



DAN JOHNSON
DIRECTOR

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

June 13, 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 \$64,000 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 – 05-09-2024	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 June 13, 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. 09-22 (7-Lot Subdivision), Clackamas County
2. 35-23 (Cottage Cluster), Clackamas County
3. 36-23 (2-Lot Partition), Clackamas County
4. 03-24 (2-Lot Partition), Clackamas County

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

5. 31-23 (5-Lot Subdivision), Happy Valley

Rate Schedule D (\$1.16 per frontage foot per tax lot each year, applied to commercial, industrial and multi-family properties):

6. 13-17 (Self Storage Building), Clackamas County
7. 25-18 (Self Storage Building), Happy Valley
8. 16-19 (Auto Repair Shop), Clackamas County
9. 22-19 (Ogden Middle School), Clackamas County
10. 11-23 (Scouters Mountain Elementary School), Happy Valley
11. 21-23 (Prologis Industrial Park), Happy Valley
12. 32-23 (Damascus Christian School), Clackamas County
13. 34-23 (Parr Lumber New Buildings), Clackamas County

Rate Schedule H (\$86.00 per tax lot each year, applied to residential properties):

14. 54-18 (2-Lot Partition), Happy Valley
15. 14-19 (2-Lot Partition), Happy Valley

Rate Schedule W (\$227.00 per tax lot each year, applied to residential properties):

16. 61-16 (29-Lot Subdivision), Happy Valley
17. 01-21 (26-Lot Subdivision), Clackamas County
18. 08-21 (Eagle Landing Condominiums), Happy Valley
19. 02-22 (44-Lot Subdivision), Happy Valley
20. 05-22 (137-Lot Subdivision), Happy Valley
21. 23-22 (2-Lot Partition), 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:

- 09-22, 7-Lot Subdivision, 16103 SE Southview Ave., 21E12CD 00200, 21E12DC 01500; and
- 35-23, Cottage Cluster, 13506 SE Briggs Rd., 21E01DB0 3500; and
- 36-23, 2-Lot Partition, 7613 SE Clackamas St., 12E29AC 03000; and
- 03-24, 2-Lot Partition, 6300 SE Roethe Rd., 22E07DA 01600; and
- 31-23, 5-Lot Subdivision, 12925 SE Almond Ct., 22E02CD 00400; and
- 13-17, Self-Storage Bldg., 3260 SE Oak Grove Blvd., 21E12AB 02900, 3000, 3100, 3200; and
- 25-18, Self-Storage Bldg., 16576 SE Sunnyside Rd., 123E06BC 00400; and
- 16-19, Auto Repair Shop, 16300 SE Foss St., 23E18CB 02300; and
- 22-19, Ogden Middle School, 7900 SE Luther Rd., 12E29AA 03500; and
- 11-23, Scouters Mountain Elementary School, 10811 SE 172nd Ave., 13E31BA 09600; and
- 21-23, Prologis Park, 10500 SE Jennifer St., 22E15B 00200, 300, 390, 400, 460, 500, 600, 700, 800, 900; and
- 32-23, Damascus Christian School, 14251 SE Rust Way, 23E04CD 00700; and
- 34-23, New Parr Lumber, 19855 SE Sunnyside Rd., 23E05D 02205; and
- 54-18, 2-Lot Partition, 14700 SE Clatsop St., 12E25BB 00101; and
- 14-19, 2-Lot Partition, 13538 SE Mountain Gate Rd., 12E35AB 03400, 3402; and
- 61-16, 29-Lot Subdivision, 16411 SE Sunnyside Rd., 23E06B 00600, 690; and
- 01-21, 26-Lot Subdivision, 10184 SE Hillcrest Rd., 12E33AD 00200, 300, 301; and
- 08-21, Eagle Landing Condo, 12115 SE High Creek Rd., 12E34CC 05000; and
- 02-22, 44-Lot Subdivision, 9747 and 9757 SE 172nd Ave., 13E30C 00300, 500; and

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- 05-22, 137-Lot Subdivision, 9495 SE 172nd Ave., 13E30B 02500, 2501, 3000, 3001, 3002; and
- 23-22, 2-Lot Partition, 6833 SE Mabel Ave., 22E08CA 03500; and

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; or
- Rate Schedule D: \$1.16 per frontage foot per tax lot each year, applied to commercial, industrial, and multi-family properties; or
- Rate Schedule H: \$86.00 per tax lot each year, applied to residential properties; or
- Rate Schedule W: \$227.00 per tax lot each year, applied to residential properties; or

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.

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

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

Rate Schedule B:

- 09-22, 7-Lot Subdivision, 16103 SE Southview Ave., 21E12CD 00200, 21E12DC 01500; and
- 35-23, Cottage Cluster, 13506 SE Briggs Rd., 21E01DB 03500; and
- 36-23, 2-Lot Partition, 7613 SE Clackamas St., 12E29AC 03000; and
- 03-24, 2-Lot Partition, 6300 SE Roethe Rd., 22E07DA 01600; and

Rate Schedule C:

- 31-23, 5-Lot Subdivision, 12925 SE Almond Ct., 22E02CD 00400; and

Rate Schedule D:

- 13-17, Self-Storage Bldg., 3260 SE Oak Grove Blvd., 21E12AB 02900, 3000, 3100, 3200; and
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- 21-23, Prologis Park, 10500 SE Jennifer St., 22E15B 00200, 300, 390, 400, 460, 500, 600, 700, 800, 900; and
- 32-23, Damascus Christian School, 14251 SE Rust Way, 23E04CD 00700; and
- 34-23, New Parr Lumber, 19855 SE Sunnyside Rd., 23E05D 02205; and

Rate Schedule H:

- 54-18, 2-Lot Partition, 14700 SE Clatsop St., 12E25BB 00101; and
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Rate Schedule W:

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- 01-21, 26-Lot Subdivision, 10184 SE Hillcrest Rd., 12E33AD 00200, 300, 301; and
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- 05-22, 137-Lot Subdivision, 9495 SE 172nd Ave., 13E30B 02500, 2501, 3000, 3001, 3002; and
- 23-22, 2-Lot Partition, 6833 SE Mabel Ave., 22E08CA 03500; and

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 June, 2024.

BOARD OF COUNTY COMMISSIONERS

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

Chair

Recording Secretary