

To: Planning Commission
From: Terra Wilcoxson, Planning Manager
Gabby Sinagra, Planner II
Tabitha Boschetti, Planner II
Memo Date: September 21, 2026
Meeting Date: September 28, 2026
Re: Tree Code Update Project Work Session September 28, 2026

Purpose

At the Planning Commission's meeting on September 28, 2026, staff will provide a presentation on the Tree Code Update Project focusing on the key provisions in the draft code update. The purpose of this meeting is to share information about the draft amendments and garner input from the Planning Commission. The aim is also to prepare members to review the draft code updates, which will be available for public review by October 5, 2026.

Background

The Tree Code Update Project is a comprehensive review of Gresham's tree goals, policies, procedures, and development regulations. Residents, developers, and staff have identified concerns about complex processes, enforcement challenges, and the appropriateness and effectiveness of existing standards. The project is intended to support a more robust and equitably distributed tree canopy that advances climate resilience and healthy living. Earlier work included community engagement, application of an equity lens and data analysis, and review of peer-city approaches to tree preservation, planting, mitigation, and administration.

The project also builds on recent development code updates: a new site tree requirement for single detached and middle housing development was instituted (2022), the street trees standards and some planter strip widths were updated (2025), and new large parking-lot shading standards per the State of Oregon's Climate Friendly and Equitable Communities rules were added (2025). The current project is threefold; it includes Development Code amendments, updated approved tree lists based on a "right tree, right place" approach, and a user-friendly Tree Guidebook for the public.

Amendment Highlights

The proposed amendments are based on the Planning Commission's feedback during the last work session on April 27, 2026 and City Council's direction at their work session on June 2, 2026. The amendments are intended to make tree regulations easier to find, understand, and administer. The draft code update consolidates most tree regulations into one section. Additionally, the draft includes:

- Clear criteria for large-scale tree removals,
- Spacing requirements based on tree size,
- Reduction and clarification of tree categories,
- Establishing uniform tree planting standards that are consistent with best practices in Urban Forestry,
- Draft Approved Tree List organized by tree size (small, medium, and large) with corresponding planter strip width ranges for street trees,
- Allowance for up to 25 percent encroachment into a tree protection zone to aid tree protection and flexibility for small projects, and align standards with practices in other Cities,

- Fewer opportunities for discretionary changes to site trees requirements in design districts, and
- Updated terminology and definitions; consistent use of terms throughout.

Tree Removal

The draft code establishes new tree removal permit categories of A, B, and C. The new category system replaces the current system of Tree Removal Exemption applications, Tree Removal I, and Tree Removal II for the purpose of being clearer, more intuitive and better aligned with review time and effort. For the updated permit categories, any category may require tree replacement.

- **Tree Removal “A”** applications apply to the simplest situations, such as removing one or two trees in a backyard. This application includes most tree removals that would currently qualify for a “Tree Removal Exemption,” as well as residential street tree removals, and is therefore anticipated to be the application most frequently used by homeowners. Replacement of removed trees under a Tree Removal A may be required based on site tree planting standards for a given lot or where street tree replacement is needed to meet standards.
- **Tree Removal “B”** applications apply to situations that require a degree of staff review to confirm that specific standards are met, including evaluating the need for an arborist report. This includes requests to remove hazard trees beyond the thresholds allowed under a Type “A” application, including large trees over 36 inches DBH limited removal of hazard trees within environmental overlays, and removal of Significant Trees that are dead or determined to be hazardous. Tree Removal “B” applications also apply to requests to remove 10 or fewer trees under certain circumstances, including conflicts with existing or proposed development. Replacement of removed trees is typically required based on site tree and other planting standards.
- **Tree Removal “C”** applications apply to the most impactful situations that require a greater level of staff review and judgement. This includes situations where more than 10 trees are being removed due to development or other conflicts. Replacement of removed trees is typically required based on site tree and other planting standards.

Current code exempts trees that are under 8 inches (DBH) and outside environmental overlays from the need to apply for any permit unless they were planted to meet site or street tree planting standards. These trees remain exempt from the need for a permit under the proposed draft, although more trees will be considered required to meet site planting standards. An exemption applicable to trees removed for public projects outside of environmental overlays also continues into the current code.

Criteria for tree removal under review types “B” and “C” are broken into *Health and Hazard Standards* and *Development Conflict Standards*.

- Health and Hazard Standards include existing considerations for dead and hazard trees, as well as updated language to consider emerging vulnerabilities from pests and disease. The standards seek to ensure that trees that pose an authentic risk to safety and property may be removed.
- Development conflicts include measurable conflicts with new prescribed minimum spacing standards to objects, paved areas, and other trees. This category also provides objective evaluation of conflicts between a defined Critical Root Zone and all proposed development activity including grading. The standards seek to allow removal of trees that conflict with proposed development, while providing a common understanding for builders, reviewers, and the public alike as to what constitutes a conflict.
- The proposed code language focuses on planting requirements rather than limiting tree removal in development situations. While staff have heard diverging interests in the community on this topic, this

policy direction seeks to minimize potential barriers to development following direction from City Council. For mass grading, where no further public facilities or building permit is tied to the proposal, a financial guarantee reflective of 1:1 replacement of trees removed is proposed, to be released when a permit requiring new planting meeting site tree requirements is approved. This direction seeks to limit pre-emptive tree removal where no vertical development is being proposed

New Industrial and Commercial Site Trees Standard

Currently in Gresham, industrial and commercial areas have substantially lower canopy than residential areas, creating an opportunity to increase tree canopy through planting and preservation. Existing standards rely on buffer trees, parking-lot trees, Climate Friendly and Equitable Communities shading requirements, and general landscape-area provisions. The draft includes a proposed requirement of one tree per 5,000 square feet of required landscaped area outside parking areas. A fee in lieu option is proposed for demonstrated conflicts such as underground utilities.

Support for Preservation of Site Trees

Current standards generally count all site trees equally. The draft code allows preserved trees to count more toward planting requirements than newly planted trees, with greater credit given to larger, mature trees. Credit for preserved trees is based on DBH:

- 8–18 inches DBH equals one newly planted site tree,
- 18–24 inches DBH equals two newly planted site trees, and
- Greater than 24 inches DBH equals three newly planted site trees.

Tree Removal Permit Fees

Gresham City Council adopts fees by resolution. Therefore, tree removal permit fees are not included in the development code update process (a Type IV Comprehensive Plan Text Amendment adopted by ordinance). Fee changes proceed through a separate review process, however, can be coordinated with development code amendments. City Council will review potential fee changes in late 2026 or early 2027, so they will be effective at the same time as the development code update. The current tree removal permit structure includes a Tree Removal Exemption (TREX), Tree Removal I, and Tree Removal II. The TREX and Tree Removal I are no-fee permits, while Tree Removal II includes a flat fee. The upcoming fee resolution proposes Tree Removal A and B applications would be no-fee permits, and Tree Removal C applications would include a base application fee, and an impact fee based on the number of trees proposed for removal.

Retroactive Tree Removal Permit Fees

Current violations proceed through the City's standard code enforcement process, which includes the responsible party obtaining the required tree removal permit. The upcoming fee resolution will propose a retroactive permit fee for unpermitted removal, including situations such as construction damage. This responds to community requests for greater penalties and disincentives. The draft code amendment includes an updated Violations section.

Anticipated Next Steps

As mentioned, Planning staff will review the above subjects and other key project topics with the Planning Commission on September 28, 2026. This is a time for staff and the Planning Commission to have an open dialogue in advance of a Planning Commission public hearing on the project. A full draft of the code amendments will be available for public review by October 5, 2026. The document will be posted online, emailed to the

Planning Commission, Coalition of Gresham Neighborhood Associations, and other interested parties. A Planning Commission public hearing is scheduled for November 9, 2026 and a City Council hearing is scheduled for December 8, 2026.