



DAN JOHNSON
DIRECTOR

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

February 29, 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 15 assessment areas is estimated at \$9,577.60 annually. Funding through rate payers. No County General Funds are involved.

Previous Board Action/Review	Briefed at Issues – February 27, 2024		
Performance Clackamas	Promotes a safe, healthy and secure community through the enhanced nighttime visibility created with new street lighting.		
Counsel Review	Yes HH – 12-19-23	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 February 29, 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:

1. #07-16 (Office Building), 354.19 Linear Ft., Clackamas County
2. #05-18 (Warehouse/Office Building), 298.40 Linear Ft., Happy Valley
3. #34-19 (130-Unit Senior Living Facility), 1,487 Linear Ft., Happy Valley

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4. #35-19 (Penske Trucking Office Addition), 834 Linear Ft., Clackamas County
5. #43-19 (Three Story Self-Storage Building), 107.7 Linear Ft., Clackamas County
6. #02-20 (Four Commercial Buildings), 330 Linear Ft., Clackamas County
7. #07-20 (Johnson Creek Townhomes), 60 Linear Ft., Clackamas County
8. #03-20 (Precision Fiber Warehouse/Office Building), 97 Linear Ft., Clackamas County
9. #09-21 (NCSD Transportation Facility), 233.57 Linear Ft., Clackamas County
10. #16-21 (Cobalt Apartments), 27 Linear Ft., Happy Valley
11. #31-21 (224 Logistics Building Addition and Modification), 2,700 Linear Ft., Clackamas County
12. #32-21 (New Building for Pool Business), 434 Linear Ft., Clackamas County
13. #13-22 (Industrial Training Facility), 500 Linear Ft., Clackamas County
14. #07-23 (Senior Care Facility), 66 Linear Ft., Clackamas County
15. #16-23 (North Clackamas Parks and Rec Offices and Library), 480 Linear Ft., 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
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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:

- #07-16, Office Building, 13600 SE Sunnyside Rd., 22E02AC02801; and
- #05-18, Warehouse/Office Building, 15025 SE 172nd Ave., 23E07B 00406;
and
- #34-19, 130-Unit Senior Living Facility, 14933 SE 172nd Ave., 23E07B 00409,
420; and
- #35-19, Penske Trucking Office Addition, 15975 SE 130th Ave., 22E11C
02211; and
- #43-19, 3-Story Self-Storage Building, 8319 SE Otty Rd., 12E28CB03000;
and
- #02-20, Four Commercial Buildings, 15526 SE 135th Ave., 22E11D 00400,
and
- #07-20, Johnson Creek Townhomes, 7605 SE Johnson Creek Blvd.,
12E29AC00701, and
- #03-20, Precision Fiber Warehouse/Office Building, 15405 SE 94th Ave.,
22E09AC01300; and
- #09-21, NCS D Transportation Facility, 15628 SE 102nd Ave., 22E10C 00702;
and
- #16-21, Cobalt Apartments, 14865 SE Parklane Ave., 12E29CB15400; and
- #31-21, 224 Logistics Building Addition and Modification, 6433 SE Lake Rd.,
22E05B00400; and
- #32-21, New Building for Pool Business, 6433 SE Lake Rd., 22E05B00400;
and
- #13-22, Industrial Training Facility, 16076 SE Evelyn St., 22E09DD02100;
and
- #07-23, Senior Care Facility, 7810 SE Johnson Creek Blvd., 12E29AD01800;
and
- #16-23, North Clackamas Parks and Rec. Offices and Library, 14033 S
Livesay Rd., 22E28CB02600

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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 D: \$1.16 per frontage foot per tax lot each year, applied to
commercial, industrial and multi-family 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 Department of Transportation and Development 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 29th day of February, 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
OF CLACKAMAS COUNTY, STATE OF OREGON**

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The properties in the Assessment Area, as described below, be subject to an assessment for street lighting:

- #07-16, Office Building, 13600 SE Sunnyside Rd., 22E02AC02801; and
- #05-18, Warehouse/Office Building, 15025 SE 172nd Ave., 23E07B 00406; and
- #34-19, 130-Unit Senior Living Facility, 14933 SE 172nd Ave., 23E07B 00409, 420; and
- #35-19, Penske Trucking Office Addition, 15975 SE 130th Ave., 22E11C 02211; and
- #43-19, 3-Story Self-Storage Building, 8319 SE Otty Rd., 12E28CB03000; and
- #02-20, Four Commercial Buildings, 15526 SE 135th Ave., 22E11D 00400, and
- #07-20, Johnson Creek Townhomes, 7605 SE Johnson Creek Blvd., 12E29AC00701, and
- #03-20, Precision Fiber Warehouse/Office Building, 15405 SE 94th Ave., 22E09AC01300; and
- #09-21, NCSD Transportation Facility, 15628 SE 102nd Ave., 22E10C 00702; and
- #16-21, Cobalt Apartments, 14865 SE Parklane Ave., 12E29CB15400; and
- #31-21, 224 Logistics Building Addition and Modification, 6433 SE Lake Rd.; and

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- #32-21, New Building for Pool Business, 6433 SE Lake Rd., 22E05B00400;
and
- #13-22, Industrial Training Facility, 16076 SE Evelyn St., 22E09DD02100;
and
- #07-23, Senior Care Facility, 7810 SE Johnson Creek Blvd., 12E29AD01800;
and
- #16-23, North Clackamas Parks and Rec. Offices and Library, 14033 S
Livesay Rd., 22E28CB02600; and

That an assessment roll be prepared by the Department of Transportation and Development for Clackamas 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 construct the street lighting facilities in accordance with District rules and guidelines.

DATED this _____ day of February, 2024.

BOARD OF COUNTY COMMISSIONERS
Acting as the Governing Body of
Clackamas County Service District No. 5

Chair

Recording Secretary