



DAN JOHNSON
DIRECTOR

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

April 4, 2024

BCC Agenda Date/Item: _____

Board of County Commissioners
Sitting/Acting as Service District No. 5
Clackamas County

Approval of a Board Order Forming New Assessment Areas within Clackamas County Service District No. 5. Current Value from the addition of 21 assessment areas is estimated at \$1,113.00 annually. Funding through rate payers. No County General Funds are involved.

Previous Board Action/Review	N/A		
Performance Clackamas	Promotes a safe, healthy and secure community through the enhanced nighttime visibility created with new street lighting.		
Counsel Review	Yes HH – 03-19-24	Procurement Review	No
Contact Person	Wendi Coryell, Service District Specialist	Contact Phone	503-742-4657

EXECUTIVE SUMMARY:

Street lighting is a condition of approval for new developments within Clackamas County Service District No. 5 (CCSD5). As such, it has been included as a condition of approval for the developments identified below.

Notice of the time and place of this hearing was mailed by first class mail to the current addresses as listed by the Clackamas County Assessment office. The notice specifically noted that a public hearing was scheduled for April 04, 2024, to hear objections or to file a remonstrance against the approval of the new assessment area. Pursuant to statute, a minimum of 50% of the affected property owners must remonstrate, to deny the formation of the new assessment area.

The new assessment areas to be formed are as follows:

Rate Schedule B (\$47.00 per tax lot each year, applied to residential properties):

1. #15-18 (2-Lot Partition), Clackamas County
2. #37-18 (2-Lot Partition), Happy Valley
3. #19-19 (Establish a legal lot of record), Clackamas County

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4. #42-19 (2-Lot Partition), Clackamas County
5. #14-20 (2-Lot Partition), Clackamas County
6. #02-21 (3-Lot Partition), Clackamas County
7. #14-21 (2-Lot Partition), Clackamas County
8. #21-21 (2-Lot Partition), Happy Valley
9. #27-21 (2-Lot Partition), Clackamas County
10. #08-22 (12-Lot Subdivision), Clackamas County
11. #15-22 (10-Lot Subdivision), Clackamas County
12. #22-22 (2-Lot Partition), Happy Valley
13. #24-22 (2-Lot Partition), Clackamas County
14. #25-23 (2-Lot Partition), Clackamas County
15. #03-24 (2-Lot Partition), Clackamas County

Rate Schedule C (\$65.00 per tax lot each year, applied to residential properties):

16. #07-17 (13-Lot Subdivision), Clackamas County
17. #16-18 (3-Lot Partition), Happy Valley
18. #10-21 (8-Lot Subdivision), Clackamas County
19. #25-21 (9-Lot Subdivision), Clackamas County
20. #18-22 (13-Lot Subdivision), Clackamas County
21. #01-23 (40-Lot Subdivision), Clackamas County

RECOMMENDATION:

If remonstrance's from more than 50% of the property owners in a proposed assessment area for street lighting are received by the end of this public hearing, it is recommended that the Board of County Commissioners, acting in the capacity of governing board for CCSD5, note the remonstrated assessment area(s) in Section 2 of the Order (thereby removing that assessment area from the formations), which will allow CCSD5 to proceed with the formation of the remaining assessment areas for street lighting.

Respectfully submitted,

Dan Johnson

Dan Johnson, Director
Department of Transportation & Development

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF CLACKAMAS COUNTY, STATE OF OREGON**

In the Matter of an Order Forming
New Assessment Areas within
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No. 5, Clackamas County, Oregon



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Whereas, this matter coming before the Board of County Commissioners, acting as the governing body of Clackamas County Service District No. 5, and it appearing to the Board the properties within Assessment Areas:

- #15-18, 2-Lot Partition, 15967 SE Webster Rd., 22E08CA05700; and
- #37-18, 2-Lot Partition, 12273 SE Ridgecrest Rd., 12E26BC00500; and
- #19-19, Establish a Legal Lot of Record, 19575 SE Sunnyside Rd., 23E05D00803; and
- #42-19, 2-Lot Partition, 15515 SE Wallace Rd., 22E07CA09200; and
- #14-20, 2-Lot Partition, 13916 SE 132nd, 22E02DB00700; and
- #02-21, 3-Lot Partition, 13340 SE Rusk Rd., 22E06AD02000; and
- #14-21, 2-Lot Partition, 8221 SE Gray St., 12E28BB02600; and
- #21-21, 2-Lot Partition, 10943 SE 129th Ave., 12E35BB01500; and
- #27-21, 2-Lot Partition, 4913 SE Hill Rd., 22E06CD02201; and
- #08-22, 12-Lot Subdivision, 16305 SE Oatfield Rd., 22E07CD06400; and
- #15-22, 10-Lot Subdivision, 16124 SE Webster Rd., 22E08DC09600; and
- #22-22, 2-Lot Partition, 11182 SE Tyler Rd., 12E27CD00100; and
- #24-22, 2-Lot Partition, 6608 SE Clatsop St., 12E29BB00800; and
- #25-23, 2-Lot Partition, 14033 SE Livesay Rd., 22E28CB02600; and
- #03-24, 2-Lot Partition, 6300 SE Roethe Rd., 22E07DA01600; and
- #07-17, 13-Lot Subdivision, 15510 SE Wallace Rd., 22E07BD 10300; and
- #16-18, 3-Lot Partition, 10155 SE 132nd Ave., 12E26CD00400; and
- #10-21, 8-Lot Subdivision, 15047 SE 152nd Ave., 22E12BA01600; and
- #25-21, 9-Lot Subdivision, 12765 SE 132nd Ave., 22E02BA06400; and
- #18-22, 13-Lot Subdivision, 3870 SE Hillside Dr., 21E13DA04100; and
- #01-23, 40-Lot Subdivision, 14917 SE 142nd Ave., 22E11A 00600, 800; and

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have requested street light service, and that the formation of new assessment areas within the District is necessary for the installation of street lights; and

Whereas, it further appearing to the Board that the method of financing construction, operation, and maintenance of service facilities is to be assessments against property benefited by street light facilities; and

Whereas, it further appearing to the Board that rates for street lighting as established by Order No. 2022-46 and subsequent rate change Orders shall be applied to each new Assessment Area listed with fractional year assessments pro-rated from the date of installation and in accordance with Ordinance Number 94-1368 pursuant to ORS 451.495 as follows:

Rate Schedule B: \$47.00 per tax lot each year, applied to residential properties; or

Rate Schedule C: \$65.00 per tax lot each year, applied to residential properties; and

Whereas, it further appearing to the Board that the lots in the rate schedules receive an equal benefit for street lighting services; and

Whereas, it further appearing to the Board that the County thru the District Rules and Regulations, has given notice of public hearing as required by Order Number 94-1368 and ORS 451.495, and that said public hearing was duly held on the 4th day of April, 2024, and that the District did not receive written objections prior to the conclusion of the hearing from more than 50% of the property owners representing more than 50% of the affected property.

NOW THEREFORE, the Clackamas County Board of County Commissioners, acting as the governing body of Clackamas County Service District No. 5, orders as follows:

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
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The properties in the Assessment Area, as described below, be subject to an assessment for street lighting:

Rate Schedule B:

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- #37-18, 2-Lot Partition, 12273 SE Ridgecrest Rd., 12E26BC00500; and
- #19-19, Establish a Legal Lot of Record, 19575 SE Sunnyside Rd., 23E05D00803; and
- #42-19, 2-Lot Partition, 15515 SE Wallace Rd., 22E078CA09200; and
- #14-20, 2-Lot Partition, 13916 SE 132nd, 22E02DB00700; and
- #02-21, 3-Lot Partition, 13340 SE Rusk Rd., 22E06AD02000; and
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Rate Schedule C:

- #07-17, 13-Lot Subdivision, 15510 SE Wallace Rd., 22E07CD10300; and
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That an assessment roll be prepared by the County showing the amount of each yearly assessment, the property against which it has been assessed, the owner thereof, and such additional information as is required to keep a complete and permanent record of the assessment;

That the Department of Transportation and Development proceed to approve the construction the street lighting facilities in accordance with District rules and guidelines.

DATED this _____ day of April, 2024.

BOARD OF COUNTY COMMISSIONERS

Acting as the Governing Body of
Clackamas County Service District No. 5

Chair

Recording Secretary