



MINUTES

Workshop Meeting

Reno City Planning Commission

Monday, March 28, 2022 • 5:30 PM

Reno City Council Chamber, One East First Street, Reno, NV 89501

Commissioners			
Kathleen Taylor, Chair 326-8859			
Alex Velto, Vice Chair	326-8858	Mark Johnson	326-8864
J.D. Drakulich	326-8861	Arthur Munoz	326-8862
Peter Gower	326-8860	Silvia Villanueva	326-8863

1 Pledge of Allegiance

Commissioner Johnson led the Pledge of Allegiance.

2 Roll Call

Attendee Name	Title	Status	Arrived
Kathleen Taylor	Chair	Present	
J.D. Drakulich	Commissioner	Present	
Peter Gower	Commissioner	Present	
Mark Johnson	Commissioner	Present	
Arthur Munoz	Commissioner	Absent	
Alex Velto	Commissioner	Absent	
Silvia Villanueva	Commissioner	Present	

The meeting was called to order at 5:34 PM.

3 Public Comment

Reno City Council Member Naomi Duerr, liaison to the Urban Forestry Commission (UFC), spoke regarding the work being done by the UFC on an updated tree ordinance. The goal is to set up development for success. The City plans to increase staffing to allow inspections that would ensure the tree ordinance is followed.

Item 3 - Correspondence Received for 03.28.22 mtg - *Presented/Distributed at Meeting*

4 Presentations

- 4.1 Staff Report: Presentation and discussion regarding an ordinance change to update tree protection, installation, and maintenance standards within Reno Municipal Code Title 18 (Annexation and Land Development) and Chapter 8.32 (Trees and Shrubs). 5:42 PM

Kelly Mullin, Principal Planner, gave an overview of the proposed changes to Title 18 and the hearing schedule. This item will be before the Planning Commission again on April 20 for a recommendation to City Council.

Jonathan Shipman, Assistant City Attorney, stated one of the things that came out of the analysis of the Tree Ordinance is that this is a rapidly developing area. There have been some significant cases in the Supreme Court that impact the way we are looking at this ordinance and what potential liabilities are out there. We are being cautious and conservative in our approach as this case law is currently developing. The big concern involves the Takings Clause of the Fifth Amendment.

Public Comment:

Daniel Inouye, Washoe County Health District, presented comments from the Air Quality Management Division on the proposed ordinance.

Cynthia Albright, Chair of the Urban Forestry Commission (UFC), spoke regarding the work the UFC has been doing on this ordinance.

Questions:

Ms. Mullin explained for Commissioner Johnson the new language for trees in parking lot islands replacing required parking spaces would apply to installation of new trees, not preservation of existing trees. Appropriate soil volume hasn't always been provided in the past and we want to ensure it is provided in the future for trees going into parking lots.

Matt Basile, Urban Forester, explained for Commissioner Johnson the reason for recommending more tree diversity is to have a more resilient urban forest.

Ms. Mullin explained for Commissioner Gower how existing code requires a certain number of trees versus a certain percentage of tree canopy.

Commissioner Gower suggested a tree canopy requirement would be more consistent with the Master Plan and the Urban Forestry Plan than a requirement for a certain number of trees. He discussed tree ordinances in other areas that require a certain percent shading for parking areas and leave the approach for how to get to that percent up to the

developer.

Mr. Basile confirmed for Commissioner Gower the current tree canopy analysis is somewhat dated. He is working with the State of Nevada to specify an update to the canopy study. They are waiting for current satellite imagery and are working to get that data as quickly as possible.

Ms. Mullin explained for Commissioner Gower they want to make sure that any tree protection standards or requirements do not increase the likelihood for catastrophic fires in areas of Wildland Urban Interface (WUI).

Commissioner Gower stated there is a need to look at alternative landscaping standards in the WUI areas and suggested the possibility of moving the tree canopy that would have been required in those areas to another area.

Ms. Mullin explained for Commissioner Villanueva there is always a tradeoff when it comes to incentives. When putting these kinds of incentives in place it is a policy decision and consideration is given to whether it is worth the tradeoff.

Mr. Basile explained for Commissioner Villanueva there is a limited pallet of native trees. As part of the recommended tree species list, we include trees that are more highly recommended because they are more drought tolerant. He also explained the term vegetation in 18.04.103(g) is a broad term meant to be all-encompassing for plant material.

Ms. Mullin further explained the incentives are specific to existing trees. Section 18.04.103 would not be applicable to preservation of shrubs or grass.

Chair Taylor asked if staff is anticipating any major changes before the next Planning Commission meeting that they should take into consideration when providing feedback.

Ms. Mullin stated they do not anticipate any major changes. The UFC asked staff to do some additional research on environmental benefits of specific trees and methods for calculating that and seeing if there could be mitigation options associated with that. Staff is still doing some of that research and will provide the UFC with more information at their next meeting.

Ms. Mullin explained for Commissioner Johnson that the resource request is for a landscape architect or someone with similar training that can provide educated reviews of landscaping plans and proposals and do those inspections onsite.

Discussion:

Commissioner Gower stated this is a great process that this ordinance has gone through and he likes seeing the input that has been incorporated. He expressed support for comments made by Daniel Inouye with the Washoe County Air Quality Management Division. He echoed Cynthia Albright's concerns about incentives and stated that he also feels there is a missing nexus between maintaining trees and getting an incentive related to urban form like wall articulation. He does not see how those go together and would not support that as a type of incentive. There is a need to specifically call out WUI in the ordinance. He would like to see a consistent metric of tree canopy versus number of trees. He expressed support for staff's recommendation for having an inspector for landscaping so we can be sure requirements are implemented. For parking areas, he likes the percentage of shading and providing flexibility on how that is implemented. In addition to an inspector, there should be some sort of mechanism to be sure the trees reach maturity.

Commissioner Drakulich stated he would echo a lot of what Commissioner Gower said, notably with regard to an inspector. If we approve requirements here, it should be delivered and maintained over time.

Commissioner Johnson stated he does not support an incentive for modifying the architecture of the building. He asked questions regarding how some of the incentives were put together and would like to see if there is a way to link that better. He would like to see the recommendations from the UFC when this item comes back to the Planning Commission.

Chair Taylor discussed the need to have enough resources to make sure enforcement issues are addressed. Decisions that are being based on the 2012 Canopy Study should be modified to be based on a more current study. She requested information for what the impacts would be on affordable housing. She would err on the side of private property when it comes to government interference based on what we heard from legal counsel. The Code implementation timeline should not have any negative impacts for developments that are already in the process. She expressed support for the comments regarding the WUI and using a tree canopy requirement versus a number of trees.

RESULT:	NO ACTION TAKEN
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5 Public Comment

None

6 Adjournment (For Possible Action)

The meeting was adjourned at 7:15 p.m.