

To: City of Gresham Planning Commission
From: Mary Phillips, Senior Planner
Gabby Sinagra, Planner II
Memo Date: August 7, 2025
Meeting Date: August 18, 2025
Re: Tree Code Project Policy Development Work Session

Meeting Purpose

This meeting will provide an update from City staff on the progress of the Tree Code Update Project. The project is currently in the policy development phase and the meeting will focus on a review of the draft policy outline. This draft outline reflects input gathered through community engagement and has been shaped through work sessions with the Neighborhood Coalition, Urban Forestry Subcommittee, Planning Commission, and City Council. Staff is seeking feedback from the Planning Commission on the draft policy outline as follows:

- Does the draft policy outline strike a good balance between supporting community tree goals and maintaining development feasibility?
- What are the primary challenges you see in putting a greater focus on tree preservation earlier in the development process?
- What are the primary challenges you see in meeting minimum canopy coverage standards?
- Are there any areas of tree priorities that the policy outline does not sufficiently address?

Tree Code Project Background

Tree Code Project Overview

The Tree Code Project team is working with the community to update Gresham's tree goals, policies, procedures, and regulations to reflect community goals, best practices in urban forestry and green infrastructure, climate resilience and climate justice, equity, community vibrancy, and the guiding principles of the 2022-2025 Gresham Strategic Plan. The project will result in updates to Volumes 1-3 of the Community Development Plan, as well as updated approved tree lists and the creation of a city tree guidebook.

Project Purpose

Gresham has a thriving and equitably distributed tree canopy that supports climate resiliency and healthy living.

Summary: Phase 2 Community Goals Feedback

During the project's Phase 2 outreach activities the community shared that trees in our city are very important to them, and that they would like our updated tree policies to:

- Protect mature trees and groves of trees;
- Support a high level of tree coverage;
- Promote places with a variety of tree sizes and building sizes;
- Reduce urban heat;
- Provide wildlife habitat;
- Improve air quality; and
- Support healthy living.

The most common tree concerns shared included:

- Lack of clarity on who is responsible for tree care or planting;

- Tree and infrastructure conflicts (such as damage to sidewalks, blocked signs, etc.);
- Safety Hazards (dropped limbs in storms, street signals and signs blocked, etc.); and
- Inappropriate tree pruning, maintenance, or removal.

These community goals and considerations helped to frame the alternative policy approaches and outline described in this memo.

Summary: Phase 3 Alternatives and Policy Framework

In Phase 3 of the Tree Code Update project, City staff worked with community members, technical consultants, the UFS, Planning Commission, Neighborhood Coalition, and City Council to explore policy alternatives to determine a framework for the tree policy updates. This work was grounded in community engagement to understand the community's needs, wants, and vision for trees and informed by both technical data and public feedback. The outcome of Phase 3 was the establishment of a four-part policy framework as follows:

- *Canopy*: Establish both a city-wide goal for tree canopy coverage and goals for distinct subareas within the city. Establish targets that are a moderate and somewhat challenging increase to existing levels of canopy coverage.
- *Tree Preservation*: Set challenging but achievable tree preservation thresholds and prioritize important individual trees (such as larger, native, and climate adaptive trees) and groves of trees.
- *Tree Replacement and Mitigation*: Include replacement requirements for when trees are removed that are moderate and based on canopy targets.
- *Enforcement*: Utilize a tiered enforcement approach that scales to the severity of the non-compliance and is impactful enough to reduce code violations without disproportionately impacting small properties/projects.

This framework reflects community values, including the importance of heat reduction, improved air quality, community vibrancy, habitat for wildlife, and the need for more equitable canopy distribution across the city.

Tree Code Project Phase 4: Policy Development

The project team has been working on expanding the Phase 3 project framework into a draft regulatory structure and policy outline that reflects community values, is responsive to individual site conditions, and is practical for development applicants and staff to administer. The draft policy outline is shaped by the following approach and key principles:

- Trees will be considered *core parts of neighborhood infrastructure*, and planning for preservation and planting of trees should occur early in site design and planning.
- The development code should be *clear, accessible, and equitable*, with standards that scale based on context and project type.
- Regulations should be *outcome-oriented, context-responsive, and flexible* in order to balance tree goals with development feasibility.
- Tree *preservation is strongly incentivized*, especially for large trees and groves.
- Both *incentives and deterrents* are used to promote preservation and limit/discourage tree removal.
- Clear targets for *tree canopy growth* are built into planting requirements.
- Policy *enforcement is scaled* with the severity and impacts of non-compliance rather than punitive, to prevent undue burdens on individual communities, and functions as a last step rather than the primary mechanism for compliance.

Draft Canopy Policy Outline

Overview

Canopy policies can be used to set tree canopy goals and consistent expectations for future tree cover in the city. Canopy policies can help promote climate resilience, healthy living, equitable canopy distribution, and

community vibrancy. The draft policy outline starts with an overall approach of setting clear canopy targets. Based on the policy framework, a moderate and somewhat challenging goal for increasing tree canopy is proposed to support the City's climate, livability, and community vibrancy goals, be consistent with leading research on tree benefits, and be realistic enough that it could be achieved.

Canopy Policy Considerations

- The 2019 city-wide average canopy cover is 25.5% canopy, with individual census block group canopy levels ranging from 7.8% to 63% canopy coverage.
- Community members providing survey and workshop feedback largely preferred “plentiful” or “dense” tree coverage city-wide, with slightly higher levels of tree coverage preferred in residential neighborhoods than in city centers.
- Canopy levels at 30% and greater are correlated with measurable health benefits such as improved air quality and general levels of health.
- Canopy levels at 40% and greater are correlated with meaningful reductions in urban heat and its impacts.

Draft Canopy Policy Outline

- Set city-wide canopy goal: 35-40%
- Establish minimum canopy coverage requirements for different zone district densities:
 - Low density zone districts and all parking lots over 9 spaces: 40%
 - Medium density zone districts: 30%
 - High density zone districts: 25%
 - Industrial zone districts: 20%
 - Tree preservation and planting both contribute toward meeting canopy requirements.

Scaling canopy targets by context supports the City's goals for equitable distribution of tree canopy and context responsiveness, as well as helps balance goals for tree cover with maintaining development feasibility. These draft targets are intended to provide a clear, measurable framework for evaluating development proposals and planting efforts. They also provide a foundation for the development code's tree retention, planting, and mitigation standards.

Draft Tree Preservation Policy Outline

Overview

Tree preservation policies establish standards for tree preservation thresholds and priorities. Preservation policies help maintain existing canopy while still allowing for development. The draft preservation policy outline would introduce tangible and direct preservation requirements into the tree code. Currently, preservation is only indirectly addressed through tree protection plans required during development, which can result in inconsistent outcomes and missed opportunities to retain high-value trees. The preservation framework is to set a “challenging but achievable” preservation threshold. The draft policy outline makes preservation an explicit objective and centers on a dual approach: incentivizing the preservation of mature trees and groves by allowing them to count more heavily toward required canopy targets, and deterring unnecessary removal through scaled impact fees tied to tree size and number of trees removed. This structure reinforces the community's strong values towards trees and towards the protection of mature trees and groves.

Policy Considerations

- During outreach activities, community members consistently emphasized the importance of preserving mature trees and groves of trees, and 97% of the community priorities survey respondents reported valuing trees “a lot.”
- A “challenging but achievable” preservation threshold is consistent with community input on the value placed on trees
- The growth of existing trees contributes to overall canopy growth faster than new trees.

- Balance tree preservation goals with maintenance of development feasibility.
- Scaled retention incentives should align with scaled mitigation requirements for tree removals.

Policy Approach

- Establish tree maintenance and tree planting as key ways to reach canopy goals.
- Regulations include a scaled incentives approach for preservation of priority trees that contribute sooner to meeting canopy minimums.
- Removal is discouraged but not prohibited, the policy allows removal with increasing mitigation requirements based on tree size and number removed.
- Removal of required and protected trees on vacant lots are most strictly limited
- Retention standards prioritize trees over 18" DBH, particularly native, climate-adaptive species, and tree groups or groves.
- Preserved trees must meet health and species criteria to qualify toward canopy targets or site plan flexibilities.

Tree Replacement & Mitigation Policy

Overview

When trees do get removed, replacement and mitigation policies determine what and how much needs to be replanted, any planting alternatives, and any other mitigation measures needed. Replacement and mitigation policies can help ensure that lost tree canopy is replaced in a flexible and effective way that supports long-term urban forest goals. The draft policy outline below shifts from a tree-for-tree replacement model to a canopy-based approach. The policy emphasizes functional outcomes to help ensure that new trees contribute meaningfully to climate resilience, livability, and equitable canopy distribution.

Policy Considerations

- Community members expressed a desire for “plentiful” or “dense” tree coverage and emphasized the importance of mature trees and groves.
- Canopy-based metrics reach canopy goals with less risk of overplanting, and can help support long-term maintenance.
- Ensure replacement of trees with key functions and important benefits (i.e. shade, air quality, stormwater benefits).
- Planting flexibility (canopy based rather than location based where appropriate) can support meeting canopy goals across diverse development contexts.

Policy Approach

- Introduces canopy-based replacement requirements, where mitigation is measured in canopy coverage rather than tree-for-tree formulas. Maintain tree-for-tree replacement for only specific required tree types such as street and parking lot trees.
- All removals of required and protected trees (outside exempt categories: hazard, dead, diseased, dying, and nuisance) require replanting and payment of tree removal impact fees.
 - Replanting is required up to the minimum canopy target for the site, ensuring that removals don’t result in net canopy loss or overplanting that could lead to future crowding and health issues for trees.
 - Tree Removal Impact Fees scale with the size (DBH) and number of trees removed, with higher rates applied to groves and large trees.
 - Impact fee revenue would support urban forestry goals, including contract arborist services and tree planting efforts in neighborhoods with insufficient canopy.
- Tree removal tied to site improvements (e.g., driveways, grading, utilities) would still require mitigation and compliance with canopy requirements.

Draft Enforcement Policy Outline

Overview

The purpose of adopting enforcement policies is to ensure compliance with tree regulations, as well as penalties for tree removals without permits (where required) and other violations of the tree regulations. The enforcement policy aims to establish a fair, tiered system to ensure compliance with the City's tree regulations. The primary goal is to encourage voluntary compliance through education and clear, easy to apply standards – reserving penalties and enforcement action for more serious or repeated violations. By scaling consequences to the severity of the infraction the policy promotes stewardship and accountability, while minimizing disproportionate impacts, especially on vulnerable populations or smaller-scale projects.

Policy Considerations

- Some of the top concerns noted by community members during outreach activities include unclear maintenance responsibilities, infrastructure conflicts, and poor tree care.
- Balance penalties with deterrence, education, and voluntary compliance.
- Scale penalties to the severity of the violation.
- Avoid disproportionate burden on small property owners or vulnerable communities.

Policy Approach

- Establish a tiered, proportional enforcement system with graduated penalties based on the severity of the infraction to ensure compliance with tree regulations
- Enforcement is framed as a backstop, with the goal of achieving compliance through education, proactive engagement, and built in policy compliance and implementation procedures.
- Aims to encourage voluntary compliance through clear expectations, incentives, and transparency in the permitting process.
- Identify key process points for compliance verification such as through application review and inspections during the development review process.
- Increased (scaled) fees for retroactive permits provide a deterrent for non-compliance, while avoiding disproportionate impacts.

Next Steps

The next phase of project work will focus on further refinement of the policy approach to ensure it supports community goals while responding to feedback raised during interdepartmental review and the following work sessions:

- August 18, 2025: Urban Forestry Subcommittee Policy Development Work Session
- August 18, 2025: Planning Commission Policy Development Work Session
- September 2, 2025: City Council Policy Development Work Session

For more information: Visit the project page at: <https://EngageGresham.org/Gresham-Tree-Code>.