Environmental Overlay Project

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What are environmental overlays?

Environmental overlays are extra levels of protection in certain areas of the city to protect natural resources such as streams, wetlands, and hillsides.

Current Environmental Protections

- **Habitat Conservation Area** - streams and wetlands and public open space (most of City)
- **Environmentally Sensitive Restoration Area** - Pleasant Valley
- **Environmentally Sensitive Resource Area -** Springwater
- **Hillside Physical Constraint District** - steep slopes and hillsides

Together the system provides a network of green areas, wildlife habitat, streams, and forested slope protections.

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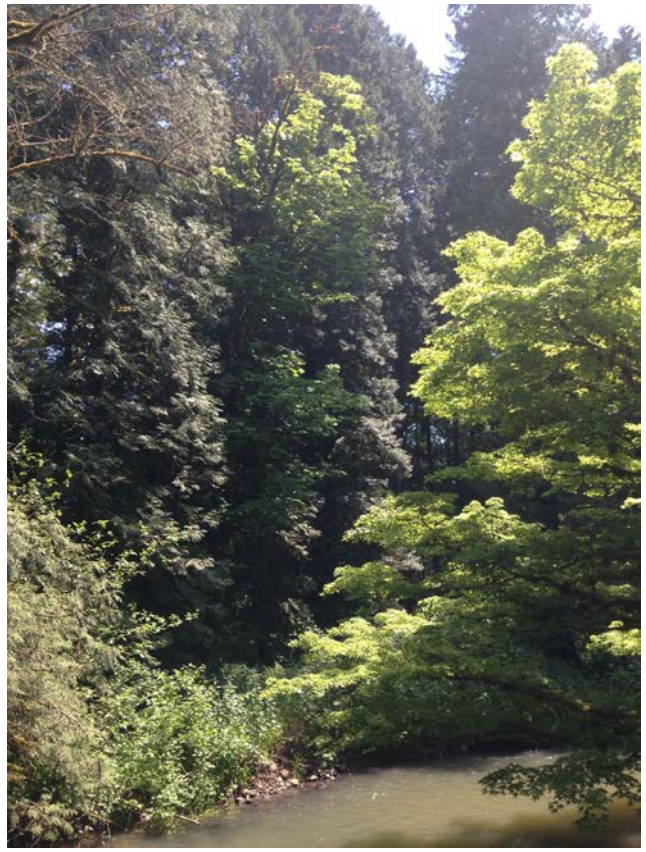
Project History



2016	• Project authorized by Council • Stakeholder meetings
2017	• Alternatives reviewed • Direction decided
2018	• Natural resource modeling
2019	• Landslide risk modeling
2020	• Draft Code and Maps • Public Outreach • Adoption

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Natural Resources

Natural Resources

- Wetlands
- Streams
- Riparian Areas
- Upland Habitat

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Protecting Natural Resources

Why do we protect natural resources?

- Gresham's community members care about these features and the habitat they provide
- To improve local water quality for recreation and fish habitat
  - Helps us meet State and Federal regulations
- Healthy natural resources help reduce damage from natural disasters
- To preserve property values
- To keep our community healthy

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Natural Resources – Why Update

Why we need to update the code and maps?

- There are different standards in different parts of the city
- The data used to build the overlays is outdated
- The overlays are difficult to map in the field
- The code is complex and difficult to understand
- The code doesn't meet new state standards
- Mitigation cannot always be planted and maintained

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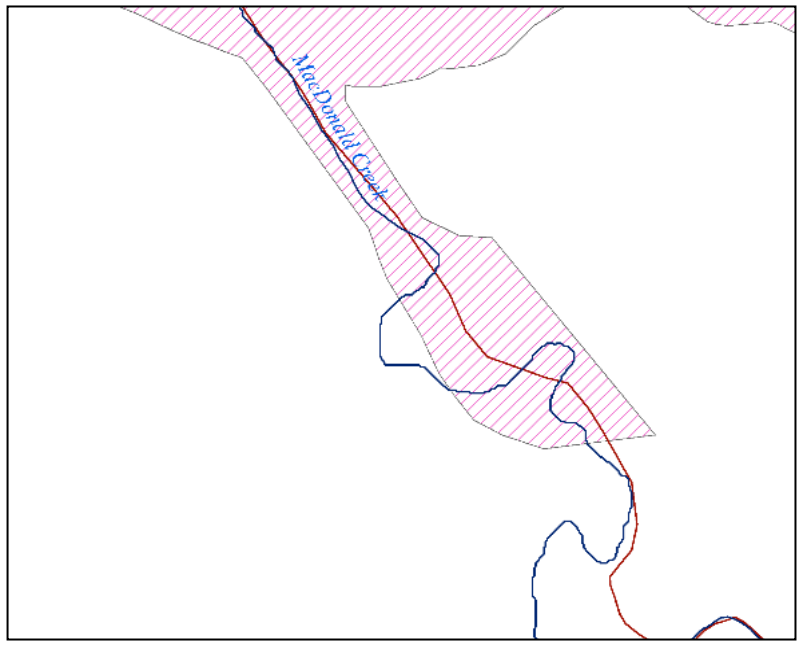
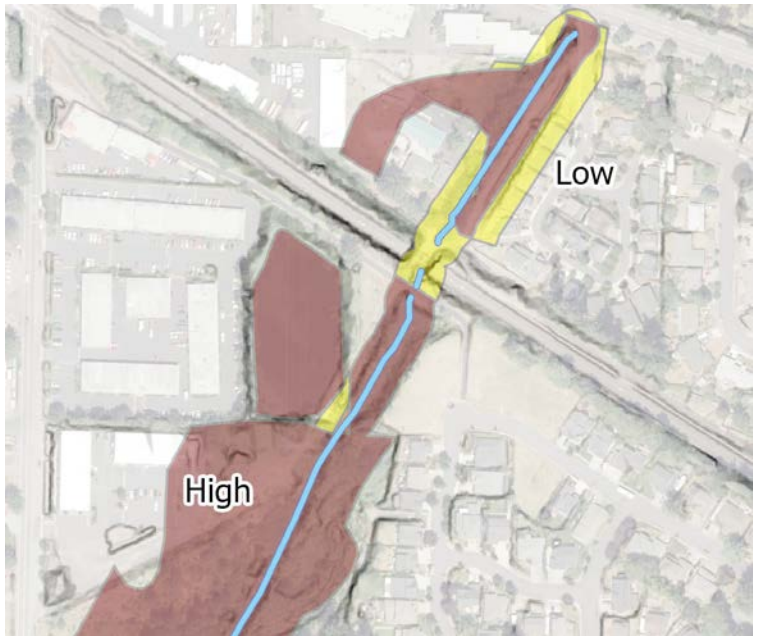
Natural Resource Map issues



Current buffers don't reflect best available data



More inputs ≠ Better buffer

Good intentions to include a multitude of inputs lead to some non-sensical model output.

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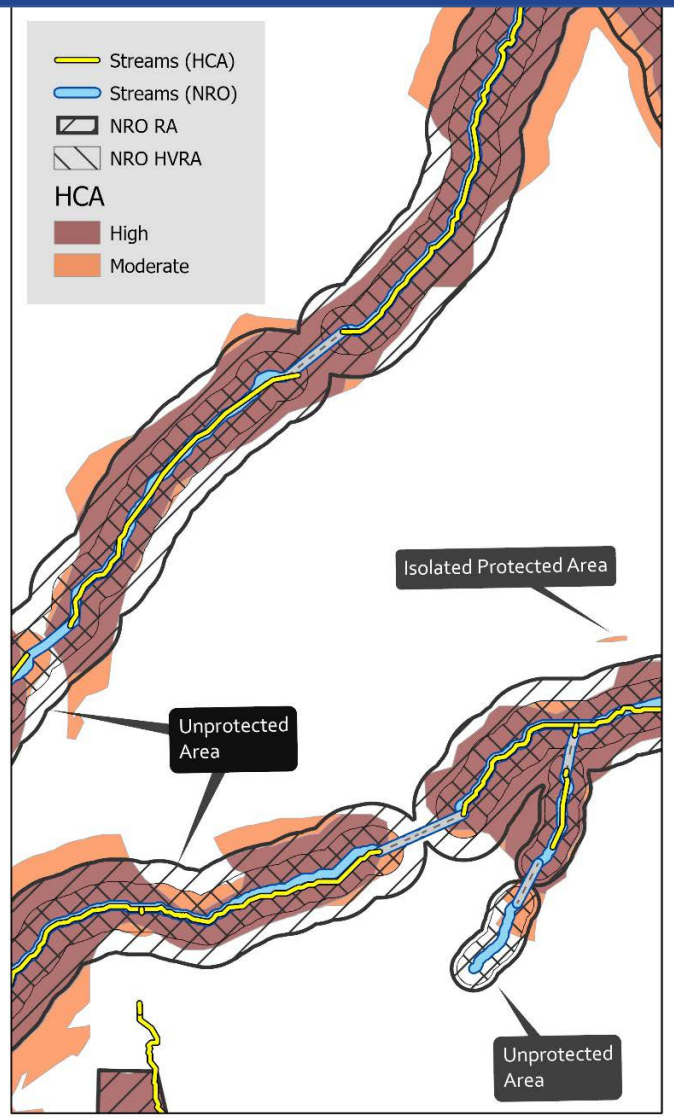
Natural Resource Map Simplification

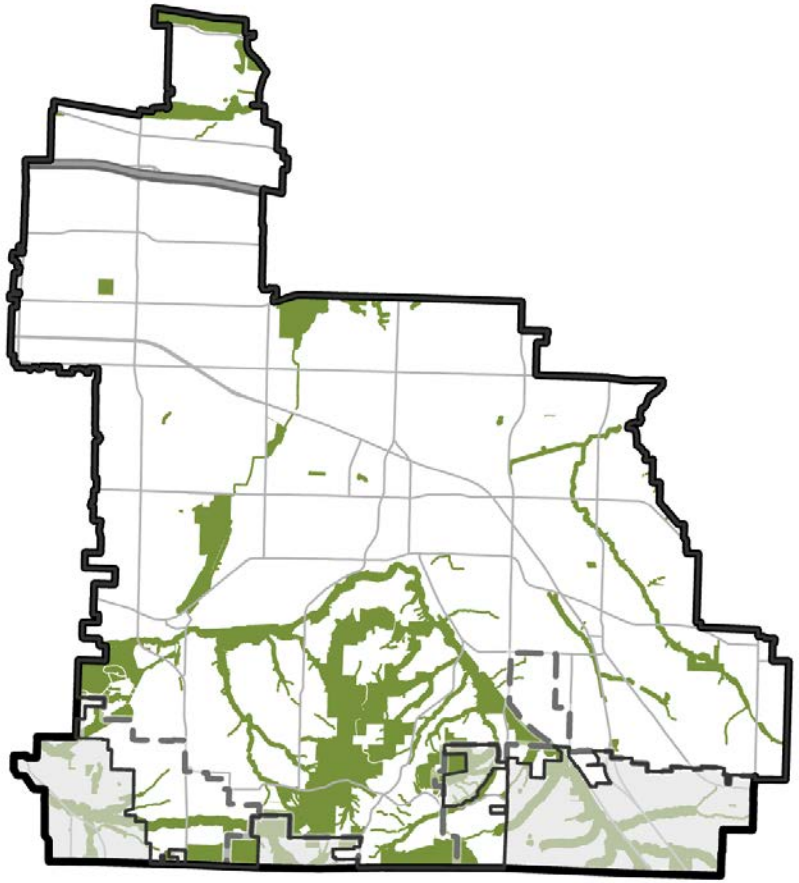


Create standard buffer widths around similar resources

- Uses best available data
- Easier-to-find field indicators
  (i.e., measure from center of the stream)

No significant change in level of protection (updated buffers average the same as pre-existing buffers)

Natural Resource Protection Area



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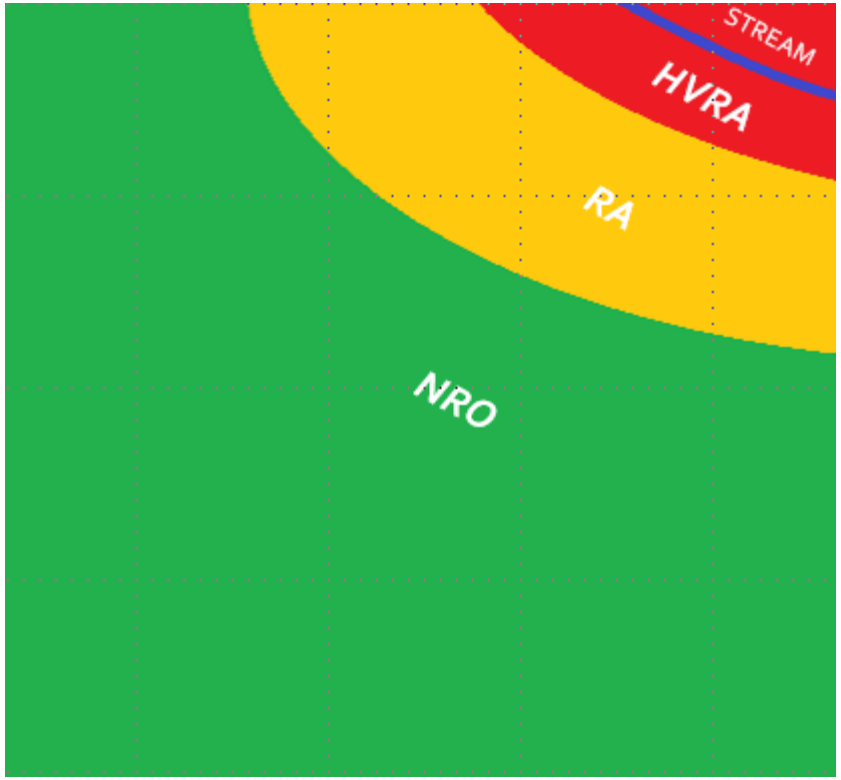
Comparison of Existing to Proposed

	Existing Acres	Existing w/ Corrections	Proposed Acres
ESRA-PV	252	~275	251
ESRA-SW	395	~420	447
HCA	2050	~2103	2039
Total	**2697**	**~2798**	**2737**

Natural Resource – Levels of Protection

- **NRO** – A parcel containing RA or HVRA
  - **RA (Resource Area) The land inside the buffer boundaries**
    - HVRA (High Value Resource Area) Areas within the RA with a higher degree of protection. Generally the resource itself, and 35-50’ corridor along a stream.

PRA - Areas identified as likely to have wetlands. Need to look for wetlands before development occurs



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Natural Resource – Existing Homes

- If property is mapped as NRO but is separated from the resource by a road there will be no special restrictions
- For most property owners there won't be any major changes, but the exact areas covered may have changed
- Property owners will continue to be able to use their house, yard, garden, shed, etc. with no additional restrictions.
- Hazardous trees can still be removed (replacement will be easier)
- Other trees outside the permanent disturbance area will still need to be protected
- Permanent disturbance of up to 4,000 square feet outside the HVRA will be allowed

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Natural Resource – Existing lots

A new simplified procedure for existing single family lots without area outside RA

Maximum disturbance area
6,000 SF
(all outside the HVRA)

Temporary
(up to 2,000 sq ft)

- staging and stockpiling
- Vegetation removal (inc. small trees)
- Area must be restored

Permanent
(up to 4,000 sq ft)

- grading and building
- vegetation and tree removal
- Area must be mitigated

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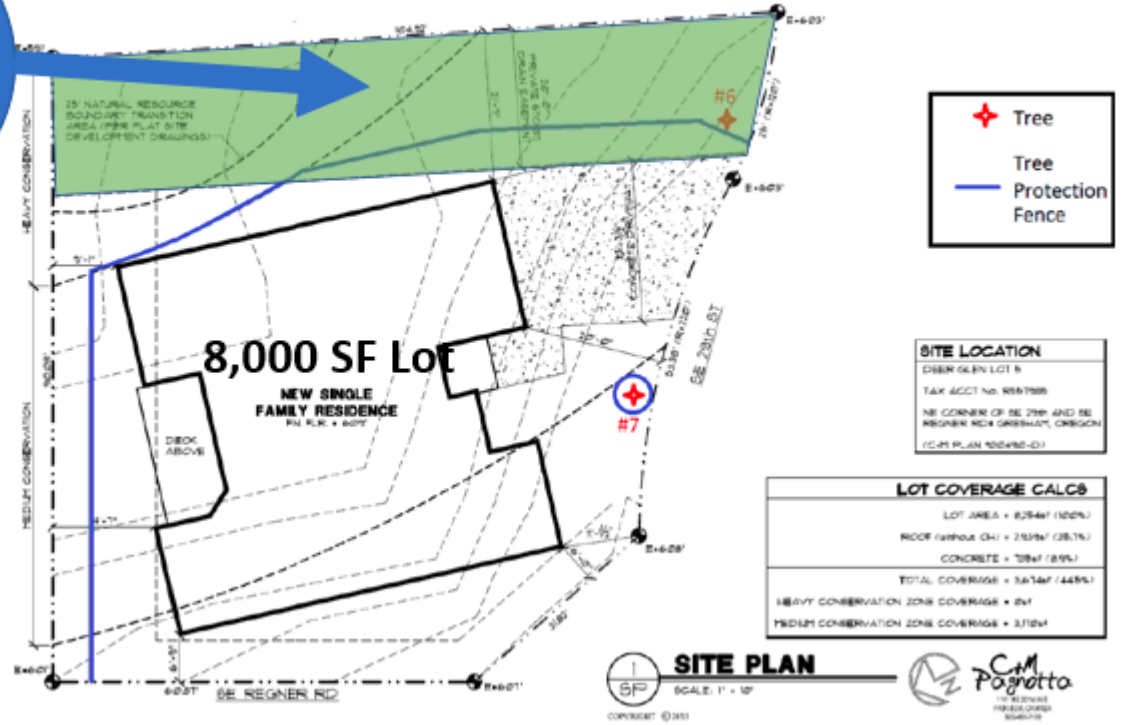
Natural Resource – Existing Single Family Mitigation

Existing problem situation

Required Plantings
-68 TREES
-68 SHRUBS

Space for Planting
-0.04 acres



Proposed solution

Instead of trying to fit mitigation on the lot, cash-in-lieu of mitigation will be required

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Natural Resource – Density Transfer

Density Transfer – Land Divisions

- Incentive to not disturb
- For residential zones 50% of minimum density of underlying zone
- Transfer parcel and receiving parcel both part of Type II application
- Caps on receiving area density (up to 125% of maximum density)
- Slight reductions in setbacks and minimum lot sizes allowed.
- Can only be transferred within a planning area (e.g. Pleasant Valley to Pleasant Valley)

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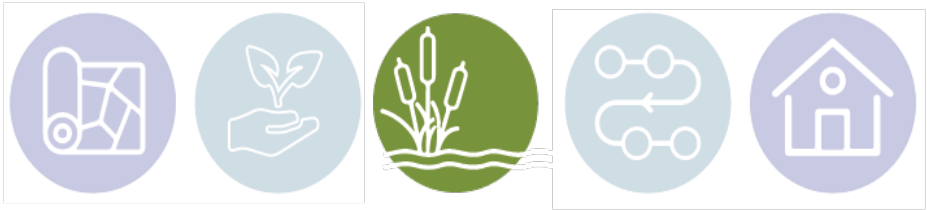
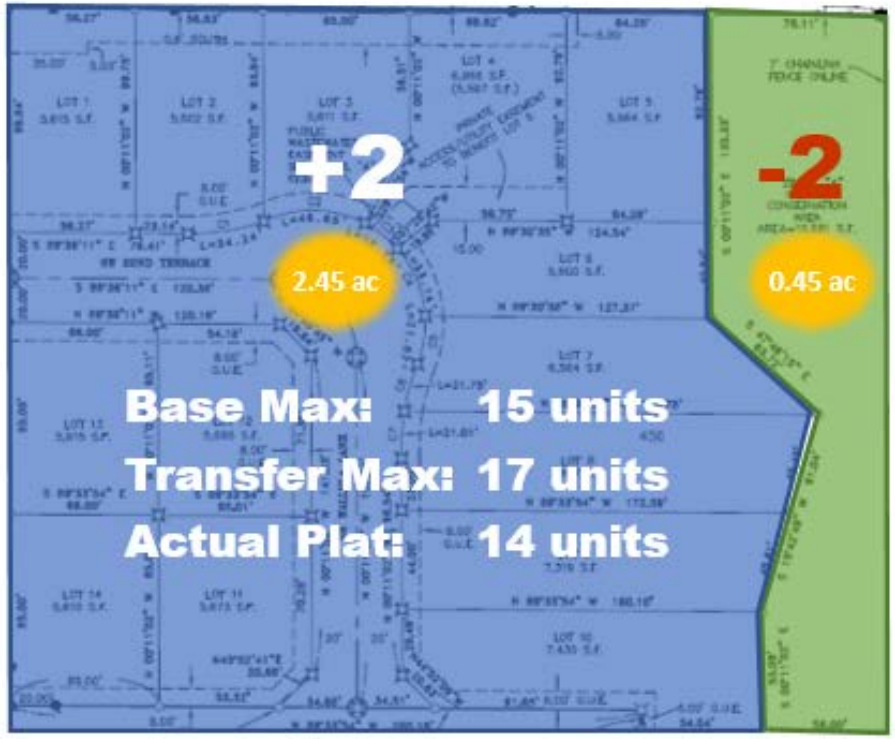


Natural Resource – Density Transfer

SENDING (RA)

RECEIVING (NO RA)



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Natural Resource – Mitigation

Land Divisions & All Other Development

The existing mitigation standard provides for dense tree cover only, even when impacting a meadow area.

Flexibility has been added to suit prioritized ecological needs.

- Land Divisions - Mitigation done before any houses can be built
- Other Development - Mitigation done before buildings can be occupied
- All practicable mitigation must be on-site
- Cash-in-lieu an option when there is not room to mitigate on-site

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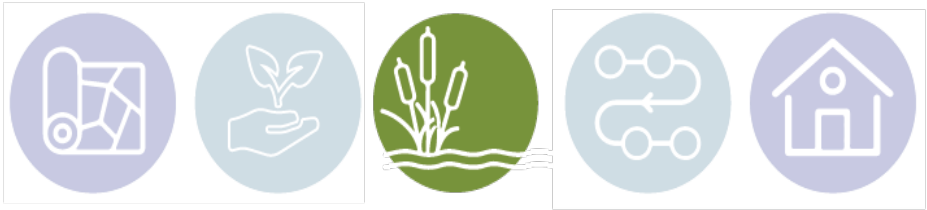

Natural Resource – Clear & Objective Standards

Introduction of clear and objective standards:

- During this process the state extended the requirement for clear and objective standards to all housing development
- Code provisions that rely solely on discretion (judgement calls) are no longer compliant with state law
- The City must provide a review track that does not require professional reports or alternatives analysis
- Developers can choose a discretionary path

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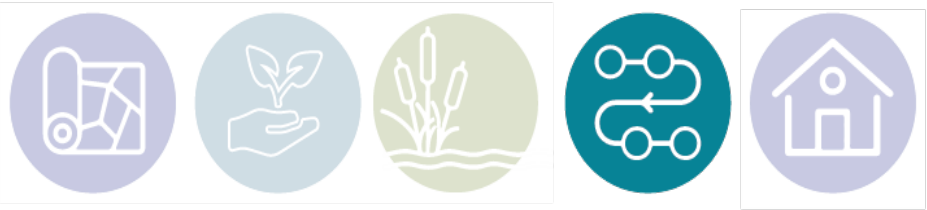

Hillside & Landslide

Natural Resources

- Steep Slopes
- Forested Buttes
- Landslide prone areas

Protected through:

Hillside Physical Constraint District

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Regulating Hillside & Landslide Risk Areas

Why do we regulate development in hillside and landslide risk areas?

- To preserve health and safety
- Gresham's community members care about these features and the value they provide
- To preserve property values
- To meet State and Federal regulations

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Hillside & Landslide Risk Areas – Why update

Why we need to update the code and maps?

- There are different standards in different parts of the city
- The data used to build the overlays is outdated
- The code doesn't regulate somethings that can pose a risk
- The code doesn't meet new state standards

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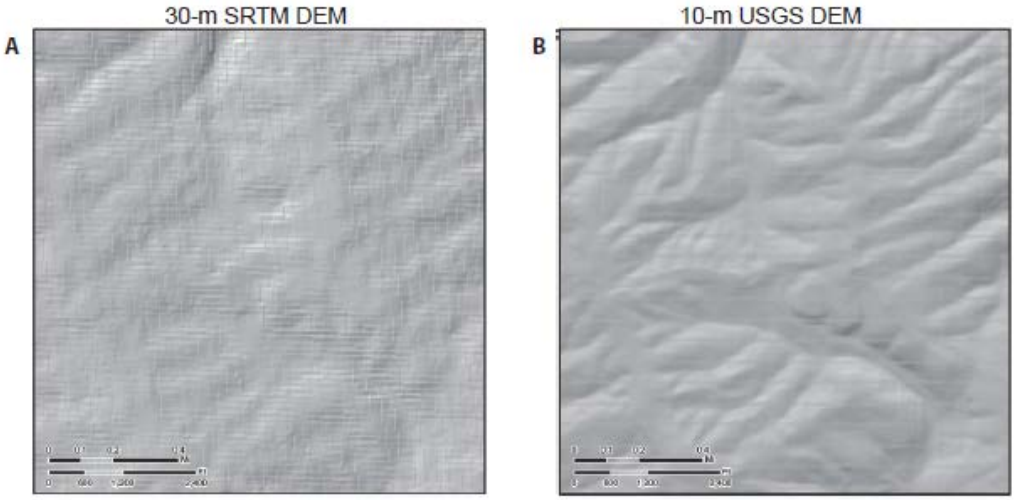
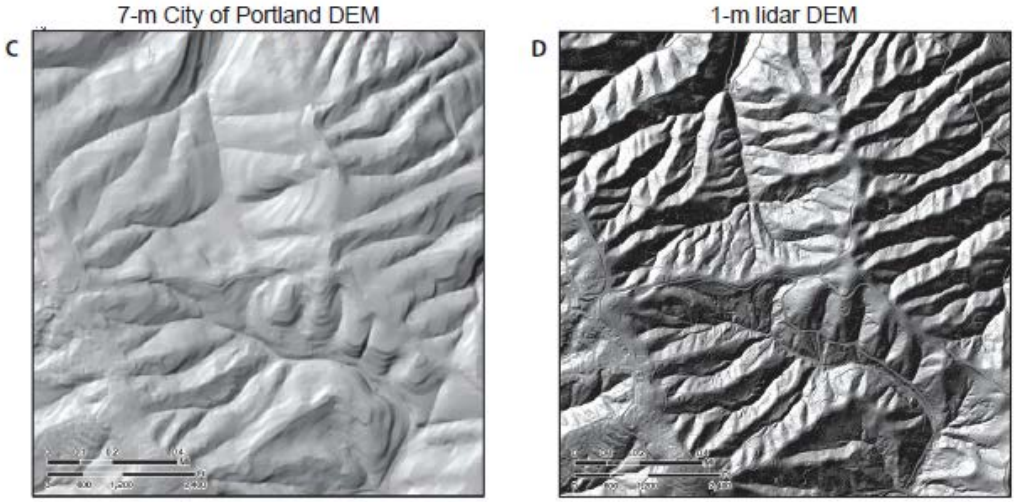
Hillside & Landslide Risk Areas - Map Issues

New high-quality slope data

2003 data



2014 data



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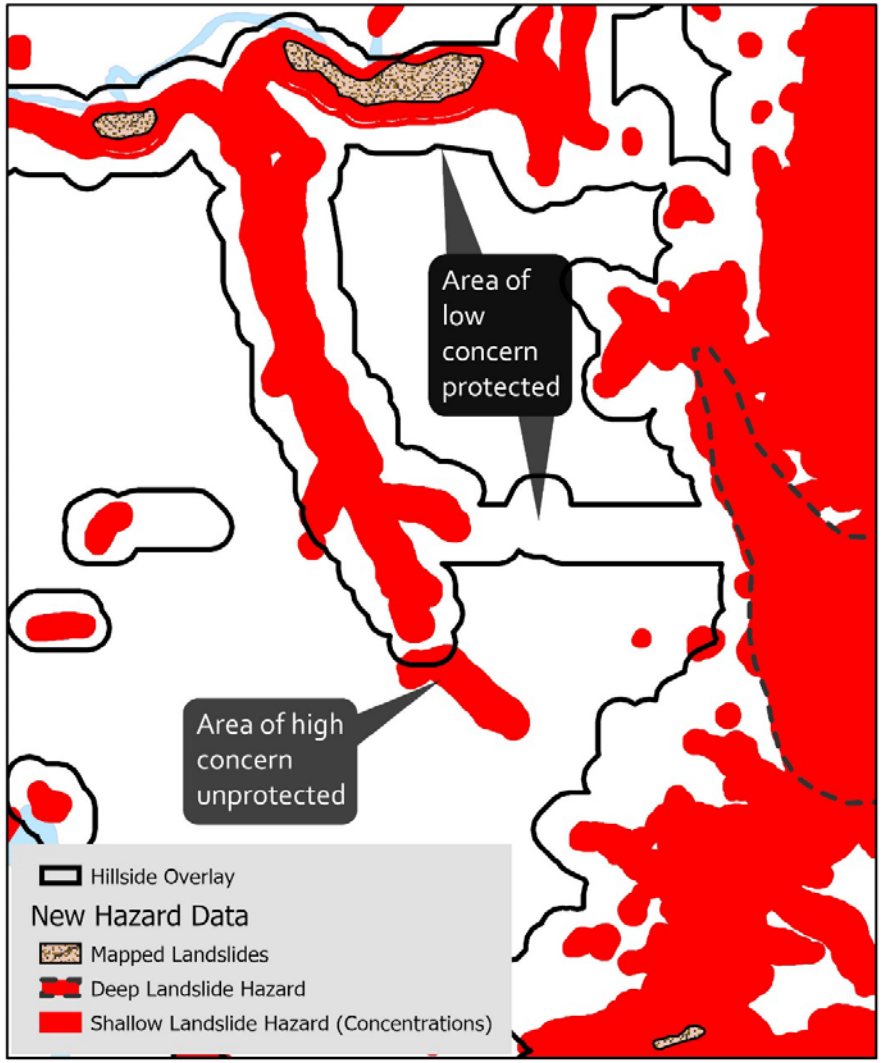
Hillside & Landslide Risk Areas - Map Updates

new Hazard data



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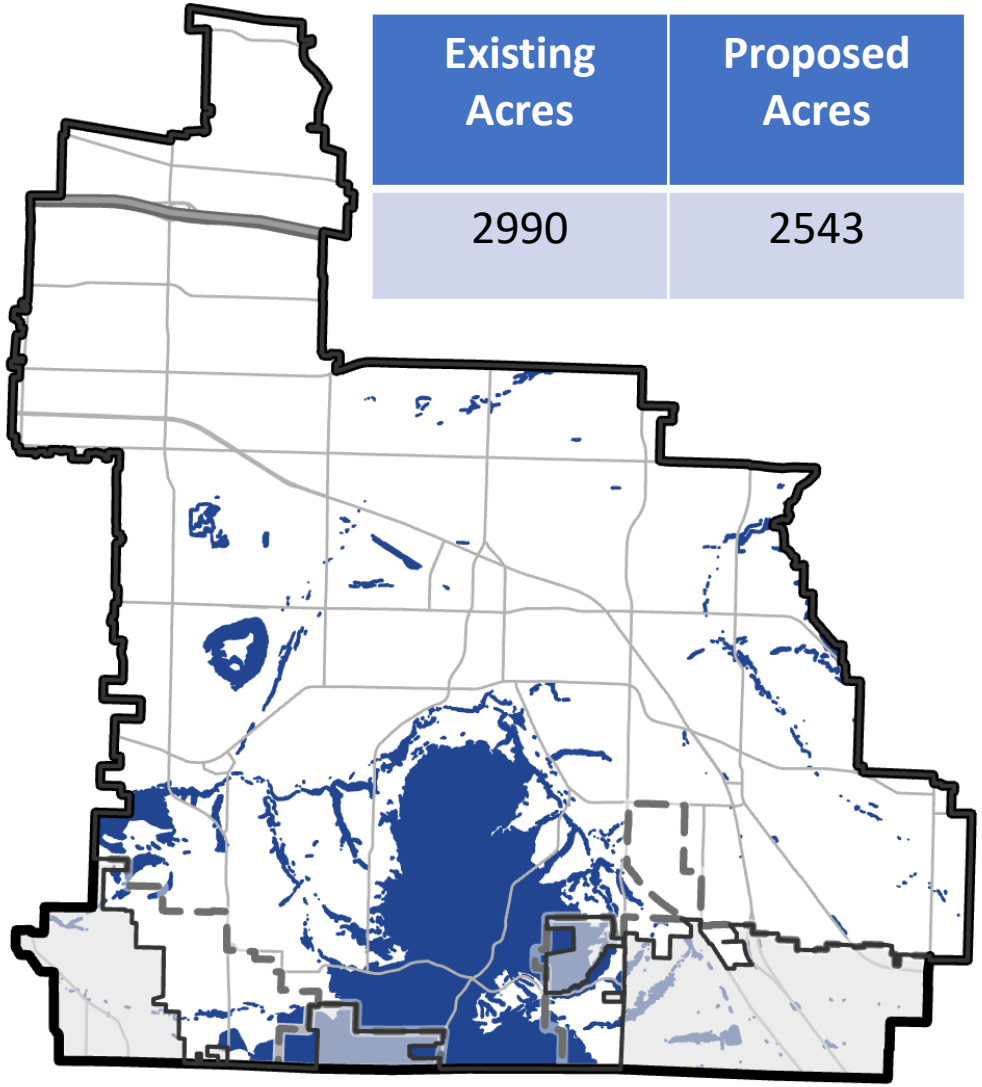
Hillside & Landslide Risk Areas - Area



Existing Acres	Proposed Acres
2990	2543

Notable Map Changes

1. New High Slope Subarea (HSS) – 35%+ percent slopes
2. More strategic and targeted to hazard areas, prioritizing
    1. Deep Landslides
    2. Landslide Deposits
    3. Shallow Landslides Hazards concentrations near creeks and on slopes above 15% with 30ft buffer

Hillside & Landslide Risk Areas - Code Updates

Highlights:

- Instituting a simple review process for building single family homes safely
- Requiring geotechnical issues be taken into consideration during grading and building
- Establishing clear and objective standards within overlay areas
- Clearly defining when geotechnical review is required for proposed development
- Ensuring protections for forested hillsides
- Introducing fire-safety considerations with hazard tree removal
- Providing greater predictability for developers wishing to divide land or build

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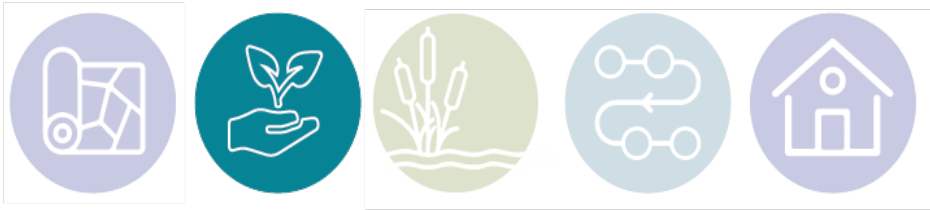

Hillside & Landslide Risk Areas – Existing Homes

No special restrictions if you

- are altering or replacing structures but not changing the building footprint
- are moving less than 10 cubic yards of earth outside the Highly Sloped
- If you are building retaining walls under 4 feet in height outside the Highly Sloped Area

Some changes may need a geotechnical engineer to sign off on their design and may require a land use permit.

Inside the overlay, most trees not part of a landscaped area will need to be preserved and the City will issue permits for the removal of hazardous trees.

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Recap - Project Steps

Natural Resource	Floodplain	Hillside + Geologic Risk
Issues Identification	Code Audit NFIP + ESA	Code Audit
Alternatives Analysis	Statewide Tech Meetings	DLCD/DOGAMI Consultations
Creation Of New Stream Layer Identification Of Wetland Data Issues	State And Federal Review Draft Code	Receipt Of New Landslide Hazard And Risk Data Community Risk Tolerance Assessment
Field Work	Outreach	Model Update
Model Update	Hearings	Data Analysis
Data Analysis	Adopted 2019	**Draft Code (Multiple Drafts)**
Draft Code (Multiple Drafts)		**Outreach**
Outreach		**Hearings**
Hearings		

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Project Status

Wednesday, September 9:

- Draft codes are ready for public review
- GIS maps are ready for public review

Thursday, September 17:

- Public Work Sessions at 2pm or 7pm
- GIS maps are ready for public review

Thursday, October 1:

- This round of public comments due

Materials available online at GreshamOregon.gov/Overlays

Contact Overlays@GreshamOregon.gov for more information.

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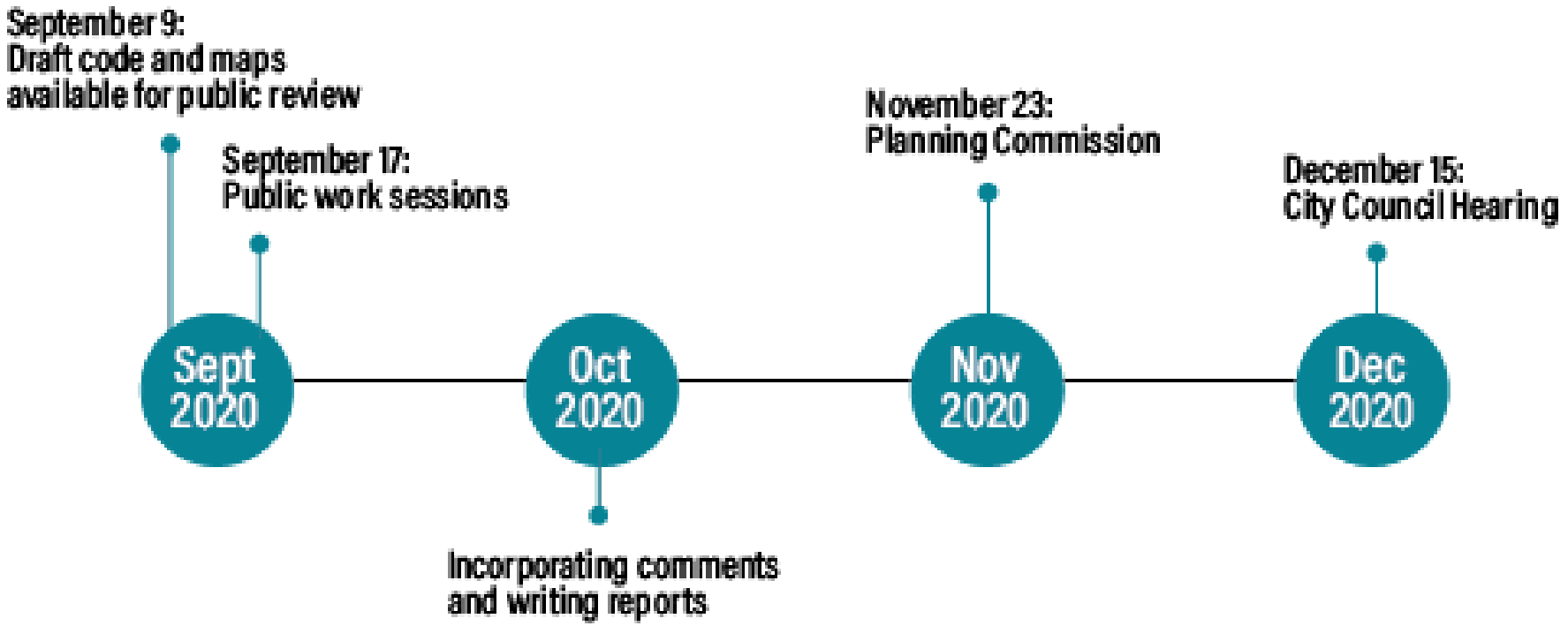
Next Steps



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Environmental Overlay Project

DISCUSSION

Zoom meeting standards:

- Please mute yourself until a presenter asks you to speak.
- If you want to speak raise your hand (either on screen or in zoom)
- If you want to ask a question but not speak please use the Q&A function
- If you have something you want us to know or need something repeated please use the chat function

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