death of the plants, mowing of yards or lawns, or any other landscaping or gardening activity which is commonly recognized as routine maintenance or replacement.
7. *The removal, trimming, pruning, or alteration* of any tree or vegetation in an existing utility easement or right-of-way provided such work is done by or under the control of the operating utility company and said company has received all necessary licenses or permits to provide utility service within the easement.
8. *The removal, pruning, trimming, or alteration* of any tree or vegetation for the purpose of maintaining existing access to a property.
9. *Any activity conducted by a lawfully operating and bona fide commercial nursery*, tree farm, agricultural operation, silvicultural operation, ranch, or similar operation, when the activity occurs on property owned or lawfully occupied by the person conducting said activity and is done in pursuit of said activity. This exemption shall include the purposeful removal of a tree or

trees for their permanent relocation at another site undergoing development. When land-clearing or tree removal has been performed under this exemption based upon the use of property for an agricultural or silvicultural operation, the following shall apply:

- a. Pertaining to silviculture, operations are encouraged to implement a state division of forestry approved management plan.
  - b. Pertaining to silviculture and agriculture, operations within wetlands will need to secure a notice of intent from the St. Johns River Water Management District before any clearing or harvesting is initiated.
  - c. Pertaining to agriculture, operations are encouraged to implement a soil and water conservation district approved conservation plan as applicable to the specific area being cleared.
10. *Removal of trees listed* within the non-approved tree list.
11. *Removal or relocation* of trees less than four (4) inches DBH.

#### H. **Criteria for Issuance of Tree Removal Permit.**

1. **Tree Removal Permit.** A tree removal permit may be issued when one (1) or more of the following circumstances exist:
  - a. *Street opening.* The location of a tree restricts the opening of a street or right-of-way. Streets and rights-of-way shall be located to minimize the loss of trees, especially historic, specimen and heritage trees;
  - b. *Utilities and drainage.* The location of the tree restricts the construction of utility lines or drainage facilities. Utility lines and drainage facilities shall be located to minimize the loss of trees, especially specimen/protected trees;
  - c. *Property access.* The location of the tree prevents access to the property. Exit and entry shall be located to minimize the loss of trees, especially specimen/protected trees;
  - d. *Property use.* The location of the tree restricts use of the property consistent with all other City and state codes, statutes, ordinances, and resolutions, and site location modifications are not feasible or reasonable;
  - e. *Hazards.* The tree constitutes a potential hazard to life or property that cannot be mitigated without removing the tree; i.e. that the tree is diseased, injured, or in danger of falling as determined by review of the planning and zoning division which may require a certification by a profession (arborist, landscape architect, etc.)
  - f. *Location.* That the tree is located where it creates or will create a safety or health hazard, or a nuisance with respect to existing or proposed structures or vehicle or pedestrian routes, and relocation of the tree on the site is not a feasible alternative; or, that the tree is located where it interferes with the installation, delivery, or maintenance of proposed or existing utility services to the site;

- g. *Poor tree health.* The tree is dying or dead so that its restoration to sound condition is not practical, or it has a disease which can be expected to be transmitted to other trees and to endanger their health:
  - h. *Thinning of trees.* For non-bona fide silviculture operations, thinning of trees in order to increase light and air circulation for the purpose of improving health conditions, or to prevent disease, of a group of trees, the selective removal of up to twenty-five (25) percent of the group of trees may be permitted. Thinning shall include any removal of trees from the lot and shall not exceed the maximum clearing allowed in this Section. Thinning shall follow Best Management Practices (BMP's) published by a government agency or the National Tree Care Industry Association.
  - i. *Permit expiration.* The tree removal permit shall automatically expire twelve (12) months after issuance. Trees not removed during the life of the permit may not be removed without the issuance of a new permit based upon a new application.
  - j. *Restoration required.* If trees have been approved for removal in the aforementioned plans, and the subject property has not been developed within twelve (12) months of approval of the development order, then the property owner shall submit a landscape plan to the planning and zoning manager for re-vegetating the subject property, which shall provide for the following:
    - (1) A stabilizing vegetative groundcover of grasses, forbs, or legumes;
    - (2) Canopy and ornamental trees at half the required number for approved development, three (3) trees per acre. The trees may be grouped together; and;
    - (3) Masses of landscape shrubs to complement the canopy and ornamental trees.
- I. **Tree Removal Procedure.** The tree removal permit, when issued, shall specifically identify which trees shall be permitted to be removed. Each tree permitted for removal shall be physically marked with an "X" using brightly colored paint or surveyor's tape; or if a group of trees are permitted for removal, the outside perimeter trees of the group may be designated with brightly-colored rope or tape in lieu of each tree. Such permit shall automatically expire twelve (12) months after issuance. Trees not removed during the life of the permit may not be removed without the issuance of a new permit based upon a new application.
- J. **Removal not required.** Tree removal permits merely authorize the removal of trees specified therein. Nothing in this Section shall be construed to require the removal of protected trees by the permittee.
- K. **Replacement Requirements for Tree Removal Permits.** When a tree removal permit is issued, the City Manager, or designee, shall require the replacement of removed trees and palms as a condition of the issuance of a permit, as follows:
- 1. **Protected Trees.** Twenty-five (25) percent of the total number of caliper inches measured at diameter breast height (DBH) for qualifying trees as listed in the Plant List of the City of Leesburg.

2. **Specimen Trees.** Fifty (50) percent of the total caliper inches of specimen trees.
3. **Other\_Tree replacement requirements.**
  - a. Amount of replacement. At least twenty-five (25) percent of the total number of estimated caliper inches of trees removed, pursuant to the tree removal permit, shall be replaced on-site by the applicant, , where feasible, except as stated in section 25-328.G.
  - b. It shall be also stated within the tree removal permit that all replacement trees shall be planted prior to the issuance of the certificate of occupancy, or as specified for subdivisions in subsection (5), below.
  - c. Replacement trees shall be located on-site in approved areas as a condition of the tree removal permit.
  - d. All replacement trees must be planted and maintained according to the requirements of this article.
  - e. Subdivisions.
    - (1) The tree removal permit for a subdivision shall identify when replacement trees are required which requirement shall take the form of on or both of the following options:
      - i. Prior to issuance of the certificate of occupancy for each individual structure on a lot; or
      - ii. At the time of submission of the performance bond required pursuant to Section 7 of the City Land Development Code.
      - ii. When the certificate of occupancy method is used pursuant to subsection 1) above, the required number of replacement trees shall be equitably distributed on each lot within the subdivision.
      - iii. When the performance bond method is used pursuant to subsection 2) above, the replacement trees shall be located onsite in an area or areas approved by the planning and zoning manager as a condition of the tree removal permit. These areas may include, but are not limited to, open space areas in PUD's, areas adjacent to stormwater management facilities buffer areas, and entrances to the project (when visibility for vehicular and pedestrian traffic would not be hindered). The permittee shall demonstrate the availability of water to maintain the trees through water trucks, wells, central system, or other methods.
      - iv. When both the certificate of occupancy and performance bond methods are used, the applicable proportions of replacement trees determined from each method shall be indicated on the tree removal permit.
5. When replacement trees are planted following final construction, the replacement trees shall be located on-site in approved areas as a condition of the tree removal permit.
6. Replacement credit. The permittee may choose and is encouraged to retain some of the trees permitted for removal in lieu of replacement. The trees to be retained may be selected totally at the discretion of the permittee except for those trees required to be removed by other ordinances, regulations, or statutes. The number of trees retained shall be credited toward meeting the above twenty-five (25) percent replacement requirement.

7. Maintenance. Replacement trees shall be maintained in good condition for one (1) year during which survival is guaranteed by the property owner.
8. Replacement size criteria. A replacement tree shall be a tree with a minimum height and DBH as required section 25-338.K. The caliper of multi-trunk trees required for replace shall be calculated using a total average DBH estimated for the site.

**L. Regulations regarding replacement trees.**

1. More than one (1) tree may be used to replace a tree or trees that are removed, but the minimum caliper of the replacement canopy trees shall be no less than two-and-one-half (2.5) inches and two (2) inches for replacement ornamental trees. However, trees required as mitigation replacement trees may be up to six (6) inches calipers to offset impacts.
2. Minimum of seventy-five (75) percent of the replacement trees shall be canopy trees.
3. Twenty-five (25) percent maximum of the replacement trees may be ornamental trees.
4. Palm trees and pine trees may be used but shall not exceed four (4) inches credit per tree given as replacement regardless of their installed size.
5. Replacement trees may be used to meet the landscape requirements set out in this section.

**M. Prohibited tree species.**

The control and elimination of invasive, nonnative species shall protect the natural vegetative communities existing within City of Leesburg. The trees set forth below are prohibited from being counted toward the required number of trees, as replacements to removed trees, and shall not be voluntarily planted.

1. These trees are prohibited from being planted or counted toward minimum tree requirements. These trees do not require an approved City of Leesburg Tree Removal permit for removal.

(1)	Australian Pine	(Casuarina spp.)
(2)	Melaleuca	(Melaleuca quinquenervia)
(3)	Chinaberry	(Melia azedarch)
(4)	Ear Tree	(Enterloblum cyclocarpum)
(5)	Eucalyptus species	(Eucalyptus spp.)
(6)	Brazilian Pepper	(Schinus terbinthifolius)
(7)	Paper Mulberry	(Broussonetia papyrifolia)
(8)	Silk Oak	(Grevillea robusta)
(9)	Empress Tree	(Paulownia tomentosa)
(10)	Tree of Heaven	(Ailanthus altissima)

(11)	Chinese Tallow Tree	(Sapium sebiferum)
(12)	Japanese Tallow Tree	(Sapium japonicum)
(13)	Camphor	(Cinnamomurn camphora)
(14)	California Privet*	(Ligustrum ovalifolium)
	*both shrub and tree forms	
(15)	Cedar Gurn	(Eucalyptus gunnii)

2. Removal of these trees from a commercial, industrial, community facility, or multi-family site that is being developed shall be completed as a requirement for approval of the final permit inspection and prior to issuance of a certificate of occupancy. Single-family residences of new construction are not exempt from this requirement.

**N. Tree Sampling for Large Sites.**

Sites over ten (10) acres may identify and sample trees to be removed as follows:

1. The locations of all historic, specimen and heritage trees protected or proposed for removal shall be located.
2. Other protected trees shall be surveyed as follows:
  - a. The first ten (10) contiguous acres shall be surveyed by accounting for all protected trees to be removed.
  - b. The remaining acreage may be surveyed using sample plots. The sample plots shall be a minimum area of twenty (20) percent of the remaining part of the site to be developed and twenty (20) percent of each vegetative community within the remaining part of the site to be developed. Each of the sample survey plots shall be a minimum of one hundred feet by one hundred feet (100 x 100) in size and shall conform to current forestry practices.
  - c. All protected trees three (3) inch DBH caliper or greater, unless the trees are part of a wetland, sand pine or xeric oak scrub community in which case trees two (2) inches DBH and larger shall be counted.
3. The tree survey shall be conducted by a registered Landscape Architect, certified arborist, or certified forester.
4. A tree survey report detailing all findings, including the number and caliper of trees surveyed, estimates of trees surveyed, estimates of protected trees and distribution based on survey plots, and the size and location of specimen, historic, or heritage trees, shall be prepared and submitted to the City as part of the site plan review process. The methods of the tree survey shall be clearly detailed in the written report provided to The City of Leesburg.

5. The City of Leesburg reserves the right to require more detailed tree sampling if the City Manager or designee determines that the information provided is insufficient or that site-specific considerations warrant additional information.
6. *Landscape credit.* The replacement trees may be used to meet the requirements of the landscape standards set out in 25-328.K. All replacement trees may be provided even if the total number exceeds the landscape requirement.
7. *Replacement maintenance.* The replacement trees shall be maintained in good condition in perpetuity, and the property owner shall guarantee survival.
8. *Restriction on use of palm trees.* Palm trees shall not account for more than twenty (20) percent of the required replacement trees.
9. *Replacement size.* Replacement trees shall conform to the size and planting requirements of the Landscape Code. Ornamental trees may not exceed twenty-five (25) percent of the total caliper replacement inches required.

**O. Location of Tree Replacement Sites.**

1. Replacement trees shall be mitigated on the lot, if possible.
2. If replacement trees cannot be placed on the lot, they shall be located in common areas of the development such as: open space areas, areas adjacent to stormwater management facilities, landscape buffer areas, or entrances of the development in which the site is located, if possible.
3. If replacement cannot be made on the lot or in a common area of the development, the owner or applicant may replace the required trees on a designated conservation or park property within the City of Leesburg. The recipient property shall be acceptable to the City and shall be suitable for the replacement trees. As an alternative at the city's discretion, the required trees can be accepted by the city for placement in other areas such as streets or trails or for donates to the public. Mitigated replacement trees shall not count toward meeting minimum landscaping requirements of the recipient site for development purposes. The request to utilize this option shall be submitted to the City Manager or designee in writing and shall include the following justifications and information:
  - a. Explanation why the trees cannot be replaced on site;
  - b. A legal description and a copy of the property record information from the Lake County Property Appraiser for the proposed recipient site;
  - c. If the property is not City owned, an Affidavit from the owner of the recipient site agreeing to the terms of accepting the mitigated trees as listed above. A conservation easement or similar legally-binding instrument approved by the City shall be required to ensure that mitigation trees planted at the recipient site will be protected and maintained in perpetuity; and
  - d. The applicant shall be responsible for paying for all the costs for installation and

maintenance of the tree(s), including planting and any necessary irrigation.

**P. Voluntary Planting.**

This Section shall not be interpreted to restrict, regulate, or limit the voluntary planting of any protected tree in the City of Leesburg. Any size tree may be voluntarily planted. The provisions of this Section govern only the planting of trees that are required to be planted or retained.

**Q. Specimen Trees.**

**1. Purpose.** It is the purpose of this Subsection to acknowledge the existence of certain trees within the City that are rare or unique due to factors such as age, size, or type, and to protect such trees through their designation as specimen trees. Designation of specimen trees shall be in accordance with the standards and procedures in this Subsection.

**2. Designation Standards.** At least one (1) of the following standards in addition to *C. Form* shall apply in order for a tree to be designated a specimen tree:

- a. *Size.* Trees with a thirty (30) inch caliper or greater or a circumference of eight (8) feet or greater, singly or with a combined trunk, measured at fifty-four (54) inches from the surface of the ground.
- b. *Age.* Trees that are determined to be at least one hundred (100) years old or to be at approximate half-life maturity and are in good health.
- c. *Form.* Trees that are determined to have a unique form or shape, due to geography, climate, environmental or natural growth habitat conditions, and are in good health.
- d. *Ecological Value.* Trees that are determined to have an ecological value to the City in terms of soil or water conservation and management, wildlife habitat, or endemic native flora habitat, and are in good health.
- e. *Rarity.* Trees that are determined to be non-indigenous, rare, or unique to the City, and are in good health.

**3. Prohibited Trees** as listed under Section 25-338 (M) are excluded from designation as a Specimen Tree.

**4. Mandatory Recognition of Specimen Trees** Any non-prohibited trees with thirty (30) inch caliper or greater, or a circumference of eight (8) feet or greater, singly or with a combined trunk, measured at fifty-four (54) inches from the surface of the ground shall be recognized as a specimen tree. The applicant shall identify the location, number and size of all specimen trees on the required tree survey submitted to the City for site plan or plat review. In addition, the City may identify specimen trees that are found to meet this criterion.

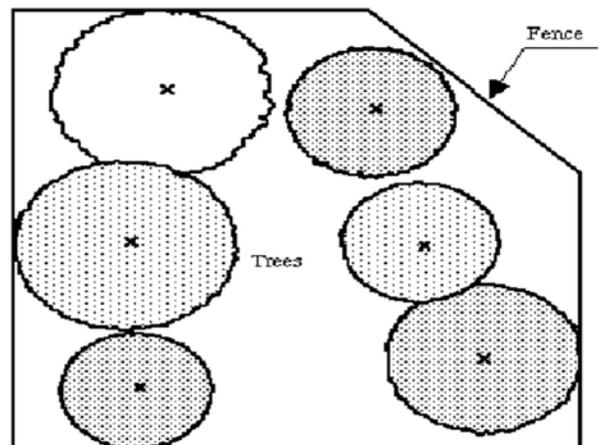
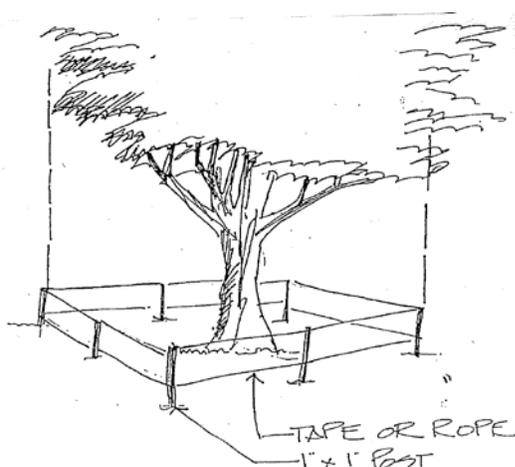
**R. Tree Protection Standards During Construction.**

The following standards shall apply to all protected trees during construction.

1. **Tree Protection Standards.** The protection measures described in this Subsection are based on those in the Tree City USA Bulletins published by The National Arbor Day Foundation: How to Save Trees During Construction (No. 8, 1998), A Systematic Approach to Building with Trees (No. 20, 1998), and How to Protect Trees During Underground Work (No. 35, 1998). These publications are hereby adopted and included by reference herein. These publications shall be used to supplement the required protection measures. They also provide information on the economic value of trees to developments and their incorporation into designs as well as guidelines on professional tree care, tree planting and tree transplanting.
2. **Drip line protection.** Solvents, materials, construction machinery or temporary soil deposits shall not be placed within the drip line of any protected tree. This includes soil that is placed in the drip line permanently for the purpose of a grade change, unless the grade is changed as allowed with these Land Development Regulations.
3. **Protection from injury.** In order to protect against mechanical injuries to roots, trunks and branches, and injuries by chemical poisoning, grade changes, excavations, paving, and attachments or wires, the applicable protection measures set out below shall be implemented prior to commencement of any construction.
  - a. A protective barrier (See Figure L – *Tree Protection Barricades*) shall be placed around all protected trees prior to any land preparation or construction of structures or other improvements in accordance with this Section. No equipment, construction material, chemicals or debris of any kind shall be placed within the protection barrier.
  - b. Posts shall be placed at points not closer than at the natural drip-line of the tree unless the structure or improvement has been permitted by the City Manager or designee to be erected within the drip-line of the tree with a wide canopy. The structure or improvement may be placed within the drip line of the tree only if the tree has been root pruned, as supervised by a licensed registered landscape architect or arborist certified by the International Society of Arboriculture. For palm trees, the posts shall be placed at points not closer than six (6) feet from the trunk.
  - c. The posts shall be connected with clearly visible plastic tape or ribbon, or rope

**Figure L – Tree Protection Barricades**

(Properly constructed tree barricade protects the entire natural drip line area)



### **Plan View of Tree Protection Fencing**

- d. With the exception of identification ribbons, no attachments, wires, signs, nails, or permits shall be fastened to a protected tree other than supportive wires, if applicable.
  - e. Landscaping activities within the bounds of the protective barrier (before and after it is removed) shall be accomplished with light machinery (such as, aerators and mowers) or manual labor. No grubbing, root rakes or similar activities are permitted.
  - f. In lieu of constructing the barriers required in this section, large areas containing protected trees where no land preparation or other development activities of any kind will occur may be designated on a tree removal application. The designated area shall be protected by placing stakes a maximum of twenty-five (25) feet apart along the outside perimeter of the area and tying clearly visible plastic tape or ribbon, or rope from stake to stake. The perimeter line shall be outside of the drip line of any protected tree within the designated area.
  - g. Protective barriers and perimeter lines shall remain in place until all construction activity is terminated, except for landscaping.
4. **Avoiding tree injury due to root impacts.** Construction within the drip line, such as changes in grade and installation of underground utilities, commonly causes extensive root damage or death of a tree. Construction shall not be permitted within the drip line unless protective measures are taken and supervised by a registered landscape architect or certified arborist, to ensure the health of the tree.
5. **Avoiding injuries due to paving within the drip line.** When approved by the City Manager or designee, paving may be placed within the drip line, so long as no damage is inflicted to the tree by grade change, compaction of soil, or any other cause and protective measures are taken and supervised by a registered landscape architect or certified arborist, to ensure the health of the tree.

### **SECTION II. Severability.**

If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

### **SECTION III. Inclusion in the Code.**

It is the intention of the Leesburg City Commission and it is hereby provided that the provisions of this ordinance shall be made a part of the City of Leesburg Code of Ordinances; that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section", "article", or other appropriate designation.

**SECTION IV. Repeal of Conflicting Ordinances.**

All ordinances or part of ordinances which are in conflict with this Ordinance are hereby repealed, to the extent necessary to alleviate the conflict, but shall continue in effect insofar as they are not in conflict herewith, unless repeal of the conflicting portion destroys the overall intent and effect of any of the conflicting ordinance, in which case those ordinances so affected shall be hereby repealed in their entirety.

**SECTION IV. Effective Date.**

This Ordinance shall become effective upon its passage and adoption according to law.

**PASSED AND ADOPTED** at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 26th day of September, 2011.

THE CITY OF LEESBURG, FLORIDA

BY: Bill Polu  
MAYOR

Betty M Richardson  
CITY CLERK



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Welcome Bill Wiley

November 2011						
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## Planning & Zoning

**Director:** Bill Wiley

**Location:** Leesburg Municipal Services Center

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