

PLANNING COMMISSION STAFF REPORT  
VACATION RENTAL CONDITIONAL USE PERMIT  
909 E Sixth Street

HEARING DATE: August 11, 2022

FILE NO: CUP22-0006

REQUEST: Conditional use permit approval to use a single-family dwelling as a vacation rental home

LOCATION: 909 E Sixth Street

TAX LOT: R3219AD-07202

APPLICANT/OWNER: Jeff & Emily Hartley

ZONE: R-2 (Medium Density Residential)

PLAN DISTRICT: MDR (Medium Density Residential)

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**ATTACHMENTS:**

Planning Commission Order 2022-011 with:

Exhibit A: Findings

Exhibit B: Conditions of Approval

Attachment 1: Application

Attachment 2: Agency Comments

**A. DESCRIPTION OF APPLICATION:** The applicant is requesting Conditional Use Permit (CUP) approval to use an existing three-bedroom home as a vacation rental located at 909 E Sixth Street. The use as a vacation rental would provide accommodations to families and travelers that want to experience wine country. The applicant has stated that one off-street parking space will be available in the driveway with one additional space in the garage for use by short-term tenants. The subject property is zoned R-2 (Medium Density Residential). Attachment 1 contains the submitted application.

**B. LOCATION:** 909 E Sixth Street



**C. SITE INFORMATION:**

1. Location: 909 E Sixth Street
2. Total Lot Size: 3,484 square feet

3. Topography: Flat
4. Current Land Uses: Single family residential
5. Natural Features: Vegetation
6. Adjacent Land Uses:
  - a. North: Single-family residential
  - b. South: Single-family residential
  - c. East: Single-family residential
  - d. West: Single-family residential
7. Zoning:
  - a. North: R-2 (Medium Density Residential)
  - b. South: R-2 (Medium Density Residential)
  - c. East: R-2 (Medium Density Residential)
  - d. West: R-2 (Medium Density Residential)
8. Access and Transportation: Access to the vacation rental will occur via E Sixth Street. E Sixth Street is classified as a local residential street in the City's Interactive Planning Map. E Sixth Street is a paved road.
9. Utilities:

Water: The City's GIS illustrates a 6-inch water main in E Sixth Street with an existing service lateral to the property.

Wastewater: The City's GIS illustrates a 12-inch wastewater line in E Sixth Street with an existing service lateral to the property.

Stormwater: The City's GIS illustrates a storm collector system drains into the gutter and then into the City's stormwater system.

Overhead Lines: Any new overhead utility connections to the property must be undergrounded. See NMC 15.430.010 for exception provisions.

- D. PROCESS:** This Conditional Use Permit request is a Type III application and follows the procedures in Newberg Development Code 15.100.050. The Planning Commission

will hold a quasi-judicial public hearing on the application. The Commission will make a decision on the application based on the criteria listed in the attached findings. The Planning Commission's decision is final unless appealed. Important dates related to this application are as follows:

- 7/11/22: The Community Development Director deemed the application complete.
- 7/15/22: The applicant mailed notice to the property owners within 500 feet of the site.
- 7/15/22: The applicant posted notice on the site.
- 7/27/22: The *Newberg Graphic* published notice of the Planning Commission hearing and notice was posted in four public places.
- 8/11/22: The Planning Commission will hold a quasi-judicial public hearing to consider the application.

**E. AGENCY COMMENTS:** The application was routed to several public agencies and City departments for review and comment. Comments and recommendations from City departments have been incorporated into the findings and conditions of approval. As of the writing of this report, the City received the following responses from the following referral agencies (Attachment 2):

Community Development Director: Only have 1 surface parking space and 1 garage space.

Finance: Reviewed, no conflict.

Zipty: Reviewed, no conflict.

City Manager: Reviewed, no conflict.

Public Works Director: Reviewed, no conflict.

Public Works Maintenance Superintendent: Reviewed, no conflict.

Public Works Wastewater: Reviewed, no conflict.

Public Works Water: Reviewed, no conflict.

Public Works Operation: Reviewed, no conflict.

Tualatin Valley Fire & Rescue: Reviewed, no conflict.

**F. PUBLIC COMMENTS:** As of the writing of this report, the City has received no public comment on the proposal.

**G. ANALYSIS:** The proposed vacation rental is compatible with the surrounding residential uses and neighborhood due to its size and scope. The characteristics of a vacation rental are not dissimilar to other rented and owned dwellings. The location of the proposed vacation rental is convenient and attractive for visitors to downtown, George Fox University, and surrounding tourist attractions to Newberg.

The maximum occupancy is regulated by the number of bedrooms – two guests per bedroom. Therefore, the maximum number of guests is six (6) in the house based on the current 3-bedrooms in the home. There is one off-street parking space in the driveway with one additional space in the garage for short term guests provided on the subject property.

**H. PRELIMINARY STAFF RECOMMENDATION:** The preliminary staff recommendation is made in the absence of public hearing testimony and may be modified after the close of the public hearing. At the time this report was drafted, staff recommends the following motion:

*Move to adopt Planning Commission Order 2022-011, which approves the requested conditional use permit with the attached conditions of approval in Exhibit “B”.*



## **PLANNING COMMISSION ORDER 2022-011**

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**AN ORDER APPROVING CONDITIONAL USE PERMIT CUP22-0006 FOR A  
VACATION RENTAL HOME AT 909 E SIXTH STREET, YAMHILL COUNTY  
TAX LOT R3219AD 07202**

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### **RECITALS**

1. Jeff and Emily Hartley applied for a conditional use permit for a vacation rental home at 909 E Sixth Street, Yamhill County Tax Lot R3219AD 07202.
2. After proper notice, the Newberg Planning Commission held a public hearing on August 11, 2022, to consider the application. The Commission considered testimony and deliberated.
3. The Newberg Planning Commission finds that the application, as conditioned in Exhibit “B”, meets the applicable Newberg Municipal Code criteria as shown in the findings in Exhibit “A”.

### **The Newberg Planning Commission orders as follows:**

1. Conditional Use Permit Application CUP22-0006 is hereby approved, subject to the conditions contained in Exhibit “B”. Exhibit “B” is hereby adopted and by this reference incorporated.
2. The findings shown in Exhibit “A” are hereby adopted. Exhibit “A” is hereby adopted and by this reference incorporated.
3. This order shall be effective on August 25, 2022, unless appealed prior to this date.
4. This order shall expire one year after the effective date above if the applicant does not commence use of the home as a vacation rental unless an extension is granted per Newberg Development Code 15.225.100.

**Adopted by the Newberg Planning Commission this 11<sup>th</sup> day of August 2022.**

ATTEST:

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Planning Commission Chair

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Planning Commission  
Secretary

List of Exhibits:

Exhibit “A”: Findings

Exhibit “B”: Conditions of Approval

**Exhibit “A” to Planning Commission Order 2022-011  
Findings – File CUP22-0006  
Vacation Rental at 909 E Sixth Street**

**A. Conditional Use Permit Criteria That Apply - Newberg Development Code 15.225.060.**

- A. The location, size, design and operating characteristics of the proposed development are such that it can be made reasonably compatible with and have minimal impact on the livability or appropriate development of abutting properties and the surrounding neighborhood, with consideration to be given to harmony in scale, bulk, coverage and density; to the availability of public facilities and utilities; to the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of the development.*

**Finding:** The vacation rental would be in an existing three-bedroom, single-family dwelling in a neighborhood south of Downtown Newberg. The property owners are planning to use the dwelling as a short-term vacation rental for families and travelers. The site maintenance and management will be managed by a property agent.

The proposed vacation rental use is similar to a regular residential use in design and operating characteristics. The home has three bedrooms so a maximum of six renters would be allowed to occupy the home. One off-street parking space is provided on the property with one more available in the garage. Single-family R-2 zoned properties are located to the north, south, east, and west of the subject property. The subject property is zoned R-2. A vacation rental use is compatible with the surrounding residential neighborhood and would effectively function no differently than the existing residential uses in the surrounding area. This criterion is met.

- B. The location, design, and site planning of the proposed development will provide a convenient and functional living, working, shopping or civic environment, and will be as attractive as the nature of the use and its location and setting warrants.*

**Finding:** The location of the dwelling is attractive for a vacation rental due to its proximity to downtown Newberg. The downtown area is less than half a mile to the north. A vacation rental is a compatible use with other residential uses because it is similar in size and scope to a long-term rented (longer than 30-days) or owned dwelling. This criterion is met.

- C. The proposed development will be consistent with this code.*

**Finding:** The vacation rental standards are addressed in findings below; if the development complies with the standards of NMC Section 15.445.300, the application will be consistent with code requirements.



**B. Applicable Criteria - NMC 15.445.300 Vacation Rental Homes**

***15.445.310 Where allowed.***

***Vacation rental homes are permitted in areas shown on Chapter 15.305 NMC.***

***The vacation rental home must be a structure approved for occupancy as a single-family dwelling unit.***

**Finding:** The subject property is zoned R-2. The table below is an excerpt from Chapter 15.305 of the NMC, which states vacation rental homes are permitted as a conditional use in the R-2 zone. The owner has applied for conditional use permit approval for the proposed vacation rental home. The structure was previously approved for occupancy as a single-family dwelling unit.

<u>Use</u>	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	<b>RP</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>
<u>Vacation rental home</u>	C	C	S	S	S	S(13)	S(13)	S(13)

This criterion is met.

***15.445.320 Registration required.***

***Prior to use or advertising for use of a dwelling as a vacation rental home, the owner or operator shall register the vacation rental home with the city on forms provided by the director. The registration shall include such information required by the director, including the name and contact information for the owner, operator and a local contact.***

**Finding:** As required by NMC 15.445.320, prior to the use of the home as a vacation rental the owner or applicant will be required to register the vacation rental home with the City and will be required to pay the transient lodging tax. This criterion will be met with the adherence to the aforementioned condition of approval.

***15.445.330 Standards.***

***A. The vacation rental home shall provide a minimum of two parking spaces on the site that are available for use of the rental occupants.***

***B. The applicant shall provide for regular refuse collection.***

***C. The vacation rental home may not be occupied by more than two rental occupants per bedroom, up to a maximum of 15 people.***

***D. The premises of the vacation rental home may not include any occupied recreational vehicle, trailer, tent or temporary shelter during the rental occupancy.***

**Finding:** The proposed vacation rental would be in an existing three-bedroom single-family dwelling. There is one off-street parking space available on the existing driveway and an

additional space in the garage. The applicant will be responsible for providing for regular refuse collection and has indicated that service is currently set up with Waste Management. Prior to the use of the home as a vacation rental, the property must be enrolled in regular weekly refuse collection services, in order to comply with this Section of the NMC. The home has three bedrooms; therefore, the maximum number of guests is limited to six (6). Guest contracts shall not allow recreational vehicles, trailers, tents, or temporary shelters during the rental occupancy. The owner is conditioned to keep at least two off-street parking spaces available for use of vacation rental guests. The owner has proposed at least two off-street parking spaces. These criteria are met with the adherence to the aforementioned conditions of approval.

***15.445.340 Registration posting.***

***The applicant shall post the vacation rental home registration within the dwelling adjacent to the front door. At a minimum, the posting will contain the following information:***

- A. The name of the operator and a telephone number where the operator may be reached.***
- B. The telephone number for the police department.***
- C. The maximum number of occupants permitted to stay in the dwelling.***
- D. The standards for the rental occupancy.***
- E. The solid waste collection day.***

**Finding:** The applicant has acknowledged the requirements listed in NMC Section 15.445.340 and has stated that they will comply with these requirements. Prior to the use of the home as a vacation rental and during the use of the home as a vacation rental, the applicant is required to post the required information for NMC 15.445.040(A-E) by the front door of the vacation rental.

Operator Name: Jeff & Emily Hartley

Phone Number: (503) 428-3640

In the event of an emergency, call: 911 | Non-Emergency Police #: (503) 538-8321

Max Number of Guests: six (6)

Trash Pick-Up Day: Friday

City of Newberg Vacation Rental Standards:

- Each vacation rental home shall provide a minimum of two parking spaces on the site that are available for use of the rental occupants.
- The applicant shall provide for regular refuse collection.
- The vacation rental home may not be occupied by more than two rental occupants per bedroom, up to a maximum of 6 people.
- The premises of the vacation rental home may not include any occupied recreational vehicle, trailer, tent, or temporary shelter during the rental occupancy.

The requirements of Section 15.445.040 will be met with the adherence to the aforementioned conditions of approval.

***15.445.350 Complaints and revocation of registration.***

***If the city receives two or more written complaints within a one-year period regarding a vacation rental home occupancy, and the issues have not been resolved through the code enforcement officer, the city manager may schedule a hearing to consider revoking the vacation rental home registration. The hearing may be conducted by the city manager, or other such hearings officer as the city manager may appoint for this purpose. The city manager shall notify the owner and operator of the hearing, those submitting written complaints, and may invite others to submit testimony at the hearing. After hearing the facts, the city manager may do any of the following:***

***A. Revoke the registration for noncompliance with the standards in this section. If this permit is revoked, the premises may not be used as a vacation rental home for a period of two years, or a period of lesser time as determined by the hearings officer.***

***B. Impose additional conditions necessary to fulfill the purpose of this section.***

***C. Establish a probationary period to monitor compliance.***

***D. Dismiss the complaint.***

***E. Refer the matter to the code enforcement officer for citation in municipal court or other appropriate jurisdiction.***

***The hearings officer's decision may be appealed to the planning commission by the applicant, owner, or person filing the written complaint within 14 calendar days of the date of the decision in the manner provided in NMC 15.100.170.***

**Finding:** The City will follow the procedures listed above in the event complaints are received about the vacation rental home. The applicant's narrative acknowledges Section 15.445.050 complaints and revocation of registration. The applicants have indicated they understand the potential for an approval to be revoked if the requirements for operating a vacation rental are not adhered to.

**C. CONCLUSION:**

Based on the above-mentioned findings, the application meets the required criteria within the Newberg Municipal Code, subject to completion of and adherence to the attached conditions of approval in Exhibit "B".

**Exhibit “B” to Planning Commission Order 2022-011  
Conditions of Approval – File CUP22-0006  
Vacation Rental Home at 909 E Sixth Street**

**THE FOLLOWING MUST BE ACCOMPLISHED PRIOR TO USE AS A VACATION RENTAL AND ADHERED TO IN ORDER TO CONTINUE THE USE OF A VACATION RENTAL:**

1. **Transient Lodging Tax:** Prior to the use of the home as a vacation rental the owner or applicant will be required to register the vacation rental home with the City of Newberg and will be required to pay the transient lodging tax.
2. **Refuse Collection:** Prior to the use of the home as a vacation rental, the property must be enrolled in regular weekly refuse collection services.
3. **Parking:** Guest contracts shall not allow recreational vehicles, trailers, tents, or temporary shelters during the rental occupancy. The owner is conditioned to keep at least two off-street parking spaces available for use of vacation rental guests.
4. **Posting:** Prior to the use of the home as a vacation rental and during the use of the home as a vacation rental, the applicant is required to post the required information for NMC 15.445.040(A-E) by the front door of the vacation rental.

Operator Name: Jeff & Emily Hartley

Phone Number: (503) 428-3640

In the event of an emergency, call: 911 | Non-Emergency Police #: (503) 538-8321

Max Number of Guests: Six (6)

Trash Pick-Up Day: Friday

City of Newberg Vacation Rental Standards:

- Each vacation rental home shall provide a minimum of two parking spaces on the site that are available for use of the rental occupants.
- The applicant shall provide for regular refuse collection.
- The vacation rental home may not be occupied by more than two rental occupants per bedroom, up to a maximum of 6 people.
- The premises of the vacation rental home may not include any occupied recreational vehicle, trailer, tent, or temporary shelter during the rental occupancy.

## **Attachment 1: Application**



# TYPE III APPLICATION (QUASI-JUDICIAL REVIEW)

File #: CUP22-0006

**TYPES - PLEASE CHECK ONE:**

- Annexation
- Comprehensive Plan Amendment (site specific)
- Zoning Amendment (site specific)
- Historic Landmark Modification/alteration
- Conditional Use Permit
- Type III Major Modification
- Planned Unit Development
- Other: (Explain) \_\_\_\_\_

**APPLICANT INFORMATION:**

APPLICANT: Jeff & Emily Hartley  
 ADDRESS: 1701 Aspen Ct Lake Oswego, OR 97034  
 EMAIL ADDRESS: thehartleys11@gmail.com  
 PHONE: 503-428-3640 MOBILE: 503-428-3640 FAX: n/a  
 OWNER (if different from above): n/a PHONE: n/a  
 ADDRESS: n/a  
 ENGINEER/SURVEYOR: n/a PHONE: n/a  
 ADDRESS: n/a

**GENERAL INFORMATION:**

PROJECT NAME: Villa Fontana PROJECT LOCATION: 909 E 6th St, Newberg, OR 97132  
 PROJECT DESCRIPTION/USE: Lodging/Vacation-rental home  
 MAP/TAX LOT NO. (i.e. 3200AB-400): 3219AD-07202 ZONE: R-2 SITE SIZE: 3598 SQ. FT.  ACRE   
 COMP PLAN DESIGNATION: \_\_\_\_\_ TOPOGRAPHY: \_\_\_\_\_  
 CURRENT USE: Single family residence  
 SURROUNDING USES:  
 NORTH: Single family residence SOUTH: Single family residence  
 EAST: Single family residence WEST: Single family residence

**SPECIFIC PROJECT CRITERIA AND REQUIREMENTS ARE ATTACHED**

General Checklist:  Fees  Public Notice Information  Current Title Report  Written Criteria Response  Owner Signature

For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

Annexation .....	p. 15
Comprehensive Plan / Zoning Map Amendment (site specific) .....	p. 19
Conditional Use Permit .....	p. 21
Historic Landmark Modification/Alteration .....	p. 23
Planned Unit Development .....	p.26

The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application or submit letters of consent. Incomplete or missing information may delay the approval process.

[Signature] 4/12/2022  
 Applicant Signature Date

[Signature] 4/12/2022  
 Owner Signature Date

Jeff Hartley

Print Name

Emily Hartley

Print Name

## **Fees:**

\$100 Pre-Application Fee – WAIVED

\$2,026 Conditional Use Permit

\$101.30 Technology Fee

***\$2,127.30 Total***

## **Public Notice Information**

Draft of Mailer (attached)

Draft of Sign (attached)

Mailing list of properties within 500 feet (attached)

## **Current Title Report**

Attached

## **Written Criteria Response**

We have not altered or changed the property or landscape other than maintenance. The only change we are proposing is the change in use to Short Term Rental

The size and design of the home has not changed and therefore will have minimum impact on the livability of the abutting properties. Generation of traffic will not change as there is a no events or parties policy for the short term rental and a maximum of 4 adults.

## **Project Statement**

The property is six blocks from downtown businesses a short walk to George Fox University, the cultural center, and a short drive from local wine destinations. Short term rentals will allow a place to stay for family and friends visiting students and will bring tourists and revenue to local Newberg businesses.

As a short-term rental and personal vacation home, the impact to the surrounding properties will not be significantly impacted. We currently use the property as a second home and remote work location and plan to do so throughout the course of our ownership. For short term guests we allow a maximum of 6 adults at one time. There is a no parties, events, or pets policy and quiet hours begin at 10pm. We will have smart home devices to help ensure policies are being met and will take immediate action if violations occur.

Property is professionally landscaped twice per month, professionally cleaned multiple times per month, and garbage and recycling picked up weekly. All in order to maintain the value of the home and the neighborhood.

909 E 6<sup>th</sup> St  
Newberg, OR 97132

**City of Newberg Conditional Use Permit**

**Written Criteria Response:**

**City of Newberg Municipal Code 15.225.060**

- A. Proposed use will be a short-term vacation rental while owners are not in residence.
  - The proposed STR is a SFR that was built in 2017.
  - The house is a 2-story, 3-bedroom, 2.5-bathroom SFR on a 3600 sq/ft lot. It has a direct neighbor to the east and to the west.
  - The property will be occupied by the owners on occasion but mostly used as a STR. The owners will self-manage the property and will have utilize a professional screening process, have quiet hours beginning at 10pm, and a no event and no animals policy.
  - The property has a one car garage and a two-car driveway.
- B. The location, design, and site of this proposed STR will provide functional accommodations to families and travelers that want to experience Oregon wine county, visit George Fox University, and attend local events. The STR will generate less traffic than long-term residents as it will not be occupied as frequently.
- C. The proposed STR use will be consistent with Ord. 2451, 12-2-96. Code 2001 & 151.210.

**City of Newberg Municipal code 15.445.300 – 15.445.350**

**15.445.300 – Application and purpose**

909 E 6<sup>th</sup> St is a single-family home that will be available, advertised, or listed by the agent as available for use, rent for occupancy for less than 30 days.

**15.445.310 – Where allowed**

This home is zoned R-2 for use as a vacation rental with a conditional permit.

**15.445.320 – Standards**

- A. Provide a minimum of two parking spaces: There is one full-size space in the garage as well as two full-size spaces in the driveway.
- B. Provide regular refuse pick up: There is service currently set up with Waste Management for trash, recycle, and yard debris.
- C. Occupancy: The STR has three conforming bedrooms so the occupancy limit will be set at six people.



- D. Premises: This STR will not allow the use of occupied recreational vehicles, trailers, tent or temporary shelter during rental occupancy.

**15.445.340 – Registration Postings**

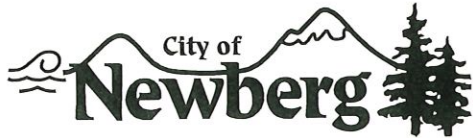
This STR will have a vacation rental home registration adjacent to the front door with the following information:

- A. The name of the operator and telephone number where the operator may be reached.
- B. The telephone number of the police department.
- C. The maximum number of occupants permitted to stay in the dwelling.
- D. The standards for the rental occupancy.
- E. The solid waste collection day.

**15.445.350 – Complaints and revocation of registration**

Owner is fully aware and understands the above code and will make every effort to follow up with all complaints.

Sample mailer attached:



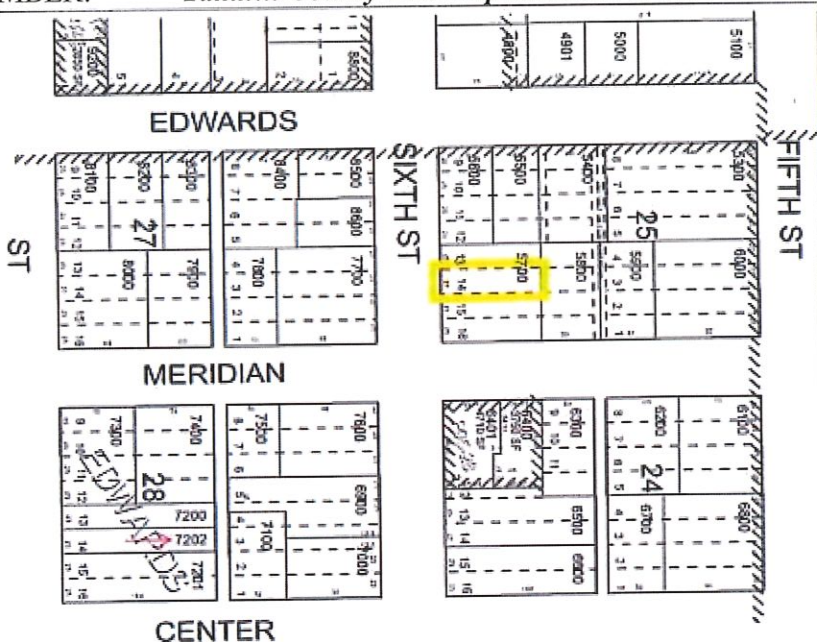
Community Development Department  
P.O. Box 970 • 414 E First Street • Newberg, Oregon 97132  
503-537-1240. Fax 503-537-1272 [www.newbergoregon.gov](http://www.newbergoregon.gov)

**NOTICE OF PLANNING COMMISSION HEARING  
ON A CONDITIONAL USE PERMIT – VACATION RENTAL**

A property owner in your neighborhood submitted an application to the City of Newberg for a conditional use permit to *use their home as a short-term vacation rental*. The Newberg Planning Commission will hold a hearing on August 11 at 7 p.m, via. Zoom (<https://us06web.zoom.us/j/84675841389>) to evaluate the proposal. You are invited to take part in the City's review of this project by sending in your written comments or by testifying before the Planning Commission. For more details about giving comments, please see the back of this sheet.

The development would include a short-term rental with a limit on occupancy to six adults. Quiet hours after 10 p.m. No events and no animals. No changes to the existing structure or site to retain an appearance consistent with the current neighborhood.

- APPLICANT: *Jeff & Emily Hartley*  
TELEPHONE: *503-428-3640*  
PROPERTY OWNER: *Jeff & Emily Hartley*  
LOCATION: *909 E Sixth Street, Newberg, OR 97132*  
TAX LOT NUMBER: *Yamhill County Tax Map and Lot Number 3219AD-07202*



We are mailing you information about this project because you own land within 500 feet of the proposed conditional use. We invite you to send any written comments for or against the proposal within 20 days from the date this notice is mailed. We invite you to participate in the land use hearing scheduled before the Planning Commission. If you wish to participate in the hearing, you or a representative may do so by video conference. Oral testimony typically is limited to five minutes per speaker.

If you mail your comments to the City, please put the following information on the outside of the envelope:

Written Comments: CUP22-0006  
City of Newberg  
Community Development Department  
PO Box 970  
Newberg, OR 97132

All written comments must be turned in by 4:30 p.m. on Thursday, August 4, 2022. Written information received after this time will be read out loud at the hearing subject to time limits for speakers and will be included in the record if there are further proceedings.

You can look over all the information about this project or drop comments off at Newberg City Hall, 414 E. First Street. You can also buy copies of the information for a cost of 25 cents a page. Application material can also be accessed at

<https://www.newbergoregon.gov/cd/page/cup22-0006-vacation-rental-909-e-sixth-street>.

A staff report relating to the proposal will be available for inspection at no cost seven days prior to the public hearing. If you have any questions about the project, you can call the Newberg Planning Division at 503-537-1240.

Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be raised during the public hearing process. You must include enough detail to enable the decision maker an opportunity to respond. The applicable criteria used to make a decision on this application for a conditional use and a vacation rental approval are found in Newberg Development Code Sections 15.225.060 and 15.445.330 – 340.

Prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments or testimony regarding the application through a continuance or extension of the record. Failure of an issue to be raised in the hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals based on that issue.

The Planning Commission will make a decision at the end of the public hearing process. If you participate in the public hearing process, either by testifying during the public hearing, or by sending in written comments, you will be sent information about any decision made by the City relating to this project.

Date Mailed: **July 15, 2022**

JAMES HIGHLEY III  
619 S RIVER ST  
NEWBERG OR 97132

CHRISTOPHER BRADSHAW  
VENESSA BRADSHAW  
512 S CENTER ST  
NEWBERG OR 97132

SHAWNA NOLTE  
BRADLEY NOLTE  
610 S RIVER ST  
NEWBERG OR 97132

BILLY WOOD  
KATHLEEN WOOD  
419 S EDWARDS ST  
NEWBERG OR 97132

RYAN FORBES  
EMILY FORBES  
913 E 6TH ST  
NEWBERG OR 97132

STEFAN CZARNECKI  
MEGHAN ROGERS-CZARNECKI  
802 E 4TH ST  
NEWBERG OR 97132

CHRISTOPHER BRENNER  
414 S EDWARDS ST  
NEWBERG OR 97132

EAA HOLDINGS LLC  
1508 N MADISON ST  
LAFAYETTE OR 97127

JONATHAN KOERTZEN  
JENNIFER KOERTZEN  
420 S EDWARDS ST  
NEWBERG OR 97132

DAVID TODD CONSTRUCTION LLC  
LONE OAK BUILDERS LLC  
PO BOX 461  
NEWBERG OR 97132

JONATHAN CADD  
CHERYL CADD  
909 FULTON ST  
NEWBERG OR 97132

BENITO SALINAS  
IRMA SALINAS  
409 S MERIDIAN ST  
NEWBERG OR 97132

WINE COUNTRY PROPERTIES LLC  
PO BOX 1707  
MCMINNVILLE OR 97128

DEBRA FIELDS  
900 E 4TH ST  
NEWBERG OR 97132

TODD BILLICK  
406 S MERIDIAN ST  
NEWBERG OR 97132

JOHN VARNER  
425 SE PORT AVE  
LINCOLN CITY OR 97367

STEVEN GUEST  
22755 MAPLEWOOD  
MISSION VIEJO CA 92692

ROBERT MASLEN  
VALERIE MASLEN  
PO BOX 193  
DUNDEE OR 97115

BRIAN RISSE  
COURTNEY RISSE  
915 E 5TH ST  
NEWBERG OR 97132

CRAIG ABRAHAMSON  
DANA ABRAHAMSON  
420 S MERIDIAN ST  
NEWBERG OR 97132

SETH STILWELL  
DIANA STILWELL  
405 S CENTER ST  
NEWBERG OR 97132

JUSTIN JOHNSON  
912 E 4TH ST  
NEWBERG OR 97132

DIANE BEEBE  
PO BOX 1182  
NEWBERG OR 97132

PATRICIA HANSEN  
914 E 5TH ST  
NEWBERG OR 97132

JOEL BOCK  
CHERICE BOCK  
1536 E 3RD ST UNIT 24  
NEWBERG OR 97132

SAMUEL HENOCH  
907 E 6TH ST  
NEWBERG OR 97132

CAROLINE AUST  
520 S MERIDIAN ST  
NEWBERG OR 97132

GEORGIA THURMAN  
PAULINE WILKINSON  
ATTN: THURMAN IRENE 1705  
CAROL ANN DR  
NEWBERG OR 97132

KIMBERLY KENNISON  
510 S MERIDIAN ST  
NEWBERG OR 97132

KEVIN PAULIN  
CYNTHIA PAULIN  
467 SUNRIDGE DR  
JEROME ID 83338

ARTEMIO CHAVEZ  
509 S MERIDIAN ST  
NEWBERG OR 97132

MARLENE WIRTANEN  
3309 SW IDAHO ST  
PORTLAND OR 97239

ANTHONY SCHWISOW  
521 S MERIDIAN ST  
NEWBERG OR 97132

MCSHANE REBECCA A TRUSTEE  
FOR  
803 E 6TH ST  
NEWBERG OR 97132

NORTH JERRI L  
516 S EDWARDS ST  
NEWBERG OR 97132

ROGER ERB  
MAROLYN ERB  
514 S EDWARDS ST  
NEWBERG OR 97132

VICTOR ABRAMSON  
CHRISTINE ABRAMSON  
508 S EDWARDS ST  
NEWBERG OR 97132

5TH & EDWARDS LLC  
9169 W STATE ST #2235  
GARDEN CITY ID 83714

MONTE SURAN  
9660 SW SIXTH AVE  
PORTLAND OR 97219

ZACHARY OLSON  
BETHANY OLSON  
712 E 5TH ST  
NEWBERG OR 97132

MATTHEW POWELL  
RENEE POWELL  
503 S EDWARDS ST  
NEWBERG OR 97132

JAMES WILLIAMS  
KAYLEEN WILLIAMS  
509 S EDWARDS ST  
NEWBERG OR 97132

JACOB RAMIREZ  
PO BOX 83  
DUNDEE OR 97115

WILLIAM SWONGER  
513 S EDWARDS ST  
NEWBERG OR 97132

CAROL ZLAB  
515 S EDWARDS ST  
NEWBERG OR 97132

BRITTANY HAZEL  
KENDALL HAZEL  
715 E 6TH ST  
NEWBERG OR 97132

LISA FOSTER  
ATTN: NEWBERG AREA HABITAT  
FOR HUMANITY  
NEWBERG OR 97132

GUELDNER FAMILY LLC  
3887 OAK MEADOWS LP  
NEWBERG OR 97132

DENISE GUEDON  
912 E 6TH ST  
NEWBERG OR 97132

FORREST D REINHARDT  
SUSAN D REINHARDT  
621 S CENTER ST  
NEWBERG OR 97132

ISRAEL ALLEN  
111 E 8TH ST  
NEWBERG OR 97132

DEXTER KINCAID  
614 S MERIDIAN ST  
NEWBERG OR 97132

JOEL PEREZ  
JENNIFER PEREZ  
610 S MERIDIAN ST  
NEWBERG OR 97132

CAROL BUCHE  
608 S MERIDIAN ST  
NEWBERG OR 97132

VICTORIA YU  
ALAN YU  
902 E 6TH ST  
NEWBERG OR 97132

NEWBERG SCHOOL DISTRICT 29J  
714 E 6TH ST  
NEWBERG OR 97132

STEPHEN BOYLES  
607 S MERIDIAN ST  
NEWBERG OR 97132

KEITH REESER  
TAHNEE REESER  
617 S MERIDIAN ST  
NEWBERG OR 97132

TROY KRONWITTER  
LAURA KRONWITTER  
621 S MERIDIAN ST  
NEWBERG OR 97132

WILLIAM HICKS  
LINDSEY HICKS  
701 S MERIDIAN ST  
NEWBERG OR 97132

BLAKE ESTEP  
KARA ESTEP  
704 S MERIDIAN ST  
NEWBERG OR 97132

COREY SABROE  
LEIGH SABROE  
902 E 7TH ST  
NEWBERG OR 97132

JOSE PEREZ  
4205 SE RIVERSIDE LP  
MCMINNVILLE OR 97128

SCHOOL DISTRICT NO 29  
535 NE 5TH ST  
MCMINNVILLE OR 97128

HORST VOIGT  
OLGA VOIGT  
1000 E 4TH ST  
NEWBERG OR 97132

HPA BORROWER 2016-2 ML LLC  
120 S RIVERSIDE PLAZA STE 2000  
CHICAGO IL 60606

JOHN REAM  
414 S CENTER ST  
NEWBERG OR 97132

PAUL ADELMAN  
JULIA ADELMAN  
420 S CENTER ST  
NEWBERG OR 97132

THEODORE SHARMAN  
RUBY SHARMAN  
421 S RIVER ST  
NEWBERG OR 97132

CORINS CUSTOM HOMES LLC  
10695 NE RENNE RD  
NEWBERG OR 97132

DAVID VAN GRUNSVEN  
MARILYNN VAN GRUNSVEN  
411 S RIVER ST  
NEWBERG OR 97132

ZION LUTHERAN CHURCH  
301 S RIVER ST  
NEWBERG OR 97132

HOFF DONNA & CLIFFORD LIVING  
TRUST  
22762 SW COCHRAN DR  
SHERWOOD OR 97140

CODY SWANSON  
EMILY SWANSON  
418 S RIVER ST  
NEWBERG OR 97132

CHRISTOPHER CHILDS  
LORRIE CHILDS  
420 S RIVER ST  
NEWBERG OR 97132

DEBORAH GROAT  
PO BOX 165  
NEWBERG OR 97132

SCOTT FERGUSON  
1114 E 5TH ST  
NEWBERG OR 97132

NADEGE PETRIE  
505 S CHEHALEM ST  
NEWBERG OR 97132

AMBER TRAMMELL  
1115 E 6TH ST  
NEWBERG OR 97132

BRYAN SELBY  
HARRY SELBY  
511 S CHEHALEM ST  
NEWBERG OR 97132

FULGENCIO ISLAS  
MORA MORALES  
ATTN: NEWBERG AREA HABITAT  
FOR HUMANITY  
NEWBERG OR 97132

RIVERCREST APARTMENTS FEE  
OWNER LLC  
PO BOX 6545  
ORANGE CA 92863

KEVIN JOHNSON  
JENNIFER JOHNSON  
1014 E 5TH ST  
NEWBERG OR 97132

IVAN SOPPE-NAVETTA  
505 S RIVER ST  
NEWBERG OR 97132

WARREN NORQUIST  
PATRICIA NORQUIST  
9685 S KRAXBERGER RD  
CANBY OR 97013

PHILIP GRAVATT  
515 S RIVER ST  
NEWBERG OR 97132

JAMES CHOGYOJI  
DANA CHOGYOJI  
519 S RIVER ST  
NEWBERG OR 97132

ANDREW STOCKS  
AMANDA CASE  
521 S RIVER ST  
NEWBERG OR 97132

NIKYLAN MALMBERG  
KRISTINA MALMBERG  
520 S CENTER ST  
NEWBERG OR 97132

ELIZABETH HANNAFORD  
RYAN HANNAFORD  
315 E SHERMAN ST  
NEWBERG OR 97132

KATHERINE BOUVIA  
1000 E 5TH ST  
NEWBERG OR 97132

PATRICIA DITTON  
603 S CHEHALEM ST  
NEWBERG OR 97132

ALBERT HENKENSIEFKEN  
HAZEL HENKENSIEFKEN  
607 S CHEHALEM ST  
NEWBERG OR 97132

LEONARD JOHNSON  
CHRISTINE JOHNSON  
19460 NE WILLIAMSON RD  
NEWBERG OR 97132

WILBERT MINNIE  
FRANCES MINNIE  
616 S RIVER ST  
NEWBERG OR 97132

DAWN TODD  
606 S RIVER ST  
NEWBERG OR 97132

THEODORE EBORA  
600 S RIVER ST  
NEWBERG OR 97132

JEFFREY MORRIS  
RACHEL MORRIS  
909 SE MAPLE ST  
DUNDEE OR 97115

DOUGLAS WILLMSCHEN  
605 S RIVER ST  
NEWBERG OR 97132

DEBORAH FLENSBORG  
615 S RIVER ST  
NEWBERG OR 97132

DARREN MILLER  
621 S RIVER ST  
NEWBERG OR 97132

JOHN REINHARDT  
HALL PEGGY TRUSTEES FOR  
1130 NE 28TH ST  
MCMINNVILLE OR 97128

JACOB RAMIREZ  
3759 3RD ST  
HUBBARD OR 97032

DANIEL NOLL  
KATHLEEN NOLL  
1002 E 6TH ST  
NEWBERG OR 97132

CHURCH OF GOD  
715 S RIVER ST  
NEWBERG OR 97132

ISAAC GARMAN  
JANELLE GARMAN  
1008 E 7TH ST  
NEWBERG OR 97132

RONALD PETTIJOHN  
PO BOX 951  
SHERWOOD OR 97140

JEFFREY LEE  
KATHRYN VANHOOK  
7506 SE RAYMOND ST  
PORTLAND OR 97206

# LAND USE NOTICE

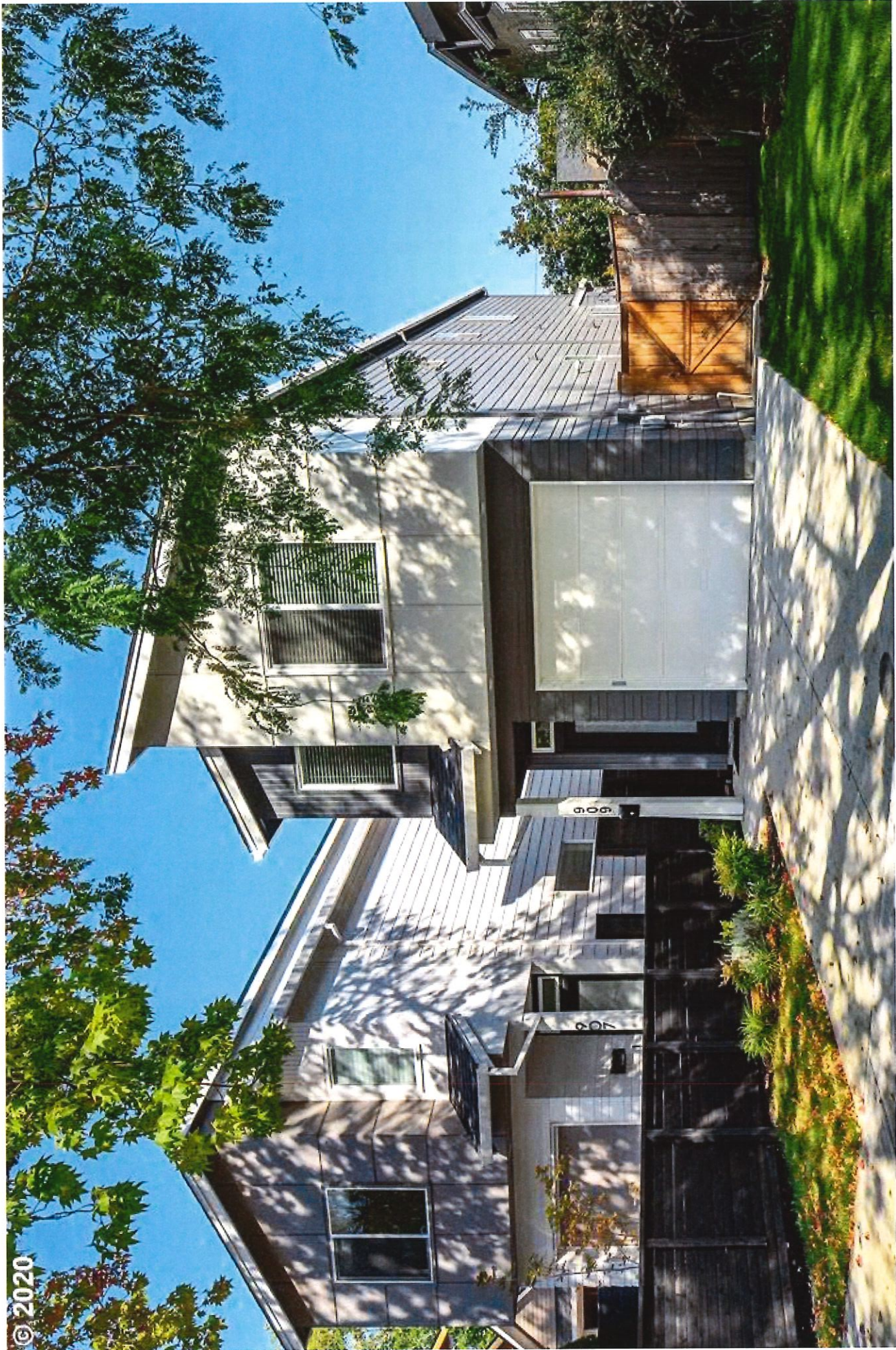
**File Number:** CUP22-0006

**Proposal:** 909 E Sixth Street—Vacation Rental.

## **For Further Information:**

City of Newberg  
Community Development Department  
414 E First Street  
503-537-1240





© 2020

Home > Interactive Planning Map

Open in n

Details | Basemap |

Share | Print | Measure | 909 E 6th St

Legend



Transportation - Street Lines

Transportation - Railroad Tracks

### Public Utilities Map



City of Newberg, Oregon Metro, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, USDA | City of Newberg, Oregon Metro, Geoterra | Originally created by Jan Wolf 2007-present



1433 SW 6th Avenue  
(503)646-4444

**OWNERSHIP AND ENCUMBRANCES REPORT WITH GENERAL INDEX LIENS**  
Informational Report of Ownership and Monetary and Non-Monetary Encumbrances

**To ("Customer"):** Jeff Hartley  
1701 Aspen Court  
Lake Oswego, OR 97034

**Customer Ref.:** 909 E 6TH ST  
**Order No.:** 471822117289  
**Effective Date:** March 25, 2022 at 08:00 AM  
**Charge:** \$300.00

The information contained in this report is furnished by Ticor Title Company of Oregon (the "Company") as a real property information service based on the records and indices maintained by the Company for the county identified below. THIS IS NOT TITLE INSURANCE OR A PRELIMINARY TITLE REPORT FOR, OR COMMITMENT FOR, TITLE INSURANCE. No examination has been made of the title to the herein described property, other than as specifically set forth herein. Liability for any loss arising from errors and/or omissions is limited to the lesser of the charge or the actual loss, and the Company will have no greater liability by reason of this report. THIS REPORT IS SUBJECT TO THE LIMITATIONS OF LIABILITY STATED BELOW, WHICH LIMITATIONS OF LIABILITY ARE A PART OF THIS REPORT.

**THIS REPORT INCLUDES MONETARY AND NON-MONETARY ENCUMBRANCES.**

**Part One - Ownership and Property Description**

**Owner.** The apparent vested owner of property ("the Property") as of the Effective Date is:

Jeffrey Hartley and Emily Hartley, as tenants by the entirety

**Premises.** The Property is:

**(a) Street Address:**

909 E 6th Street, Newberg, OR 97132

**(b) Legal Description:**

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**Part Two - Encumbrances**

**Encumbrances.** As of the Effective Date, the Property appears subject to the following monetary and non-monetary encumbrances of record, not necessarily listed in order of priority, including liens specific to the subject property and general index liens (liens that are not property specific but affect any real property of the named person in the same county):

**EXCEPTIONS**

1. City Liens, if any, in favor of the City of Newberg.
2. Rights of the public to any portion of the Land lying within the area commonly known as streets, roads and highways.
3. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Portland General Electric Company, an Oregon corporation  
Purpose: Right of way for transmission, distribution, electricity and communication  
Recording Date: August 18, 2017  
Recording No: 201713440  
Affects: Reference is hereby made to said document for full particulars

4. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$389,500.00  
Dated: November 16, 2020  
Trustor/Grantor: Jeffrey Hartley and Emily Hartley, as tenants by the entirety  
Trustee: Ticor Title Company  
Beneficiary: Mortgage Electronic Registration Systems, Inc., as nominee for Academy Mortgage Corporation  
MIN: 1000608-2100757296-3  
Recording Date: November 18, 2020  
Recording No.: 202020828

NOTE: Based on recitals in the trust deed or an assignment of the trust deed, it appeared that Academy Mortgage Corporation was the then owner of the indebtedness secured by the trust deed. It may be possible, for a MERS trust deed, to obtain information regarding the current owner of the indebtedness and the servicer, if any, by contacting MERS at 888-679-6377 or through the MERS website.

Note: Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2021-2022  
Amount: \$2,765.22  
Levy Code: 29.0  
Account No.: 710054  
Map No.: R3219AD 07202

Ticor Title Company of Oregon  
Order No. 471822117289

**End of Reported Information**

There will be additional charges for additional information or copies. For questions or additional requests, contact:

Deborah Clark  
5035353743  
deborah.clark@titlegroup.fntg.com

Ticor Title Company of Oregon  
1433 SW 6th Avenue  
Portland, OR 97201

**EXHIBIT "A"**  
Legal Description

Lot 14, Block 28, EDWARDS ADDITION, in the City of Newberg, County of Yamhill and State of Oregon.

**LIMITATIONS OF LIABILITY**

"CUSTOMER" REFERS TO THE RECIPIENT OF THIS REPORT.

CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES THAT IT IS EXTREMELY DIFFICULT, IF NOT IMPOSSIBLE, TO DETERMINE THE EXTENT OF LOSS WHICH COULD ARISE FROM ERRORS OR OMISSIONS IN, OR THE COMPANY'S NEGLIGENCE IN PRODUCING, THE REQUESTED REPORT, HEREIN "THE REPORT." CUSTOMER RECOGNIZES THAT THE FEE CHARGED IS NOMINAL IN RELATION TO THE POTENTIAL LIABILITY WHICH COULD ARISE FROM SUCH ERRORS OR OMISSIONS OR NEGLIGENCE. THEREFORE, CUSTOMER UNDERSTANDS THAT THE COMPANY IS NOT WILLING TO PROCEED IN THE PREPARATION AND ISSUANCE OF THE REPORT UNLESS THE COMPANY'S LIABILITY IS STRICTLY LIMITED. CUSTOMER AGREES WITH THE PROPRIETY OF SUCH LIMITATION AND AGREES TO BE BOUND BY ITS TERMS

THE LIMITATIONS ARE AS FOLLOWS AND THE LIMITATIONS WILL SURVIVE THE CONTRACT:

ONLY MATTERS IDENTIFIED IN THIS REPORT AS THE SUBJECT OF THE REPORT ARE WITHIN ITS SCOPE. ALL OTHER MATTERS ARE OUTSIDE THE SCOPE OF THE REPORT.

CUSTOMER AGREES, AS PART OF THE CONSIDERATION FOR THE ISSUANCE OF THE REPORT AND TO THE FULLEST EXTENT PERMITTED BY LAW, TO LIMIT THE LIABILITY OF THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS FOR ANY AND ALL CLAIMS, LIABILITIES, CAUSES OF ACTION, LOSSES, COSTS, DAMAGES AND EXPENSES OF ANY NATURE WHATSOEVER, INCLUDING ATTORNEY'S FEES, HOWEVER ALLEGED OR ARISING, INCLUDING BUT NOT LIMITED TO THOSE ARISING FROM BREACH OF CONTRACT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF WARRANTY, EQUITY, THE COMMON LAW, STATUTE OR ANY OTHER THEORY OF RECOVERY, OR FROM ANY PERSON'S USE, MISUSE, OR INABILITY TO USE THE REPORT OR ANY OF THE MATERIALS CONTAINED THEREIN OR PRODUCED, **SO THAT THE TOTAL AGGREGATE LIABILITY OF THE COMPANY AND ITS AGENTS, SUBSIDIARIES, AFFILIATES, EMPLOYEES, AND SUBCONTRACTORS SHALL NOT IN ANY EVENT EXCEED THE COMPANY'S TOTAL FEE FOR THE REPORT.**

CUSTOMER AGREES THAT THE FOREGOING LIMITATION ON LIABILITY IS A TERM MATERIAL TO THE PRICE THE CUSTOMER IS PAYING, WHICH PRICE IS LOWER THAN WOULD OTHERWISE BE OFFERED TO THE CUSTOMER WITHOUT SAID TERM. CUSTOMER RECOGNIZES THAT THE COMPANY WOULD NOT ISSUE THE REPORT BUT FOR THIS CUSTOMER AGREEMENT, AS PART OF THE CONSIDERATION GIVEN FOR THE REPORT, TO THE FOREGOING LIMITATION OF LIABILITY AND THAT ANY SUCH LIABILITY IS CONDITIONED AND PREDICATED UPON THE FULL AND TIMELY PAYMENT OF THE COMPANY'S INVOICE FOR THE REPORT.

THE REPORT IS LIMITED IN SCOPE AND IS NOT AN ABSTRACT OF TITLE, TITLE OPINION, PRELIMINARY TITLE REPORT, TITLE REPORT, COMMITMENT TO ISSUE TITLE INSURANCE, OR A TITLE POLICY, AND SHOULD NOT BE RELIED UPON AS SUCH. THE REPORT DOES NOT PROVIDE OR OFFER ANY TITLE INSURANCE, LIABILITY COVERAGE OR ERRORS AND OMISSIONS COVERAGE. THE REPORT IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE STATUS OF TITLE TO THE PROPERTY. THE COMPANY MAKES NO REPRESENTATIONS AS TO THE REPORT'S ACCURACY, DISCLAIMS ANY WARRANTY AS TO THE REPORT, ASSUMES NO DUTIES TO CUSTOMER, DOES NOT INTEND FOR CUSTOMER TO RELY ON THE REPORT, AND ASSUMES NO LIABILITY FOR ANY LOSS OCCURRING BY REASON OF RELIANCE ON THE REPORT OR OTHERWISE.

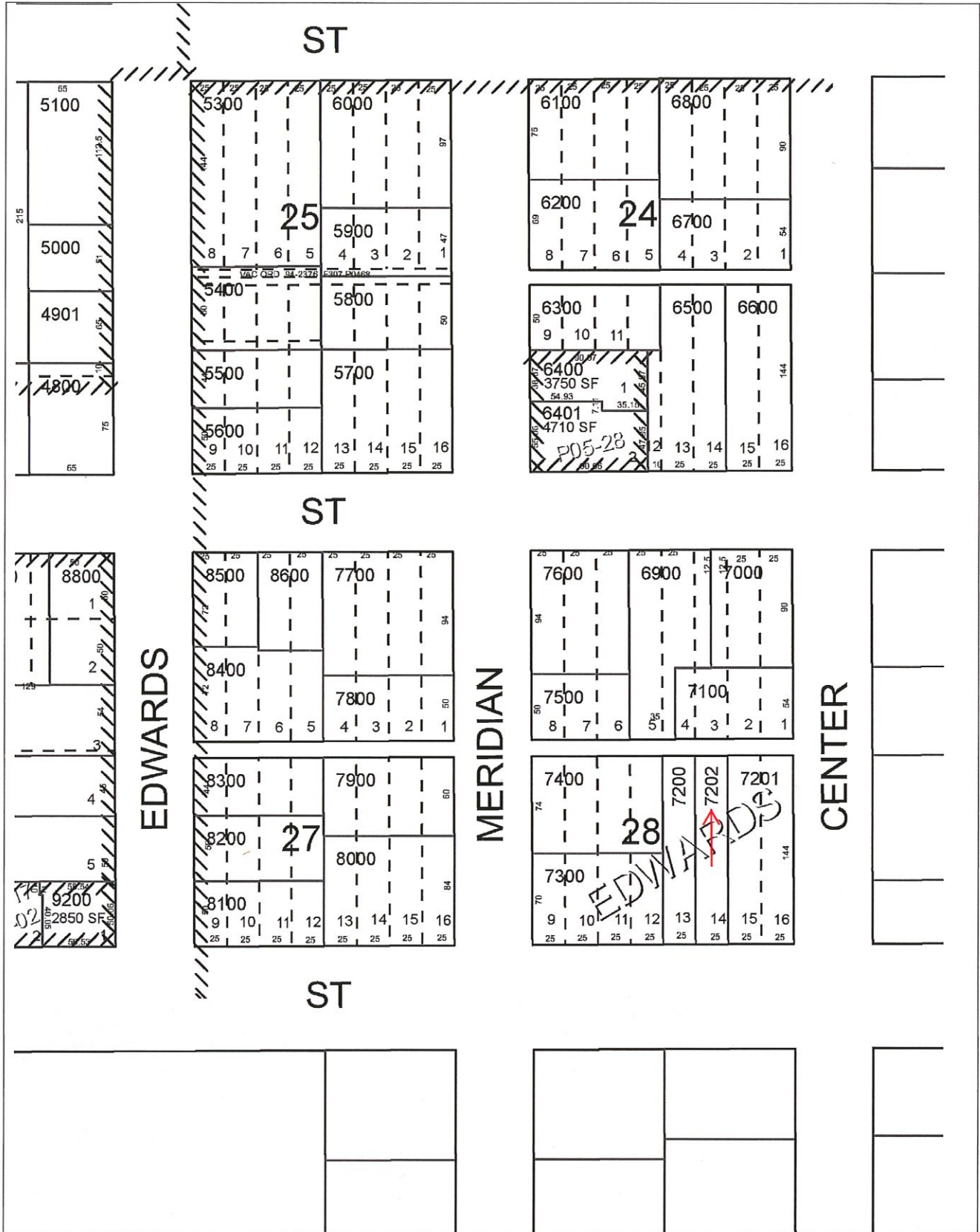


IF CUSTOMER (A) HAS OR WILL HAVE AN INSURABLE INTEREST IN THE SUBJECT REAL PROPERTY, (B) DOES NOT WISH TO LIMIT LIABILITY AS STATED HEREIN AND (C) DESIRES THAT ADDITIONAL LIABILITY BE ASSUMED BY THE COMPANY, THEN CUSTOMER MAY REQUEST AND PURCHASE A POLICY OF TITLE INSURANCE, A BINDER, OR A COMMITMENT TO ISSUE A POLICY OF TITLE INSURANCE. NO ASSURANCE IS GIVEN AS TO THE INSURABILITY OF THE TITLE OR STATUS OF TITLE. CUSTOMER EXPRESSLY AGREES AND ACKNOWLEDGES IT HAS AN INDEPENDENT DUTY TO ENSURE AND/OR RESEARCH THE ACCURACY OF ANY INFORMATION OBTAINED FROM THE COMPANY OR ANY PRODUCT OR SERVICE PURCHASED.

NO THIRD PARTY IS PERMITTED TO USE OR RELY UPON THE INFORMATION SET FORTH IN THE REPORT, AND NO LIABILITY TO ANY THIRD PARTY IS UNDERTAKEN BY THE COMPANY.

CUSTOMER AGREES THAT, TO THE FULLEST EXTENT PERMITTED BY LAW, IN NO EVENT WILL THE COMPANY, ITS LICENSORS, AGENTS, SUPPLIERS, RESELLERS, SERVICE PROVIDERS, CONTENT PROVIDERS, AND ALL OTHER SUBSCRIBERS OR SUPPLIERS, SUBSIDIARIES, AFFILIATES, EMPLOYEES AND SUBCONTRACTORS BE LIABLE FOR CONSEQUENTIAL, INCIDENTAL, INDIRECT, PUNITIVE, EXEMPLARY, OR SPECIAL DAMAGES, OR LOSS OF PROFITS, REVENUE, INCOME, SAVINGS, DATA, BUSINESS, OPPORTUNITY, OR GOODWILL, PAIN AND SUFFERING, EMOTIONAL DISTRESS, NON-OPERATION OR INCREASED EXPENSE OF OPERATION, BUSINESS INTERRUPTION OR DELAY, COST OF CAPITAL, OR COST OF REPLACEMENT PRODUCTS OR SERVICES, REGARDLESS OF WHETHER SUCH LIABILITY IS BASED ON BREACH OF CONTRACT, TORT, NEGLIGENCE, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTIES, FAILURE OF ESSENTIAL PURPOSE, OR OTHERWISE AND WHETHER CAUSED BY NEGLIGENCE, ERRORS, OMISSIONS, STRICT LIABILITY, BREACH OF CONTRACT, BREACH OF WARRANTY, THE COMPANY'S OWN FAULT AND/OR NEGLIGENCE OR ANY OTHER CAUSE WHATSOEVER, AND EVEN IF THE COMPANY HAS BEEN ADVISED OF THE LIKELIHOOD OF SUCH DAMAGES OR KNEW OR SHOULD HAVE KNOWN OF THE POSSIBILITY FOR SUCH DAMAGES.

END OF THE LIMITATIONS OF LIABILITY



This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does

RECORDING REQUESTED BY:



115 N College St., Ste 2  
Newberg, OR 97132

**GRANTOR'S NAME:**  
Nicholas Chappellet

**GRANTEE'S NAME:**  
Jeffrey Hartley and Emily Hartley

**AFTER RECORDING RETURN TO:**  
Order No.: 471820099925-MJH  
Jeffrey Hartley and Emily Hartley, as tenants by the entirety  
47 Eagle Crest Drive Unit 48  
Lake Oswego, OR 97035

**SEND TAX STATEMENTS TO:**  
Jeffrey Hartley and Emily Hartley  
47 Eagle Crest Drive Unit 48  
Lake Oswego, OR 97035

APN: 710054  
Map: R3219AD 07202  
909 E 6th Street, Newberg, OR 97132

Yamhill County Official Records	<b>202020827</b>
<b>DMR-DDMR</b>	
Stn=1031 SUTTONS	<b>11/18/2020 01:26:00 PM</b>
2Pgs \$10.00 \$11.00 \$5.00 \$60.00	<b>\$86.00</b>
I, Brian Van Bergen, County Clerk for Yamhill County, Oregon, certify that the Instrument identified herein was recorded in the Clerk records.	
Brian Van Bergen - County Clerk	

SPACE ABOVE THIS LINE FOR RECORDER'S USE

### STATUTORY WARRANTY DEED

Nicholas Chappellet, Grantor, conveys and warrants to **Jeffrey Hartley and Emily Hartley, as tenants by the entirety**, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Yamhill, State of Oregon:

Lot 14, Block 28, EDWARDS ADDITION, in the City of Newberg, County of Yamhill and State of Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FOUR HUNDRED TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (**\$425,000.00**). (See ORS 93.030).

**Subject to:**

Rights of the public to any portion of the Land lying within the area commonly known as Streets, roads and highways.

Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Portland General Electric Company
Purpose:	Public Utilities
Recording Date:	August 18, 2017
Recording No:	2017-13440
Affects:	Reference is hereby made to said document for full particulars

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.**

TICOR TITLE 471820099925

(continued)

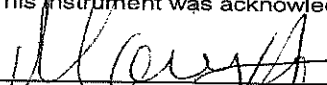
IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

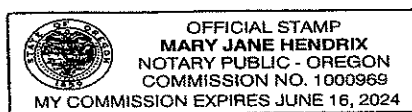
Dated: 11/05/2020

  
\_\_\_\_\_  
Nicholas Chappellet

State of OREGON  
County of Washell

This instrument was acknowledged before me on November 5th, 2020 by Nicholas Chappellet.

  
\_\_\_\_\_  
Notary Public - State of Oregon  
My Commission Expires:



**Attachment 2: Agency Comments**



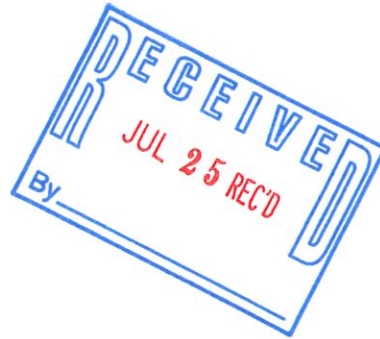
COMMUNITY DEVELOPMENT  
LAND USE APPLICATION REFERRAL

**REFERRAL TO: Community Development Director: Doug Rux**

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: Aug 02, 2022. Please refer questions and comments to Sam Gudmestad.

**NOTE: Full size plans are available at the Community Development Department Office.**

**APPLICANT:** Jeff & Emily Hartley  
**REQUEST:** Lodging/Vacation rental home  
**SITE ADDRESS:** 909 E Sixth St  
**LOCATION:** N/A  
**TAX LOT:** R3219AD 07202  
**FILE NO:** CUP22-0006  
**ZONE:** R-2 (Medium Density Residential)  
**HEARING DATE:** N/A

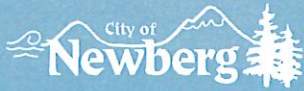


The Information is attached

- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)  
*only have 1 surface parking space + 1 garage space*

*D. Rux*  
Reviewed By:

7/21/22  
Date:



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: Aug 3, 2022  
Please refer questions and comments to: Sam Gudmestad.

**NOTE: Full size plans are available at the Community Development Department Office.**

**APPLICANT:** Jeff & Emily Hartley  
**REQUEST:** Lodging/Vacation rental home  
**SITE ADDRESS:** 909 E Sixth St  
**LOCATION:** N/A  
**TAX LOT:** R3219AD 07202  
**FILE NO:** CUP22-0006  
**ZONE:** R-2 (Medium Density Residential)  
**HEARING DATE:** N/A



---

Project Information is Attached

---

- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

JDavis

Reviewed By:

7/20/22

Date:

Finance

Organization:



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

The enclosed material has been referred to you for your information and comment. Any comments you wish to make should be returned to the Community Development Department prior to: Aug 3, 2022  
Please refer questions and comments to: Sam Gudmestad.

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**APPLICANT:** Jeff & Emily Hartley  
**REQUEST:** Lodging/Vacation rental home  
**SITE ADDRESS:** 909 E Sixth St  
**LOCATION:** N/A  
**TAX LOT:** R3219AD 07202  
**FILE NO:** CUP22-0006  
**ZONE:** R-2 (Medium Density Residential)  
**HEARING DATE:** N/A



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Project Information is Attached

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- Reviewed, no conflict.
- Reviewed; recommend denial for the following reasons:
- Require additional information to review. (Please list information required)
- Meeting requested.
- Comments. (Attach additional pages as needed)

Reviewed By:

Zipty Fiber (Scott Albert - OSP Engineering)

Organization:

7/19/22

Date:





# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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Digitally signed by Will  
DN: c=US, ou=Worthey, o=City of Newberg, cn=Will  
E=will.worthey@newbergoregon.gov  
Reason: I am the author of this document  
Location: your signing location here  
Date: 2022.07.19 09:53:39-0700  
Foxit PhantomPDF Version: 10.1.7

7/19/22

Reviewed By:

Date:

**Will Worthey CM**

Organization:



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**Russ Thomas**

Digitally signed by Russ Thomas  
DN: c=US, ou=Public Works Director, o=City of Newberg, cn=Russ Thomas,  
email=russ.thomas@newbergoregon.gov  
Reason: I am approving this document  
Location: your signing location here  
Date: 2022.07.22 09:19:29-0700  
Foxit PhantomPDF Version: 10.1.7

**7/22/22**

Reviewed By:

Date:

**Public Works Director - City of Newberg**

Organization:



COMMUNITY DEVELOPMENT  
LAND USE APPLICATION REFERRAL

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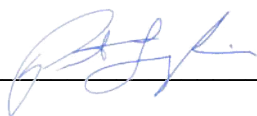
7/20/22

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Reviewed By: 

7/20/22  
Date:

**Maintenance Superintendent**  
Organization:



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7/19/22

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\_\_\_\_\_  
Reviewed By: *Sam Gudmestad*

7/19/22  
Date:

**City of Newberg**  
\_\_\_\_\_  
Organization:



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**April Catan**

Digitally signed by April Catan  
DN: c=US, ou=Operations, o=City of Newberg, cn=April Catan,  
email=april.catan@newbergoregon.gov  
Reason: I am the author of this document  
Location: your signing location here  
Date: 2022.07.19 09:41:19-0700  
Foxit PhantomPDF Version: 10.1.7

**7/19/22**

Reviewed By:

Date:

**City of Newberg**

Organization:



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\_\_\_\_\_  
Reviewed By:

7/19/22  
Date:

City of Newberg - Operations  
\_\_\_\_\_  
Organization:



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**Ty Darby**

Digitally signed by Ty Darby  
Date: 2022.07.19 11:48:16 -07'00'

Reviewed By:

Date:

Organization: