



DAN JOHNSON
DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

July 25, 2024

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

Approval of a Board Order Approving the Construction of Two Gates on Clackamas Road. Total value is \$50,000 in one-time funding for gates and fencing through private contributions, and approximately \$75,000 for one-time funding for right-of-way cleanup through County Road Fund. No County General Funds are involved.

Previous Board Action/Review	Briefed at Issues – June 18, 2024 Briefed at Issues – June 25, 2024		
Performance Clackamas	Ensure safe, healthy and secure communities		
Counsel Review	Yes, SC 7/15/24	Procurement Review	No
Contact Person	Mike Bezner	Contact Phone	503-742-4651

EXECUTIVE SUMMARY: Clackamas Road is a dead-end County Road between Minuteman Way and the Union Pacific Railroad in the Clackamas Industrial Area. The public road only serves two property owners in addition to the railroad and a small piece of property owned by the Oregon Department of Transportation (ODOT). Currently, there is a collection of campers and RVs using the right-of-way resulting in garbage piles, waste, and hazardous debris that obstructs road access and poses immediate safety and health risks to the public. One of the adjoining property owners has offered to construct a fence and gate at each end of the road at their expense. All four property owners support the right-of-way to be gated.

Per Clackamas County Code 7.03.030, the Board of Commissioners (BCC) may take any action deemed to safeguard the best interests of the traveling public, specifically including the authority to erect gates when necessary. The attached Board Order allows the private property owner to install the gates and fence at their expense, and directs the Department of Transportation Director to block, restrict, and regulate public access. The County would then provide outreach

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to the campers with engagement by multiple agencies and non-profit partners to inform them of the pending work, inform them of available housing options and debris collection assistance. This will also include holding shelter spots as needed. Eventually, the Sheriff's Office would then have the right-of-way cleared of any individual who did not vacate the site with ample notice provided and/or did not desire to take advantage of the housing options provided.

RECOMMENDATION: Staff recommends approval of the attached Board Order "In the Matter of Gate Installation on a Portion of the Public Road at SE Clackamas Road."

Respectfully submitted,

Dan Johnson

Dan Johnson
Director of Transportation & Development

ATTACHMENT:

Board Order

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of Gate Installation on a Portion
of the Public Road at SE Clackamas Road



Board Order No.

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Whereas, this matter coming before the Board at this time, and it appearing that the health, welfare and safety of the public on the County’s road are important to the vitality of the region;

Whereas, County Code 7.03.20(F) designates the Director of the Department of Transportation and Development as the Road Official of the County;

Whereas, SE Clackamas Road is a public County right-of-way road, No. 22234, is located in a significant commercial and industrial part of the County, and provides access to a number of businesses and employers;

Whereas, overtime a portion of SE Clackamas Road, between the Union Pacific Railroad and Minuteman Way, as shown on Exhibit A and referred to as the “Subject Road,” has a chronic collection of campers and recreational vehicles that results in an accumulation of garbage piles, waste, and hazardous debris, obstructs road access, and has proven to pose immediate safety and health risks to the public;

Whereas, under County Code 7.03.030, the Road Official or the Board may take any action deemed to safeguard the best interests of the traveling public, specifically including the authority to erect gates when necessary;

Whereas, it appears to the Board that 100% of the land owners that access from or adjoin the public road consent to closure and agree to gate the Subject Road;

Whereas, one of the adjoining landowners is willing to construct two gates at their sole expense;

Whereas, it appears to the Board that there are extraordinary circumstances and is necessary for the health, welfare and safety of the public, that access through the Subject Road be regulated with a gate that limits access to said public road.

NOW THEREFORE, the Clackamas County Board of Commissioners do hereby order

1. That gates may be constructed by the appropriate landowner(s), at their sole expenses, on either end of a portion of the public road called SE Clackamas Road, located between the Union Pacific Railroad and Minuteman Way, as shown on Exhibit A, and is referred hereto as the “Subject Road;”
2. The Director of the Department of Transportation and Development (the “Director”) is directed and authorized to administer and implement, in their discretion and in a manner

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consistent with this Order and all applicable laws and regulations, a permit for the construction and regulation of the gate on the Subject Road, including conditions or specifications to regulate the public road; and

- 3. That access by the general public through and upon the Subject Road is blocked and restricted, and shall be regulated by the Director in manner commensurate to the operation of the gate.

DATED this _____ day of _____, 2024

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary

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Exhibit A:

