



**CITY OF LEESBURG PLANNING & ZONING DIVISION
RECOMMENDATIONS**

PROJECT: Code of Ordinances Amendments
REQUEST: Amending Chapters 6 and 25 Land Development Code
CASE NO.: AMDT-13-140
MEETING DATE: January 16, 2014

THE PLANNING & ZONING DIVISION RECOMMENDS:

APPROVAL of the request

Executive Summary:

- A. **Amending Chapter 25 by adding Section 25-288 (S)** to allow temporary agricultural uses in the RE-1 (Estate Density Residential) zoning district and allow vacant agricultural properties to have agricultural tax exemptions until platted.
- B. **Amending Section 25-290 Temporary Uses** to clarify permissible temporary event and outdoor sales promotions.
- C. **Deleting Chapter 6 Section - 41 Keeping chickens or fowl, and amending Chapter 25 by revising Section 25-292 (4) The keeping of domestic animals and fowl** to revise the requirements regarding domestic animals and fowl in residential zoning districts, and providing regulations for other domestic animals.
- D. **Amending Chapter 25 by revising Section 25-292 (21) Indoor recreation** to provide regulations for “Adult Gaming Centers” (previously Adult internet/sweepstakes redemption cafés) to require zoning approvals, background checks, limits on the number of electronic gaming devices, and providing for definitions.

Action Requested:

Vote to approve the referenced amendments to the Code of Ordinances Chapters 6 and 25 of the Code of Ordinances as proposed by staff and forward to the City Commission for consideration.

CHAPTER 25 ZONING CODE

Sec. 25-292. - (22) Location of Helicopter Landing Areas. The following regulations will apply to the location of any Helicopter Landing Site. Capitalized terms used in this subsection shall have the meanings ascribed to them in Chapter 4, Article III of this Code:

- a. No Helicopter Landing Site may be located in any zoning district within the City of Leesburg unless specifically permitted by a PUD (Planned Unit Development) District, except that helicopters may land and take off from the Leesburg International Airport, Approved Public Property, and an as approved accessory uses such as for Leesburg Regional Medical Center in accordance with airport and Federal Aviation Administration regulations.
- b. No PUD or other approval may be issued for any Helicopter Landing Site until the applicant has furnished to the City a completed application seeking approval from the Federal Aviation Administration to locate a Helicopter Landing Site at the proposed location, with proof the application has been filed and all fees due for the application have been paid. Any permit or approval for a Helicopter Landing Site shall be contingent on receipt by the City of final approval by the Federal Aviation Administration for the Helicopter Landing Site, within 90 days after issuance of the permit or approval. If the application is not approved by the Federal Aviation Administration within that 90 day period, or is disapproved, the permit or approval shall be deemed revoked as a matter of law without the requirement of notice to the applicant by the City. No Helicopter Landing Site for which a permit or approval has been issued may be utilized for helicopter operations until the final Federal Aviation Administration approval has been granted.
- c. All applications for a Helicopter Landing Site shall contain or be accompanied by the following:
 1. Name and address of the applicant, and if the applicant is not a natural person, the name and address of a natural person who will be representing the applicant in the approval process and be responsible for the accuracy of all information submitted.
 2. A certificate of insurance providing public liability and property damage coverage of at least \$2,000,000.00 combined single limit, with the City of Leesburg named as an additional insured party.
 3. A noise study from a firm licensed to conduct such studies, setting forth the effect the noise from helicopter operations at the proposed Helicopter Landing Site (including approach zones) will have on surrounding property owners, and concluding that the noise will not constitute a nuisance to or be deleterious to the owners and occupants of surrounding property. The study must be addressed to the City and authorize the City to rely on the study for its intended purpose of demonstrating no ill effects from the noise associated with the Helicopter Landing Site.

4. Such other material as may be required by the City for evaluation of the application, in order to protect the public health and safety.
- d. Construction of a Helicopter Landing Site shall not be commenced, nor shall site preparation work be allowed, until both a Planned Unit Development District rezoning has been issued and final Federal Aviation Administration approval has been secured.

Note:

Under lines new language

~~Strikethroughs deletions~~