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Summary: Amends the Washoe County Code, Chapter 110 (Development Code) Article 412, Landscaping, by adding add several provisions regarding landscaping standards for civic, commercial and industrial uses.

BILL NO. _____

ORDINANCE NO. _____

Title:

An ordinance amending the Washoe County Code, Chapter 110 (Development Code), Article 412, Landscaping to:

- a. Clarify where the standards of Article 412 apply
- b. Clarify the process for review of extenuating circumstances for modification of standards
- c. Clarify the requirements for landscaping plans
- d. Require water conservation measures
- e. Require preservation of Significant Trees
- f. Provide for greater flexibility in design of civic and commercial required landscaping
- g. Clarify that durable materials are required for screening fences
- h. Update standards for numbers of required trees, shrubs and ground cover
- i. Provide standards for revegetation of disturbed areas
- j. Update standards for financial assurances;

and other matters necessarily connected therewith and pertaining thereto.

WHEREAS:

- A. This Commission desires to amend Article 412 of the Washoe County Development Code (Chapter 110) in order to add- and to clarify the applicability of standards throughout the Article and,
- B. The Washoe County Planning Commission initiated the proposed amendments to Washoe County Code Chapter 110, Development Code, by Resolution Number 20-16 on June 2, 2020; and,
- C. The amendments and this ordinance were drafted in concert with the District Attorney, and the Planning Commission held a duly noticed public hearing for WDCA20-0002 on October 6, 2020, and adopted Resolution Number 20-22 recommending adoption of this ordinance; and,
- D. Following a first reading and publication as required by NRS 244.100 (1), and after a duly noticed public hearing, this Commission desires to adopt this Ordinance; and,
- E. This Commission has determined that this ordinance is being adopted pursuant to requirements set forth in Chapter 278 of NRS, therefore it is not a "rule" as defined in NRS 237.060 requiring a business impact statement.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DOES HEREBY ORDAIN:

SECTION 1. Article 412 of the Development Code, Chapter 110 of the Washoe County Code, is hereby amended as follows:

Article 412
LANDSCAPING

Sections:

110.412.00	Purpose
110.412.05	Applicability

110.412.10	Exemptions
110.412.15	Required Plans
110.412.20	Water Conservation
110.412.25	Existing Vegetation
110.412.30	Public Safety
110.412.35	Residential Use Types
110.412.40	Civic and Commercial Use Types
110.412.45	Industrial and Agricultural Use Types
110.412.50	Parking and Loading Areas
110.412.55	Other Screening Requirements
110.412.60	Planting Standards
110.412.65	Irrigation Standards
110.412.70	General Requirements
110.412.75	Maintenance
110.412.80	Guarantee of Completion

Section 110.412.00 Purpose. The purpose of this article, Article 412, Landscaping, is to establish regulations for the development, installation and maintenance of landscaped areas within Washoe County, without inhibiting creative landscape design. The intent of these regulations is to protect the public health, safety and welfare by:

- (a) Increasing compatibility between residential, commercial and industrial land uses;
- (b) Enhancing the economic viability of the County and the quality of living for residents, businesses and visitors by creating an attractive appearance of development along streets and highways;
- (c) Reducing heat, glare, noise, erosion, pollutants and dust by increasing the amount of vegetation;
- (d) Preserving significant ecological communities, and desirable existing trees and vegetation best suited for the local microclimate; and
- (e) Maximizing water conservation through established conservation principles and practices, and through proper landscape and irrigation planning, design and management.
- (f) Improving air quality
- (f) Encouraging innovative solutions to landscaping and considering latest resources, best practices and understanding of landscaping.

[This Section added by Ord. 867, provisions eff. 5/27/93.]

Section 110.412.05 Applicability. The provisions set forth in this article shall apply as follows:

- (a) New Development. This article applies to new development that requires permitting or review by the County.
- (b) Expanding Development. This article applies to expansion of floor area of existing development, except as otherwise provided below:

- (1) If the expansion is less than fifty (50) percent, this article shall apply to the developable lot area associated with the proposed expansion only and the remainder of the use or structure shall be governed by regulations in force at the time of the original approval; and
- (2) If the expansion or subsequent expansions cumulatively results in a fifty (50) percent or greater increase, the entire development shall be required to comply with this article, unless the Director of ~~Community Development~~ Planning and Building waives this requirement, in whole or in part, prior to the expansion.
- (c) Duplicate Ordinances. If the provisions of this article are in conflict with other ordinances or regulations, the more stringent limitation or requirement shall prevail to the extent of the conflict.
- (d) The provisions of this article may be waived by the Director of ~~Community Development~~ Planning and Building for development in areas under the jurisdiction of the Tahoe Regional Planning Agency (TRPA) if the proposed landscaping and impervious surface coverage violates a TRPA Ordinance or Procedure, subject to the approval of a Director's Modification of Standards
- (d) Review of Extenuating Circumstances. The applicant may appeal to the Director of ~~Community Development~~ Planning and Building for special review resulting from extenuating circumstances or physical conditions on the proposed project site, subject to the approval of a Director's Modification of Standards.

[This Section added by Ord. 867, provisions eff. 5/27/93.]

Section 110.412.10 Exemptions. The following uses are exempt from the provisions of this article:

- (a) Residential Use Types. The required front, side or rear yard areas of existing and new detached single family residential lots, unless front yard landscaping is required under any article found in Division Two, Area Plan Regulations, of the Washoe County Development Code or Section 110.412.35 . Landscaping shall be compatible with the latest adopted International Wildland Urban Interface (IWUI) fire rating of the site to reduce fire hazards
- (b) Civic Use Types. Uses classified under the parks and recreation use type are exempt, except for parking and loading areas associated with these uses. Landscaping shall be compatible with the latest adopted International Wildland Urban Interface (IWUI) fire rating of the site to reduce fire hazards.
- (c) Commercial Use Types. Uses classified under the commercial recreation: outdoor sports club use type and nursery sales use type are exempt, except for parking and loading areas associated with these uses. Landscaping shall be compatible with the latest adopted International Wildland Urban Interface (IWUI) fire rating of the site to reduce fire hazards.
- (d) Industrial Use Types. Uses classified under the Energy Production - Renewable use type is exempt, except for parking and loading areas associated with these uses, when located at least one mile from a residential dwelling. . However, the provisions of this article may be waived during the approval process for use types classified under energy production, mining operations, and petroleum gas extraction, subject to the approval of a Director's Modification of Standards. Landscaping shall be compatible with the latest

adopted International Wildland Urban Interface (IWUI) fire rating of the site to reduce fire hazards.

- (e) Agricultural Use Types. Uses classified under the animal production, crop production, forest products, game farms, and produce sales use types are exempt, except for parking and loading areas associated with these uses. Landscaping shall be compatible with the latest adopted International Wildland Urban Interface (IWUI) fire rating of the site to reduce fire hazards.
- (f) Open Space Regulatory Zones. Uses within the Open Space regulatory zone are exempt. Landscaping shall be compatible with the latest adopted International Wildland Urban Interface (IWUI) fire rating of the site to reduce fire hazards.

[This Section added by Ord. 867, provisions eff. 5/27/93.]

Section 110.412.15 Required Plans. A site plan, planting plan, ~~and an~~ irrigation plan are required, ~~and a soil analysis is strongly encouraged are required~~ for all non-exempt development. These plans shall be prepared by a licensed landscape architect or other persons permitted to prepare landscaping and irrigation plans pursuant to Nevada Revised Statutes Chapter 623A, ~~624 OR 625~~ and submitted to, and approved by, the Director of ~~Community Development~~ Planning and Building. All plans must include a certification by the preparer that all relevant provisions of this Article have been met and will be met upon installation of all landscaping and related improvements.

- (a) Site Plan. A site plan is required to ensure that the proposed landscape improvements are in conformance with the standards and requirements of this article. A copy of the approved site plan shall be kept on the project site until the project is inspected and final approval is granted by the County. A site plan, drawn at a scale appropriate to the proposed project, including dimensions and distances, shall include at a minimum:
 - (1) Location and configuration of proposed and existing buildings, and site improvements on a base map with existing and proposed topography; and
 - (2) Location and amount of proposed and existing parking spaces and other paved areas, public rights-of-way and impervious surfaces.
- (b) Planting Plan. A planting plan is required to ensure that the proposed plantings are in conformance with the standards and requirements of this article. The planting plan must include all necessary information to satisfy Section 110.412.60, Planting Standards, of this article. A planting plan shall include at a minimum:
 - (1) Location, spacing, size, and genus and/or species of proposed plantings, and identification of existing plants;
 - (2) Existing vegetation, natural features and site improvements on adjoining properties within ten (10) feet of the property line; and
 - (3) Plant list which includes the following: quantity of proposed plants; existing plants to remain; number of proposed trees; number of existing trees to be preserved; amount of paved area; amount of vegetated areas to remain undisturbed, ~~amount of paved area~~ and the amount of turf.
- (c) Irrigation Plan. An irrigation plan is required to ensure sufficient and timely watering necessary for the survival of newly installed plants. A copy of the approved irrigation plan shall be kept on the project site until the project is inspected and accepted by the County.

The irrigation plan must include all necessary information to satisfy Section 110.412.65, Irrigation Standards, of this article. An irrigation plan, drawn at a scale identical to the required site plan, shall include at a minimum:

- (1) Location, size and specifications of water source(s), water mains, meter(s), valves and the controller;
 - (2) Temporary or permanent water irrigation systems;
 - (3) Specifications of irrigation equipment identified by manufacturer's name and equipment identification number; and
 - (4) An approved backflow prevention device is required on all landscape irrigation systems.
- ~~(d) Soil Analysis. A horticultural suitability analysis with appropriate recommendations is strongly encouraged to assist in proper selection of plant materials and soil amendment as necessary to enhance the health and growing capabilities of the plants.~~
- (d) Plans may be combined on the same sheets within the plan set, if appropriate.

[This Section added by Ord. 867, provisions eff. 5/27/93.]

Section 110.412.20 Water Conservation. To promote resource-efficient landscaping for the conservation of water and other natural resources, all plans shall demonstrate that a minimum of four of the following principles and practices have been achieved are encouraged:

- (a) Practical turf areas; (all turf areas shall be at least eight (8) feet in width)
- (b) The use of water-conserving plant material;
- (c) The grouping of plants with similar water requirements;
- (d) An irrigation system designed to meet plant needs;
- (e) The installation of permeable ~~hard~~ paved surfaces to encourage groundwater recharge and re-use, and to discourage run-off;
- (f) The use of water harvesting techniques;
- (g) The use of mulches;
- (h) The use of soil amendments based on soil analysis; and
- (i) The use of reclaimed water. When reclaimed water is available and when a distribution master plan indicating the availability of reclaimed water in the future has been adopted by either the County or a special district, the applicant shall incorporate the use of reclaimed water into the project design, except in the vicinity of any location where food is served or consumed.

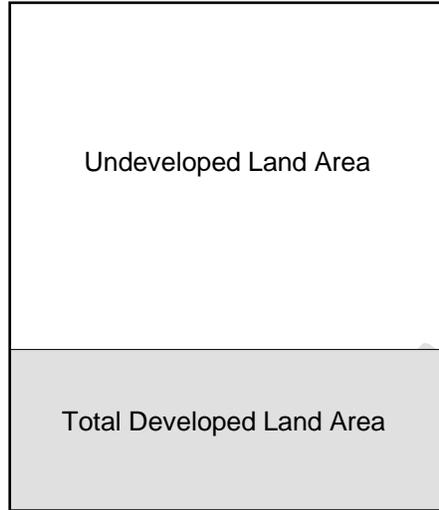
[This Section added by Ord. 867, provisions eff. 5/27/93.]

Section 110.412.25 Existing Vegetation. Existing vegetation within the total developed land area, as generally depicted in Figure 110.412.25.1, shall be preserved as set forth in this section and may contribute toward all landscaping required by this article, including:

- (a) Existing Vegetation. Existing vegetation and vegetative communities, as defined and identified in the Conservation Element of the Washoe County Master Plan, shall be protected and preserved where appropriate and as feasible ; Protection of vegetation within the critical stream zone buffer area, as defined in Article 418, shall satisfy the landscaping requirement at a 2:1 ratio. For example, if two percent (2%) of the total developable land area is located within the critical stream buffer area and is conserved as part of the development proposal, it shall satisfy four percent (4%) of the landscaping requirement;
- (b) Preservation of Threatened and Endangered Vegetation. Threatened and endangered plant species identified on the Nevada State List of Protected Species or species listed under the Endangered Species Act shall not be removed or adversely impacted unless a special permit is issued by the State Forester Firewarden for state-listed species or an Incidental Take Permit is issued by the United States Fish and Wildlife Service for federally-listed species, as consistent with NRS 527.270 and the Endangered Species Act.
- (c) Preservation of Significant Trees. ~~Existing trees with a caliper greater than six (6) inches, as measured fifty four (54) inches from grade, shall be preserved if feasible. Protection measures, including non-disturbance around the drip-line and/or root zone, shall be incorporated into the landscaping plan.~~ Existing trees (of species NOT included on the prohibited plant list) with a caliper greater than six (6) inches, as measured fifty-four (54) inches from grade, shall be preserved, if feasible. Protection measures, including non-disturbance around the drip-line and/or root zone, shall be incorporated into the landscaping plan. In addition to all other required trees, each Significant Tree that is required to be removed shall be replaced with a tree/trees of the same species at a 1:1 **caliper** ratio. For example, removal of one (1) six (6) inch caliper tree shall be replaced with two (2), three (3) inch caliper trees or the equivalent. Replacement trees shall have a minimum caliper of two (2) inches. A minimum of 50% of existing Significant Trees must be preserved in their existing location.

Figure 110.412.25.1

TOTAL DEVELOPED LAND AREA



Note:  Area used in calculating the amount of required landscaping and :

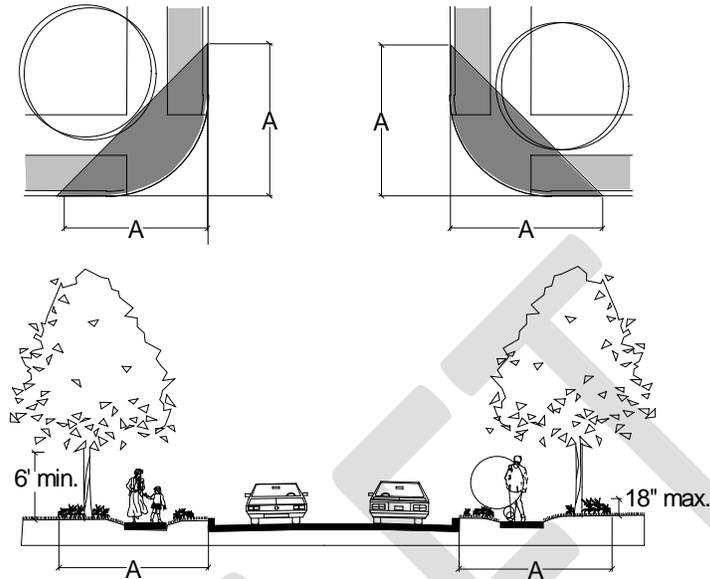
Source: Sedway Cooke Associates.

[This Section added by Ord. 867, provisions eff. 5/27/93; Ord. 1447, provisions eff. 9/9/10.]

Section 110.412.30 Public Safety. All provisions of this article shall comply with the public safety requirements set forth in this section.

- (a) General. Landscaping shall meet the following safety requirements:
 - (1) Landscaping elements shall not be permitted if they pose a public health or safety threat; and
 - (2) The height, spread and growth habit of all plants shall not interfere with or obstruct ease of movement or impede a public right-of-way.
 - (3) Landscaping shall be compatible with the latest adopted International Wildland Urban Interface (IWUI) fire rating of the site to reduce fire hazards.
- (b) Special Areas. The use of thorny plants is prohibited along public bicycle and pedestrian paths, and the use of poisonous and/or thorny plants is prohibited on properties used primarily by children such as schools, day care centers and nurseries.
- (c) Intersection Visibility. As illustrated in Figure 110.412.30.1, all trees shall be pruned such that no branches extend lower than six (6) feet above curb level and other plants shall not exceed eighteen (18) inches in height above any street curb under the following conditions:
 - (1) Street Intersection: Within a thirty (30) foot visibility triangle.
 - (2) Commercial Driveway or Alleyway: Within a fifteen (15) foot visibility triangle.
 - (3) Residential Driveway: Within a ten (10) foot visibility triangle.

Figure 110.412.30.1
INTERSECTION VISIBILITY



Note: A = Distance measured from street curb as set forth in Section 110.412.30 (c)(1), (c)(2), and (c)(3).

Source: Sedway Cooke Associates.

[This Section added by Ord. 867, provisions eff. 5/27/93.]

Section 110.412.35 Residential Use Types. The following landscaping requirements shall apply to residential uses including duplex and multiplex residential subdivision lots and multi-family developments, except those exempted by Section 110.412.10, Exemptions. Any landscaping required in this section may contribute toward the minimum requirements.

- (a) Coverage. A minimum twenty (20) percent of the total developed land area shall be landscaped.
- (b) Required Yards Adjoining Streets. All required front, rear or side yards which adjoin a public street shall be landscaped and shall include at least one (1) tree for every fifty (50) linear feet of street frontage, or fraction thereof.
- (c) Subdivision Perimeters. New residential subdivisions, regardless of the number of dwelling units per parcel, shall provide at least one (1) tree for every fifty (50) linear feet of perimeter frontage adjoining an arterial or collector identified in the Washoe County Master Plan Streets and Highways System Plan map.
- (d) Model Homes. Model homes for all residential subdivisions shall install landscaping that demonstrates appropriate landscape techniques suitable for the local micro-climate and soil conditions.
- (e) Community Gardens, including edible gardens may count towards the total landscaping requirement when planted year-round.

- (f) Landscaping shall be compatible with the latest adopted International Wildland Urban Interface (IWUI) fire rating of the site to reduce fire hazards.
- (g) Landscaping shall be compatible with the latest adopted International Wildland Urban Interface (IWUI) fire rating of the site to reduce fire hazards.

[This Section added by Ord. 867, provisions eff. 5/27/93; Ord. 1447, provisions eff. 9/9/10.]

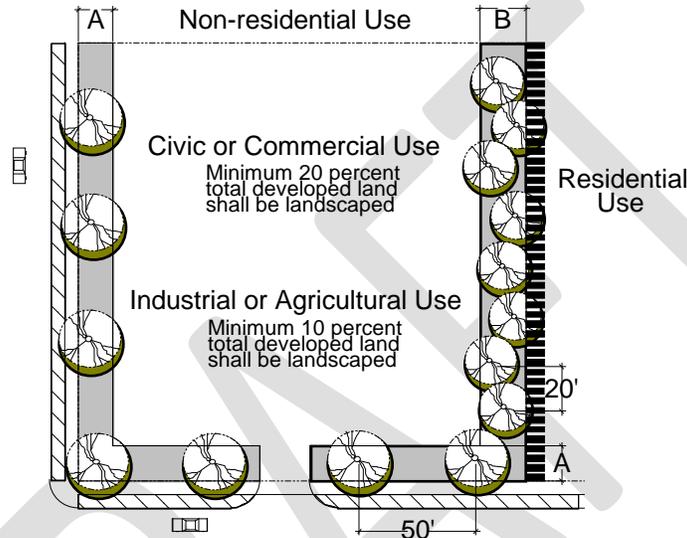
Section 110.412.40 Civic and Commercial Use Types. The following minimum landscaping requirements shall apply to the total developed land area for civic and commercial uses, except those exempted by Section 110.412.10, Exemptions. The total developed land area is illustrated in Figure 110.412.25.1. Any landscaping required in this section may contribute toward the minimum requirements, including a mixture of building and buffer landscaping. These requirements are generally depicted in Figure 110.412.40.1.

- (a) Coverage. A minimum twenty (20) percent of the total developed land area shall be landscaped. Any disturbance to undeveloped portions of a site shall be mitigated.
 - I. Reduction in the total required landscaped area may be approved, subject to the approval of a Director's Modification of Standards, when the density of required plantings is increased proportionally. [For example: if the landscape area is decreased to seventeen (17) percent of the project area (a 15% reduction) then the number of required trees and shrubs must be increased by 15%.] The total required landscaped areas shall not be decreased to less than 15% of the developed land area.
 - II. Hardscape, such as paved plaza areas, may be approved as part of the required landscaping, subject to the approval of a Director's Modification of Standards, when the Director determines that the proposed hardscape area constitutes a public amenity. Hardscape is limited to a maximum of 20% of the required landscaped area.
 - III. Mitigation of undeveloped portions of a site shall consist of native plant materials and non-invasive plant species. Mitigation is complete when the previously-disturbed areas include plant density equal to 50% of the plant density of adjacent undisturbed areas.
- (b) Required Yards Adjoining Streets. All required yards which adjoin a public street shall be landscaped and shall include at least one (1) tree for every twenty-five (25) linear feet of street frontage, or fraction thereof.
- (c) Landscaped Buffers Adjoining Residential Uses. When a civic or commercial use adjoins a residential use, a landscaped buffer is required as follows:
 - (1) The buffer shall be the width of the required front, side or rear yard for the entire length of the adjoining common property line; and
 - (2) The buffer shall include at least one (1) tree every twenty (20) linear feet of property frontage, or fraction thereof, planted in off-set rows or groupings to achieve maximum screening.

- (d) Screening Adjoining Residential Uses. When a civic or commercial use adjoins a residential use, a solid decorative wall or fence shall be erected along the entire length of the common property line. This wall or fence shall be at least six (6) feet, but not more than seven (7) feet in height. The wall or fence shall be constructed of durable materials, such as stone, concrete, metal, synthetic or vinyl. Wooden fences are not acceptable.

Figure 110.412.40.1

**LANDSCAPING AND SCREENING FOR CIVIC, COMMERCIAL,
INDUSTRIAL AND AGRICULTURAL USE TYPES**



- Notes:
- A = Landscaping in required yard adjoining a street.
 - B = Landscaped buffer adjoining a residential use.
 - = Screening adjoining a residential use.

Source: Sedway Cooke Associates.

[This Section added by Ord. 867, provisions eff. 5/27/93.]

Section 110.412.45 Industrial and Agricultural Use Types. The following minimum landscaping requirements shall apply to the total developed land area for industrial and agricultural uses, except those exempted by Section 110.412.10, Exemptions. The total developed land area is illustrated in Figure 110.412.25.1. Any landscaping required in this section may contribute toward the minimum requirements, including a mixture of building and buffer landscaping. These requirements are generally depicted in Figure 110.412.40.1.

- (a) Coverage. A minimum ten (10) percent of the total developed land area shall be landscaped. Any disturbance to undeveloped portions of a site shall be mitigated.
- (b) Required Yards Adjoining Streets. All required yards which adjoin a street shall be landscaped and shall include at least one (1) tree for every fifty (50) linear feet, or fraction thereof.
- (c) Landscaped Buffers Adjoining Residential Uses. When an industrial or agricultural use adjoins a residential use, a landscaped buffer is required as follows:

- (1) The buffer shall be the width of the required yard for the entire length of the adjoining common property line; and
 - (2) The buffer shall include at least one (1) tree every twenty (20) linear feet of property frontage, or fraction thereof, planted in off-set rows or other methods to achieve maximum buffering.
- (d) Screening Adjoining Residential Uses. When any industrial or agricultural use adjoins a residential use, a solid decorative wall or solid decorative fence shall be erected along the entire length of the common property line. This wall or fence shall be at least six (6) feet, but not more than ~~seven (7)~~ eight (8) feet in height. The wall or fence shall be constructed of durable materials, such as stone, concrete, metal, synthetic or vinyl. Wooden fences are not acceptable.
- (e) Areas devoted to community gardens, and green roofs may count toward required landscaping when planted year-round.
- (f) Landscaping shall be compatible with the latest adopted International Wildland Urban Interface (IWUI) fire rating of the site to reduce fire hazards.

[This Section added by Ord. 867, provisions eff. 5/27/93.]

Section 110.412.50 Parking and Loading Areas. In addition to other required landscaping, all parking and loading areas shall provide minimum landscaping as set forth in this section. Any trees required in Sections 110.412.35 through 110.412.45 may contribute toward the minimum coverage requirement.

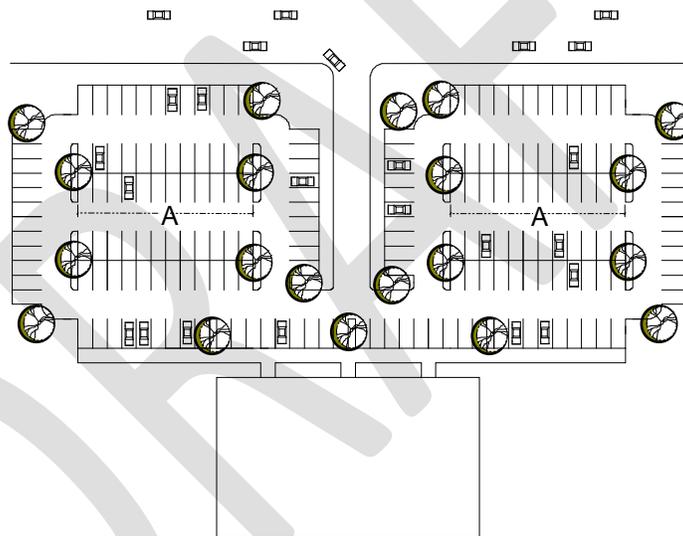
- (a) Coverage. At least one (1) tree shall be provided for every ten (10) parking spaces, provided the distance between required trees does not exceed twelve (12) spaces in a row and the trees are evenly distributed throughout the paved area, as generally depicted in Figure 110.412.50.1.
- (b) Required Yards Adjoining Streets. When a parking or loading area adjoins a street, a landscaped berm and/or decorative wall or fence shall be provided within all required yards adjacent to the parking or loading area, not to exceed three (3) feet in height.
- (c) Landscaped Buffers Adjoining Residential Uses. As generally depicted in Figure 110.412.50.2, when a parking or loading area adjoins a residential use, a landscaped buffer is required as follows:
 - (1) The buffer shall be the width of the required yard for the entire length of the adjoining common property line; and
 - (2) The buffer shall include at least one (1) tree every twenty (20) linear feet, or fraction thereof, planted in off-set rows.
- (d) Screening Adjoining Residential Uses. As generally depicted in Figure 110.412.50.2, when a parking or loading area adjoins a rear or non-street side yard of a residential use, a solid decorative wall or fence shall be erected along the entire length of the property line. This wall or fence shall be at least six (6) feet, but not more than seven (7) feet in height. The wall or fence shall be constructed of durable materials, such as stone, concrete, metal, synthetic or vinyl. Wooden fences are not acceptable.
- (e) Existing Parking and Loading Areas. When a parking or loading area existing prior to the effective date of this article is enlarged by one or more expansions in area greater than

fifty (50) percent, the minimum landscaping requirements of this article shall be met for the total (existing and enlarged) area.

- (f) Standards. The following standards shall apply within parking and loading areas:
 - (1) Planted areas shall be protected by curb, wheel stops or other appropriate means, to prevent injury to plants from pedestrian or vehicle traffic; and
- (g) Exceptions. Required landscaping shall not apply where parking and loading areas are:
 - (1) Completely screened from surrounding properties by intervening buildings or structures;
 - (2) Located under, on or within buildings; or
 - (3) Devoted to display parking for automobile dealerships.

Figure 110.412.50.1

REQUIRED TREES WITHIN PARKING AND LOADING AREAS

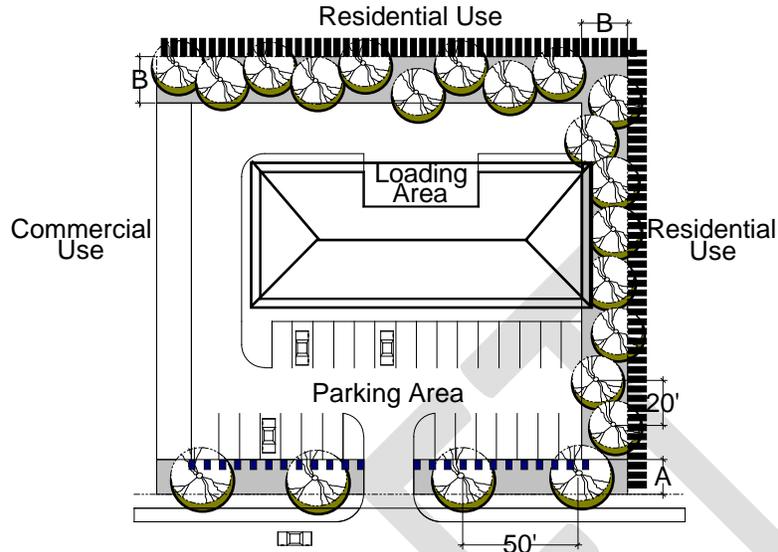


Notes: A = Maximum 12 parking spaces between trees.
Provide at least one tree for every 10 parking spaces (i.e. if 200 parking spaces are provided, then 20 trees are required).

Source: Sedway Cooke Associates.

Figure 110.412.50.2

LANDSCAPING AND SCREENING FOR PARKING AND LOADING AREAS



- Notes:
- A = Landscaping in required yard adjoining a street.
 - B = Landscaped buffer adjoining a residential use.
 - ||||| = Screening adjoining a residential use.
 - = Screening of a parking area adjoining a street.

Source: Sedway Cooke Associates.

[This Section added by Ord. 867, provisions eff. 5/27/93.]

Section 110.412.55 Other Screening Requirements. In addition to screening requirements established in Sections 110.412.35 through 110.412.50, screens shall comply with the minimum requirements of this section.

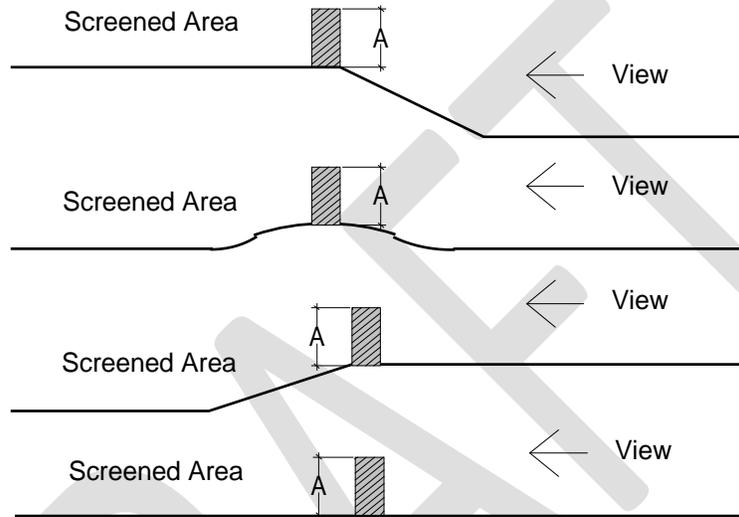
- (a) **Open Storage Areas.** The following screens are required for open storage areas:
- (1) Open storage areas shall be enclosed by a screen at least six (6) feet, but not more than seven (7) feet in height;
 - (2) Items stored within one hundred (100) feet of a street or residential use shall not be stacked higher than the required screen;
 - (3) Screens to enclose storage areas between adjoining side or rear yards may be deleted by mutual agreement of the property owners involved;
 - (4) Exterior electrical cage enclosures and storage tanks shall be screened from view from an adjacent street and residential use; and
 - (5) The location of trash enclosures, as specified on the site plan, shall be subject to the approval of the Director of ~~Community Development Planning and Building~~. Such enclosures and gates shall be of solid construction and shall be in accordance with County standards and the latest adopted Uniform International Fire Code.

- (b) Manufactured Home Parks. A decorative wall or fence shall be erected along the entire length of the property line of a manufactured home park as follows:
- (1) The wall or fence shall be at least six (6) feet, but not more than seven (7) feet in height along property lines not adjoining a street. The wall or fence shall be constructed of durable materials, such as stone, concrete, metal, synthetic or vinyl. Wooden fences are not acceptable.
- (c) Commercial Campground Facilities. In Tourist Commercial designated areas, a decorative wall or fence shall be erected along the entire ~~length~~ perimeter of the property line of commercial campground facilities and recreational vehicle parks as follows:
- (1) When a recreational vehicle park adjoins a street, the wall or fence shall be four (4) feet or more in height; and
 - (2) The wall or fence shall be at least six (6) feet, but not more than seven (7) feet in height along property lines not adjoining a street. The wall or fence shall be constructed of durable materials, such as stone, concrete, metal, synthetic or vinyl. Wooden fences are not acceptable.
- (d) Mechanical Equipment. All mechanical equipment, tanks, ventilating fans or similar equipment, whether located on a roof or on the ground, shall be screened from view from adjoining properties and streets. Screens shall be integrated into the overall architectural style of the associated building and shall be measured from the highest point of the object being screened.
- (e) Swimming Pools. Barriers shall be erected for swimming pools, spas and hot tubs in accordance with the current edition of the adopted Washoe County Building Code as referenced in Chapter 100.
- (f) Materials. Screens shall include the installation and maintenance of at least one (1) or a combination of the following elements:
- (1) Dense plants, such as hedges;
 - (2) Chain link fencing, except along streets, with inserts of vinyl, metal or other acceptable material;
 - (3) Decorative fences constructed to maintain an opaque condition. Alternating slats are encouraged to accommodate windy extremes; or
 - (4) Decorative walls consisting of either brick, rock or block, or other material acceptable to the Director of Planning and maintaining a width of at least eight (8) inches.
- (g) Opaqueness. Plants used for screens shall be:
- (1) Of a type which will provide a year-round barrier at the prescribed height;
 - (2) Planted at a spacing necessary to achieve one hundred (100) percent opacity within five (5) years; and

- (3) Supplemented or replaced with other dense landscaping or an appropriate fence or wall, if it fails to retain such opaqueness any time after the initial two (2) year period.
- (h) Height Measurements. Screening materials shall be located to maximize the benefit of the screen, and prescribed heights shall be measured from finished grade, as illustrated in Figure 110.412.55.1.

Figure 110.412.55.1

PLACEMENT AND MEASUREMENT TECHNIQUES FOR SCREENING MATERIAL



Note: A = Screen height measured from finished grade.

Source: Sedway Cooke Associates.

[This Section added by Ord. 867, provisions eff. 5/27/93; Ord. 1178, provisions eff. 12/6/02.]

Section 110.412.60 Planting Standards. All required landscaping, including parking and loading areas, shall comply with the minimum standards established in this section.

- (a) Composition. The use of climatic adaptive planting material is encouraged. A suggested climatic adaptive plant list is available from the Washoe County Cooperative Extension, or any other sources approved by the Director of ~~Community Development~~ Planning and Building.
- (b) Compatibility. Development shall relate harmoniously to the surrounding topography and provide for the preservation of natural features such as water courses, wooded areas and natural terrain.
- (c) Compatible Water Use Zones. Trees and plants having similar climatic, water, soil and maintenance requirements shall be organized in distinct and compatible planting zones as defined below:
 - (1) High water use zones include plants which require moist soils and supplemental water in addition to natural rainfall to survive at maturity;

- (2) Moderate water use zones include plants which survive on natural rainfall with supplemental water during seasonal dry periods at maturity; and
- (3) Low water use zones include plants which survive on natural rainfall without supplemental water at maturity.
- (d) Nursery Standards. Plants shall meet the standards for sizes and grades of plant materials as listed in the latest edition of the American Standard for Nursery Stock released by the American Horticulture Industry Association.
- (e) Non-Interference. The location of trees and vegetation shall not adversely affect utility easements, service lines or solar access or wind turbine air flow of neighboring sites. If necessary, the width of the planting areas shall be increased, so that the tree locations do not interfere with utilities, ~~or~~ solar access or wind turbine air flow.
- (f) Public Rights-of-Way. Any tree planted within five (5) feet of publicly maintained curbing, pavement or sidewalks shall install a root control barrier as prescribed by the County. Required landscaping for a private development may be placed in a public right-of-way subject to the issuance of a valid encroachment permit.
- (g) General. The following general standards shall apply to all new planting areas:
 - (1) Planting areas with trees within parking and loading areas shall be at least eight (8) feet wide at the base of the tree in all directions;
 - (2) Planting areas without trees within parking and loading areas shall be at least five (5) feet wide;
 - (3) Ground cover or mulch, wood chips, bark, decorative rock or other appropriate inert materials shall be used in all planting areas. Turf is not allowed in parking lot tree planters; and
 - (4) Planted areas shall be protected by curb, wheel stops or other appropriate means to prevent injury to plants from pedestrian or vehicle traffic.
 - (5) One tree is required for every 300 square feet of planting area. Six shrubs are required for every 300 square feet of planting area. Planting area does not include disturbed areas that are to be revegetated in accordance with WCC 110.412.67.
- (h) Trees. New trees shall meet the following standards:
 - (1) The composition of trees shall represent a mixture of deciduous and coniferous varieties;
 - (2) ~~At least one-half (1/2) of all evergreen trees shall be at least seven (7) feet in height, and the remainder must be at least five (5) feet in height at the time of planting; and All evergreen trees shall be at least seven (7) feet in height, as measured from finish grade, at the time of planting.~~
 - (i) Diversity in species of evergreen trees planted is required;
 - (ii) On all projects which require four (4) or more trees to be planted a minimum of four (4) species will be included..

- (3) ~~All deciduous trees shall be at At least one-half (1/2) of the required number of the deciduous trees shall be at least two (2) inch caliper per American Nursery Standards at the time of planting. The remaining number of required deciduous trees shall be at least one (1) inch caliper at the time of planting.~~

(i) Diversity in species of deciduous trees planted is required;

(ii) On all projects which require four (4) or more trees to be planted a minimum of four (4) species will be included.

- (i) Shrubs and Hedges. New shrubs and hedges shall meet the following standards:

- (1) ~~Shrubs shall be comprised of a mixture of sizes, but not less than number one (1) size containers. Shrubs shall be comprised of at least one-half number five (5) containers. The remainder shall not be less than number one containers.~~

- (j) Ground Cover. New ground cover shall meet the following standards:

- (1) ~~Living ground cover shall be planted to achieve a minimum planting area coverage of fifty (50) percent within one (1) year of installation and shall achieve one hundred (100) percent coverage within three (3) years of installation;~~

- (2) ~~Wood chips, bark, decorative rock or other appropriate inert materials may also be used provided it does not exceed fifty (50) percent of the total planting area; and~~

- (3) ~~Plastic, steel or other appropriate edging material shall be provided around ground cover areas to retain loose materials.~~

- (1) Rocks / boulders, at least 24 inches in diameter, may be substituted at a rate of two rocks / boulders for each required [110.412.60(g)(5)] shrub, up to 15% of the required number of shrubs.

- (2) Wood chips, bark, decorative rock or other appropriate inert materials are required throughout all planting areas.

- (3) Decomposed Granite (DG) is limited to a maximum of 50% of required planting areas and may not be placed in planting areas with slopes greater than 10%.

- (4) Plastic, steel, concrete pavers, or other appropriate edging material shall be provided around ground cover areas to retain loose materials.

- (k) Turf. Turf, when used appropriately, offers aesthetic appeal, environmental cooling, oxygen production and a safe activity surface for a variety of recreational uses. Areas with turf shall meet the following standards:

- (1) Irrigation for turf areas shall minimize runoff and inadvertent watering of non-turf areas;

- (2) Use of turf shall be consolidated to those areas that receive significant pedestrian traffic, provide for recreational uses, assist in soil erosion control such as on slopes or in swales, and other functional use areas;

- (3) Turf areas shall be dethatched and aerated as needed to promote effective water infiltration into the soil, to minimize water runoff and to promote deep, healthy roots;
 - (4) In multi-family residential use types, turf areas shall be provided at a minimum of fifty (50) percent of the required landscaping area in a practical configuration for recreational uses and shall be balanced with other landscaping materials;
 - (5) In commercial and industrial use types, turf areas shall be ~~balanced with other landscape materials~~ limited to a maximum of 50% of all required planting areas.
 - (6) Turf shall be comprised of drought-resistant and hardy varieties which, when properly installed and maintained, are capable of surviving under conditions of restricted water use;
 - (7) Any turf area must be capable of being watered with minimum overspray or runoff; and
 - (8) Where turf is used in areas subject to erosion or in swales, it shall be sodded rather than seeded.
 - ~~(9) Turf planted slopes shall not exceed horizontal to vertical slopes of four to one (4:1).~~
- (l) Earth Berms. Earth berms shall comply with the following standards:
- (1) An earth berm may contribute toward the prescribed height of any planting, fencing or wall;
 - (2) Mounds of earth used for planting shall not exceed horizontal to vertical slopes of two to one (2:1); and
 - ~~(3) Turf planted slopes shall not exceed horizontal to vertical slopes of four to one (4:1).~~
- (m) Soil Preparation. Soil shall comply with the following standards:
- (1) Required landscaping shall be installed using a planting soil mix comprised of a type appropriate to the individual proposed plants and the native soil found on the site;
 - (2) Where necessary, soil amendments such as manure, straw, peat moss or compost shall be used to improve water drainage, moisture penetration and water holding capacity pursuant to Section 110.412.15, Required Plans; and
 - (3) Deep ripping and tilling of landscape areas is encouraged to facilitate deep water penetration and soil oxygenation.
- (n) Mulch. Permanent mulch shall be applied to and maintained in all planting areas to assist soils in retaining moisture, reducing weed growth and minimizing erosion as follows:
- (1) A minimum ~~three (3)~~ four (4) inch layer of organic mulch material shall be installed in all planting areas except turf areas and meadow planted areas;

- (2) Mulch may consist of ~~wood products~~, stone and other non-toxic recyclable materials; mulch made of wood products, such as shredded bark may be placed only within the 12" surrounding a shrub.
- (3) Non-porous materials, such as plastic sheets, shall not be placed under the mulch;
- (o) Height Measurements. Prescribed heights shall be measured from finished grade at the base of the plant material.
- (p) Prohibited Plants. Landscaping shall not include the following plant material: Box Elder, Silver Maple, Russian Olive, Walnut, Goldenchain Tree, Cottonwood (allowed only in riparian areas), Purple Robe Black Locust, Willow, Tamarisk, Siberian Elm, Ash species, Chanticleer Pear.

[This Section added by Ord. 867, provisions eff. 5/27/93.]

Section 110.412.65 Irrigation Standards. Required irrigation shall comply with the minimum standards established in this section.

- (a) Separate Water Meter. All irrigation systems required for landscaping of all non-exempt development shall be connected to a water meter installed on the main line of the irrigation system upstream of the control valves to measure water delivery separate from water delivered for other forms of interior or exterior consumptive use.
- (b) Compatible Water Use Zones. Irrigation systems shall be designed to correlate with the composition of trees and plants and their related water use. High water use zones shall be provided with central automatic irrigation systems.
- (c) Coverage Requirements. Coverage requirements apply to all temporary and permanent irrigation systems as follows:
 - (1) Spray irrigation systems shall be designed for head-to-head coverage;
 - (2) Sprinkler heads must have matched precipitation rates within each control valve circuit; and
 - (3) Drip systems shall be designed to be expandable to adequately water the mature plants.
 - (4) Subterranean irrigation systems shall be designed to adequately water all plants in all planting areas.
- (d) Control Systems. The following requirements apply to all irrigation control systems:
 - (1) Controlled irrigation systems shall be operated by an irrigation controller capable of irrigating high water demand areas on a different schedule from low water demand areas;
 - (2) Controllers must have multiple cycle start capacity and a flexible calendar program above to be set to comply with local or water management district restrictions; and

- (3) Moisture sensor and/or rain shut-off equipment is encouraged to avoid irrigation during periods of sufficient rainfall. Such equipment shall have the capability to override the irrigation cycle of the sprinkler system when adequate rainfall has occurred.
- (e) Cross Connection Devices. All non-exempt development shall have either a pressure vacuum breaker or a reduced pressure principle backflow preventer device installed on the main line of the irrigation system upstream of the control valves compliant with the Washoe County Health District requirements.
- (f) Size of Irrigation Lines. Irrigation lines shall be classified as follows:
 - (1) Schedule 40 P.V.C. is required for all pressure lines and as sleeving under all paved areas;
 - (2) Lateral line piping shall be installed at least twelve (12) inches underground for non-pressurized irrigation lines;
 - (3) Mainline piping shall be installed at least eighteen (18) inches underground for constant pressure irrigation lines; and
 - (4) Manual and automatic drains shall be used to prevent freeze damage.
 - (5) If any portion of the code section conflicts with the Uniform Plumbing Code, the Uniform Plumbing Code shall control.
- (g) Water Application Schedules. Irrigation system schedules should include the following standards:
 - (1) Turf shall be irrigated on separate irrigation schedules; and
 - (2) Sprinkler systems with spray heads should not operate during times of high wind or high temperatures.
 - (3) If any portion of the code section conflicts with the Uniform Plumbing Code, the Uniform Plumbing Code shall control.
- (h) Maintenance. Irrigation systems shall be maintained as follows:
 - (1) Irrigation systems shall be maintained regularly to eliminate the waste of water due to loss from damaged, missing or improperly operating portions of the system;
 - (2) Controllers shall be adjusted to allow for the seasonal water requirements of the plants; and
 - (3) Systems shall be winterized to prevent freeze damage, including draining lines and backflow prevention devices as necessary.

[This Section added by Ord. 867, provisions eff. 5/27/93.]

Section 110.412.67 Revegetation. In addition to the landscaping requirements, the following minimum revegetation standards shall apply to all undeveloped disturbed areas of the subject site:

- (a) Topsoil. Topsoil removed during construction shall be preserved and stored on or near the site. Topsoil shall be restored to disturbed areas prior to revegetation and/or landscaping activities.
- (b) Methods. Disturbed areas shall be revegetated using one or more of the following methods: Mulching, seeding, planting of native grasses, shrubs, groundcover or trees.
- (c) Vegetation Selection. To the greatest extent feasible, disturbed areas shall be revegetated with native, drought-tolerant, fire-resistant species that are consistent with the area's existing vegetation (i.e. disturbed riparian areas shall be revegetated with native riparian vegetation). Use of invasive plant species is prohibited.
- (d) Timing. Revegetation shall occur as soon as practicable after ground disturbance, and must be complete prior to issuance of a final inspection or certificate of occupancy, unless a financial assurance is provided per section 110.412.70.
- (e) Plant Density. Revegetation shall be considered completed when the previously-disturbed areas include plant density equal to 70% of the plant density of adjacent undisturbed areas.

Section 110.412.70 General Requirements. All landscaping and screening shall meet the general requirements of this section.

- (a) Bonding—Financial Assurance Value. Landscaping, irrigation and screening shall be completely installed prior to issuance of a Certificate of Occupancy, unless the applicant posts a bond of three (3) dollars per square foot of landscaping at base year value of 1993, or other provides appropriate financial assurances in the form of cash or cash equivalent, equal to 120% of an estimate from a Nevada licensed contractor for completion of the required landscaping OR other acceptable financial assurances equal to 150% of an estimate from a Nevada licensed contractor for completion of the required landscaping.
- (b) Deferrals. Request for deferrals shall be submitted in writing to the Director of Community Development Planning and Building and shall include the bond amount of appropriate financial assurances. The request must explain the need for such deferral and the estimated time for completion.
- (c) Dust Control. The following dust control measures shall be used:
 - (1) For temporary coverage to control dust for less than one (1) year: hydroseed with fast-growing temporary grasses; apply mulch or weed prevention netting; apply other slope stabilization materials; and install temporary irrigation system, if required, subject to the approval of the Director of Community Development Planning and Building; and
 - (2) For coverage to control dust for more than one (1) year: land clearing shall be minimized and permanent planting as required by this article shall apply.
- (d) Erosion Control. Erosion shall be controlled by slowing stormwater runoff and assisting in groundwater recharge as follows:

- (1) To minimize erosion during construction, Best Management Practices (BMP) including straw or other appropriate material shall be applied to slopes susceptible to water runoff; and
 - (2) Erosion shall be controlled on all graded sites which remain vacant prior to building construction.
- (e) Stormwater Runoff. Stormwater runoff shall be minimized in landscaped areas as follows:
- (1) Stormwater detention/retention basins not integrated with paved areas shall be landscaped to enhance the natural configuration of the basin and plants located within the lower one-third (1/3) portion of the basin must withstand periodic submersion;
 - (2) Where appropriate, grading and landscaping shall incorporate on-site stormwater runoff for supplemental on-site irrigation;
 - (3) Where water is dispersed to natural ground or channels, appropriate energy dissipators shall be installed to prevent erosion at the point of discharge;
 - (4) Runoff from disturbed areas shall be detained or filtered by earth berms, planting strips, catch basins or other appropriate methods to prevent sedimentation from the disturbed area from obstructing natural or artificial channels or deposition on paved areas; and
 - (5) No earth, organic or construction material shall be deposited in or placed where it may be directly carried into a stream, lake or wetlands area.

[This Section added by Ord. 867, provisions eff. 5/27/93.]

Section 110.412.75 Maintenance. All landscaping, irrigation and screening shall be maintained at all times to conform to the regulations established in this article.

- (a) Responsibilities. Landscaping and related equipment including, but not limited to, plants, screens, walkways, benches, fountains and irrigation systems shall be maintained by the applicant or subsequent owner of the property.
- (b) Agreement. Prior to the issuance of a Final or Certificate of Occupancy, the applicant shall file a Maintenance Agreement or access easement to enter and maintain the property, subject to the approval of the County District Attorney. Such a document shall ensure that if the property owner fails to maintain the requirements set forth in this article, the County will be able to file an appropriate lien(s) against the property in order to achieve the required maintenance.
- (c) Plants. Required plants shall be maintained in healthy, vigorous, and disease and pest-free conditions so as to present a neat and healthy appearance free of refuse, debris and weeds. Plants shall be cultivated and pruned on a regular basis and sound horticultural principles shall be practiced.
- (d) Staking. Plants shall be staked, tied or otherwise supported as necessary. Supports shall be regularly monitored to avoid damage to plants and removed when appropriate.

- (e) Pruning. Pruning shall be accomplished in accordance with accepted arboriculture standards.
- (f) Turf Edge Trimming. Roadways, curbs and sidewalks shall be edged to prevent encroachment from the adjacent turfed areas. Line trimmers shall not be used to trim turf abutting trees or other plants. All turf within a twenty-four (24) inch radius of any tree trunk shall be removed.
- (g) Replacement. Landscaping which is not maintained in a manner consistent with this article shall be replaced as follows:
 - (1) Replacement includes, but is not limited to, replacing plants damaged by insects, disease, vehicular traffic, vandalism, storm damage and natural disaster or occurrence;
 - (2) If the required landscaping is not living within one (1) year of a Final or Certificate of Occupancy, it shall be replaced with equivalent vegetation;
 - (3) If the existing landscaping which was preserved is not living within two (2) years of a Final or Certificate of Occupancy, it shall be replaced with equivalent new landscaping; and
 - (4) Replacement landscaping shall be installed within thirty (30) days following notification by the Director of Community Development Planning and Building or Code Enforcement that a violation of this article has occurred.

[This Section added by Ord. 867, provisions eff. 5/27/93.]

Section 110.412.80 Guarantee Certification of Completion. To ensure proper installation and compliance with approved plans required in Section 110.412.15, Required Plans, the person responsible for preparation of the required plans, or a qualified designated representative of the individual or firm which prepared the plans, shall conduct a final field inspection prior to issuance of a Final or Certificate of Occupancy. It shall be unlawful to occupy the premises, unless the required landscaping, irrigation and screening is installed in accordance with these regulations, or a faithful ~~performance bond~~ financial assurance or other satisfactory guarantee of completion insuring the faithful performance of all work, is accepted by the Director of Community Development Planning and Building. If any person fails to complete any improvement as specified in the approved plans, and as agreed within the time specified, the Board of County Commissioners may cause the ~~bond~~ financial assurances to be forfeited in the amount necessary to finish the uncompleted portion of the work.

[This Section added by Ord. 867, provisions eff. 5/27/93.]

SECTION 2. General Terms.

- 1. All actions, proceedings, matters, and things heretofore taken, had and done by the County and its officers not inconsistent with the provisions of this Ordinance are ratified and approved.

2. The Chairman of the Board and officers of the County are authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Ordinance. The District Attorney is authorized to make non-substantive edits and corrections to this Ordinance.
3. All ordinances, resolutions, bylaws and orders, or parts thereof, in conflict with the provisions of this Ordinance are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any ordinance, resolution, bylaw or order, or part thereof, heretofore repealed.
4. Each term and provision of this Ordinance shall be valid and shall be enforced to the extent permitted by law. If any term or provision of this Ordinance or the application thereof shall be deemed by a court of competent jurisdiction to be in violation of law or public policy, then it shall be deemed modified, ipso facto, to bring it within the limits of validity or enforceability, but if it cannot be so modified, then the offending provision or term shall be excised from this Ordinance. In any event, the remainder of this Ordinance, or the application of such term or provision to circumstances other than those to which it is invalid or unenforceable, shall not be affected.

DRAFT: October 9, 2020

Passage and Effective Date

Proposed on _____ (month) _____ (day), 2020.

Proposed by Commissioner _____.

Passed on _____ (month) _____ (day), 2021.

Vote:

Ayes:

Nays:

Absent:

Chair
Washoe County Commission

ATTEST:

Janis Galassini, County Clerk

This ordinance shall be in force and effect from and after the 22nd day of the month of January of the year 2021.