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Clackamas County
www.clackamas.us



Billy J. Williams
County Counsel

April 9, 2026

BCC Agenda Date/Item: _____

Board of County Commissioners
Clackamas County

Scott C. Ciecko
Amanda Keller
Shawn Lillegren
Jeffrey D. Munns
Sarah Foreman
Caleb Huegel
Angela Hajihashemi
M. Creston Rice
Andrew Naylor
Assistants

Approval of Boundary Change Proposal #2025-013 for sewer and stormwater services to 19530 S. Central Point Rd, Oregon City. No County General Funds are involved.

Previous Board Action/Review: None

Performance Clackamas: 1. Build public trust through good government; and, 2. Build a strong infrastructure

Counsel Review: Yes, JM

Procurement Review: N/A

Contact Person: Jeffrey D. Munns

Contact Phone: (503) 742-7484

EXECUTIVE SUMMARY:

The owner of a parcel of land, tax lot no. 32E07CC00600 ("SUBJECT PROPERTY"), petitioned this Board to annex into the Tri-City Service District (the "District") to receive sanitary sewer and stormwater services. The Board's approval of this proposed annexation will result in a boundary change of the District's service area.

Currently, the SUBJECT PROPERTY, as territory to be annexed, is one tax lot in unincorporated Clackamas County with a current tax assessed value of \$235,820. It is at 19530 S. Central Point Rd., Oregon City, OR 97045. It is developed as a single-family residence.

The owner of the property seeks annexation to the District to receive sanitary sewer services and to decommission septic service. The District has an 8-inch sewer line adjacent to the property in S. Skellenger Way.

If the Board approves this proposed annexation, the District will provide sanitary sewer and stormwater services to the SUBJECT PROPERTY.

The District has endorsed the proposed annexation.

Under Oregon law, as the county's governing body, this Board is charged in deciding this proposed boundary change pursuant to ORS Chapters 198 and Metro Code 3.09. In determining whether to approve the annexation petition, the Board must consider the local comprehensive plan for the area and any

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service agreements with local governments as required by ORS 198.857, and also considered whether the annexation petition met the criteria laid out in Metro Code 3.09.

Staff Findings and Recommendations, dated March 11, 2026, addresses factors and criteria mandated in ORS 198 and Metro Code 3.09. The report makes the required analysis and findings, and concludes that the proposed boundary change of the District complies with applicable statutory and Metro Code requirements. There is no cost to the County in the Board's approval of this proposed annexation.

RECOMMENDATION: Staff recommend approval of Boundary Change Proposal No. 2025-013 (TCSD).

Respectfully submitted,



Jeffrey D. Munns
Assistant County Counsel

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of Approving a Boundary
Change Proposal No. 2026-013 (TCSD)



Board Order No. _____

Page 1

Whereas, the Tri-City Service (“DISTRICT”) is a county service district organized under ORS 451 that provides sewer and stormwater services to certain cities and unincorporated urban areas of Clackamas County, and through a 2016 intergovernmental agreement, is administered by Water Environment Services; and

Whereas, Petitioner filed an annexation petition with the Board to request annexation of a parcel of land, described in Exhibit A and mapped in Exhibit B, to the DISTRICT pursuant to procedures set forth in ORS 198.857 and Metro Code 3.09; and

Whereas, on December 4, 2025, the annexation petition was approved and endorsed by the DISTRICT, as required by ORS 198.857; and

Whereas, this Board is charged with considering this boundary change of the DISTRICT, through the proposed annexation of the SUBJECT PROPERTY into the DISTRICT, pursuant to ORS Chapters 198 and Metro Code 3.09; and

Whereas, staff Findings and Recommendations that addresses factors and criteria mandated in ORS 198.857 and Metro Code 3.09 was made public at least 15 days prior to the Board hearing on the boundary change petition. The staff report is attached hereto as Exhibit B.

Whereas, a public hearing is held before the Board on April 2, 2026, and a decision of approval was made on April 2, 2026. In determining whether to approve the boundary change petition, the Board considered the local comprehensive plan for the area and any service agreements with local governments as required by ORS 198.857 and also considered whether the boundary change met the criteria laid out in Metro Code 3.09.

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

1. The annexation petition is approved, and the property described in Exhibit A and shown on the map in Exhibit B is annexed to Tri-City Service District for sewer and stormwater services.
2. The Analysis, Findings, and Conclusions in the Staff Report attached as Exhibit C are adopted by the Board of County Commissioners and demonstrate that the criteria for annexation have been met.

BEFORE THE BOARD OF COUNTY COMMISSIONERS

OF CLACKAMAS COUNTY, STATE OF OREGON

In the Matter of Approving a Boundary
Change Proposal No. 2026-013 (TCSD)



Board Order No. _____

Page 2

3. County staff are directed to file this document with the required parties and take all necessary steps to finalize the annexation.

DATED this 9th day of April 2026

BOARD OF COUNTY COMMISSIONERS

Chair

Recording Secretary



AKS ENGINEERING & FORESTRY
12965 SW Herman Road, Suite 100, Tualatin, OR 97062
P: (503) 563-6151 F: (503) 563-6152

AKS Job #12615

EXHIBIT B
Annexation

A portion of Lot 1 of the plat “Filbert Orchard”, Plat No. 1744, Clackamas County Plat Records, located in the Southeast One-Quarter of Section 12, Township 3 South, Range 1 East, Willamette Meridian, City of Oregon City, Clackamas County, Oregon, and being more particularly described as follows:

Commencing at the most southerly corner of said Lot 1, also being on the northeasterly right-of-way line of Skellenger Way (28.00 feet from centerline) and the City of Oregon City city limits line; thence along said northeasterly right-of-way line (variable width from centerline) and said city limits line, North 46°03’35” West 171.00 feet to the most southerly corner of Document Number 2024-008065, Clackamas County Deed Records, and the Point of Beginning; thence continuing along said northeasterly right-of-way line and said city limits line, North 46°03’35” West 176.21 feet; thence continuing along said northeasterly right-of-way line and said city limits line on a curve to the right with a Radius of 10.00 feet, a Delta of 89°59’50”, a Length of 15.71 feet, and a Chord of North 01°03’40” West 14.14 feet to the southeasterly right-of-way line of Central Point Road (30.00 feet from centerline); thence along said southeasterly right-of-way line and said city limits line, North 43°56’16” East 99.66 feet to the most northerly corner of said Document Number 2024-008065; thence leaving said city limits line along the northeasterly line of said deed, South 46°05’57” East 186.13 feet to the easterly corner of said deed; thence along the southeasterly line of said deed, South 43°53’43” West 109.79 feet to the Point of Beginning.

The above described tract of land contains 20,406 square feet, more or less.

The Basis of Bearings for this description are based on said “Ed’s Orchard”, Plat No. 4503, Clackamas County Plat Records.

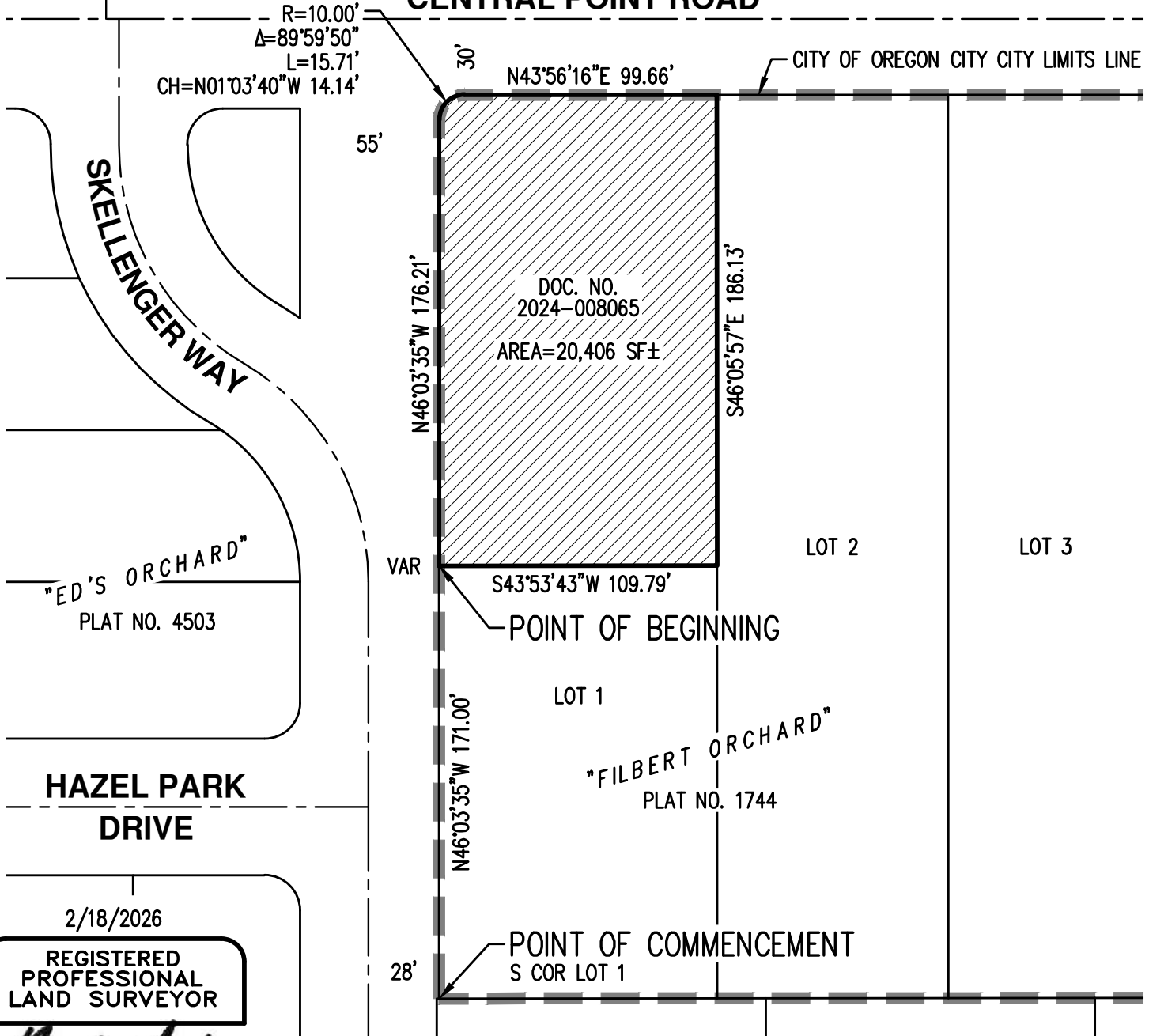
2/18/2026



EXHIBIT B

A PORTION OF LOT 1 OF THE PLAT "FILBERT ORCHARD",
LOCATED IN THE SOUTHEAST 1/4 OF SECTION 12,
TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN,
CITY OF OREGON CITY, CLACKAMAS COUNTY, OREGON

CENTRAL POINT ROAD



2/18/2026
REGISTERED
PROFESSIONAL
LAND SURVEYOR

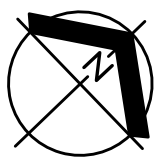
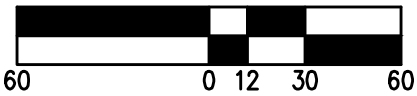
Nick White
OREGON
JANUARY 9, 2007
NICK WHITE
70652LS

RENEWS: 6/30/26

PREPARED FOR

RYAN & DENISE KOCH
14339 S STONERIDGE DRIVE
OREGON CITY, OR 97045

SCALE: 1" = 60 FEET



AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD, STE 100
TUALATIN, OR 97062
503.563.6151 WWW.AKS-ENG.COM



ANNEXATION

TL32E07CC 00600	
DRWN: WCB	CHKD: NSW
AKS JOB: 12615	EXHIBIT B



Billy J. Williams
County Counsel

Scott C. Ciecko
Amanda Keller
Shawn Lillegren
Jeffrey D. Munns
Sarah Foreman
Caleb Huegel
Angela Hajihashemi
M. Creston Rice
Andrew Naylor
Assistants

TO: Clackamas County Board of County Commissioners (the "Board")
FROM: Jeffrey D. Munns, Assistant County Counsel
RE: Boundary Change Proposal No. 2025-013 (TCSD)
DATE of REPORT: March 11, 2026
DATE of HEARING: April 9, 2026

STAFF REPORT

REQUEST: Approval of Boundary Change Proposal No. 2025-013 (TCSD), authorizing property of the Denise Ann Koch Trust (the "PETITIONER"), known as tax lot number 32E07CC00600 and located at 19530 S. Central Point Rd., Oregon City, Clackamas County, Oregon (the "SUBJECT PROPERTY"), into the Tri-City Service District (the "DISTRICT"), an ORS 451 county service district.

REASON FOR ANNEXATION:

The PETITIONER is requesting annexation so that the SUBJECT PROPERTY can connect to and receive sanitary sewer and stormwater services from the DISTRICT.

RECOMMENDATION: Based on the analysis and findings of this report, staff respectfully recommend the Board APPROVE Boundary Change Proposal No. 2025-013 (TCSD).

EFFECTIVE DATE: The boundary change becomes effective upon the date of approval by the Board.

I. BACKGROUND

A. SUBJECT PROPERTY INFORMATION

PETITIONER:	Denise Ann Koch Trust
PETITIONER Representative, if any:	Ryan Koch 14339 S. Stonebridge Dr Oregon City, OR 97045rgkoch59@gmail.com
Tax Lot Nos.	32E07CC00600
Address, if any:	19530 S. Central Point Rd., Oregon City
Legal Description	Exhibit A of proposed Board Order

B. PETITION UNDER ORS 198.857

By application submitted to the DISTRICT, dated November 20, 2025, PETITIONER initiated a consent annexation petition under ORS 198.857.

The petition meets the requirement for initiation of annexation proceedings set forth in ORS 198.857(2) and Metro Code 3.09.040(A) (lists Metro's minimum requirements for petition). The petition was deemed complete on February 24, 2026.

The SUBJECT PROPERTY is currently developed. The services to be provided by the DISTRICT will support remodeling of the residence on the SUBJECT PROPERTY.

C. ENDORSEMENTS BY INTERESTED PARTIES

As further discussed below in this report, the SUBJECT PROPERTY is located in unincorporated Clackamas County and is currently adjacent to the District's jurisdiction for sanitary sewer, and stormwater services. The SUBJECT PROPERTY can be served by the DISTRICT for sewer and stormwater services.

By letter dated December 4, 2025, the DISTRICT supports and endorses the proposed annexation. See, Attachment 1.

D. CITIZEN PARTICIPATION

Notice of this hearing inviting testimony from interested parties was provided as required by statute and Metro Code.

Notice consisted of:

1. Posting notices near the SUBJECT PROPERTY, at the Clackamas County Courthouse, and outside the Commissioner's Hearing room at least 20 days prior to the hearing;
2. Publishing notice two times in the Lake Oswego Review; and
3. Mailing notices to all affected local governments and adjacent property owners.

At the time this report was written, no comments were received.

II. APPLICABLE CRITERIA

For a proposed boundary change of a special district through annexation, as the county's governing body, the Board must review and approve the proposed annexation based on several factors and criteria established by state and local law.

A. STATE STATUTE

Oregon Revised Statute Chapter 198 provides that, when determining whether to approve an annexation petition, the county board shall "*consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district.*" ORS 198.857(4).

B. METRO CODE

For a proposed boundary change within the boundaries of Metro or within urban reserves designated by Metro, Metro code also specifies criteria that a reviewing entity must apply in reviewing and approving a boundary change.

First, Metro Code 3.09.050(B) requires a report, to be made available to the public, that addresses the following:

- “1. The extent to which urban services are available to serve the affected territory, including any extraterritorial extensions of service;*
- 2. Whether the proposed boundary change will result in the withdrawal of territory from the legal boundary of any necessary party¹; and*
- 3. The proposed effective date of the boundary change.”*

Second, Metro code requires the review and approval of a proposed boundary change to be consistent with certain service agreements, land use plans, and service quality standards. To approve a boundary change, the reviewing entity (e.g., the Board in this case) must:

- “(1) Find that the change is consistent with expressly applicable provisions in:*
- (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;*
 - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;*
 - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;*
 - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;*
 - (E) Any applicable comprehensive plan; and*
 - (F) Any applicable concept plan.*
- (2) Consider whether the boundary change would:*
- (A) Promote the timely, orderly and economic provision of public facilities and services;*
 - (B) Affect the quality and quantity of urban services; and*
 - (C) Eliminate or avoid unnecessary duplication of facilities and services.”*

See, Metro Code 3.09.045(D) and 3.09.050(D).

Finally, Metro Code Section 3.09.090 prohibits the extension of any district “water or sewer service from inside a UGB to territory that lies outside the UGB.”

C. COMPREHENSIVE PLANING

1. Regional Planning

The law that requires Metro to adopt criteria for boundary changes specifically states that Metro shall “**** ensure that a boundary change is in compliance with the Metro regional framework plan as defined in ORS 197.015 and cooperative agreements and urban service agreements adopted pursuant to ORS 195.” ORS 268.354(2)(d). Metro regional framework plan is “the

¹ A “necessary party” is another governmental entity which includes the same area or provides an urban service to the area.

regional framework plan required by the 1992 Metro Charter or its separate components.” ORS 197.015.

2. County Planning

The applicable comprehensive plan for areas in unincorporated Clackamas County is the Clackamas County Comprehensive Plan (the “Comp Plan”).

Chapter 7 of the Comp Plan discusses public facilities and services. It addresses, in part, the Oregon Land Use Goal 11 that requires planning for sanitary sewerage treatment, water, storm drainage and transportation, stating as follows: “[a]dequate levels of those public facilities and services must be available before urban levels of development can be built in a manner consistent with the land use designations in this Plan.” (Comp Plan p. 7-1).

An applicable public facilities goal in the Comp Plan is to “[r]equire adequate storm drainage, public sanitary sewer and public water service concurrent with development in areas that require these services.” (Comp Plan at p.7-6).

With respect to policies for sanitary sewer treatment, the Comp Plan specifies the following:

“7.A.8 Prohibit new on-site sewage disposal systems within Urban Growth Boundaries except for:

7.A.8.1 A lot of record outside of a sewage service district, legally recorded prior to January 31, 1980; or

7.A.8.2 Parcels of ten acres or larger in Future Urban areas inside the Metro Urban Growth Boundary (UGB); or

7.A.8.3 Outside the Metro UGB on lots that conform to the minimum lot size of the zone; or

7.A.8.4 Parcels inside a sewage service district having unique topographic or other natural features that make sewer extension impractical as determined on a case by case basis by the sewer service provider.”

(Comp Plan p.7-7)

With respect to policies on stormwater drainage, the Comp. Plan specifies the following:

“7.C.4 Require runoff from impervious surfaces to be collected and treated, as required by the appropriate service provider, prior to discharge to a natural drainage way capable of accepting the discharge.

7.C.8 Coordinate the review of development applications with the appropriate storm drainage service provider to ensure that approval is not granted in the absence of adequate storm drainage facilities or a mechanism to provide them concurrently with development.”

(Comp Plan p. 7-9).

3. City Planning

The SUBJECT PROPERTY is in unincorporated Clackamas County and not within a city. No city comprehensive land use plan applies.

III. ANALYSIS AND FINDINGS

Collectively, review and approval criteria for a boundary change under state law and Metro Code generally fall into three categories: urban service and other facility service agreements, land use planning, and the quality and timing of the service resulted from the boundary change. Based on the application submitted by PETITIONER, and staff's research, staff reaches the following analysis and findings.

A. TERRITORY TO BE ANNEXED

Staff reaches the following findings with respect to the territory to be annexed:

1. The SUBJECT PROPERTY, as territory to be annexed, is one tax lot, no. 32E07CC00600, with a current tax assessed value of \$235,820.
2. The SUBJECT PROPERTY is in unincorporated Clackamas County and is considered a part of the Central Point-Leland-New Era community.
3. The SUBJECT PROPERTY is within Metro's jurisdictional boundary and the regional UGB.
4. The SUBJECT PROPERTY is developed as a single-family residence.
5. The DISTRICT can provide sanitary sewer and stormwater services to the SUBJECT PROPERTY in a more efficient and cost-effective manner. Based on information received by the DISTRICT, there is an 8-inch sewer line adjacent to the SUBJECT PROPERTY in S Skellenger Way that can serve the SUBJECT PROPERTY.
6. Accordingly, the PETITIONER is seeking sanitary sewer and stormwater services from the DISTRICT. The DISTRICT has endorsed the proposed annexation into the DISTRICT.

B. URBAN AND OTHER FACILITY SERVICES

As referenced in Section II of this report, state law and the Metro Code require a review for consistency with urban and other service agreements. (See, ORS 198.857(4) and 268.354(2)(d); Metro 3.09.050(B)(1), and 3.09.050(D)(1)(A)). ORS 195 requires agreements between providers of urban services to an area within a UGB that has a population of greater than 2,500 persons. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. ORS 195.065(2)(b). These agreements specify which governmental entity will provide which service to an area in the long term. The counties are responsible for facilitating the creation of these agreements.

Staff finds that there are ORS 195.065 agreements applicable to this area of Clackamas County.

The SUBJECT PROPERTY is in unincorporated Clackamas County. It currently has, or will be receiving, various services in the following manner:

1. Water. The SUBJECT PROPERTY will be served by Clackamas River Water for water services.
2. Sewer. The SUBJECT PROPERTY currently uses a septic system for this service.
3. Storm Drainage. The SUBJECT PROPERTY is not currently within a surface water management district for this service. However, the PETITIONER is requesting annexation into the DISTRICT to receive these services due to the topography of the area surrounding the SUBJECT PROPERTY, and the SUBJECT PROPERTY is a part of a residential development to which the DISTRICT will be providing said services.
4. Parks and Recreation. The SUBJECT PROPERTY will be served by Clackamas County for park and recreational services.
5. Fire. The SUBJECT PROPERTY is served by Clackamas Fire District #1 for fire services.
6. Police. The SUBJECT PROPERTY is served by Clackamas County for police services.
7. The PETITIONER is also seeking annexation into the City of Oregon City. Following annexation into Oregon City the City will provide park and police services to the SUBJECT PROPERTY.

C. LAND USE PLANNING

As referenced in Section II of this report, state law and the Metro Code require a review for consistency with various regional and local land use plans. The following analyzes and reaches findings related to regional and local plans that may be applicable to the proposed annexation of the SUBJECT PROPERTY into the DISTRICT.

1. Regional Plans

The SUBJECT PROPERTY is in unincorporated Clackamas County, and inside Metro's jurisdictional boundary and the regional UGB. As such, a boundary change approval must be consistent with the applicable Metro regional framework plan. (See, ORS 268.354(2)(d)). Metro has adopted a Regional Framework Plan, and two regional functional plans--the Urban Growth Management Functional Plan (2023) and the Regional Transportation Plan (2012).

Staff has reviewed these plans and finds that these plans have no applicable standards and criteria for boundary changes. Therefore, the proposed boundary change by the DISTRICT through annexation of the SUBJECT PROPERTY is consistent, or not in conflict, with any Metro regional plans.

2. Clackamas County Comp Plan

The SUBJECT PROPERTY is in unincorporated Clackamas County. Chapter 7 of the Comp Plan was reviewed. Staff finds that the DISTRICT's proposed provisioning of sanitary sewer and stormwater services to the SUBJECT PROPERTY is consistent, or not in conflict, with Chapter 7 of the Comp Plan.

3. City Comprehensive Land Use Plan

The PETITIONER is also seeking annexation to Oregon City. But is currently in unincorporated Clackamas County. Based on the information provided by the DISTRICT and PETITIONER, the proposed annexation is compatible with the City of Oregon City comprehensive land use plan.

4. Public Facility, Concept, and Annexation Plans and Cooperative Planning Agreements

Staff finds there are facility, concept, or annexation plans applicable to the area.

D. QUALITY, QUANTITY, AND TIMING OF SERVICE

Metro Code requires the Board to consider various factors that address the quality, quantity, and timing of the services being sought by the proposed annexation.

Staff finds that the proposed annexation of the SUBJECT PROPERTY into the DISTRICT is consistent with the Metro’s service quality standard under Section 3.09.045(D)(2), 3.09.050(B), and 3.09.090:

- Promote of the timely, orderly and economic provision of public facilities and services;
- Improve of the quality and quantity of urban services; and
- Eliminate or avoid unnecessary duplication of facilities and services.
- The extent to which urban services are available to serve the affected territory, including any extra territorial extensions of service;
- Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party;
- The proposed effective date of the boundary change; and
- No extension of service from inside a UGB to territory that lies outside the UGB.

The SUBJECT PROPERTY is a developed as a single-family residence. The DISTRICT is in a more advantageous technical position to provide sanitary sewer and stormwater services to the SUBJECT PROPERTY.

The SUBJECT PROPERTY will remain in Clackamas River Water for water services. Therefore, there is no duplication in the provisioning of the requested services, nor would there be a withdrawal of the SUBJECT PROPERTY from Clackamas River Water’s jurisdiction.

Finally, because the SUBJECT PROPERTY is inside the UGB, the proposed annexation of the SUBJECT PROPERTY into the DISTRICT does not result in an extension of the DISTRICT’s sewer service from inside a UGB to territory that lies outside the UGB.

The boundary change will become effective on the date of Board’s approval.

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IV. CONCLUSIONS

Staff conclude that the proposed annexation complies with all applicable state statutes and Metro Code requirements. Staff recommends the approval of Boundary Change No. 2025-013 (TCSD) for the DISTRICT to provide sanitary sewer and stormwater services to the SUBJECT PROPERTY.

Respectfully Submitted,



Assistant Legal County Counsel

Attachment 1: District Endorsement



CLACKAMAS

**WATER
ENVIRONMENT
SERVICES**

GREGORY L. GEIST | DIRECTOR

Water Quality Protection
Surface Water Management
Wastewater Collection & Treatment

12/4/25

Board of Commissioners
Clackamas County

Members of the Board:

**ENDORSEMENT OF ANNEXATION OF TERRITORY TO
TRI-CITY SERVICE DISTRICT**

ORS 198.850 requires the governing body of TRI-CITY SERVICE DISTRICT, (District) to endorse annexation proposals prior to a hearing by the Board of County Commissioners. In the interest of efficiency, the Board has delegated the authority and duties for endorsement of annexations of territory to the District to the Director of Water Environment Services.

I have reviewed the attached petition from property owners requesting the annexation of territory to TRI-CITY SERVICE DISTRICT and find the District has sufficient sanitary sewer collection and treatment system capacity to provide sanitary sewer service to the area proposed to be annexed. Service is subject to the construction of public sewer extensions as required by WES Rules and Regulations.

Therefore, by the authority granted to me by Order No. 99-329, I hereby endorse the annexation of all Tax Lots described on Exhibit "B" and shown as Exhibit "C" (attached) to TRI-CITY SERVICE DISTRICT, as set forth on the attached petition.

Greg Geist

Greg Geist, Director
Water Environment Services