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**CHAPTER 19.12 LANDSCAPE WALL AND BUFFER REQUIREMENTS**

*{Ord 5509 – 09/18/02}*

**19.12.010 APPLICABILITY**

*{Ord 5861 – 10/04/06} {Ord 6080 – 02/17/10}*

- A. Except as otherwise provided in Subsection (B) this Chapter applies to:
  - 1. All multifamily, office, retail, commercial, institutional, and industrial developments; and
  - 2. All single family developments with five or more lots adjacent to streets classified as collectors or larger.
- B. Except with respect to Section 19.12.075, this Chapter does not apply to any special purpose zoning district which contains special landscape standards or to properties in the Downtown Centennial Plan Overlay District.
- C. Section 19.12.075 applies to all single family developments.

**19.12.020 INTENT OF DEVELOPMENT STANDARDS**

The intent of establishing minimum standards for landscaping, walls and buffering is:

- A. To ensure that new development will contribute to the overall attractiveness of the City;
- B. To increase design compatibility between residential and abutting commercial and industrial land uses;
- C. To reinforce a sense of community and preserve the integrity of neighborhoods;
- D. To conserve water and reduce erosion;
- E. To reduce unsightly views;
- F. To reduce heat and glare generated by development; and
- G. To aid in filtering dust and particulate matter from the air.

**19.12.030 GENERAL**

*{Ord 5806 – 12/21/05}*

**A. Landscape Required**

- 1. All required Site Development Plans shall meet or exceed the minimum standards, and shall comply with any restrictions, established in this Chapter. Figures referred to in this Chapter are set forth in LVMC 19.12.080. Landscaping subject to this Chapter shall also comply with the provisions of LVMC 13.48.040 and 18.12.210.

*(Ord. 5934 – 09/19/07)*

2. Except as otherwise permitted by the Director, all landscape and irrigation plans shall be prepared and stamped by a registered architect, landscape architect, residential designer or civil engineer.
3. The owner, developer and occupant of the property are jointly and severally responsible for maintaining or assuring the ongoing maintenance of installed landscaping so that the landscaping continues to thrive. Prior to the issuance of a building permit, the owner, developer or contractor shall post a performance bond or equivalent security to assure the performance of the maintenance obligation for a minimum of two years.
4. All revisions to an approved landscape plan must first be reviewed and approved by the Department prior to installation of the landscaping.

#### **B. Additional Landscaping May Be Required**

Additional landscaping may be required by the Director or reviewing authority in order to respond to special site features, maintain an established landscape pattern created by existing landscaping in the surrounding area, or mitigate the impact of a particular development.

#### **C. Alternative Landscape Designs**

The Director or other reviewing authority may approve variations to the standards and designs set out in this Chapter if they respond more appropriately to a particular site and provide equivalent means of achieving the intent of this Chapter.

#### **D. Maintenance**

Property owners shall be responsible for:

1. Maintaining all walls in good structural and finish condition;
2. Maintaining all landscaping in a healthy and vigorous living condition and in accordance with LVMC 13.48.040 and 18.12.210;
3. Promptly replacing dead vegetation with healthy, living plants, in accordance with standard seasonal planting practices.

*(Ord. 5934 – 09/19/07)*

#### **E. Installation of Required Landscaping**

1. All required perimeter landscaping shall be installed in compliance with an approved landscape plan prior to occupancy.
2. Prior to the installation of any required landscaping the developer shall demonstrate compliance with the approved landscape plan by providing the Department a complete bill of materials.
3. When applicable to a phased development plan, a phased landscape installation plan may be approved concurrently with a Site Development Plan Review.

**F. Irrigation of Landscaping**

1. All required landscaping shall be installed with an irrigation system designed to eliminate any run-off of water into the public rights-of-way.
2. In order to minimize damage to buildings and solid walls from soil settling, expansion/contraction (cracked foundation), all overhead spray irrigation systems shall be a minimum of twenty-four (24) inches back from any building and solid walls with no overspray contacting any building or solid walls.
3. An automatic irrigation system is required for all planting areas, and shall include:
  - a. An electric automatic controller and multiple program capabilities;
  - b. Multiple repeat cycle capabilities; and
  - c. A flexible calendar program.
4. All irrigation water shall be retained on-site. When required, swales shall channel water to larger holding areas, catch basins, other planting areas, gravel sumps, dry-wells, or any combination thereof. Areas that accumulate system water shall be provided with underground drainage systems to carry water to holding or discharge areas. Nuisance flows shall not spill over the sidewalk and into any street (see Figure 1).

**G. Turf Limitations**

1. The use of turf is subject to and limited by LVMC Chapter 14.11 and the provisions of this Subsection G, with the provisions that are most restrictive to govern in a particular case. The turf limitations imposed by this Section are as follows:

Zoning District/Use	Use of Turf
Commercial/Industrial Districts	Limited to a maximum of 25% of total landscapable area
Public Facilities Districts	Prohibited, except for schools, parks and cemeteries
Golf Course Use	Limited to 5 acres average per hole, with a maximum 10 additional acres for driving range
Residential Districts (Single-Family)	Limited to a maximum of 50% of total front yard area
Residential Districts (Multi-Family)	Limited to a maximum of 30% of total landscapable area

2. The turf limitations contained in this Subsection are intended to increase the use of water efficient vegetation. Landscaping shall be designed, and the landscaping materials shall be chosen and installed, so as to ensure that, within three years of normal growth, at least fifty percent of the area covered by non-turf landscaping will consist of water efficient vegetation.
3. The maximum amount of turf allowable pursuant to Paragraph 1 may be increased proportionally by the percentage of water used for irrigation that comes from a source to which the property owner has secured water rights.

**H. Landscape Materials**

Landscaping shall include drought-resistant and water efficient plant materials consistent with the Southern Nevada Water Authority xeriscape guidelines and the turf limitations of Subsection G.

**19.12.040 Perimeter Landscape Buffering**

*{Ord 5806 – 12/21/05}*

**A. Buffer Zones**

1. A perimeter buffer zone consisting of landscape planting and screening shall be provided adjacent to all street rights-of-way and property lines as set forth in Table 1 below.

**Table 1 – Perimeter Landscape Buffer Widths**

<b>STANDARD</b>	<b>RESIDENTIAL (MULTI-FAMILY)</b>	<b>COMMERCIAL</b>	<b>INDUSTRIAL</b>	<b>RESIDENTIAL (SINGLE FAMILY)</b>
Minimum Zone Depth-Adjacent to Right-of-Way	10 feet <sup>1</sup>	15 feet	15 feet	6 feet <sup>2</sup>
Minimum Zone Depth-Interior Lot Lines	6 feet <sup>3</sup>	8 feet <sup>3</sup>	8 feet <sup>3</sup>	0 feet

1. When adjacent to or across the street from an existing single family residential use or zoning district, the buffer shall be increased to 15 feet.
2. Only when adjacent to streets classified as collector or larger.
3. When building setbacks are less restrictive, the setbacks shall prevail.

2. Applicability of Standards. Except as otherwise provided in this Paragraph 2, the standards set forth in Paragraph 1 of this Subsection A, including Table 1 therein, are minimum requirements. The Planning Commission or City Council may grant a waiver to any of these standards as part of a Site Development Plan Review if the applicant can show through convincing and substantial evidence that the waiver will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposed project will substantially meet the intent of the standard, and the granting of the waiver will not detrimentally affect the public health, safety or general welfare.

**B. Plant Material.**

The following are spacing requirements for plant material:

1. The standard planting requirement is as set forth in Figure 2. Trees shall be spaced within the required buffer zones in accordance with Table 2 below, with trees to be spaced on center. Alternatives to the standard planting requirements are set forth in Paragraphs 2 and 3 that follow Table 2.

**Table 2 – Perimeter Landscape Buffer – Spacing of Trees**

STANDARD	RESIDENTIAL (MULTI-FAMILY)	COMMERCIAL	INDUSTRIAL	RESIDENTIAL (SINGLE-FAMILY)
Minimum Trees (24" box minimum)	1 per 20 linear feet 1 per 30 linear feet <sup>3</sup>	1 per 20 linear feet <sup>1</sup> 1 per 30 linear feet <sup>2,3</sup>	1 per 20 linear feet <sup>1</sup> 1 per 30 linear feet <sup>2,3</sup>	1 per 30 linear feet

1. Where adjacent to any residential use.
2. Where adjacent to any commercial or industrial use.
3. Where adjacent to any right-of-way classified as a freeway.  
*{Ord. 6008 – 10/15/08}*

**2. Planting Requirement Alternative #1 (see Figure 3). Clustering of trees is allowed if:**

- a. The total number of trees exceeds the minimum requirement by at least one tree; and
- b. The spacing between any two trees does not exceed thirty-five feet for commercial and industrial developments, or forty-five feet for single family and multi-family residential developments.

**3. Planting Requirement Alternative #2 (See Figure 4).** The minimum number of trees required is one 24-inch box deciduous tree, evergreen tree, or 15-foot palm tree for every thirty-five linear feet of planter, plus one extra tree of similar size to provide coverage at each end of planters. The spacing of such trees shall not exceed thirty-five feet on center. In addition, two 15 gallon deciduous trees, evergreen trees, or palm trees are required for every thirty-five linear feet of planter, to be located between the trees planted pursuant to the preceding sentence. The 15-gallon trees may be either spaced regularly or grouped in between the larger trees.

**4. Shrub Requirements.** Shrubs are required in all buffer areas, with a minimum of four 5-gallon shrubs required for every required tree.

**5. Ground Cover Requirements.** Ground covers shall be installed in all landscaped areas. Non-vegetative ground covers shall include, without limitation, rocks and small stones, crushed rock and bark, installed to a minimum depth of two inches in all areas.

**6. Applicability of Standards.** Except as otherwise provided in this Subsection B, the standards set forth in this Subsection are minimum requirements. An exception or modification to any of these standards may be approved upon the request of an applicant if the applicant can show through convincing and substantial evidence that the exception or modification will not compromise the objective of the City in safeguarding the interests of the citizens of the City, the proposed project will substantially meet the intent of the standard, and the granting of the exception or modification will not detrimentally affect the public health, safety or general welfare. Such an exception or modification may be granted by the Director in connection with the approval of a Site Development Plan Review. In cases where the Director does not approve a requested exception or modification, the request may be acted upon by

the Planning Commission or City Council, the request for exception or modification need not be identified as a separate action item, and disposition of the request may be incorporated into the action on the Site Development Plan Review. Notice of action on the request for exception or modification may be incorporated into the notice of decision regarding the Site Development Plan Review.

**C. Irrigation.**

Landscape areas shall be irrigated in accordance with LVMC 19.12.030(F).

**D. Buffer Zone Encroachments.**

The following encroachments are permitted within required buffer zones:

1. Driveways (curb cuts) that are located perpendicular or approximately perpendicular to the street right-of-way.
2. Sidewalks that are located perpendicular or approximately perpendicular to the street right-of-way.
3. Pedestrian plazas that are located adjacent to the public right-of-way and in accordance with LVMC 19.08.050(E)(3).

**E. Utility Boxes and Installations.**

1. Along streets that border a residential subdivision, all utility boxes and above-ground utility installations, other than utility poles, that are in excess of twenty-seven cubic feet in size and that are to be placed back of the sidewalk shall be installed with landscaping on two sides, with one side being available for access by utility companies. The landscaping must include tall grasses and shrubbery which, at maturity, will provide adequate screening of the utility structures.
2. Along streets that border nonresidential development, all utility boxes and above-ground utility installations, other than utility poles, that are in excess of twenty-seven cubic feet in size (excluding pad and concrete collars) shall be set back a sufficient distance so that a minimum of three feet of landscaping separates the utility structure from the public street right-of-way or sidewalk, whichever is nearer to the structures. The landscaping must include tall grasses and shrubbery which at maturity will provide adequate screening of the utility structures. In addition, all utility boxes shall be placed so that the access doors open parallel to the street corridor and are accessible without the need to cut down or reduce the effectiveness of the landscaped screening.
3. Within proposed trail corridors that are identified in the Master Plan Transportation Trails Element and the Master Plan Recreation Trails Element, no utility box or above-ground utility installation, other than a utility pole, that is in excess of twenty-seven cubic feet in size (excluding pad and concrete collars) shall be allowed. In addition, all utility boxes to be placed immediately adjacent to a trail corridor shall be placed so that the access doors open parallel to the trail corridor and are accessible without the need to cut down or reduce the effectiveness of the landscaping within the trail area.



**F. Sidewalks.**

1. Sidewalks a minimum of five feet in width are required. Sidewalks and sidewalk ramps shall be constructed in accordance with the Uniform Standard Drawings, Clark County Area, as adopted by the City. Sidewalks along arterial streets one hundred feet and wider shall be separated from the back of the street curb by a minimum of five feet of landscaped buffer area (see Figure 5). The buffer area shall be planted with low maintenance, drought tolerant materials. Trees may be planted within the buffer area but are not required. Street trees shall be planted in accordance with Subsection G of this Section. The developer shall provide preliminary peripheral landscaping plans at the time of application. Maintenance of the peripheral landscaping and sidewalk shall be the responsibility of the property owner, developer, business association, other similar organization, or other method as approved by the City. The City may require:
  - a. Additional right-of-way to accommodate the buffer area, in accordance with alternative standards that have been adopted by the City.
  - b. A pedestrian walkway easement for any sidewalk area that will fall on private property;
  - c. An encroachment agreement for landscaping and private improvements in the right-of-way; or
  - d. Any combination thereof.
2. In areas where the street flow depth of stormwater exceeds the top of the curb elevation, required erosion control measures such as stem or rockery walls, riprap, turf, etc. shall be integrated into the landscape design. The installation of such measures shall be in addition to, and not in place of, required landscaping. Where stem or rockery walls are used, the wall shall be backfilled level with the top of the wall and landscaping installed. The color and texture of such walls shall be consistent with the sidewalk, hardscaped areas or perimeter walls. All walls shall be capped with a wall cap.

**G. Street Trees.**

Street trees of an approved type shall be planted along public streets in accordance with any corridor or specific area plan as adopted by the City. In the absence of any such adopted plan, the minimum planting requirement is one twenty-four inch box deciduous or evergreen tree, or one palm tree with minimum height of fifteen feet from the ground to the top of the fronds, for every twenty linear feet of planter, plus one additional similar size tree to provide coverage at the end of planters. Twenty-four inch box trees must have a minimum one and one-half inch caliper measured six inches above the soil line.

**19.12.050 Landscape Plan Approval Procedure***{Ord 5806 – 12/21/05}*

Unless approved in connection with a Rezoning, Special Use Permit or Variance application, landscape plans shall be processed and approved, if appropriate, as part of the Site Development Plan approval procedure.

**19.12.060 Enforcement and Penalties***{Ord 5806 – 12/21/05}*

In addition to any other remedy which might be available, the City may withhold, deny, revoke or suspend a business license, certificate of occupancy or other permit or approval for failure to comply with this Chapter.

**19.12.070 Multi-Family Development – Preexisting***{Ord 5806 – 12/21/05}*

- A. Multi-family developments that were approved before the minimum landscaping requirements of this Chapter went into effect may be required to comply with those requirements, within a reasonable time and to the extent reasonably possible. Upon notice from the Department of Neighborhood Services, and within the time period specified in the notice, the owner or manager of a development shall submit to the Planning and Development Department a proposed landscaping plan. The submittal shall be subject to the approval of the Director. If a proposed landscaping plan is denied, the owner or manager may appeal the denial to the Planning Commission.
- B. Upon approval of a landscaping plan, the owner and manager of the development shall be jointly and severally responsible for maintaining the approved landscaping in accordance with this Chapter.

**19.12.075 WALL STANDARDS***{Bill 2006-43 – 09/06/06}**{Ord 5895 – 03/21/07}*

- A. **Front Yard Screen Wall Prohibition.** No screen wall shall be built in the front yard of a residential property.
- B. **Perimeter and Screen Walls**
  - 1. **General.** For commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes, shall be a minimum of six feet in height, and in no case shall exceed the height limitation applicable to the adjacent zoning district or property. In all other cases, there is no requirement to construct a wall or fence. However, all perimeter or screen walls and fences must comply with applicable building code requirements. Walls and fences adjacent to commercial or industrial zoning districts or property used for commercial or industrial uses shall be limited to a maximum of eight feet in height. The height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.

2. Height. The minimum height of a perimeter wall shall be six feet and the maximum height shall be eight feet. The maximum height of a screen wall shall be eight feet.
- C. Additional Height Limitations (No Slope or Minimum Slope).** Except as otherwise provided in Subsection (E), if the natural slope of a parcel that will contain a screen or perimeter wall is two percent or less, and a retaining wall will be required:
1. The maximum height of the retaining wall shall be four feet;
  2. The minimum height of a perimeter wall shall be six feet, with the maximum height for a screen or perimeter wall of eight feet; and
  3. The total vertical plane of both walls shall not exceed ten feet, measured from the finished grade on the lower side of the wall to the top of the wall, with a maximum height of eight feet measured from the finished grade on the higher side of the wall to the top of the wall. (See Figure 6)
- D. Additional Height Limitations (Greater Slope).** Except as otherwise provided in Subsection (E), if the natural slope of a parcel that will contain a screen or perimeter wall is greater than two percent and a retaining wall will be required:
1. The maximum height of the retaining wall shall be six feet;
  2. The minimum height of a perimeter wall shall be six feet, with the maximum height for a screen or perimeter wall of eight feet; and
  3. The total vertical plane of both walls shall not exceed twelve feet, measured from the finished grade on the lower side of the wall to the top of the wall, with a maximum height of eight feet measured from the finished grade on the higher side of the wall to the top of the wall. (See Figure 7)
- E. Increased Retaining Wall Heights.** In cases where it is necessary to use retaining walls that exceed the height limitations contained in Subsections (C) and (D), the following standards shall apply in order to reduce the visual impact of screen walls, perimeter walls and retaining walls, as illustrated in Figure 8:
1. For each four feet of vertical height of retaining wall, a minimum five-foot stepback, or horizontal offset, shall be provided, as measured from the front of the wall plane to the front of the next wall plane, with landscaping to be provided within the offset area.
  2. The height of the wall plane of the wall located at the highest grade shall be a minimum of six feet and a maximum of eight feet.
- F. Front Yard Walls/Fences.** Front yard walls/fences shall be a maximum of five feet with the top three vertical feet open to permit visibility. (See Figure 9) Hedges planted along the front yard property line shall not exceed three vertical feet. Retaining walls along the front property line may not exceed two feet in height. Where the grade of the front yard slopes at a ratio greater than 2:1, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. (See Figure 10).

**G. Fences, Walls and Architectural Character**

1. **Perimeter walls.** Perimeter walls, end walls, return walls and common area walls shall be decorative and shall be installed by the developer. Acceptable decorative wall materials include, without limitation, stone, decorative block, slump, stone, and wrought iron, and shall have a minimum of twenty percent contrasting material. The contrasting material requirement may be fulfilled by contrasting color, or a combination of contrasting material and contrasting color, if approved by the Department in its discretion. All walls shall include such detail variations as may be required by the Department, including pilaster, decorative caps, decorative iron cutouts or fluted blocks. Any decorative materials or ironwork attached to the top of a perimeter wall shall not encroach into public rights-of-way or abutting properties. Pilasters, if used, shall have a maximum spacing of twenty-four feet on center (See Figures 9 and 11). All perimeter walls shall:
  - a. Match the design of abutting perimeter walls. The established wall design shall be continued until the next street intersection. In cases where the existing wall is considered by the Director to be of unacceptable design, the design shall not be carried beyond the next street intersection unless a transitional wall area designed to soften the differences between the walls is constructed; and
  - b. Be maintained by the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City.
2. **Retaining Walls.** Retaining walls which are visible from adjacent properties or rights-of-way shall be decorative and shall be installed by the developer. Acceptable materials for retaining wall construction include split-face block, decorative block, slump stone, stone, caliche rock, colored or exposed aggregate, and textured-finish concrete. All walls shall include detail variations such as pilasters, decorative caps, or fluted blocks. All walls shall be maintained by the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City. In cases where the height of a retaining wall exceeds four feet, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area at the base of the wall. In cases where there are multiple-stepped retaining walls, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area between the walls and at the base of the lowest wall. A minimum planting area of four feet is required between the retaining walls.
3. **Wall Separation.** Where a screen or perimeter walls abuts another screen or perimeter wall, the separation shall either be:
  - a. A minimum of three feet from face of wall to face of wall, with access provided to the area between the walls for maintenance; or
  - b. A maximum of eight inches, with the resulting gap between the walls to be filled and capped with a cementitious material that:
    - 1). Will not increase the load on the walls; and

- 2). Has been approved by the Planning and Development Department and the Department of Building and Safety.

**H. Materials.** Unless otherwise approved as part of an overall development plan, the following materials shall not be acceptable for use as screen or perimeter walls:

1. Chainlink or open wire fencing (except as temporary construction fencing);
2. Razor wire or barber wire (except as may be approved under the procedures set forth in the City's Building Code);
3. Corrugated metal;
4. Bright colored plastic; and
5. Untextured or unfinished concrete or block (CMU) walls.

**I. Variance.** The standards set forth in this Section are minimum requirements for all development subject to this Section. Any request to deviate from these standards shall require the submittal of a Variance application, which shall be subject to the procedures and standards set forth in Section 19.18.070.

**19.12.080 FIGURES**

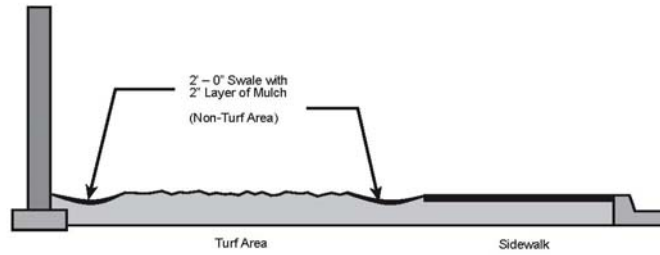
{Ord 5806 – 12/21/05}

{Bill 2006-43 – 09/06/06}

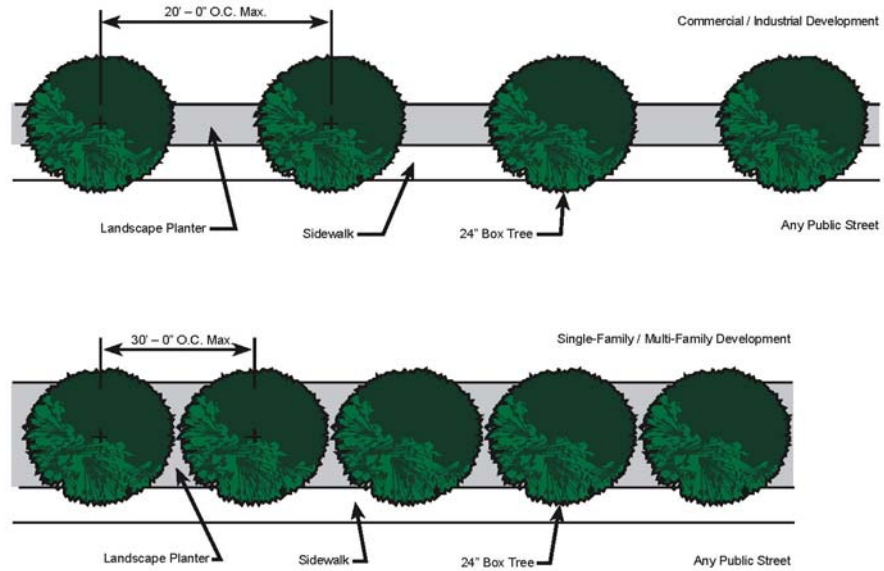
Figures referred to in this Chapter are as follows:

**19.12.080 ILLUSTRATIONS**

**Figure 1 Landscape Area Swale**

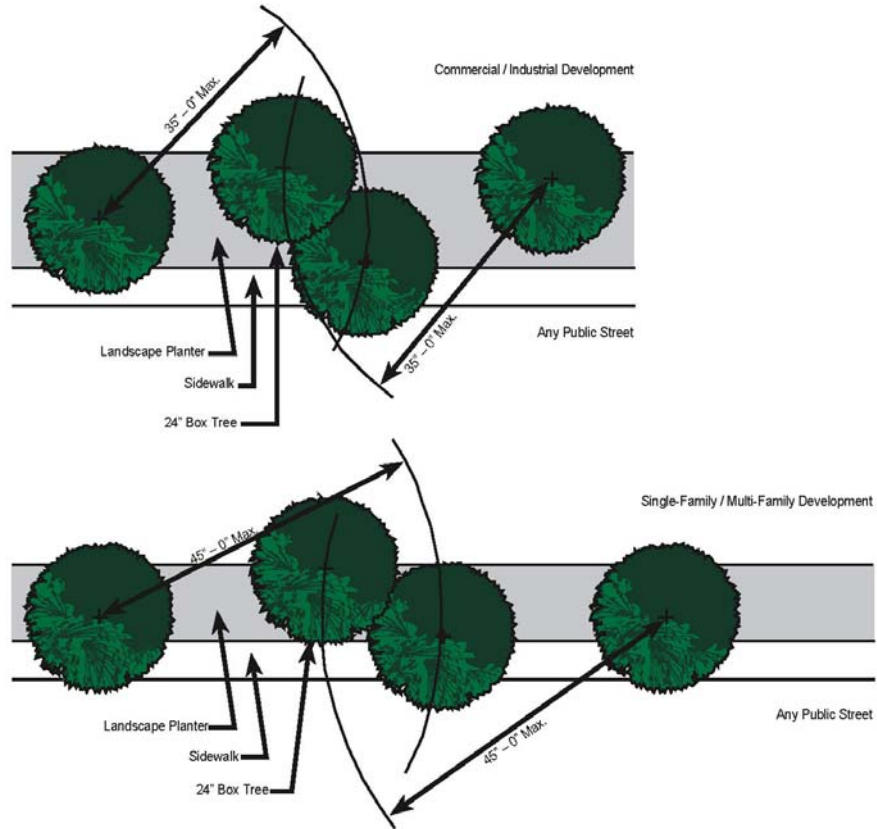


**Figure 2 Standard Planting Requirement**



19.12.080 ILLUSTRATIONS

Figure 3 Standard Planting Requirement Alternative #1



19.12.080 ILLUSTRATIONS

Figure 4 Standard Planting Requirement Alternative #2

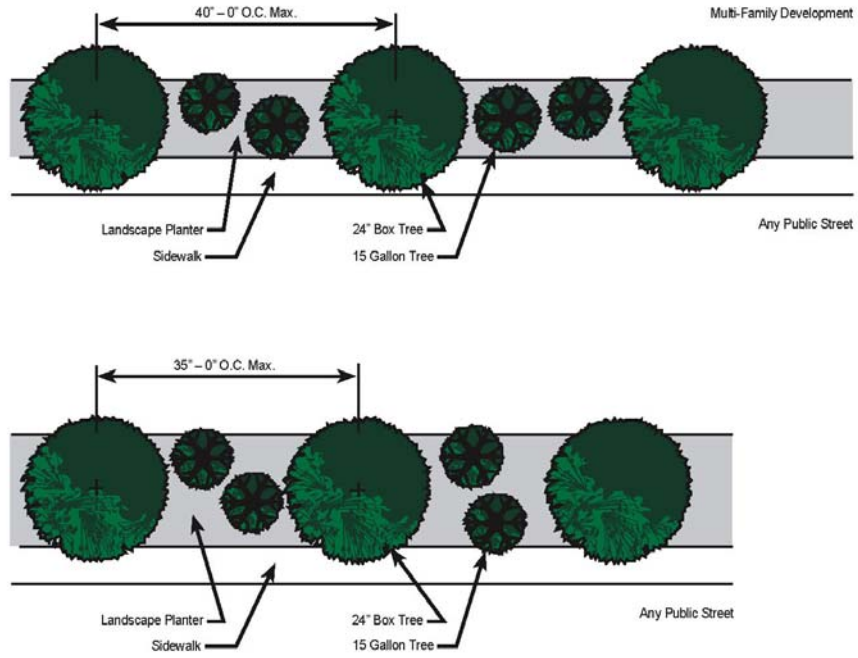
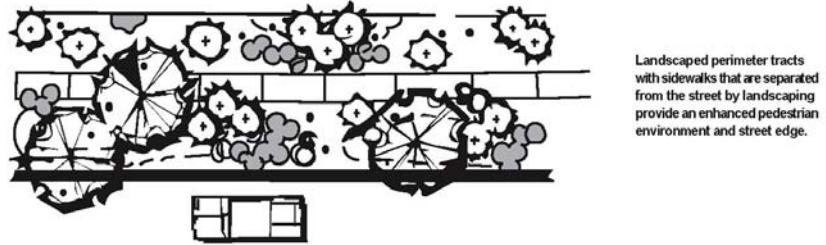


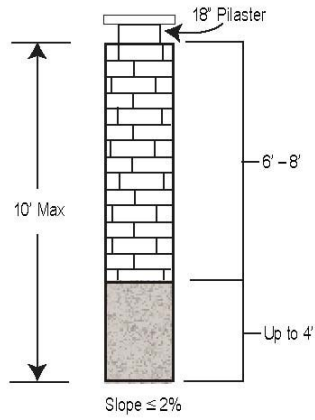
Figure 5 Landscape Perimeter



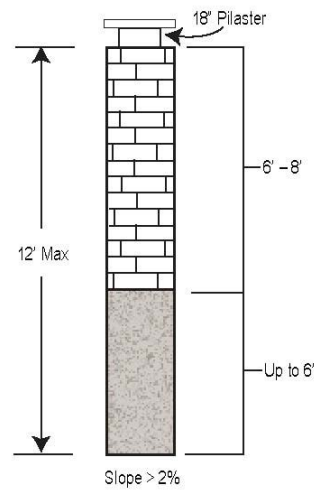


(Ord. 5850 – 9/6/06)

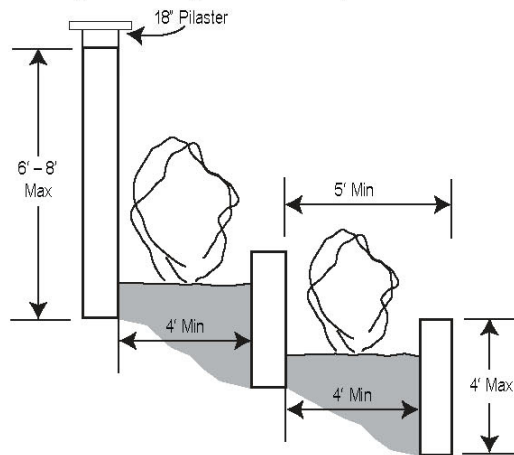
**Figure 6**  
Retaining and Screening Wall with Slope  $\leq 2\%$



**Figure 7**  
Retaining and Screening Wall with Slope  $> 2\%$



**Figure 8**  
Retaining and Screening Wall Standard Stepback



(Ord. 5850 – 9/6/06)

Figure 9  
Front Yard Wall / Fence

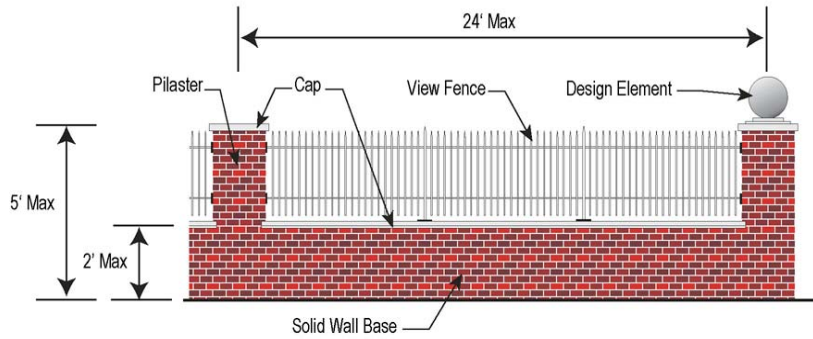


Figure 10  
Front Yard Wall / Fence with Standard Stepback

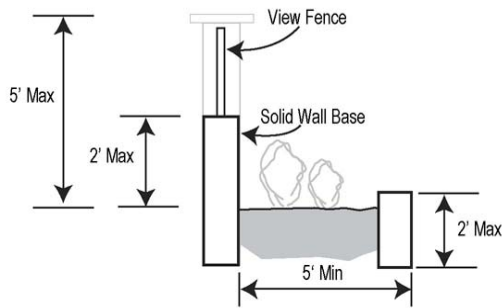


Figure 11  
Maximum Pilaster Spacing

