

**NOTICE OF DECISION**  
**1506 E FIRST STREET – CONDITIONAL USE PERMIT – CUP22-0008**

August 16, 2022

Julie and Steve Fugate  
20178 SW Bramblewood Lane  
Sherwood, OR 97140

cc: All persons who provided public comments

On August 11, 2022, the Newberg Planning Commission approved conditional use permit CUP22-0008 for a vacation rental at 1506 E First Street, tax lot R3220BA 02306, subject to the conditions listed in the attached Order. The Commission's decision will become effective on August 25, 2022, unless an appeal is filed.

An affected party may appeal the Commission's decision to the City Council within 14 calendar days of the Commission's written decision in accordance with Newberg Development Code §15.100.170. Affected parties include the applicant, any party entitled to receive notice of the hearing, anyone providing written or oral comments at the hearing, and anyone providing written comments prior to the close of the hearing. All appeals must be in writing on a form provided by the Planning Division. Anyone wishing to appeal must submit the written appeal form together with the required fee of \$1,165 plus the 5% Technology Fee to the Planning Division.

**The deadline for filing an appeal is 4:30 pm on August 24, 2022.**

At the conclusion of the appeal period, please remove all notice signs from the site.

The conditional use permit is effective only when the exercise of right granted is commenced within one year of the effective date listed above. If you are approaching the expiration date, please contact the Planning Division regarding extension opportunities.

If you have any questions, please contact me at 503-554-7768 or [ashley.smith@newbergoregon.gov](mailto:ashley.smith@newbergoregon.gov).

Sincerely,

A handwritten signature in blue ink that reads "Ashley Smith".

Ashley Smith  
Assistant Planner  
City of Newberg

Attachment: Order 2022-08

PLANNING COMMISSION STAFF REPORT  
VACATION RENTAL CONDITIONAL USE PERMIT  
1506 E First Street

HEARING DATE: August 11, 2022

FILE NO: CUP22-0008

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

LOCATION: 1506 E First Street

TAX LOT: R3220BA 02306

APPLICANT/OWNER: Julie and Steve Fugate

ZONE: R-2 (Medium Density Residential)

PLAN DISTRICT: MDR (Medium Density Residential)

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**ATTACHMENTS:**

Planning Commission Order 2022-08 with:

Exhibit A: Findings

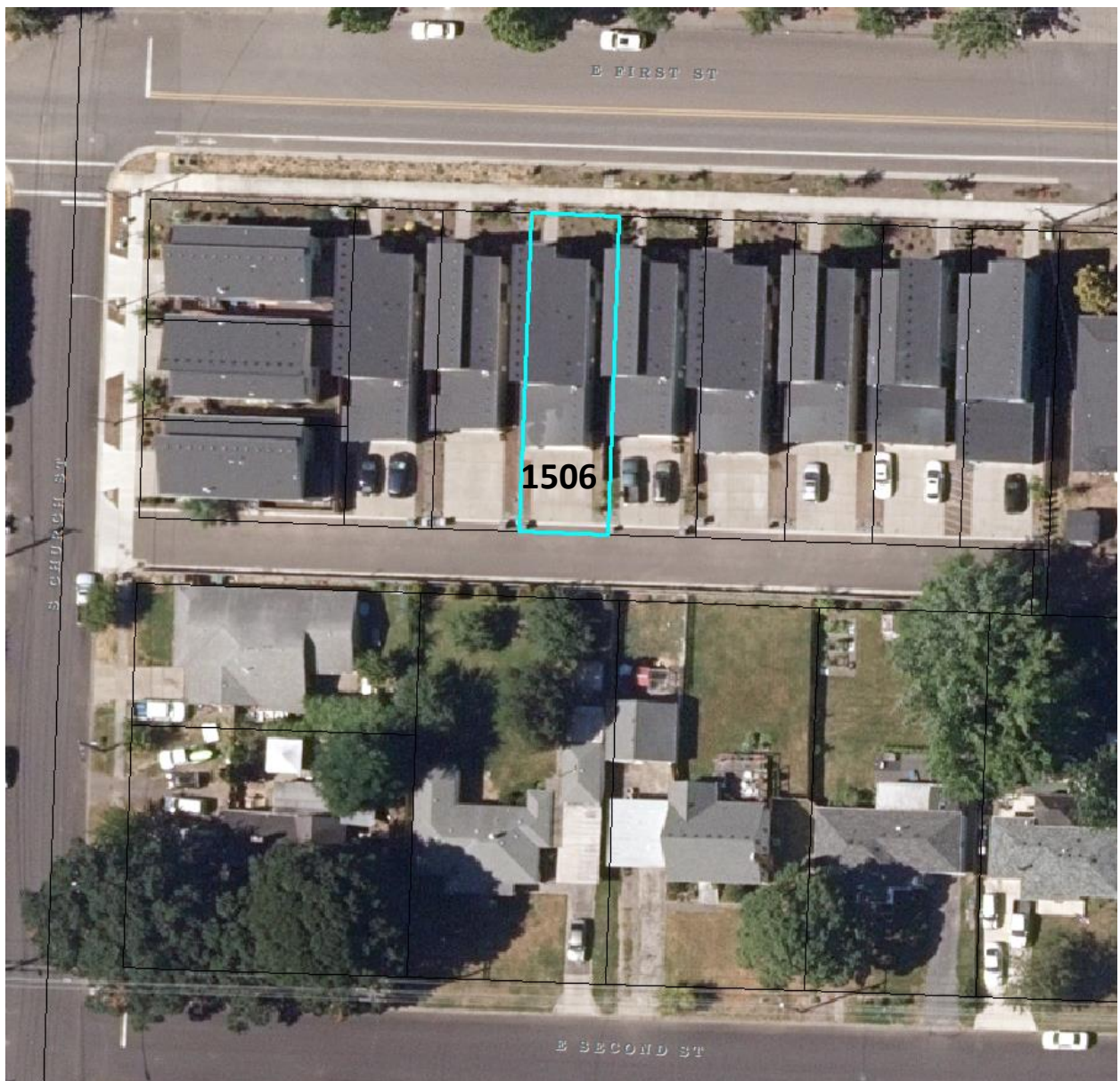
Exhibit B: Conditions of Approval

Attachment 1: Application

Attachment 2: Public Comments

**A. DESCRIPTION OF APPLICATION:** The applicant is requesting Conditional Use Permit (CUP) approval to use an existing single-family home as a vacation rental located at 1506 E First Street, R-2 (Medium Density Residential) zone. The applicants have intent to rent the property for occupancy periods of less than 30 days. The applicants have submitted a complete application package, paid all applicable application fees, and complied with all required public noticing associated with this application. Attachment 1 contains the submitted application. No agency comments were received and at the time of writing this report no public comments had been received.

**B. LOCATION:** 1506 E First Street



**C. SITE INFORMATION:**

1. Location: 1506 E First Street (Highway 219)
2. Total Lot Size: 3,472 square feet
3. Topography: Flat
4. Current Land Uses: Single family residential
5. Natural Features: None
6. Adjacent Land Uses:
  - a. North: Mixed Use (gas station, grocery store)
  - b. South: Medium Density Residential, Hobsons Addition Subdivision
  - c. East: Medium Density Residential, Ursus Place Subdivision
  - d. West: Medium Density Residential; Ursus Place Subdivision
7. Zoning:
  - a. North: C-2 (Community Commercial)
  - 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: In the City's GIS database, access to the vacation rental will occur from E First Street (Highway 219), a major arterial, to S Church Street, a residential street, then an alley easement to access the parking area. All access streets are paved roadways.
9. Utilities:

Water: The City's GIS illustrates an 8-inch water main in E First Street with an existing service lateral to the property.

Wastewater: The City's GIS illustrates an 8-inch wastewater line in the alley way adjacent to S Church Street tying to an existing service lateral to the property.

Stormwater: The City's GIS illustrates a 4-inch lateral that ties into a 12-inch main storm line.

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:

- 5/26/22: The Community Development Director deemed the application complete.
- 6/15/22: The applicant mailed notice to the property owners within 500 feet of the site.
- 6/15/22: The applicant posted notice on the site.
- 6/22/22: The *Newberg Graphic* published notice of the Planning Commission hearing and notice was posted in four public places.
- 08/11/22: 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):

1. City Manager: Reviewed, no conflict.
2. Community Development Director: Reviewed, no conflict.
3. Building Official: Reviewed, no conflict.
4. Engineering: Reviewed, no conflict.
5. Finance: Reviewed, no conflict.
6. ODOT: Reviewed, no conflict.
7. Police: Reviewed, no conflict.
8. Public Works Director: Reviewed, no conflict.

9. Public Works Maintenance Superintendent: Reviewed, no conflict.
10. Public Works Wastewater Superintendent: Reviewed, no conflict.
11. Public Works Water Treatment Plant: Reviewed, no conflict.
12. Public Works Water Treatment Plan Superintendent: Reviewed, no conflict.
13. Zply Fiber: Reviewed, no conflict.

**F. PUBLIC COMMENTS:** The following public comments were received during the Public Comment period. Original comments can be viewed in Attachment 3.

**1. Comment received from Tom Fuller on June 27, 2022:**

“Planning Commission members,

I am writing in support of CUP22-008, an application for a vacation rental conditional use permit at 1506 E First Street.

I own a building at 1308 E First. I think this use is needed in concert with the neighborhood. I agree with the stipulations for a maximum number of adults, no parties, and quiet hours.

Newberg needs more short term rental units available for George Fox parents and our growing wine tourism business.

I highly support this and ask that you vote to approve the conditional use permit.

Sincerely,

Tom Fuller”

Staff Response: Staff thanks Mr. Fuller for taking the time to provide public comment during this period. The vacation rental criteria will regulate the maximum number of occupants; however, the Newberg Municipal Code does not have regulations on parties or quiet hours specifically associated with the Vacation Rental Criteria. Those requirements will be placed by the property owners or property management company.

**2. Comment received from The Quinoa Family & D. Quinoa on June 30, 2022:**

“One Question of concern related directly to this application for review is:

Will the property owner or their designated management team member respond to current and future issues that may arise related to their properties?

Currently their management have been un-responsive to written requests sent over the course of several weeks for their attention to cut the overgrown weeds at their Ursus Place adjacent properties. (specifically 106 Church Street)

An Example of the negative impact of not maintaining the landscape is our kids not being seen by cars turning into the alley access because of high grasses along the applicants properties. Kids wait for their bus here next to their property and walk home where visual clearance is a safety concern .

One child who resides in Ursula Place next to the property in this application is deaf and catches the special needs bus at the applicants property sidewalk where overgrown weeds/grasses are a safety concern for the child being seen by their tenants turning into the shared alley access to driveways.

We are not opposed to the application for short term/vacation rental. Newberg will certainly be a perfect host for visitors. We just hope the owner/investor is approachable in communication to share any concerns for remedy in a reasonable amount of time. It's a win for all parties if they will also keep their lots landscaped and cared for, too.

Thank you !  
The Quinoa Family & D. Quinoa (homeowners)".

Pictures were also included and can be viewed in attachment 3 with the following comment:

“These photos were also sent weeks ago to applicant requesting attention about their properties condition and they have not responded or cut the grass or removed any weeds from their other 2 property parcels in Ursus Place. This is the problem with investors who do not reside in the county. Some care enough to have maintenance built into their business model and some don't and just ignore when we reach out on an annual seasonal basis to bring to their attention. Their property at 1510 E 1st St has a dead fir tree in front of home and weeds everywhere year round. We are trying to maintain Ursus place as a well kept area.

Thankyou for including these with comments sent earlier.  
D. Quinoa  
Homeowners”

Staff Response: Staff thank the Quinoa Family for submitting a public comment during this period.

Regarding the applicant's responsibility to respond to complaints, the Newberg Municipal Code (NMC) Vacation Rental Criteria 15.445.350 states that if a vacation rental receives two or more written complaints within a one-year period and the issues are not resolved through the code enforcement officer, the city manager may schedule a hearing to consider revoking the use as a vacation rental. Please refer to NMC 15.445.350 in this report for full details.

In response to unmaintained landscape and the pictures submitted. The pictures submitted were not of 1506 E First Street and therefore are not pertinent to this case. Staff did respond to Ms. Quinoa and let her know this would be a code enforcement issue handled by our code enforcement staff. Furthermore, the vacation rental criteria does not address landscaping.

### **3. Comment received from Sharon Walker on July 1, 2022:**

“To Whom it May Concern:

My name is Sharon Walker. I own property at 1504 E First Street in Newberg, Or. I purchased this property from the builder in 2018, as a long-term rental investment. Since these homes are very close in proximity, it is imperative that they remain a quiet, safe neighborhood.

Parking is definitely an issue. There is no parking in front or behind the homes; the only available parking is in the driveways. If additional cars were to park on the narrow street behind, emergency vehicles would not be able to get through. Current residents from this and surrounding neighborhoods have already filled the adjacent street with their cars.

We have had issues with the tenants at 1506 in the past over parking in common areas. Additionally, although I was told that the tenants in 1506 have a “no smoking” clause, they were smoking outside and throwing their cigarette butts over the fence onto my bark dust during the extremely hot summer last year. When I brought this to the Fugate’s attention, I was assured their property management company would take care of. However, it continued to be a problem and a fire hazard. So the management is also in question. I am also not naïve enough to believe that there wouldn’t be problems with cars for “up to six adults”, who would not smoke, would not have parties on vacation and would not be quiet after 9:00 p.m.

I have owned rental properties for more than 30 years in Newberg and I strongly object to granting a Conditional Use Permit to use this property as a short-term vacation rental. I have no doubt that I would lose my current tenant and have a very difficult time leasing it again.

I believe that the Fugates own more homes in this neighborhood and I would not want this permit to establish a precedent.

Sincerely,

Sharon Walker”

Staff Response: Staff thanks Ms. Walker for taking the time to provide public comment during this period. The vacation rental criteria require that two off street parking places be provided. This vacation rental is providing four, two in the garage, and two in the driveway. If cars are parking in the alley, this would be a city code violation and something that could be addressed by code enforcement. Anyone is allowed to park on adjacent public streets as long as posted parking regulations are being followed.

Addressing the issue of littering and fire hazard. The vacation rental criteria do not require premises to be non-smoking. However, City Code does not allow littering and if this is occurring by anyone not just vacation rental guests, code enforcement should be notified.

Again, the vacation rental criteria do not limit noise or parties within a home, but the Newberg Municipal Code does have a noise ordinance. If there are City Codes being violated by vacation rental guests, and the city receives two or more written complaints, the City Manager may request a hearing take place and the possibility of the vacation rental use be revoked.



- 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 are two off-street parking spaces in the driveway and two 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 2022-08, which approves the requested conditional use permit with the attached conditions of approval in Exhibit “B”.*



## PLANNING COMMISSION ORDER 2022-08

AN ORDER APPROVING CONDITIONAL USE PERMIT CUP22-0008 FOR A  
VACATION RENTAL HOME AT 1506 E FIRST STREET, YAMHILL COUNTY  
TAX LOT R3220BA 02306

### RECITALS

1. Julie and Steve Fugate applied for a conditional use permit for a vacation rental home at 1506 E First Street, Yamhill County Tax Lot R3220BA 02306.
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 CUP22-0008 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:

  
\_\_\_\_\_  
Planning Commission Chair

  
\_\_\_\_\_  
Planning Commission Secretary

List of Exhibits:

Exhibit "A": Findings

Exhibit "B": Conditions of Approval

**Exhibit “A” to Planning Commission Order 2022-08  
Findings – File CUP22-0008  
Vacation Rental at 1506 E First 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 located in an R-2 (Medium Density Residential) neighborhood one quarter of a mile east of Newberg’s downtown commercial zone. The home was part of the 2014 Ursus Place Subdivision (SUB2-14-001/ADJC-14-002), received a Certificate of Occupancy as a two story, three-bedroom, 1,737 square foot, single family dwelling on August 24, 2018, is connected to all public utilities and will maintain access from S Church Street. There is a two-car garage, as well as two off street parking spaces in the driveway.

The proposed vacation rental use is similar to a regular residential use in design and operating characteristics. Given the vacation rental restrictions for occupancy and parking requirements the impact of the use to the surrounding neighborhood, utilities, and traffic should be no different than a long-term renter or owner resident.

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:** This proposed vacation rental is located one quarter of a mile to the east of the downtown commercial zone. Additionally, the uses directly to the north, a grocery store, and a gas station, provide convenient and functional access to resources for renters. The surrounding uses in the other directions are residential. With the vacation rental criteria requiring the structure to be a single-family dwelling, it is presumed that the structure will remain similar in nature to the surrounding locations.

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 with the intent to rent the home for occupancy periods of less than 30 days, which per NMC 15.05.030 defines a vacation rental home. The structure was previously approved for occupancy as a single-family dwelling unit (owner occupied or long-term rented) and granted occupancy on August 24, 2018.

<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	C	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. The applicants' narrative states they are aware of this criterion. 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:** There are two off-street parking spaces available on the existing driveway and an additional two additional in the garage. The applicant has indicated that refuse collection service is currently provided by Waste Management. The proposed vacation rental would be in an existing three-bedroom single-family dwelling with a maximum of six (6) guests. The applicants' narrative states they will enforce the policy on the use of recreation vehicles and other temporary shelters. The owner is conditioned to keep at least two off-street parking spaces available for vacation rental guests. Prior to the use of the home as a vacation rental, the property must be enrolled in regular weekly refuse collection services. A maximum of six (6) guests may occupy the vacation rental at one time. Guest contracts shall not allow recreational vehicles, trailers, tents, or temporary shelters during the rental occupancy. 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:** 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.

Julie Fugate, 503-522-1900

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

Max Number of Guests: six (6)

Refuse 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 vacation rental guests.
- 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 applicants' written response states they will post this information at the entry door. 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 states they understand the process and procedures of this criteria and will comply.

**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 2022-08  
Conditions of Approval – File CUP22-0008  
Vacation Rental Home at 1506 E First 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. **Parking:** The owner is conditioned to keep at least two off-street parking spaces available for vacation rental guests.
3. **Refuse Collection:** Prior to the use of the home as a vacation rental, the property must be enrolled in regular weekly refuse collection services.
4. **Guest Occupancy:** A maximum of six (6) guests may occupy the vacation rental at one time.
5. **Guest Contracts:** Guest contracts shall not allow recreational vehicles, trailers, tents, or temporary shelters during the rental occupancy.
6. **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.

Julie Fugate, 503-522-1900

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

Max Number of Guests: six (6)

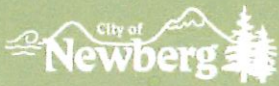
Refuse Pick-Up Day: Friday

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 vacation rental guests.
- 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 #: CUP22-0008

**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: Julie & Steve Fugate  
 ADDRESS: 20178 SW Bramblewood Ln, Sherwood OR 97140  
 EMAIL ADDRESS: juliefugate@gmail.com  
 PHONE: \_\_\_\_\_ MOBILE: 503-522-1900 FAX: \_\_\_\_\_  
 OWNER (if different from above): \_\_\_\_\_ PHONE: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_  
 ENGINEER/SURVEYOR: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_

**GENERAL INFORMATION:**

PROJECT NAME: Wine Country Modern PROJECT LOCATION: 1506 E 1st st. Newberg OR 97132  
 PROJECT DESCRIPTION/USE: Vacation Rental  
 MAP/TAX LOT NO. (i.e. 3200AB-400): R3220BA 02306 ZONE: R2 SITE SIZE: \_\_\_\_\_ SQ. FT.  ACRE   
 COMP PLAN DESIGNATION: \_\_\_\_\_ TOPOGRAPHY: Flat  
 CURRENT USE: Single family residential  
 SURROUNDING USES:  
 NORTH: Commerical grocery and gas station SOUTH: residential  
 EAST: Residential WEST: residential

**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

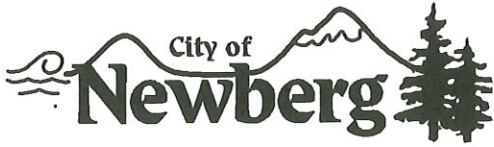
The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief. Tentative plans must substantially conform to all standards, regulations, and procedures officially adopted by the City of Newberg. All owners must sign the application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

Steve Fugate 5-5-22  
 Applicant Signature Date

Julie Fugate 5/5/22  
 Owner Signature Date

Steve Fugate  
 Print Name

Julie Fugate  
 Print Name



# 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)

## WE WANT YOUR COMMENTS ON A CONDITIONAL USE PERMIT IN YOUR NEIGHBORHOOD

A property owner in your neighborhood submitted an application to the City of Newberg to operate a short-term rental on the subject property. You are invited to take part in the City's review of this project by sending in your written comments. You also may request that the Planning Commission hold a hearing on the application. For more details about giving comments, please see the back of this sheet.

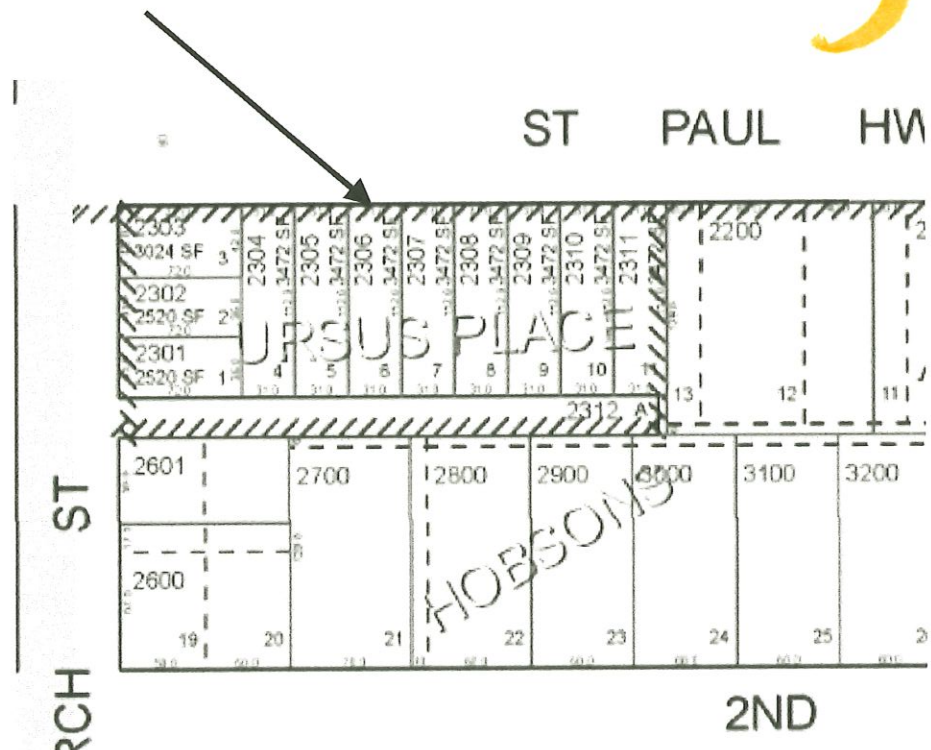
The development would include a short-term rental with a limit on occupancy to six adults and prohibiting smoking, events or parties. Quiet hours after 9pm. No street parking allowed. No changes to the existing structure or site – and to retain an appearance and consistency with the current neighborhood.

APPLICANT: *Steve & Julie Fugate*  
 TELEPHONE: *503-522-1900*

PROPERTY OWNER: *Steve & Julie Fugate*

LOCATION: *1506 E. 1<sup>st</sup> Street, Newberg, OR 97132*

TAX LOT NUMBER: *Yamhill County Tax Map and Lot Number 3220BA 02306*



We are mailing you information about this project because you own land within 500 feet of the proposed new project. We invite you to send any written comments for or against the proposal within 14 days from the date this notice is mailed. You also may request that the Newberg Planning Commission hold a hearing on the application by sending a written request during this 14-day period and identifying the issues you would like the Planning Commission to address.

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

Written Comments: File No. XX **(City staff will give you the file number for  
City of Newberg your project at the time of application)**  
Community Development Department  
PO Box 970  
Newberg, OR 97132

All written comments must be turned in by 4:30 p.m. on enter date two weeks from date you mailed notice. Any issue which might be raised in an appeal of this case to the Land Use Board of Appeals (LUBA) must be submitted to the City in writing before this date. 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 preliminary subdivision plan approval are found in Newberg Development Code 15.235.060(A).

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. If you have any questions about the project, you can call the Newberg Planning Division at 503-537-1240.

The Community Development Director will make a decision at the end of a 14-day comment period. If you send in written comments about this project, you will be sent information about any decision made by the City relating to this project.

Date Mailed: ***Date notice is mailed***

Sample

478174  
R3220BA00301  
George Fox University  
Attn: Finance 414 N Meridian St Box  
602  
Newberg OR 97132

515878  
R3220BB00101  
George Fox University  
414 N Meridian St  
Newberg OR 97132

56806  
R3220BA00200  
M & L Douglas LLC  
11500 NE Anna Dr  
Newberg OR 97132

56842  
R3220BA00500  
Harold Medici  
28005 NE Bell Rd  
Newberg OR 97132

56931  
R3220BA00800  
Pacific Resources Associates LLC  
15350 SW Sequoia Pkwy No 300  
Portland OR 97224

57100  
R3220BA01900  
Joseph Willard  
PO Box 1113  
Sherwood OR 97140

57208  
R3220BA02200  
Richard Taylor  
3920 SW Condor St  
Portland OR 97201

57422  
R3220BA02700  
Joshua Allan  
1509 E 2nd St  
Newberg OR 97132

57538  
R3220BA03000  
Simonne Soudan  
1521 E 2nd St  
Newberg OR 97132

57583  
R3220BA03300  
David Charlton  
13905 NE Quarry Rd  
Newberg OR 97132

478977  
R3220BA00401  
George Fox University  
Attn: Finance 414 N Meridian St Box  
602  
Newberg OR 97132

515902  
R3220BA04401  
John Laney III  
1524 E 2nd St  
Newberg OR 97132

56815  
R3220BA00300  
George Fox University  
Attn: Finance 414 N Meridian St Box  
602  
Newberg OR 97132

56879  
R3220BA00600  
Circle K Stores Inc  
255 E Rincon St Ste 100  
Corona CA 92879

56959  
R3220BA00900  
Newberg City Of  
535 NE 5th St  
McMinnville OR 97128

57137  
R3220BA02000  
McBride Insurance Agency Inc  
1548 E 1st St  
Newberg OR 97132

57351  
R3220BA02600  
Crystal Lott-Perkins  
114 S Church St  
Newberg OR 97132

57468  
R3220BA02800  
Wesley Hall  
1517 E 2nd St  
Newberg OR 97132

57547  
R3220BA03100  
Cheryl Zick  
1523 E 2nd St  
Newberg OR 97132

57592  
R3220BA03400  
Emily Alimonos  
1545 E 2nd St  
Newberg OR 97132

495823  
R3220BA05601  
Mandy Kimmel  
1531 E 3rd St  
Newberg OR 97132

558874  
R3220BB05201  
Timothy Ashcroft  
Attn: Aa Property Mgmt 3120 NW  
Spencer S  
Portland OR 97229

56824  
R3220BA00400  
George Fox University  
Attn: Finance 414 N Meridian St Box  
602  
Newberg OR 97132

56904  
R3220BA00700  
Pacific Resources Associates LLC  
15350 SW Sequoia Pkwy No 300  
Portland OR 97224

57075  
R3220BA01600  
Portland Road Properties LLC  
C/O Starpoint Properties 433 N  
Camden Dr  
Beverly Hills CA 90210

57173  
R3220BA02100  
Morse Family 1996 Rev Trust  
5808 SW Multnomah Blvd  
Portland OR 97219

57397  
R3220BA02601  
Jose Rivera  
110 Church St  
Newberg OR 97132

57529  
R3220BA02900  
Sandra Jordan  
1519 E 2nd St  
Newberg OR 97132

57565  
R3220BA03200  
Lynn Seward  
1525 E 2nd St  
Newberg OR 97132

57618  
R3220BA03401  
Jeffrey Culp  
1549 E 2nd St  
Newberg OR 97132

57627  
R3220BA03500  
Leslie Hall  
1553 E 2nd St  
Newberg OR 97132

57743  
R3220BA04300  
Adam Perez  
4205 NE Riverside Lp  
McMinnville OR 97128

57805  
R3220BA04600  
Donald Paolo  
1516 E 2nd St  
Newberg OR 97132

57985  
R3220BA04900  
Matthew Ashcraft  
1504 E 2nd St  
Newberg OR 97132

58029  
R3220BA05200  
Paul Riccardi II  
214 Church St  
Newberg OR 97132

58109  
R3220BA05500  
Paul Jellum  
15925 NE Chehalem Dr  
Newberg OR 97132

59340  
R3220BB03800  
Newberg City Of  
PO Box 970  
Newberg OR 97132

59411  
R3220BB04100  
Douglas Baisley  
1400 E 1st St  
Newberg OR 97132

59698  
R3220BB05000  
Diane Wright  
114 Parkview Dr  
Newberg OR 97132

60524  
R3220BB05300  
Andrew Dufour  
109 Church St  
Newberg OR 97132

57716  
R3220BA04100  
Robert Wegner  
1544 E 2nd St  
Newberg OR 97132

57761  
R3220BA04400  
Pamela Geary  
1522 E 2nd St  
Newberg OR 97132

57949  
R3220BA04700  
Gerald Brickel  
1512 E 2nd St  
Newberg OR 97132

58001  
R3220BA05000  
Aberum Fouhy  
1500 E 2nd St  
Newberg OR 97132

58056  
R3220BA05300  
Vincent Smith  
1511 E 3rd St  
Newberg OR 97132

58136  
R3220BA05600  
Derrick Small  
1535 E 3rd St  
Newberg OR 97132

59368  
R3220BB03900  
David Randall  
1412 E 1st St  
Newberg OR 97132

59420  
R3220BB04200  
John Kubitz  
1318 E 1st St  
Newberg OR 97132

59714  
R3220BB05100  
Brent Wessels  
1315 E 2nd St  
Newberg OR 97132

60533  
R3220BB05400  
Asiha Massey  
113 S Church St  
Newberg OR 97132

57725  
R3220BA04200  
Karen Williams  
1530 E 2nd St  
Newberg OR 97132

57789  
R3220BA04500  
Danny Dawson  
690 SW 173rd Ave  
Beaverton OR 97006

57958  
R3220BA04800  
Tananda Queck  
1508 E 2nd St  
Newberg OR 97132

58010  
R3220BA05100  
Loretta Hubbell  
210 Church St  
Newberg OR 97132

58074  
R3220BA05400  
Joan Rockwell  
1515 E 3rd St  
Newberg OR 97132

58154  
R3220BA05700  
Lopez Escobar  
1543 E 3rd St  
Newberg OR 97132

59386  
R3220BB04000  
Abraham Salazar  
400 Lavender St  
Silverton OR 97381

59448  
R3220BB04300  
Parkview Place Properties LLC  
3300 Morris St  
Newberg OR 97132

60249  
R3220BB05200  
Timothy Ashcroft  
3120 NW Spencer St  
Portland OR 97229

60542  
R3220BB05500  
Nathan West  
115 S Church St  
Newberg OR 97132

60588  
R3220BB05800  
Angela Stutzman  
1318 E 2nd St  
Newberg OR 97132

60622  
R3220BB06300  
Amo LLC  
PO Box 3471  
Portland OR 97208

708862  
R3220BA02303  
Heinrich Sohler  
102 S Church St  
Newberg OR 97132

708870  
R3220BA02307  
Deborah Quinoa  
1508 E 1st St  
Newberg OR 97132

708876  
R3220BA02310  
Stephanie Carpenter  
1514 E 1st St  
Newberg OR 97132

60604  
R3220BB06000  
Ronald Peterson  
1410 E 2nd St  
Newberg OR 97132

708858  
R3220BA02301  
Julie Fugate  
PO Box 412  
Sherwood OR 97140

708864  
R3220BA02304  
Tai Harden  
1502 E 1st St  
Newberg OR 97132

708872  
R3220BA02308  
Julie Fugate  
PO Box 412  
Sherwood OR 97140

708878  
R3220BA02311  
Cindy Stetson  
1516 E 1st St  
Newberg OR 97132

60613  
R3220BB06100  
Kipling Group LLC The  
Attn: Stephen J Tully 4165 E  
Thousand O  
Westlake Village CA 91362

708860  
R3220BA02302  
Julie Fugate  
PO Box 412  
Sherwood OR 97140

708866  
R3220BA02305  
Sharon Walker  
5007 Longest Dr  
Newberg OR 97132

708874  
R3220BA02309  
Tassy Davis  
PO Box 160  
Forest Grove OR 97116

708880  
R3220BA02312  
Den Of Newberg LLC  
5105 SW 45th Ave Ste 201  
Portland OR 97221



**Fidelity National Title**  
Company of Oregon

900 SW 5th Avenue  
(503)796-6616

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

**To ("Customer"):** Julie Fugate  
20178 SW Bramblewood Lane  
Sherwood, OR 97140

**Customer Ref.:** Fugate  
**Order No.:** WAPR2203423PSR  
**Effective Date:** April 29, 2022 at 08:00 AM  
**Charge:** \$200.00

The information contained in this report is furnished by Fidelity National 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:

Steven P. Fugate and Julie F. Fugate, as tenants by the entirety

**Premises.** The Property is:

**(a) Street Address:**

1506 E 1st 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. Unrecorded municipal, county or service district liens, if any.
2. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document  
  
Recording Date: September 9, 1940  
Recording No: Book 17, Page 63
3. Any easements or rights of way for existing utilities or other rights of way over those portions of said Land lying within the public right of way vacated by resolution or ordinance No. 93-2367.  
  
Recording Date: December 13, 1993  
Recording No.: Film Volume 299, Page 1279
4. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:  
  
Granted to: Comcast of Oregon II, Inc.  
Purpose: Broadband communications system  
Recording Date: May 2, 2016  
Recording No: 201606226  
Affects: Reference is hereby made to said document for full particulars
5. Restrictions, but omitting restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said restriction is permitted by applicable law, as shown on that certain plat  
  
Name of Plat: Ursus Place  
Recording Date: July 26, 2017  
Recording No: 201711987
6. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;  
  
Purpose: Utilities  
Affects: North 10 feet
7. A deed of trust to secure an indebtedness in the amount shown below,  
  
Amount: \$255,250.00  
Dated: August 24, 2020  
Trustor/Grantor: Steven P. Fugate and Julie F. Fugate, as tenants by the entirety



Fidelity National Title Company of Oregon  
Order No. WAPR2203423PSR

Trustee: Fidelity National Title  
Beneficiary: Mortgage Electronic Registration Systems, Inc. as nominee for Synergy One Lending, Inc.  
Loan No.: 2007S1L36356/ Min No. 1015466-0000267351-9  
Recording Date: August 28, 2020  
Recording No.: 202015209

NOTE: Based on recitals in the trust deed or an assignment of the trust deed, it appeared that Synergy One Lending, Inc. 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.

**ADDITIONAL/REQUIREMENTS AND NOTES:**

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

Fiscal Year: 2021-2022  
Amount: \$4,110.05  
Levy Code: 29.0  
Account No.: 708868  
Map No.: R3220BA 02306

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

Note A: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties: Steven P. Fugate and Julie F. Fugate

**DOCUMENTS FOR RECORDING SHOULD BE SENT TO:**

Fidelity National Title Company of Oregon  
900 SW Fifth Avenue - Mezzanine Level  
Portland, OR 97204  
PH (503) 796-6628 FAX (503) 229-0615

**End of Reported Information**

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

Pam Gomes  
503-796-6616  
Pam.Gomes@fnf.com

Fidelity National Title Company of Oregon  
900 SW 5th Avenue  
Portland, OR 97204

**EXHIBIT "A"**  
Legal Description

Lot 6, URSUS PLACE, in the City of Newberg, County of Yamhill and State of Oregon, according to the plat thereof, recorded July 26, 2017, as Instrument No. 201711987, Deed and Mortgage Records of Yamhill County, 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

Wine Country Modern

1506 E 1<sup>st</sup> Street

Newberg OR 97132

City of Newberg Conditional Use Permit

Written Criteria Response

City of Newberg Municipal Code 15.225.06

- A. Proposed use will be a short-term vacation rental (STR) while owners are not in the residence.
  - 1. The proposed STR is a SFR that was built in 2018 in the newer Ursus Place subdivision.
  - 2. The house is a 2-story 3 bedroom single family residence on a 3472sf lot. It has a direct neighbor to the east and west. To the north is a gas station and grocery store. To the south is a direct neighbor.
  - 3. The property has a 2-car garage and 2 car parking in the driveway
- B. The location, design and site of this proposed STR will not generate any more traffic than long-term residents would living full time in the home.
- C. The proposed STR use will be consistent with ORD. 2451, 12-2-96. Code 2001 c 151.210

City of Newberg Municipal code 15.445.300 – 15.445-350

15.445.300 – Application and purpose.

1506 E. 1<sup>st</sup> street is a single family home that will be available, advertised or listed by an agent as available for rent for occupancy for periods of less than 30 days.

15.445.310 Where Allowed.

This home is zoned R2 for use as a vacation rental with a conditional use permit.

15.445.320 – Registration Required

In agreement with this application all information will be submitted with the forms and will include the name and contact information for the owner, operator and local contact.

15.445.330 – Standards.

- A. Provide a minimum of 2 parking spaces – There are 2 spaces in the garage and 2 spaces in the driveway.
- B. Provide regular refuse pick up – This is a service currently set up Waste Management for trash, recycling and yard debris.
- C. Occupancy – The SFR has 3 conforming bedrooms so the occupancy limit will be set at 6 people.
- D. Premises – This STR will not allow the use of occupied recreational vehicles, trailers, tents or temporary shelters during the rental occupancy.

15.445.340 Registration Posting.

This STR will have a vacation rental home registration adjacent to the entry door with 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 (6)
- D. The standards for the rental occupancy.
- E. The solid waste collection day.

15.445.350 – Complaints and revocation of registration

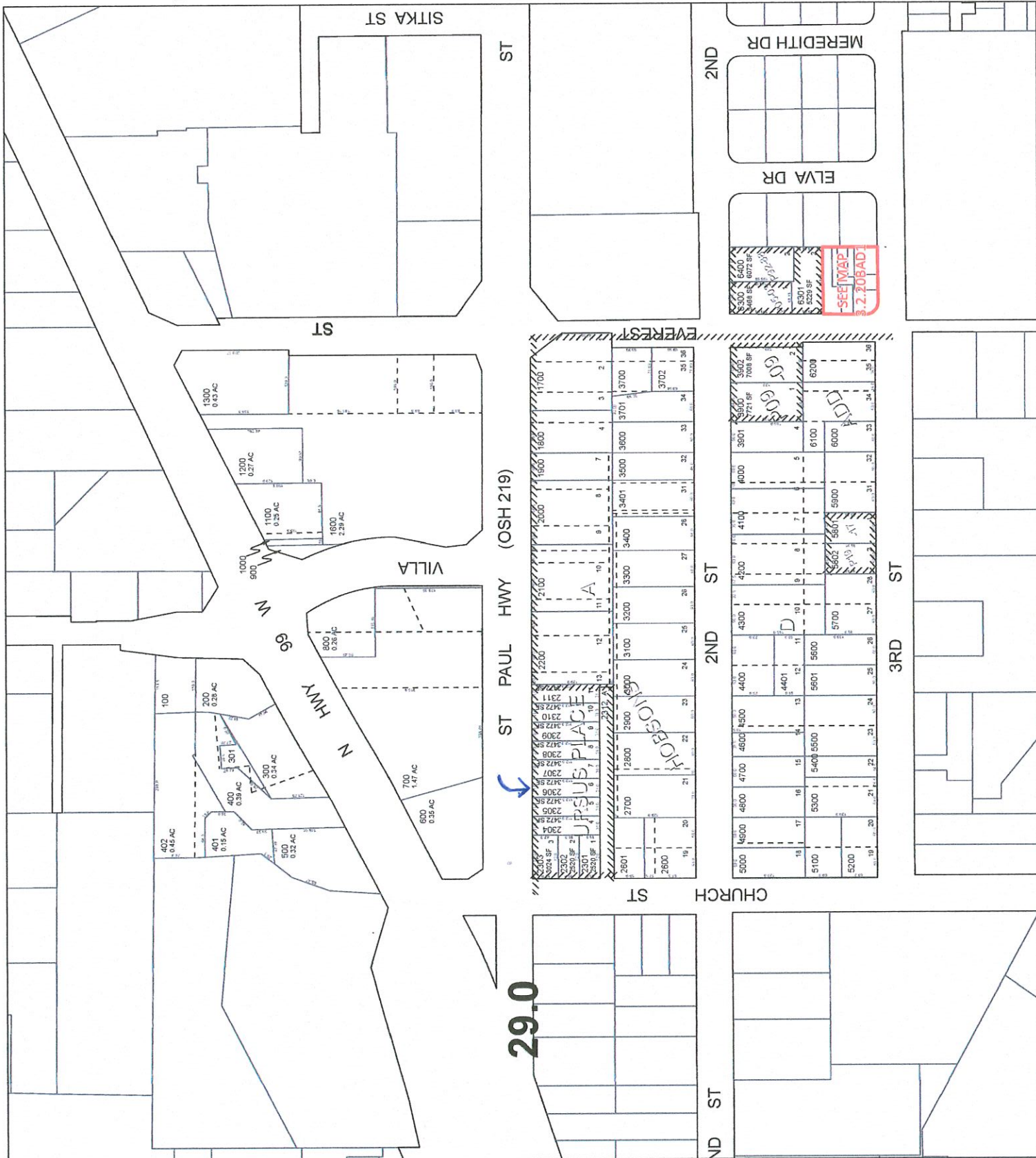
Owner is fully aware and understand the above code and will make every effort to follow up with all complaints.





ASSESSMENT & TAX  
CARTOGRAPHY

N.E. 1/4 N.W. 1/4 SEC. 20 T. 3S. R. 2W. W.M.  
YAMHILL COUNTY OREGON  
1" = 100'

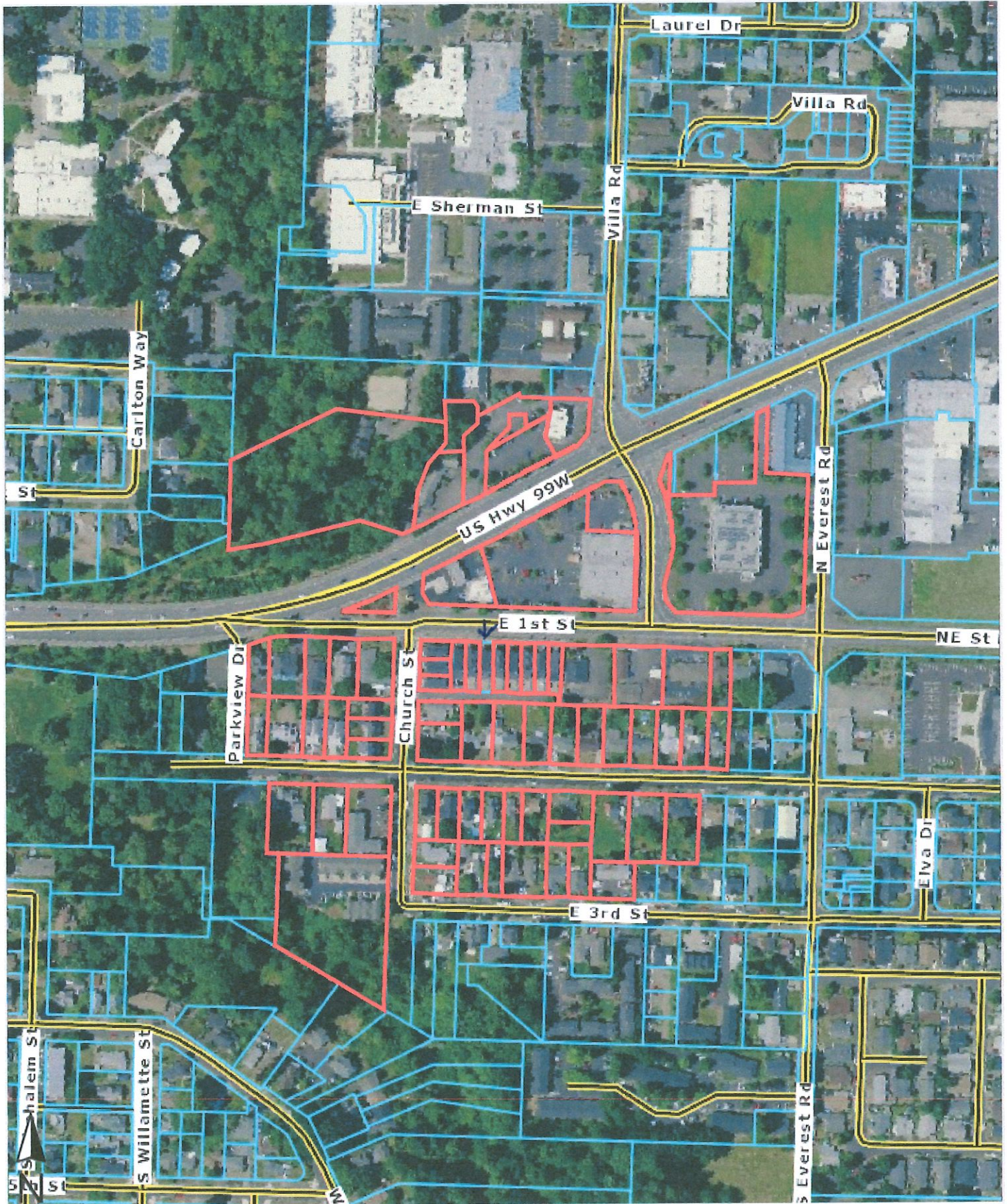


CANCELLED TAXLOTS:  
3600  
1500  
1400  
2300  
2400  
2500  
5800

DATE PRINTED: 1/21/2020

This product is for Assessment and Taxation (A&T) purposes only and has not been prepared or is suitable for legal, engineering, surveying or any purposes other than assessment and taxation.





### 1506 E 1st St - 500ft Radius

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 not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

**POSTED NOTICE**

**LAND USE NOTICE**

**File Number: CUP22-0008**

**Proposal: 1506 E First St.—Vacation Rental**

**For Further Information:**

City of Newberg

Community Development Department

414 E First Street

503-537-1240

3' wide by 2' tall

Notice must be white with black letters, and must be landscape orientation, as shown above. The notice must be lettered using block printing or a "sans-serif" font such as Arial.





Legend

Addresses

Newberg Street Lights

MAINTENANC

NEWBERG

FGE

Tax Lots

Public Utilities

Water Meter

Water Mains

Water Laterals

Abandoned

Active

Wastewater Mains

Force Main

Gravity Main

Fire Hydrant

Storm Pipe

Collector

Collection Pit

Utilities Map

RECEIVED  
 MAY 25 REC'D  
 By \_\_\_\_\_

**Attachment 2: Agency Comments**



# 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: June 10, 2022  
Please refer questions and comments to: Ashley Smith.

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

**APPLICANT:** Julie & Steve Fugate  
**REQUEST:** Vacation Rental  
**SITE ADDRESS:** 1506 E. First St.  
**LOCATION:** N/A  
**TAX LOT:** R3220BA 02306  
**FILE NO:** CUP22-0008  
**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)

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: 2022.06.01 12:51:32-0700  
Foxit PhantomPDF Version: 10.1.7

6/1/22

Reviewed By:

Date:

**Will Worthey CM**

Organization:

**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: June 8, 2022. Please refer questions and comments to Ashley Smith.

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

**APPLICANT:** Julie & Steve Fugate  
**REQUEST:** Vacation Rental  
**SITE ADDRESS:** 1506 E First St., Newberg OR. 97132  
**LOCATION:** N/A  
**TAX LOT:** R3220BA 02306  
**FILE NO:** CUP22-0008  
**ZONE:** R-2 (Med Density Residential)  
**HEARING DATE:** N/A



---

The Information is attached

---

- Reviewed, no conflict.
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- Meeting requested.
- Comments. (Attach additional pages as needed)

  
\_\_\_\_\_

Reviewed By:

6/3/22  
\_\_\_\_\_

Date:



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

**REFERRAL TO: Building Official: Brooks Bateman**

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: June 8, 2022. Please refer questions and comments to Ashley Smith.

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

6-3-22  
 \_\_\_\_\_  
 Date:



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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*Brett Musick*

Reviewed By:

**CON Public Works Engineering**

Organization:

6/7/22

Date:





# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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- Meeting requested.
- Comments. (Attach additional pages as needed)

**Barbara Davis**

Digitally signed by Barbara Davis  
DN: OU=Finance Dept., O=City of Newberg, CN=Barbara Davis,  
E=Barbara.davis@newbergoregon.gov  
Reason: I am the author of this document  
Location: your signing location here  
Date: 2022.06.03 07:58:32-07'00'  
Font: PhantomPDF Version: 10.1.7

**6/3/22**

Reviewed By:

Date:

**Finance**

Organization:

## Fe Bates

---

**From:** PLANNING  
**Sent:** Wednesday, June 1, 2022 8:50 AM  
**To:** Fe Bates  
**Cc:** Ashley Smith  
**Subject:** FW: City of Newberg Community Development Land Use Application Referral-CUP22-0008

---

**From:** KNECHT Casey <Casey.KNECHT@odot.oregon.gov>  
**Sent:** Wednesday, June 1, 2022 8:44 AM  
**To:** PLANNING <planning@newbergoregon.gov>  
**Subject:** RE: City of Newberg Community Development Land Use Application Referral- CUP22-0008

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

No comments from ODOT for this Vacation Rental proposal.

### Casey Knecht, P.E.

**Development Review Coordinator | ODOT Region 2**

503-986-5170 | [casey.knecht@odot.oregon.gov](mailto:casey.knecht@odot.oregon.gov)

---

**From:** FRICKE Daniel L <[Daniel.L.FRICKE@odot.oregon.gov](mailto:Daniel.L.FRICKE@odot.oregon.gov)>  
**Sent:** Tuesday, May 31, 2022 8:51 PM  
**To:** BAUMGARTNER Douglas G <[Douglas.G.BAUMGARTNER@odot.oregon.gov](mailto:Douglas.G.BAUMGARTNER@odot.oregon.gov)>; KNECHT Casey <[Casey.KNECHT@odot.oregon.gov](mailto:Casey.KNECHT@odot.oregon.gov)>  
**Subject:** FW: City of Newberg Community Development Land Use Application Referral- CUP22-0008

---

**From:** Fe Bates <[Fe.Bates@newbergoregon.gov](mailto:Fe.Bates@newbergoregon.gov)>  
**Sent:** Tuesday, May 31, 2022 4:52 PM  
**Cc:** Fe Bates <[Fe.Bates@newbergoregon.gov](mailto:Fe.Bates@newbergoregon.gov)>; Ashley Smith <[Ashley.Smith@newbergoregon.gov](mailto:Ashley.Smith@newbergoregon.gov)>  
**Subject:** City of Newberg Community Development Land Use Application Referral- CUP22-0008

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Good Day,

I am sending you a Land Use Application Referral sheet for a project proposal that was submitted to the City of Newberg.

The project information is attached to the Referral form.

Please fill out the attached Referral Sign Off sheet and email it back no later than **June 11, 2022** to [Planning@newbergoregon.gov](mailto:Planning@newbergoregon.gov).

Please reach out if you have any questions.

Thank you,

**Fé Bates**

*Office Assistant II*

**City of Newberg**

**City Hall: 503-537-1240**

**Direct: 503-554-7788**





# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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**Jeff Kosmicki**  
Digitally signed by Jeff Kosmicki  
DN: CN=Jeff Kosmicki, E=jeff.kosmicki@newbergoregon.gov  
Reason: I have reviewed this document  
Location: your signing location here  
Date: 2022.06.03 17:21:03-0700  
Foxit PhantomPDF Version: 10.1.7

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**6/1/22**

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Reviewed By:

Date:

**Newberg-Dundee Police Department**

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Organization:



# COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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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: 2022.06.01 07:46:08-07'00'  
Foxit PhantomPDF Version: 10.1.7

6/1/22

Reviewed By:  
Public Works Director, City of Newberg  
Organization:

Date:



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

6/3/22  
Date:

**PWM**  
\_\_\_\_\_  
Organization:



## COMMUNITY DEVELOPMENT LAND USE APPLICATION REFERRAL

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**FILE NO:** CUP22-0008  
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**HEARING DATE:** N/A

**RECEIVED**

6/3/2022

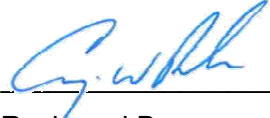
batesf

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

6/1/22

\_\_\_\_\_  
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: 2022.06.01 06:20:09-0700  
Foxit PhantomPDF Version: 10.1.7

**6/1/22**

Reviewed By:

Date:

**City of Newberg**

Organization:





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**RECEIVED**

6/3/2022

batesf

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- Meeting requested.
- Comments. (Attach additional pages as needed)

Reviewed By:

6/1/22

Date:

City of Newberg - Operations

Organization:



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Reviewed, no conflict.

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Require additional information to review. (Please list information required)

Meeting requested.

Comments. (Attach additional pages as needed)

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

Date: \_\_\_\_\_

Organization: \_\_\_\_\_

### **Attachment 3: Public Comments**

Tom Fuller  
1308 E. First Street  
Newberg, OR 97132  
503-550-4067

[Tomfuller2@gmail.com](mailto:Tomfuller2@gmail.com)



June 22, 2022

Written Comments: CUP22-0008  
City of Newberg  
Community Development Program  
PO Box 970  
Newberg, OR 97132

Planning Commission members,

I am writing in support of CUP22-008, an application for a vacation rental conditional use permit at 1506 E First Street.

I own a building at 1308 E First. I think this use is needed and in concert with the neighborhood. I agree with the stipulations for a maximum number of adults, no parties, and quiet hours.

Newberg needs more short term rental units available for George Fox parents and our growing wine tourism business.

I highly support this and ask that you vote to approve the conditional use permit.

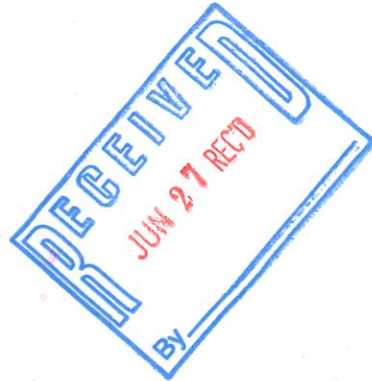
Sincerely,

Tom Fuller

Thomas Fuller  
3300 N Morris St  
Newberg, OR 97132

PORTLAND OR 972

22 JUN 2022 PM 6 L



Written Comments CU22-0088  
City of Newberg  
PO Box 970  
Newberg OR 97132

97192-097070



## Ashley Smith

---

**From:** Deborah Quinoa <deborahquinoa@yahoo.com>  
**Sent:** Wednesday, June 29, 2022 8:02 PM  
**To:** Ashley Smith  
**Subject:** Comments for 1506 E 1st St Newberg

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**File Number:** CUP22-0008

**Application Type:** Conditional Use Permit

**Location:** 1506 E First Street-Newberg (Ursus Place)

One Question of concern related directly to this application for review is:

- Will the property owner or their designated management team member respond to current and future issues that may arise related to their properties?
- Currently their management have been un-responsive to written requests sent over the course of several weeks for their attention to cut the overgrown weeds at their Ursus Place adjacent properties. (specifically 106 Church Street)
- An Example of the negative impact of not maintaining the landscape is our kids not being seen by cars turning into the alley access because of high grasses along the applicants properties. Kids wait for their bus here next to their property and walk home where visual clearance is a safety concern .
- One child who resides in Ursula Place next to the property in this application is deaf and catches the special needs bus at the applicants property sidewalk where overgrown

weeds/grasses are a safety concern for the child being seen by their tenants turning into the shared alley access to driveways.

- We are not opposed to the application for short term/vacation rental. Newberg will certainly be a perfect host for visitors. We just hope the owner/investor is approachable in communication to share any concerns for remedy in a reasonable amount of time. It's a win for all parties if they will also keep their lots landscaped and cared for, too.

Thank you !

The Quinoa Family & D. Quinoa (homeowners)

1508 E 1<sup>st</sup> St Newberg

deborahquinoa@yahoo.com

Public Comment Photos Received from Deborah Quinoa Received June 30, 2022.





Public Comment Photos Received from Deborah Quinoa Received June 30, 2022.



## Ashley Smith

---

**From:** Deborah Quinoa <deborahquinoa@yahoo.com>  
**Sent:** Thursday, June 30, 2022 8:43 AM  
**To:** Ashley Smith  
**Subject:** Photos for 1506 1st st review application

This email originated from outside the City of Newberg's organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

These photos were also sent weeks ago to applicant requesting attention about their properties condition and they have not responded or cut the grass or removed any weeds from their other 2 property parcels in Ursus Place. This is the problem with investors who do not reside in the county. Some care enough to have maintenance built into their business model and some don't and just ignore when we reach out on an annual seasonal basis to bring to their attention. Their property at 1510 E 1st St has a dead fir tree in front of home and weeds everywhere year round. We are trying to maintain Ursus place as a well kept area.

Thankyou for including these with comments sent earlier.

D. Quinoa  
Homeowners  
1508 E 1st St, Newberg

June 23, 2022

City of Newberg Planning Commission  
414 E. First Street  
Newberg, OR 97132

RE: Conditional Use Permit 1506 E First St., Newberg, OR 97132

To Whom it May Concern:

My name is Sharon Walker. I own the property at 1504 E First Street in Newberg, Or. I purchased this property from the builder in 2018, as a long-term rental investment. Since these homes are very close in proximity, it is imperative that they remain a quiet, safe neighborhood.

Parking is definitely an issue. There is no parking in front or behind the homes; the only available parking is in the driveways. If additional cars were to park on the narrow street behind, emergency vehicles would not be able to get through. Current residents from this and surrounding neighborhoods have already filled the adjacent street with their cars.

We have had issues with the tenants at 1506 in the past over parking in common areas. Additionally, although I was told that the tenants in 1506 have a "no smoking" clause, they were smoking outside and throwing their cigarette butts over the fence onto my bark dust during the extremely hot summer last year. When I brought this to the Fugate's attention, I was assured their property management company would take care of. However, it continued to be a problem and a fire hazard. So the management is also in question. I am also not naive enough to believe that there wouldn't be problems with cars for "up to six adults", who would not smoke, would not have parties on vacation and would be quiet after 9:00 p.m.

I have owned rental properties for more than 30 years in Newberg and I strongly object to granting a Conditional Use Permit to use this property as a short-term vacation rental. I have no doubt that I would lose my current tenant and have a very difficult time leasing it again.

I believe that the Fugates own more homes in this neighborhood and I would not want this permit to establish a precedent.

Sincerely,



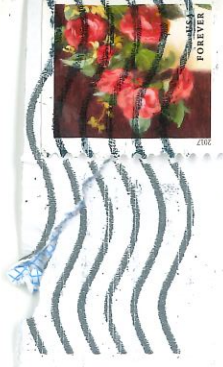
Sharon Walker  
5007 Longest Dr.  
Newberg, OR 97132



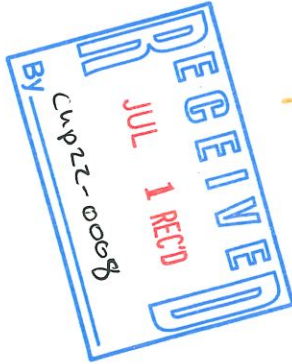
Sheri Walker  
E Longest Dr  
OR 97132-4036

PORTLAND OR 972

28 JUN 2022 PM 5 L



Written Comments  
City of Newberg  
P.O. Box 970  
Newberg, OR 97132



57132-097070

