

Equine Business Code Update Draft Changes

This document compiles draft changes for the equine business code update. For ease of use, changes are organized by code section and annotated with explanatory footnotes.¹ Only the modified sub-sections are included. Text in **bold and red** is new text, and text in ~~red with a strikethrough~~ is deleted text. For questions and comments, please contact Kat Oakley, koakley@washoecounty.gov, 775-328,3628.

¹ This is an example footnote. Footnotes are for explanatory purposes only and will not appear in the final draft of amendments.

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Summary of Changes

- Define three tiers of equine facilities based on number of horses (lowest tier only), maximum visitors per day, and maximum visitors per week.
- Establish allowances for the three tiers of businesses which generally are: small equine facility allowed by right, medium equine facility allowed with an administrative review permit, and large equine facility allowed with a special use permit.
- Reclassify equine uses as agricultural instead of commercial and modify parking standards for agricultural uses to allow an all-weather surface in lieu of paving for parking areas up to 20 spaces. Accessible parking spaces will still be required to meet accessible surface standards, including pavement or an approved alternative surface.
- Establish alternative landscaping requirements for equine facilities, including the following modifications:
 - Only require a landscaping buffer for adjacent residential uses and zones when such uses/zones exist within 100' of the equine use.
 - No requirement to landscape a certain percentage of the developed area.
 - Modify parking area landscaping buffer requirements (for all use types) to only be along the parking area, not the entire shared property line.
- Establish a new article for agricultural use standards.
- Establish standards precluding livestock shelters in setbacks for equine facilities.
- Establish equine facility use standards, including source water/waterway protection requirements, hours of operation for customers and heavy machinery, manure management plan requirements, and alternate bathroom requirements.
- Update provisions related to administrative review processes to increase review timelines.

Article 300 Regulation of Uses: Title and Contents

Section 110.300.05 Contents. Division Three consists of the following articles:

- (a) ARTICLE 300 REGULATION OF USES: TITLE AND CONTENTS
- (b) ARTICLE 302 ALLOWED USES
- (c) ARTICLE 304 USE CLASSIFICATION SYSTEM
- (d) ARTICLE 306 ACCESSORY USES AND STRUCTURES
- (e) ARTICLE 308 HOME OCCUPATIONS
- (f) ARTICLE 310 TEMPORARY USES AND STRUCTURES

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- (g) ARTICLE 312 FABRICATED HOUSING
- (h) ARTICLE 313 EMPLOYEE AND COTTAGE COURT HOUSING
- (i) ARTICLE 314 MANUFACTURED HOME PARKS
- (j) ARTICLE 316 RECREATIONAL VEHICLE PARKS
- (k) ARTICLE 318 VACATION TIME SHARE UNITS
- (l) ARTICLE 319 SHORT-TERM RENTALS (STRs)
- (m) ARTICLE 320 BED AND BREAKFAST ESTABLISHMENTS
- (n) ARTICLE 322 GROUP CARE FACILITIES
- (o) ARTICLE 324 COMMUNICATION FACILITIES
- (p) ARTICLE 326 WIND MACHINES
- (q) ARTICLE 328 GEOTHERMAL RESOURCES
- (r) ARTICLE 330 DOMESTIC PETS AND LIVESTOCK
- (s) ARTICLE 332 AGGREGATE FACILITIES
- (t) ARTICLE 334 MINING
- (u) ARTICLE 336 HOUSING INCENTIVES
- (v) ARTICLE 338 CHILD DAYCARE DEVELOPMENT INCENTIVES (Reserved for Future Ordinance)
- (w) ARTICLE 340 INDUSTRIAL PERFORMANCE STANDARDS
- (x) ARTICLE 342 AGRICULTURAL USES**

Article 302 Allowed Uses

Table 110.302.05.3

TABLE OF USES (Commercial Use Types)

(See Sections 110.302.10 and 110.302.15 for explanation)

Commercial Use Types (Section 110.304.25)	LDR	MDR	HDR	LDS/ LDS 2	MDS/ MDS 4	HDS	LDU	MDU	HDU	GC	NC	TC	I	PSP	PR	OS	GR	GRA
Commercial Stables ²	-S ₂	-S ₂	-S ₂	-S ₂	-	-	-	-	-	-	-	S ₂	-	-	-S ₂	-	-S ₂	S ₂
																		*See Article 226

² Commercial stables being removed from the commercial portion of the use table and moved to the agricultural portion. It is being re-classified as an agricultural use.

Article 304 Use Classification System

Section 110.304.25 Commercial Use Types. Commercial use types include the distribution and sale or rental of goods, and the provision of services other than those classified as civic or industrial use types. All permanent commercial uses are required to operate from a commercial structure.

- (c) Animal Sales and Services. Animal sales and services use type refers to establishments or places of business primarily engaged in animal-related sales and services. Animals kept as domestic pets or as accessory uses to a residential use are regulated by the accessory use provisions of Article 330, Domestic Pets and Livestock. The following are animal sales and services use types:
- (1) Commercial Kennels. Commercial kennels refers to kennel services for dogs, cats and similar animals. Typical uses include commercial animal breeding with four (4) or more animals (dogs), boarding kennels, pet motels, or dog training centers. Commercial kennels require a parcel size minimum of two-and-one-half (2.5) acres regardless of the regulatory zone within which it is located.
 - ~~(2) Commercial Stables. Commercial stables refers to boarding or raising of three (3) or more horses, but excludes horses used primarily for agricultural operations which are classified under animal production. Typical uses include commercial stables, riding clubs and riding instruction facilities.~~
 - (23) Grooming and Pet Stores. Grooming and pet stores refers to grooming or selling of dogs, cats and similar small animals. Typical uses include dog bathing and clipping salons, pet grooming shops, or pet stores and shops.
 - (34) Pet Cemeteries. Pet cemeteries refers to services involving the preparation of dead animals for burial and the keeping of animal bodies on cemetery grounds as well as cremation of dead animals. Regardless of the regulatory zone in which it is located, a pet cemetery must be located on a parcel at least two-and-one-half (2.5) acres in size. Cremation of dead animals shall take place in an area designated only for the cremation of pets and which complies with any applicable federal or state statute or regulation or local ordinance.
 - (45) Veterinary Services, Agricultural. Veterinary services, agricultural refers to veterinary services specializing in the care and treatment of large animals. Veterinary services for small animals including pet clinics, dog and cat hospitals, or animal hospitals may be included to provide full veterinary services. Veterinary services, agriculture requires a parcel size minimum of two-and-one-half (2.5) acres regardless of the regulatory zone within which it is located. Typical uses include veterinary offices for livestock.
 - (56) Veterinary Services, Pets. Veterinary services, pets refers to veterinary services for small animals. Typical uses include pet clinics, dog and cat hospitals, or animal hospitals.
 - (67) Dog Training Services. Dog training services use type means the training of dogs with their owners or owners' designee, where both owner and dog participate in dog training classes.
- (h) Commercial Recreation. Commercial recreation use type refers to commercial establishments or places of business primarily engaged in the provision of sports,

entertainment or recreation for participants or spectators. The following are commercial recreation use types:

- (4) Indoor Sports and Recreation. Indoor sports and recreation refers to predominantly participant sports conducted within an enclosed building. Typical uses include bowling alleys, billiard parlors, ice and roller skating rinks, indoor racquetball courts and athletic clubs. **This use excludes equine facilities.**⁴

Section 110.304.35 Agricultural Use Types. Agricultural use types include the on-site production of plant and animal products by agricultural methods.

- (h) **Equine Facility.** Equine facility use type refers to any facility which provides equine-related services, including but not limited to: horse boarding, horse training, riding instruction, arena use, horse clinics, horse shows, and other equine-related events. Typical uses include boarding facilities and show barns. This use excludes horses used exclusively for agricultural operations classified under animal production. Any clinics or events resulting in more than the permitted number of visitors on a single day would be required to obtain a special event license pursuant to Section 110.310.20. The following are equine facility use types:⁵

- (1) **Small Equine Facility.** Small equine facility refers to facilities with a maximum of six (6) customers on any day, a maximum of 20 customers per week, and a maximum of five (5) horses associated with the equine facility. A horse is considered associated with the facility if it is boarded or used for any commercial activities such as lessons.
- (2) **Medium Equine Facility.** Medium equine facilities refer to facilities with a maximum of ten (10) customers on any day and maximum of 30 customers per week that do not qualify as a small equine facility.
- (3) **Large Equine Facility.** Large equine facility refers to facilities with more than ten (10) customers on any day and/or more than 30 customers per week.

⁴ For clarity, the indoor sports and recreation definition is updated to exclude equine facilities. This ensures that equine facilities with an indoor arena will not also be required to be permitted as indoor sports and recreation and limited to the zones that allow that use.

⁵ Based in input in Phase 1 of public outreach, the proposed tiers are based primarily on number of customers. The threshold for daily visitors ensures that impacts created by larger groups are adequately considered. The threshold for weekly visitors allows for flexibility in visitors across the week and accounts for the impacts of overall visitors to a site. The small equine facility is the only category to include a horse limit because it is generally allowed-by-right and thus will require less extensive review. The medium and large equine facility categories involve a review process in which applicants can propose a number of horses and the impacts can be considered and mitigated as necessary.

Article 342 Agricultural Uses

AGRICULTURAL USES⁶

Sections:

110.342.00	Purpose
110.342.05	Applicability
110.342.10	Equine Facilities

Section 110.342.00 Purpose. The purpose of this article, Article 342, Agricultural Uses, is to prescribe standards for development that promote compatibility with surrounding areas and land uses.

Section 110.342.05 Applicability. The provisions of this article shall apply to the development of select uses classified as agricultural uses, as set forth in Section 110.302.05, Table of Uses, as applicable.

Section 110.342.10 Equine Facilities. Equine facility use types are subject to the following development standards:

- (a) All approved equine facilities shall be authorized for a maximum number of on-site horses, daily visitors, and weekly visitors associated with the facility. Requests to increase any of the approved maximums will require modification of the approved permit.
- (b) The minimum lot size for an equine facility is 35,000 square feet.⁷
- (c) Livestock shelters used as part of an equine facility may not be located in the front, side, or rear yards.⁸
- (d) Approved equine facilities shall be required to produce boarding contracts, customer schedules, or other supporting documentation demonstrating compliance with the maximum allowed number of on-site horses, daily visitors, and/or weekly visitors upon request by the Washoe County Planning and Building Division. Such requests will only be made if there is credible reason to believe a violation may be occurring.

⁶ Article 342 will be a new article in Washoe County Code to establish specific regulations for certain types of agricultural uses, including equine facilities.

⁷ The proposed minimum lot size aligns with the minimum lot size for more than 2 adult horses/livestock on a parcel pursuant to Section 110.330.20 of Washoe County Code.

⁸ In Washoe County Code, “yard” specifically means the setback area. This section of code is stating that livestock shelters cannot be in the required setbacks.

- (e) All equine facilities shall comply with a manure management plan approved by Northern Nevada Public Health (NNPH) or provide documentation that NNPH is not requiring a manure management plan.
- (f) The hours in which equine facilities are open to customers and/or operate heavy machinery shall be limited to 7 a.m. through 9 p.m.
- (g) Any application for an equine facility within a source water protection area as determined by the Truckee Meadows Water Authority (TMWA) shall be sent to TMWA for review. Additional development requirements may be applied to mitigate impacts on water sources.⁹
- (h) Any application for an equine facility within a critical or sensitive stream zone buffer area or within 300 feet of the Truckee River shall be reviewed for impacts to waterways. Impacts considered may include but are not limited to impacts to water quality, habitat, and erosion. Additional development requirements may be applied to mitigate impacts.
- (i) Equine facilities must have sufficient bathroom facilities to serve employees and visitors. Subject to the approval of Northern Nevada Public Health (NNPH) and Washoe County Building, small and medium equine facilities which do not operate within a structure may utilize appropriate numbers of regular and ADA accessible portable bathrooms with hand washing stations in lieu of permanent bathroom facilities. A small equine facility has a minimum requirement of one (1) portable bathroom and a medium equine facility a minimum requirement of two (2). Additional bathrooms may be required as determined during the permitting process. The portable bathroom(s) must be serviced on a weekly basis and a service contract provided as part of the business license application and renewal process. Large equine facilities shall provide permanent and ADA accessible bathroom facilities in accordance with applicable requirements.¹⁰
- (j) The following minimum landscaping requirements shall apply to the total developed land area for equine facilities. Total developed land area includes any areas used for the equine facilities, including areas cleared of vegetation for riding and/or grazing.¹¹
 - (1) 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.

⁹ Source water protection areas are areas around water sources, including wells, that are used as part of the municipal water supply. These areas are delineated by TMWA.

¹⁰ All proposed bathroom facilities will need to be approved by the reviewing agencies, including Northern Nevada Public Health and Washoe County Building. This provision describes an allowance for portable bathroom facilities when the equine business does not operate within a structure (e.g. outdoor riding lessons or other outdoor use).

¹¹ Alternate landscaping standards are proposed for equine facilities. The changes from current landscaping code applicable to equine facilities include removing the requirement that 20% of the developed area be landscaped, removing the requirement for a solid decorative wall or fence adjoining a residential use, and only requiring a landscaping buffer adjacent to a residential lot or use when such a lot or use is within 100 feet of the equine facility use.

- (2) **Landscaped Buffers Adjoining Residential Uses.** When an equine facility adjoins a residentially used or zoned property and is located within 100 feet of the shared property line, a landscaped buffer is required as follows:
 - (i) The buffer shall be 20 feet in width or the width of the setback, whichever is smaller, and located within the required yard for the length of the adjoining common property line adjacent to the developed land area of the equine facility; and
 - (ii) The buffer shall include at least one (1) tree and six (6) shrubs every twenty (20) linear feet of property frontage, or fraction thereof, planted in off-set rows or other methods to achieve maximum buffering. Existing vegetation shall be preserved to the greatest extent possible in the buffer and can be counted towards the minimum tree and shrub requirements.
- (3) **Landscaping.** Landscaping shall be compatible with the latest adopted International Wildland Urban Interface (IWUI) fire rating of the site to reduce fire hazards.
- (4) **Expansions.** If an equine facility is expanded to be within 100 feet of an adjoining residential property or use, they shall be required to meet the landscaping requirements of Section 110.342.10(j)(2).

Article 410 Parking and Loading

Section 110.410.10 Required Parking Spaces. Off-street parking spaces shall be provided in the quantities set forth in Table 110.410.10.1 through Table 110.410.10.5.

Table 110.410.10.3

OFF-STREET PARKING SPACE REQUIREMENTS (Commercial Use Types) (See Section 110.410.10 for explanation)

Commercial Use Types (Section 110.304.25)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Commercial Stables ¹²		4	.25 per horse at design capacity

Table 110.410.10.5

OFF-STREET PARKING SPACE REQUIREMENTS (Agricultural Use Types) (See Section 110.410.10 for explanation)

¹² Parking rates for equine facilities are moved from the commercial to agricultural parking tables to reflect their reclassification as agricultural uses.

Agricultural Use Types (Section 110.304.35)	Spaces Required		
	Per 1,000 Square Feet Building Space	Per Employee During Peak Employment Shift	Other
Equine Facility		1	.25 per horse at design capacity 2 spaces minimum required ¹³

Section 110.410.15 Special Parking Provisions.

- (d) **Handicapped Accessible**¹⁴ Parking. In any parking facility serving the public, parking for the handicapped shall be provided as set forth in this subsection.
- (1) **Handicapped Accessible** parking spaces shall be provided in accordance with Table 110.410.15.1. One of every six required **handicapped accessible** spaces shall be a van accessible space (a minimum of one van accessible space per parking area).
 - (2) **Handicapped Accessible** parking spaces shall be a minimum of eight feet in width and a minimum of 18 feet in length, as illustrated in Figure 110.410.15.3.
 - (3) **Handicapped Accessible** spaces shall be provided with an adjacent access aisle, as **required by ICC A117.1 and the International Building Code, Chapter 11, as adopted in Chapter 100 of Washoe County Code illustrated in Figure 110.410.15.3.** ~~Access aisles shall be a minimum of five feet in width. Van access aisles shall be a minimum of eight feet in width. Access aisles shall be located on the passenger side of each space unless it is located between and is shared by two designated spaces.~~
 - (4) **Handicapped Accessible** parking spaces and access aisles shall be level **and surfaced with pavement or another accessible surface as approved by Washoe County Building.**¹⁵
 - (5) **Handicapped Accessible** spaces shall be located as near as possible to accessible building or site entrances and shall be located so as to provide convenient access to curb ramps.
 - (6) Each reserved **handicapped accessible** parking space shall be designated with a stall sign displaying the International Symbol of Accessibility, as illustrated in

¹³ The two space parking minimum is to account for the provision of at least one accessible and one standard parking space.

¹⁴ Language updated throughout to match current best practices.

¹⁵ Alternate surfacing for accessible parking spaces may be permitted as approved by Washoe County Building. The process to request an alternate surface currently exists; this code update references that process to provide clarity.

Figure 110.410.15.4. Each stall sign shall be at least 70 square inches in size. Spaces that are van accessible shall be designated as "Van Accessible."

- (7) Each reserved ~~handicapped~~ **accessible** parking space shall meet one of the following stall markings requirements:
 - (i) Each ~~handicapped~~ **accessible** parking space shall be painted solid blue with a white International Symbol of Accessibility; ~~or~~
 - (ii) Each ~~handicapped~~ **accessible** parking space shall be outlined in blue with a three foot square International Symbol of Accessibility painted in a contrasting color; ~~or~~
 - (iii) Each accessible parking space with an approved non-paved surface shall be marked in a method approved by Washoe County Building.**
- (8) Each reserved ~~handicapped~~ **accessible** parking space shall be marked with a sign warning drivers of the possibility of towing due to unauthorized use and providing information of recovering towed vehicles. Warning signs shall have minimum dimensions of 17 inches by 22 inches and shall be labeled with lettering of at least one inch in height.
- (9) A minimum of 98 vertical inches of clearance shall be provided for van accessible spaces and the entire route from parking area ingress/egress points to the parking space.
- (10) As illustrated in Figure 110.410.15.5, a minimum vehicle overhang allowance of 24 inches shall be provided between accessible routes and ~~handicapped~~ **accessible** parking spaces. Said accessible routes shall, at all times, provide users with a minimum width of 36 inches of throughway.

Table 110.410.15.1

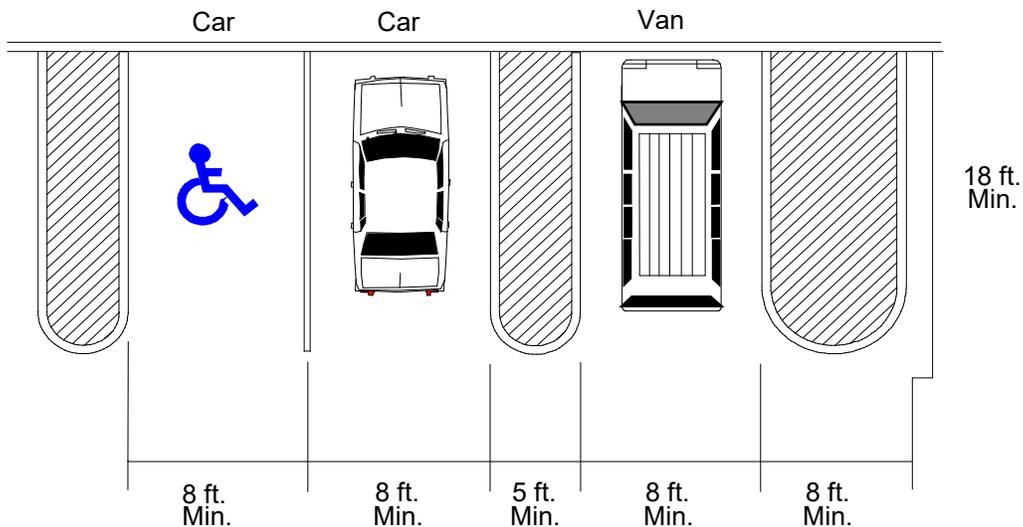
HANDICAPPED ACCESSIBLE SPACES

Spaces in Lot	Required Number of Accessible Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of Total
1,001 and over	20 plus 1 per 100 above 1,000

Source: Washoe County Department of Community Development.

Figure 110.410.15.3

HANDICAPPED ACCESSIBLE PARKING DIMENSIONS



Source: Sedway Cooke Associates.

Section 110.410.25 Design of Parking Areas. The design standards for off-street parking facilities shall be as set forth in this section.

- (a) Parking Lot Design. Parking lot design and dimensions shall be in accordance with Table 110.410.25.1 and Figure 110.410.25.1.
- (b) Automobile Parking Spaces: Size. Parking space sizes shall be built with an unistall design in accordance with Table 110.410.25.1 and Figure 110.410.25.1.
- (c) Wheel Stops. A wheel stop or curb, if used, shall be placed between two-and-one-half (2-1/2) and three (3) feet from the end of the parking space.
- (d) Striping and Marking. All **paved**¹⁶ parking stalls shall be striped and directional arrows shall be delineated in a manner acceptable to the County Engineer. All paint used for striping and directional arrows shall be of a type approved by the County Engineer.
- (e) Surfacing. All parking spaces, driveways and maneuvering areas shall **be surfaced in accordance with the following standards.**
 - (1) **Unless otherwise allowed in this section, surfaces shall** be paved and permanently maintained with asphalt or ~~cement~~ **concrete**. Bumper guards shall be provided when necessary to protect adjacent structures or properties as determined by the Director of Community Development.
 - (2) **Agricultural uses with 20 or less parking spaces may use a minimum thickness of six (6) inches of Type 2 Class B compacted aggregate base on**

¹⁶ Adding “paved” clarifies that spaces not required to be paved do not need to be striped.

a compacted subgrade or alternate equivalent all-weather surface material as approved by the County Engineer in lieu of paving. When a site is accessed by a paved public road, a paved commercial driveway apron pursuant to the Washoe County Engineering Standard Construction Details shall be required regardless of access and parking area surfacing. Surfaces for accessible parking spaces and pathways must meet accessibility standards.¹⁷

- (f) Landscaping and Screening. All open parking areas shall be landscaped and/or screened according to the standards set forth in Article 412, Landscaping.
- (g) Lighting. All off-street parking areas within commercially-zoned projects shall be provided with exterior lighting which meets the following minimum standards:
 - (1) Proper illumination shall be provided for safety which, at a minimum, shall be the equivalent of one (1) foot candle average of illumination throughout the parking area;
 - (2) All lighting shall be on a time clock or photo-sensor system;
 - (3) Parking lot luminaries shall be high-pressure sodium vapor with 90-degree cut-off and flat lenses; and
 - (4) All lighting shall be designed to confine direct rays to the premises. No spillover beyond the property line shall be permitted, except onto public thoroughfares provided, however, that such light shall not cause a hazard to motorists.
- (h) Access. Access to parking areas shall be provided as follows:
 - (1) Access driveways shall have a width of no less than twenty (20) feet;
 - (2) The parking area shall be designed so that a vehicle within the parking area will not have to enter a public street to move from one location to any other location within the parking area; and
 - (3) Vehicular access to arterial streets and highways will be permitted only in accordance with driveway locations and access design to be approved by the County Engineer.
- (i) Parking Aisles. The minimum dimensions for parking aisles (the space required for maneuvering vehicles within a parking lot) shall be as set forth in Table 110.410.25.1 and Figure 110.410.25.1.

Table 110.410.25.1

¹⁷ Surfacing requirements are modified to allow all-weather non-paved surfaces for agricultural uses with 20 or less parking spaces. This applies to all agricultural uses. Uses with more than 20 spaces that wish to use an all-weather surface would be considered on a case-by-case basis through the special use permit or Director's Modification processes. Accessible parking spaces still must meet the applicable surfacing requirements.

PARKING DIMENSIONS

A (Angle in Degrees)	C	D	L	Q	V	W	X	Y
0	12*	8.5	22	0.0	17.0	8.5	22.5	0.0
15	12*	12.6	17	4.4	32.8	8.5	16.4	2.2
30	12*	15.9	17	8.5	17.0	8.5	14.7	4.3
45	12*	18.0	17	12.0	12.0	8.5	12.0	6.0
60	16*	19.0	17	14.7	9.8	8.5	8.5	7.4
75	20	18.6	17	16.4	8.8	8.5	4.4	8.2
90	24	17.0	17	17.0	8.5	8.5	0.0	8.5

Notes: This table provides dimensions (in feet) of parking spaces and lots. The asterisk (*) indicates the minimum aisle width for two-way traffic is twenty (20) feet. The letters in the column headings refer to dimensions illustrated in Figure 110.410.25.1 and to the following: A = Angle of Parking Spaces; C = Width of Aisle; D = Depth of Stall; L = Length of Stall; Q = Interlock Length of Stall; V = Interlock Width of Stall; W = Width of Stall; X = End of Parking Stall Aisle Width; Y = Perpendicular Width of Stall; and $D = W \cos A + \sin A$; $Q = L \sin A$; $V = W/\sin A$; $X = L \cos A$; and $Y = Q/2$.

Source: Sedway Cooke Associates.

Article 412 Landscaping

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, **and agricultural** land uses;¹⁸

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

- (e) Agricultural Use Types. Uses classified under the animal production, crop production, **equine facilities**, 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.¹⁹

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

¹⁸ Adds compatibility with agricultural uses as part of the purpose of Article 412 Landscaping.

¹⁹ Exempts equine facilities from most of the provisions of Article 412 Landscaping because specific landscaping standards for equine facilities are proposed in Article 342.

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and the trees are evenly distributed throughout the **paved parking** 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 **that is adjacent to the parking or loading area**;²⁰ 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 **that is adjacent to the parking or loading area**. 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.
- (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.

²⁰ Updates the landscaping code for parking areas to only require a buffer adjoining the parking and loading areas, rather than the entire adjacent property line. This would apply to equine facilities and all other uses.

Article 809 Administrative Review Permits

Section 110.809.15 Review Procedures. The Director, or her/his designee, shall review an administrative review application request for compliance with the Development Code while also taking into consideration any testimony offered by affected property owners and the applicant, as well as characteristics of the property. The Director, or her/his designee, may approve, approve with conditions, modify, modify with conditions, or deny the request. All administrative decisions shall be in writing. The administrative decision may be appealed per the procedures set forth in this article.

- (b) Processing. Upon receipt of a complete Administrative Review Permit application, the Director, or her/his designee, shall commence processing and reviewing the request. Affected property owners may provide written testimony on the application for consideration in the review process and inclusion into the public record. The applicant shall be given an opportunity to respond to any testimony provided. All testimony provided shall be considered by the Director, or her/his designee, in rendering a decision.²¹
- (1) Notice. An application must be deemed complete or incomplete within ~~three (3)~~ **ten (10)** working days of receipt of the application. Notice will be mailed to affected property owners within ~~three (3)~~ **ten (10)** working days of the determination that the application is complete.²²
 - (2) Affected Property Owner Comment Period. Written testimony from affected property owners must be received by the division within fifteen (15) calendar days of notices being mailed. If the end of the affected property owner period falls on a non-business day, then comments shall be due the next business day.
 - (3) Applicant Responses to Affected Property Owner Comments. Written responses from the applicant must be received by the division within ~~seven (7)~~ **fifteen (15)** calendar days of the end of the affected property owner comment period. If the end of the applicant response period falls on a non-business day, then responses shall be due the next business day.
 - (4) Issuance of Written Decision on the Application. A written decision shall be issued and mailed by the Director, or his designee, within ~~ten (10)~~ **fifteen (15)** working days of the division receiving the applicant responses. The applicant may choose not to respond and begin this ~~ten (10)~~ **fifteen (15)** working day period immediately following the affected property owner comment period. The written decision shall be mailed to all individuals with addresses listed on the application, the property owner of record, and all affected property owners (as defined in subsection (2) above).

²¹ In order to accommodate more complex reviews and projects, some of the required timelines for administrative review permits are proposed to be updated.

²² The change from three to ten days to determine completeness reflects a change that occurred in Nevada Revised Statutes (NRS) during the 2023 legislative session.

- (5) Public Hearing Not Required. No public hearing is required for the completion of this process, unless the Administrative Review Permit decision is appealed in accordance with the procedures set forth in this article.