

TYPE III APPLICATION (QUASI-JUDICIAL REVIEW)

File #: CUP23-0013

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: Lisa Waelde / Mark Waelde
 ADDRESS: 38215 Clear Creek Street CITY: Murrieta STATE: CA ZIP: 92562
 EMAIL ADDRESS: lisawaelde@verizon.net PHONE: (951) 551-2834 MOBILE: (951) 551-2834

OWNER (if different from above): Lisa Waelde, Mark Waelde, Drew Waelde PHONE: (951)551-2834
 ADDRESS: 38215 Clear Creek Street CITY: Murrieta STATE: CA ZIP: 92562

ENGINEER/SURVEYOR: _____ CONTACT: _____
 EMAIL ADDRESS: _____ PHONE: _____ MOBILE: _____

GENERAL INFORMATION:

PROJECT LOCATION: 1025 E. Ginger Root Court, Newberg, OR 97132 PROJECT VALUATION: \$ _____
 PROJECT DESCRIPTION/USE: Vacation Rental
 MAP/TAX LOT NO. (i.e. 3200AB-400): R3220CC 06300 SITE SIZE: 1915 SQ. FT. ACRE
 COMP PLAN DESIGNATION: MDR/RD CURRENT ZONING: R-2/RD
 CURRENT USE: Residential Home TOPOGRAPY: Residential flat, near Riverfront

SURROUNDING USES:
 NORTH: MDR/RD SOUTH: P/RD
 EAST: MIX/RD WEST: MDR/RD

ATTACHED PROJECT CRITERIA AND REQUIREMENTS (check all that is included)

- General Checklist: Fees Public Notice Information Current Title Report Written Criteria Response Owner Signature
 2 -Hard copies of full Application Packet 1 -Digital Copy of Full Application Packet

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

| | |
|---|-------|
| Annexation | p. 11 |
| Comprehensive Plan / Zoning Map Amendment (site specific) | p. 18 |
| Conditional Use Permit | p. 22 |
| Short Term Rental | p. 26 |
| Historic Landmark Modification/Alteration | p. 37 |
| Planned Unit Development | p. 41 |

The Application Packet can be submitted to Planning@newbergoregon.gov or at 414 E First St., Newberg OR. 97132
2 physical copies must be mailed or brought into the Community Development Department

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.

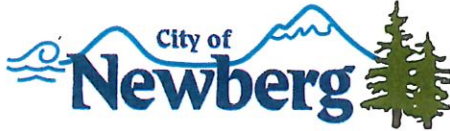
The above statements and information herein contained are in all respects true, complete, and correct to the best of my knowledge and belief.

Lisa Waelde Mark Waelde 7/24/23
 Applicant Signature Date

Lisa Waelde Mark Waelde Drew Waelde 7/24/23
 Owner Signature Date

Lisa Waelde, Mark Waelde
 Print Name

Lisa Waelde, Mark Waelde, Drew Waelde
 Print Name



**COMMUNITY DEVELOPMENT
PLANNING DIVISION**
(503) 537-1240
planning@newbergoregon.gov

FILE #: _____

VACATION RENTALS CRITERIA FORM

NOTE TO APPLICANTS - PROVIDE THIS INFORMATION WITH A TYPE II or TYPE III LAND USE APPLICATION AND A BUSINESS LICENSE APPLICATION.
For questions on this form, please contact the Planning Division at 503-537-1240 or email: planning@newbergoregon.gov.

SITE INFORMATION:

| | |
|--|---|
| Address: 1025 E. Ginger Root Court, Newberg, OR 97132 | |
| Applicant Name: Lisa Waelde / Mark Waelde | |
| Mailing Address: 38215 Clear Creek Street, Murrieta | State/Zip: CA / 92562 |
| Phone: 951-551-2834 | Email: lisawaelde@verizon.net |
| This is a single-family house: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No House Type: _____ | |

FUTURE REQUIREMENTS:

Initial to commit to meeting these requirements if the vacation rental application is approved.

 LW/MW I/we will register and pay the transient lodging tax each year.

 LW/MW I/we will post the vacation rental home registration that contains the information listed in the Development Code in [15.445.340](#).

 LW/MW I/we understand the complaint process and revocation of registration listed in the Development Code in [15.445.350](#).

GENERAL INFORMATION:

Provide a brief description of your proposed vacation rental including how it will be rented out.

Home will be used as a short-term vacation rental half of the year. The other half of the year the owners will occupy for personal family use. Owners will be contracted with a local Property Management Company - Porch Light Vacation Rentals. The home will be advertised for short-term rental on their website as well as other short-term vacation rental platforms such as Airbnb and VRBO. Guests will be able to park in the one-car garage as well as in the one-car driveway. Quiet hours will be enforced between the hours of 10pm and 7am. Guest bookings, home cleaning, and all maintenance will be managed by Porch Light Vacation Rentals which is local to Newberg.

VACATION RENTALS CRITERIA:

Provide a brief response to the criteria listed below from the Newberg Development Code in [15.445.330](#).

1. The vacation rental home shall provide a minimum of two parking spaces on the site that are available for use of the rental occupants. Please state where those parking spaces will be located.

There is a 1-car garage on property as well as a full length driveway for a second car.

2. The applicant shall provide for regular refuse collection. Please state the location and collection day.

Trash bins are located to the east of the front of the home. Waste Management is contracted for trash collection. Trash collection day is every Tuesday.

3. The vacation rental home may not be occupied by more than two rental occupants per bedroom, up to a maximum of 15 people. Please state how you'll meet this criterion.

There are three bedrooms in the home. Each bedroom accommodates two people. This allows for a total of six occupants.

4. The premises of the vacation rental home may not include any occupied recreational vehicle, trailer, tent or temporary shelter during the rental occupancy. Please state how you'll meet this criterion.

There will not be any occupied recreational vehicles, trailers, tents, or temporary shelters during the rental occupancy.

CONDITIONAL USE CRITERIA:

Provide a brief response to the criteria listed below from the Newberg Development Code in [15.225.060](#).

1. The location, size, design and operating characteristics of the vacation rental 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 the generation of traffic and the capacity of surrounding streets, and to any other relevant impact of the use.

The home is approximately 1,800 square feet as are the other 18 home in the Riverlands Tract. Based upon this, the vacation rental is compatible and has no impact on the livability or appropriate development of the abutting properties or the surrounding neighborhood. There will not be any impact on traffic or affect on the surrounding streets. In fact there will likely be less traffic on the street/surrounding streets given that most short term renters usually only have one car whereas if for example we were to long-term rent the home to college students, there would be three to four cars, increasing traffic in the neighborhood and surrounding neighborhoods.

2. The proposed vacation rental 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.

The home currently provides a convenient and functional living and we plan to make no changes. The outside of the home is attractively decorated and maintained; the interior of the home is also attractively decorated and maintained. We will continue to maintain our short-term vacation rental - we also plan to use it and have a vested interest in keeping up our property in all areas. Further our property manager will ensure the home is kept up in all areas including inside/outside maintenance. The home will be rented to single groups or families.

Other/Continued Response Section:

[Empty response box]

City of Newberg Condition Use Permit – Vacation Rental.

WAEELDE

July 21, 2023

Community Development Department

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

RE: Type III Application

To Whom It May Concern:

Attached for your review is the application package for 1025 E. Ginger Root Court, Newberg, OR 97132 to be a short-term vacation rental.

Please advise if any changes or additions are necessary.

Thank you,

Lisa Waelde
Homeowner

1025 E. Ginger Root Court
Newberg, OR 97132

Written Criteria Response

See below:

City of Newberg Municipal Code 15.225.060

- A. Proposed use will be a short-term vacation rental while owners are not in the residence.
 - The proposed STR is a SFR that was built in 2022 in the Riverlands Subdivision • The house is 3 stories, 3 bedrooms, 3 full baths and one-half bath on an approximate .05-acre lot. It has neighbors on all sides. It is located in the Residential Waterfront District.
 - The property will be occupied by the owner part-time. When owner is not in the home it is planned to be used as a STR property. The STR will be managed by Porch Light Vacation Rentals, Lisa Thoele, 971-424-2152. Porch Light provides professional screening, lodging tax payments, local assistance to guests, maintenance, and rule enforcement. They have strict standards for guest behavior. Additionally, they give back – they pay their team members a living wage and give a portion of their gross revenue to local charities.
 - The property has 1 parking space in the 1-car garage and 1-car paved parking space.
- B. The location, design, and site of this proposed STR will provide functional accommodations to families, or individuals who have business or pleasure in our area. This type of use will not increase traffic any more than current occupancy.
- C. The proposed STR use will be consistent with Ord. 2451, 12-2-96. Code 2001 151.210.

City of Newberg Municipal Codes 15.445.300 – 15.445.350

15.445.300 – Application and Purpose.

1025 E. Ginger Root Court, Newberg, OR 97132 is a single-family home that will be available, advertised, or listed by an agent as available for use, rent for occupancy for periods of less than 30 days.

15.445.310 – Where allowed.

This home is zoned R-1 for use as a vacation rental with a conditional permit.

15.445.320 – Registration Requirement

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

15.445.330– Standards

- A. Provide a minimum of 2 parking spaces – There is 1 parking space in the garage and 1 in the driveway.
- B. Regular refuse collection – Waste Management provides full service of refuse, recycling, and yard debris removal for this address (Tuesdays).
- C. Occupancy – STR has 3 conforming bedrooms; occupancy limit is to be set at 6 occupants.

- D. Premises – This STR will not allow the use of occupied recreational vehicle, trailer, tent, or temporary shelter during the 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 a 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 (6 occupants)
- D. The standards for the rental occupancy
- E. The solid waste collection day (every Tuesday)

15.445.350 – Complaints and revocation of registration

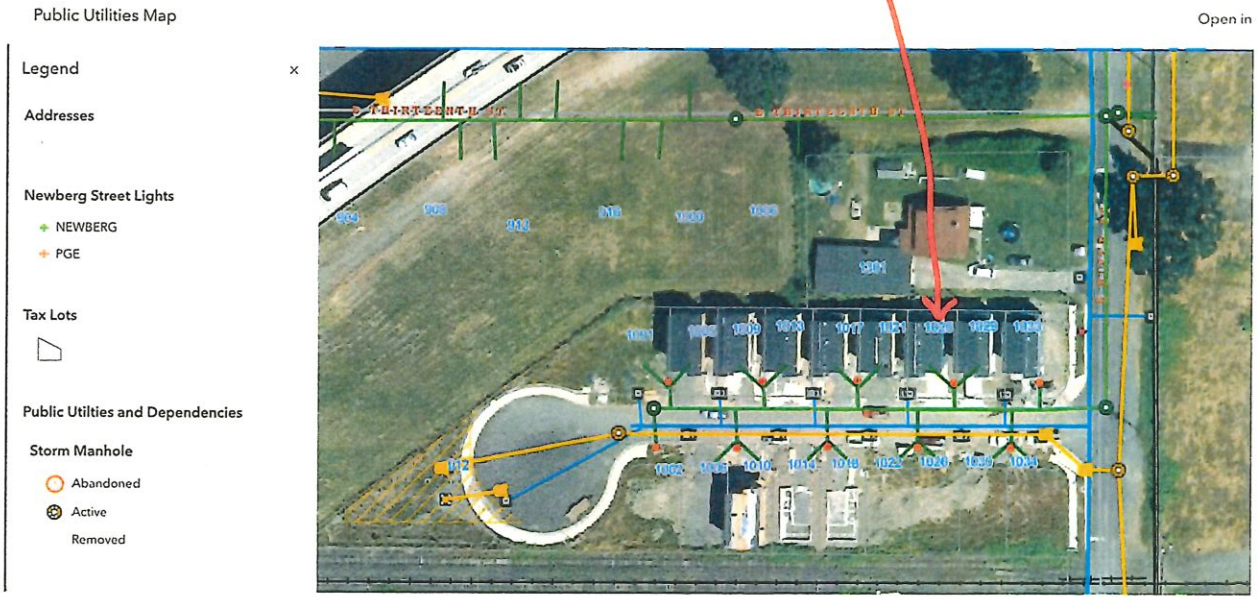
The owner is fully aware and understands the above code and will make every effort to follow up with all complaints.

Project Statement:

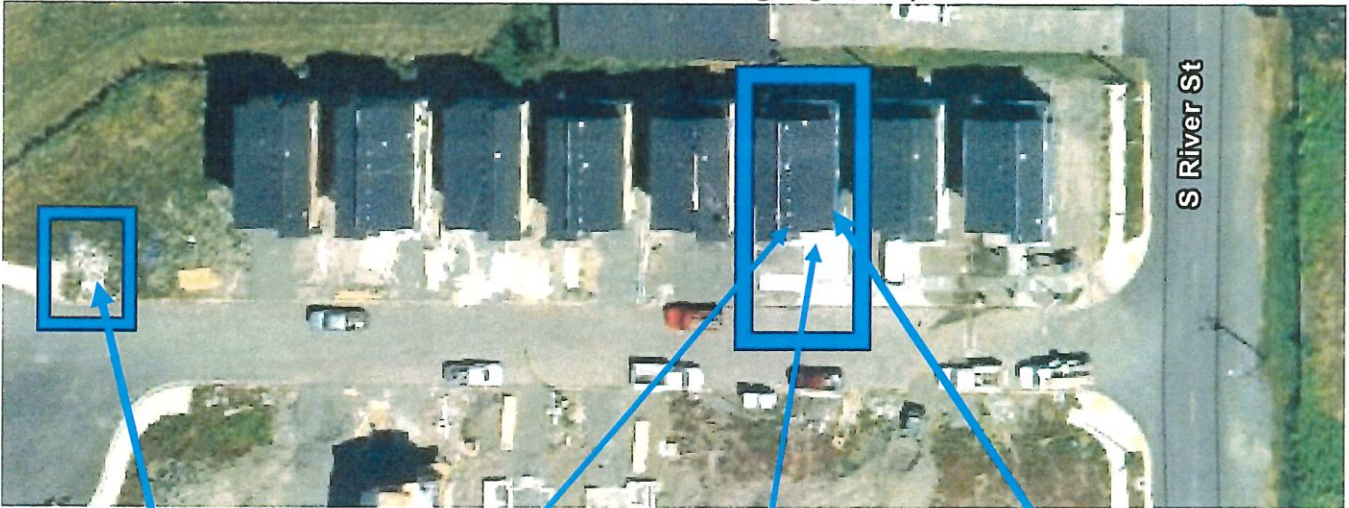
The home will be used half time as a short-term vacation rental and half time as personal residence. Home will be managed by a professional property management company, Porch Light Vacation Rentals (local to the Newberg area). Home will be rented to individuals and families on a short-term basis. Quiet hours will be enforced 10pm to 7am. No employees (except perhaps occasional cleaning services and lawn maintenance). There will be no impact to traffic, odor, or noise. Home will behave as a typical neighborhood home.

Existing Property Map with Public Utilities Shown:

1025 E. Ginger Root Court, Newberg OR 97132



Existing Property Map with Site Features, Off-street Parking, Signs/Graphics:



Mail delivery via gang style mailboxes

Garage and Driveway Parking (off-street)

Trash disposal

Required signs will be posted just inside front door 8.5"x11" paper, black 14-point Calibri font. There are no plans for any exterior signs.

Current Title Report

First American Title, dated June 9, 2023 – attached on following pages.



First American Title™

First American Title Insurance Company

775 NE Evans Street
McMinnville, OR 97128
Phn - (503)376-7363
Fax - (866)800-7294

YAMHILL COUNTY TITLE UNIT

FAX (866)800-7294

Title Officer: Clayton Carter
(503)376-7363
ctcarter@firstam.com

LOT BOOK SERVICE

Drew Waelde
1025 E Ginger Root Ct
Newberg, OR 97132

Order No.: 1039-4070564
June 09, 2023

Attn:
Phone No.: - Fax No.:
Email:

Re:

Fee: \$125.00

We have searched our Tract Indices as to the following described property:

LOT 3, RIVERLANDS, IN THE CITY OF NEWBERG, YAMHILL COUNTY, OREGON.

and as of May 26, 2023 at 8:00 a.m.

We find that the last deed of record runs to

Drew R. Waelde and Lisa A. Waelde and Mark R. Waelde, as tenants by the entirety, all together not as tenants in common, but with rights of survivorship

We find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

1. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
2. Restrictive Covenant to Waive Remonstrance, pertaining to Annexation including the terms and provisions thereof

Recorded: February 01, 2019 as Instrument No. 201901388, Deed and Mortgage Records

3. Restrictive Covenant to Waive Remonstrance, pertaining to Comprehensive Plan including the terms and provisions thereof

Recorded: February 01, 2019 as Instrument No. 201901389, Deed and Mortgage Records

4. Easement as shown on the recorded plat/partition

For: Public Utility
Affects: See plat for exact location

5. Deed of Trust and the terms and conditions thereof.

Grantor/Trustor: Drew R. Waelde and Lisa A. Waelde and Mark R. Waelde, as tenants by the entirety, all together not as tenants in common, but with rights of survivorship

Grantee/Beneficiary: Mortgage Electronic Registration Systems, Inc., MERS solely as a nominee for CMG Mortgage Inc., DBA CMG Financial, its successors and assigns

Trustee: First American Title Insurance Company

Amount: \$359,900.00

Recorded: August 11, 2022

Recording Information: Instrument No. 202211124, Deed and Mortgage Records

NOTE: Taxes for the year 2022-2023 PAID IN FULL

Tax Amount: \$1,029.63
Map No.: R3220CC 06300
Property ID: 714588
Tax Code No.: 29.0

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We find the following unpaid taxes and city liens:

1. City liens, if any, of the City of Newberg.

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.



First American Title[™]

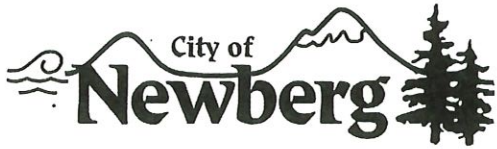
First American Title Insurance Company
775 NE Evans Street
McMinnville, OR 97128

Illegal Restrictive Covenants

Please be advised that any provision contained in this document, or in a document that is attached, linked, or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.

Public Notice Information

Draft of mailer notice and sign; mailing list of all properties within 500' – attached on following pages.



Community Development Department

P.O. Box 970 • 414 E First Street • Newberg, Oregon 97132
503-537-1240. Fax 503-537-1272 www.newbergoregon.gov

NOTICE OF PLANNING COMMISSION HEARING ON A CONDITIONAL USE PERMIT

A property owner in your neighborhood submitted an application to the City of Newberg for a conditional use permit to use home as a short-term vacation rental. The Newberg Planning Commission will hold a hearing on **(Date of hearing)** at 7 p.m. at the Newberg Public Safety Building, 401 E. Third Street, Newberg, OR, 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 application would change the land use of this .05-acre parcel to allow home to be used as a short-term vacation rental property with occasional personal use by owners of property. There is no proposed construction or demolition to the property.

APPLICANT: Lisa Waelde, Mark Waelde
TELEPHONE: 951-551-2834
PROPERTY OWNER: Lisa Waelde, Mark Waelde, Drew Waelde
LOCATION: 1025 E. Ginger Root Court
TAX LOT NUMBER: Yamhill County Tax Map and Lot Number R3220CC-06300



We are mailing you information about this project because you own land within 500 feet of the proposed subdivision. We invite you to participate in the land use hearing scheduled before the Planning Commission. If you wish to participate in the hearing, you may do so in person or be represented by someone else. 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: File No. **(staff will provide)**
City of Newberg
Community Development Department
PO Box 970
Newberg, OR 97132

All written comments must be turned in by noon on Monday, **(insert date – Monday prior to hearing)**. 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/planning> under the “Current Planning Projects” page.

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 permit are found in Newberg Development Code Section 15.225.060.

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 at 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: **Date notice is mailed**

ACCOMMODATION OF PHYSICAL IMPAIRMENTS:

In order to accommodate persons with physical impairments, please notify the City Recorder's office of any special physical or language accommodations you may need as far in advance of the meeting as possible and no later than 48 hours prior to the meeting. To request these arrangements, please contact the City Recorder at 503-537-1283. For TTY services please dial 711.

Working Together For A Better Community-Serious About Service"

**CITY OF NEWBERG
SAMPLE POSTED NOTICE**

Land Use Notice

FILE # (insert the file number assigned to you at the time of application)

PROPOSAL: Short-term Vacation Rental

FOR FURTHER INFORMATION, CONTACT:

City of Newberg

Community Development Department

414 E First Street

Phone: 503-537-1240

2'

3'

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.

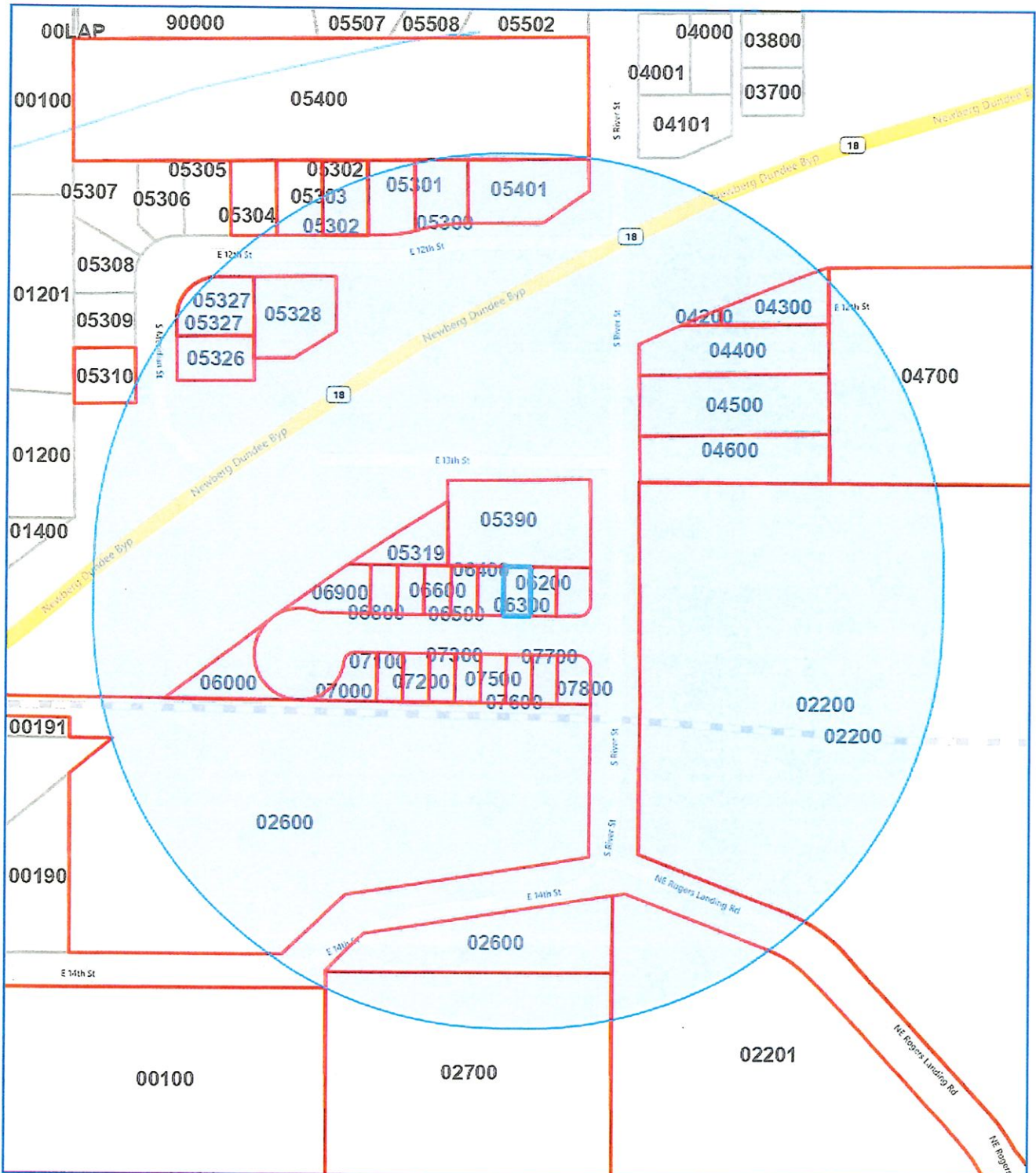


First American Title™

500 ft Buffer

1025 E Ginger Root Ct, Newberg, OR 97132

Report Generated: 5/31/2023



The present data and maps are intended for informational purposes only. Some information has been procured from third-party sources and has not been independently verified. Individual parts are owned by their respective copyright owners and not by First American. First American Title Company makes no express or implied warranty respecting the information presented and assumes no responsibility for errors or omissions.

R3220CC 05401
Oregon Department Of Transport
Right Of Way Section
Salem, OR 97302

R3220CC 04700
Newberg OR LLC
1515 Des Peres Rd STE 300
Saint Louis, MO 63131

R3220CC 05327
Katherine & Katherine Iler
906 E 12th St
Newberg, OR 97132

R3220CC 05327
Kathleen & Kathleen Filer
906 E 12th St
Newberg, OR 97132

R3220CC 05301
Derek Cummins
1005 E 12th St
Newberg, OR 97132

R3220CC 05302
Lisa Surratt
1001 E 12th St
Newberg, OR 97132

R3220CC 05302
Lisa Surratt
1001 E 12th St
Newberg, OR 97132

R3220CC 05326
Donald A Stymiest & Patricia R Aasen
1208 S Meridian St
Newberg, OR 97132

R3220CC 05304
Jesus & Elisabet Quezada
909 E 12th St
Newberg, OR 97132

R3220CC 05300
Raquel & Corina Espericueta
1009 E 12th St
Newberg, OR 97132

R3220CC 04500
Newberg OR LLC
1515 Des Peres Rd STE 300
Saint Louis, MO 63131

R3220CC 05303
Mark & Tamara Taylor
112 WALAKA ST APT 104
Kihei, HI 96753

R3220CC 04600
Newberg OR LLC
1515 Des Peres Rd STE 300
Saint Louis, MO 63131

R3220CC 05310
Luis Jimenez & Cristina Fuentes
1211 S Meridian St
Newberg, OR 97132

R3220CC 05400
Rogers Landing Apartments LLC
5285 Meadows Rd STE 171
Lake Oswego, OR 97035

R3220CC 05390
Steve & Katherine Aaron
24951 SW Red Prairie Rd
Sheridan, OR 97378

R3220CC 07500
Riverlands Subdivision LLC
500 E Hancock St
Newberg, OR 97132

R3220CC 07400
Riverlands Subdivision LLC
500 E Hancock St
Newberg, OR 97132

R3220CC 07300
Pierrouz Yasavolian & Jacqline Rosa
9975 SW Frewing St STE 240
Portland, OR 97223

R3220CC 07200
Joseph & Krista Tschanz
1010 E Ginger Root Ct
Newberg, OR 97132

R3220CC 07100
Riverlands Subdivision LLC
500 E Hancock St
Newberg, OR 97132

R3220CC 06200
Timothy & Brian Kaelin
1029 E Ginger Root Ct
Newberg, OR 97132

R3220CC 06300
Drew & Lisa Waelde
1025 E Ginger Root Ct
Newberg, OR 97132

R3220CC 06400
Moses Ibrahim
1021 E Ginger Root Ct
Newberg, OR 97132

R3220CC 06500
Jose Ramos
1017 E Ginger Root Ct
Newberg, OR 97132

R3220CC 06600
Jacqueline Consenz
2701 N Arthur Ln
Newberg, OR 97132

R3220CC 06700
Bernard & Christie Mattos
1009 E Ginger Root Ct
Newberg, OR 97132

R3220CC 06800
Danil Sheffer & Damaris Sheifer
1005 E Ginger Root Ct
Newberg, OR 97132

R3220CC 07700
Riverlands Subdivision LLC
500 E Hancock St
Newberg, OR 97132

R3220CC 07600
Riverlands Subdivision LLC
500 E Hancock St
Newberg, OR 97132

R3229 02700
City of Newberg
535 NE 5th St
Mcminnville, OR 97128

R3220CC 05319
Oregon Department Of Transport
Right Of Way Section
Salem, OR 97302

R3220CC 04300
Newberg OR LLC
1515 Des Peres Rd STE 300
Saint Louis, MO 63131

R3220CC 05328
Jose Juarez
1010 S Columbia St
Newberg, OR 97132

R3220CC 04200
Newberg OR LLC
1515 Des Peres Rd STE 300
Saint Louis, MO 63131

R3220CC 04400
Newberg OR LLC
1515 Des Peres Rd STE 300
Saint Louis, MO 63131

R3230 00100
Gary Baker
Po Box 1369
Beaverton, OR 97075

R3220CC 06000
City of Newberg
414 E 1st St
Newberg, OR 97132

R3220CC 07800
Riverlands Subdivision LLC
500 E Hancock St
Newberg, OR 97132

R3220CC 06100
April Caudill
1033 E Ginger Root Ct
Newberg, OR 97132

R3220CC 07000
Riverlands Subdivision LLC
500 E Hancock St
Newberg, OR 97132

R3220CC 06900
Riverlands Subdivision LLC
500 E Hancock St
Newberg, OR 97132

R3229 02200
Newberg OR LLC
1515 Des Peres Rd STE 300
Saint Louis, MO 63131

R3229 02200
Newberg OR LLC
1515 Des Peres Rd STE 300
Saint Louis, MO 63131

R3229 02600
Newberg OR LLC
1515 Des Peres Rd STE 300
Saint Louis, MO 63131

R3229 02201
Westrock Northwest LLC
1000 Abernathy Rd
Atlanta, GA 30328