2016 AASHTO Right of Way, Utilities, Outdoor Advertising Control & National Alliance of Highway Beautification Agencies Conference

Sunday, May 1–Thursday, May 5
Rosen Centre Hotel
Orlando, Florida
Urban Camping
Oregon Department of Transportation
Property in the City of Portland
Joseph A. Gray, State Right of Way Manager

2016 AASHTO ROWUOAC & NAHBA Conference
Impacts on ODOT Property in the City of Portland

Management of ODOT Property

Acquisition: Relocation

2016 AASHTO ROWUOAC & NAHBA Conference
Management of ODOT Property

• State Regulations

• City of Portland Actions

• Examples
Management of ODOT Property
State Regulations

Camping on ROW Prohibited
OAR 734-020-0095
Management of ODOT Property
State Regulations

ODOT May Close Property to Public Entry for these reasons:

- Safe highway construction, maintenance, or operation
- Health & safety of employees, contractors, or the public
- Prevent damage to ODOT property
- Prevent damage to natural or archeological resources

OAR 734-035-0200

2016 AASHTO ROWUOAC & NAHBA Conference
Management of ODOT Property
State Regulations

Disposal of Personal Property

- Notice
- Removal
- Storage & Retrieval

OAR 734-035-0010
Management of ODOT Property
State Regulations – Disposal of Personal Property

Notice Prior to Removal:

Areas OPEN to the Public – Requirements:

- Post laminated notice
  - 10 to 19 days in advance
  - In the general vicinity of the property
- Hand out up to 10 additional copies in the general vicinity
Notice Prior to Removal:

• Areas CLOSED to the Public – Requirements:
  • Post laminated notice
    • 24 hours to 7 days in advance
    • In the general vicinity of the property; EXCEPT if under a bridge, along a river and within urban area, then notice must be within 30 feet of the property
Management of ODOT Property
State Regulations – Disposal of Personal Property

Removal of Personal Property

- Separate Trash from Personal Property (books, photos, ID, camping equipment, bicycles, clothing etc.)
- ID Items to be Turned Over to Police (weapons, drug related items, stolen property)
- Documentation:
  - Photos
  - Indicate Date & Location on the Personal Property
Management of ODOT Property
State Regulations – Disposal of Personal Property

Storage:

- Location:
  - Secure (to protect the property from harm)
  - Reasonably accessible from camping location (preferably near transit)
- Keep items from same tent together
- Hold for 30 days (from last day in removal notice)

Retrieval:

- Make appointment
- $2 charge to claim property
Management of ODOT Property
City of Portland Actions

Declaration of Housing Emergency
October 2015

Allows City to:

• Waive Zoning Codes
• Convert City Buildings into Shelters
• Build Permanent Housing
Management of ODOT Property
City of Portland Actions

Mayor’s Plan to address Homelessness
February 2016

- Overnight sleeping on sidewalks allowed; tents allowed on certain City property (not sidewalks)
- City-sanctioned campsites with nonprofit service providers
- Organized car/RV sites with nonprofit service providers
- Temporary shelter space
Management of ODOT Property

Examples

Right of Way

Surplus

Leases
Examples
ODOT ROW - Safety

In 2013, this urban camper was almost struck by a vehicle that left the highway and stopped just short of his tent.

In 2014, another vehicle left the highway and stopped in the exact location where the camper’s tent had been.
Examples

ODOT ROW - Creative Landscaping and Deterrent Features

“Rockscaping”

Deterrent Cage
Examples

Surplus

Parcel sold to City of Portland for “Right to Dream Too” site

Parcel across the street – security issues until sold
Examples
Leased Parcels – Camping in Abutting City ROW

“Garden” Strip

Sidewalks

2016 AASHTO ROWUOAC & NAHBA Conference
Acquisition Impacts

• Relocation

• $$$$$$$
Residential Relocation

- Determine Eligibility
- Relocation Assistance Advisory Services
- Relocation Benefits & Payments
Acquisition
Residential Relocation

Determine Eligibility
(Title 49, Subtitle A, Part 24, e-CFR; §24.2(9))

- Is an urban camper a displaced person?
- **Unlawful** occupancy = NOT a displaced person
- Displaced persons must be fully informed of their rights and entitlements to relocation assistance and payments provided by the Uniform Act.
- The displaced person would then be given a notice of relocation eligibility.
Acquisition
Residential Relocation

Relocation Assistance Advisory Services

• Determine relocation needs - conduct an interview.
• Provide comparable replacement dwelling info.
• Inform the person of the specific comparable to establish the upper limit of the replacement housing payment.
• Inspect replacement housing (decent, safe & sanitary).
• Offer all displaced persons transportation to inspect housing.
• Give referrals for government housing assistance and other service programs.
Acquisition
Residential Relocation

Relocation Benefits and Payments

• Payment for actual reasonable moving & related costs.
• Market rent study for current residence.
• Rental assistance payment based on replacement housing study, OR Down payment assistance payment.
• Replacement housing of last resort.
Oregon “Non-Urban” Camping:

Questions?

Joe Gray
State Right of Way Manager
503-986-3615
Joseph.A.Gray@odot.state.or.us

Thank you.

Questions?