

ORDINANCE NO. 3090

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-01-2021, APEX LANDSCAPING REQUIREMENTS) BY AMENDING THE LANDSCAPING REQUIREMENTS WITHIN THE INDUSTRIAL-APEX OVERLAY DISTRICT, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, this municipal code amendment is consistent with the City's Comprehensive Plan; and

WHEREAS, the Council determines that the amendment will not adversely affect the public health and general welfare of the community and residents of North Las Vegas; and,

NOW, THEREFORE, the City Council of the City of North Las Vegas does ordain:

SECTION 1: Chapter 16, Section 050, Subsection F, Subsection 5, Subsection d of Title 17 of the North Las Vegas Municipal Code is hereby amended by replacing the subsection in its entirety with the following:

Landscaping

All installed landscaping shall comply with the requirements of this section.

(i) Landscaping Plan

A landscaping plan shall be submitted in conjunction with any required site plan prior to the issuance of a building permit and shall be reviewed and approved, denied or modified in conjunction with said site plan.

(ii) Preferred Plant Material — Water Conservation Measures

Required landscaping shall contain live, drought tolerant plant materials. Installation of landscaping that requires irrigation for more than one year after planting is not required. Landscaping that requires irrigation for more than one year after planting may be replaced with species that do not require continuing irrigation or with re-establishment of native plants.

(iii) Required Plantings and Groundcover

General Requirements

All development shall provide the landscaping along public and private rights-of-way as shown in Table 17.16-8:

Table 17.16-8: General Landscaping Requirements		
	Lots with More Visible Sites	Lots with Less Visible Sites
Width of Planting Area	10 feet	5 feet
Ground Coverage	30%	30%
Minimum Size of Shrubs	5 gallon	5 gallon

(iv) **Trees and Utility Lines**

No tree whose mature height exceeds 15 feet shall be planted under an electric utility line.

(v) **Nonvegetative Ground Covers**

Nonvegetative ground covers including, but not limited to, rocks and small stones, crushed rock, cinders, and bark shall cover the ground surface of the landscaped area. Areas covered by such nonvegetative ground covers shall be broken up as much as possible by living plant materials.

(vi) **Installation Prior to Occupancy Permit**

A certificate of compliance with the requirements of this section shall be signed by the property owner and/or landscape contractor and submitted to the City building department prior to issuance of any certificate of occupancy.

(vii) **Maintenance**

All landscaped areas and material shall be maintained in a living, growing condition, and shall be kept neat, clean, uncluttered and in a weed-free condition. Dead plant material shall be replaced with plant material of equal size and maturity. No landscaped area shall be used for the parking of vehicles or the storage or display of materials, supplies or merchandise. Failure to maintain landscaping shall be cause for revocation of a business license and/or revocation of special use approval, or may result in enforcement or penalties otherwise available to the City.

SECTION 2: NON-INFRINGEMENT OF RIGHTS. The City Council of the City of North Las Vegas has been informed by the City Attorney as to the constitutionality of this ordinance and based upon such information we are adopting this ordinance in good faith with a reasonable belief that the actions taken by the City of North Las Vegas are not in violation of any rights, privileges, or immunities secured by the laws providing for equal rights of citizens or persons.

SECTION 3: SEVERABILITY. If any section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect the validity and enforceability of the remaining provisions of this Ordinance.

SECTION 4: EFFECTIVE DATE. This Ordinance shall become effective after its passage by the City Council of the City of North Las Vegas. Publication once by title in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

SECTION 5: PUBLICATION. The City Clerk shall cause this Ordinance, immediately following its adoption, to be published once by title, together with the names of the Council Members voting for or against passage, in a newspaper qualified pursuant to the provisions of Chapter 238 of NRS, as amended from time to time.

PASSED AND ADOPTED THIS _____ day of _____, 2021.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED:

JOHN J. LEE, MAYOR

ATTEST:

MARIE E. PURCELL, CMC, ACTING CITY CLERK