

STAFF REPORT
SPECIAL USE PEMRIT FOR VACATION RENTAL HOME
301 N MERIDIAN ST – FILE NO. MISC223-0002

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REQUEST: Approval to use a single-family dwelling as a vacation rental home

LOCATION: 301 N Meridian Street

TAX LOT: R3218DD 13700

APPLICANT/OWNER: Stephen R Thornton

ZONE: R-3 High Density Residential

OVERLAY: Airport Overlay (Inner Horizontal Surface)

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ATTACHMENTS

1. Application and Supplemental Materials
2. Agency Comments

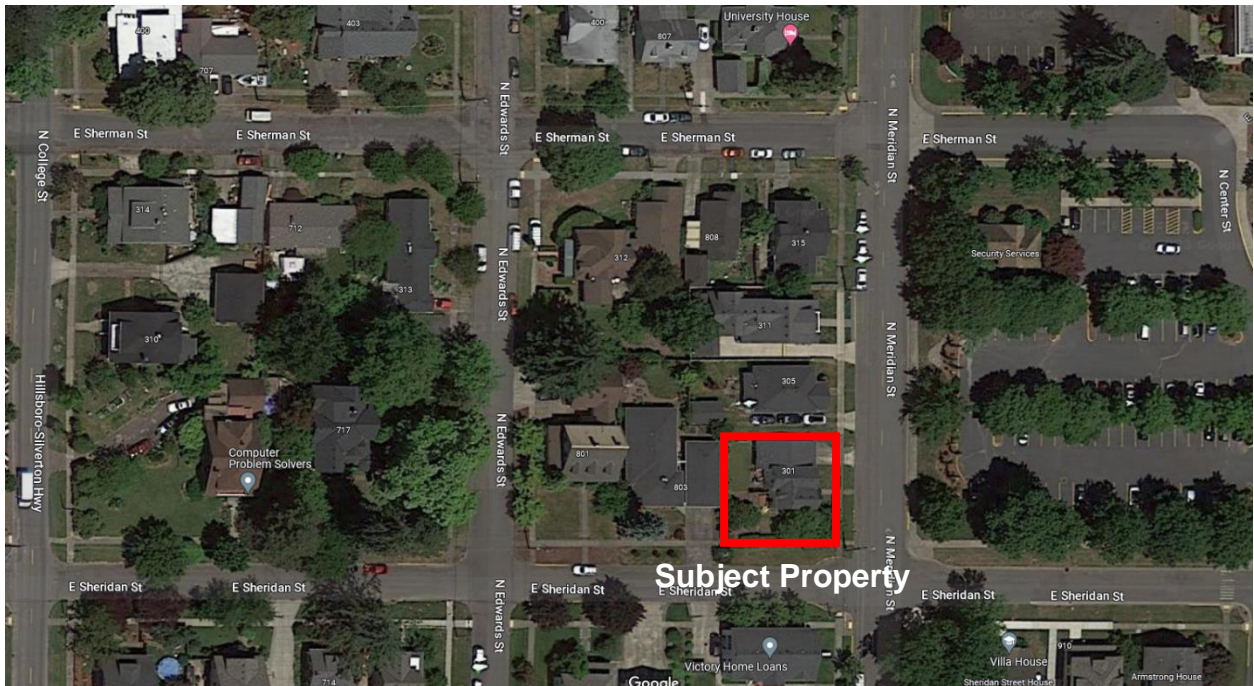
Section I: Application Information
Special Use Permit for Vacation Rental Home
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DESCRIPTION OF APPLICATION: Stephen R Thornton (Applicant) has requested use of an existing three-bedroom residence located in the R-3 zoning district as a vacation rental home.

A. SITE INFORMATION:

1. Location: 301 N Meridian Street

Figure 1. Location Map



2. Size: 0.13 acres
3. Current Land Uses: Single-family residence
4. Natural Features: None
5. Adjacent Land Uses:
 - a. North: Single-family residence
 - b. East: Educational (George Fox University)

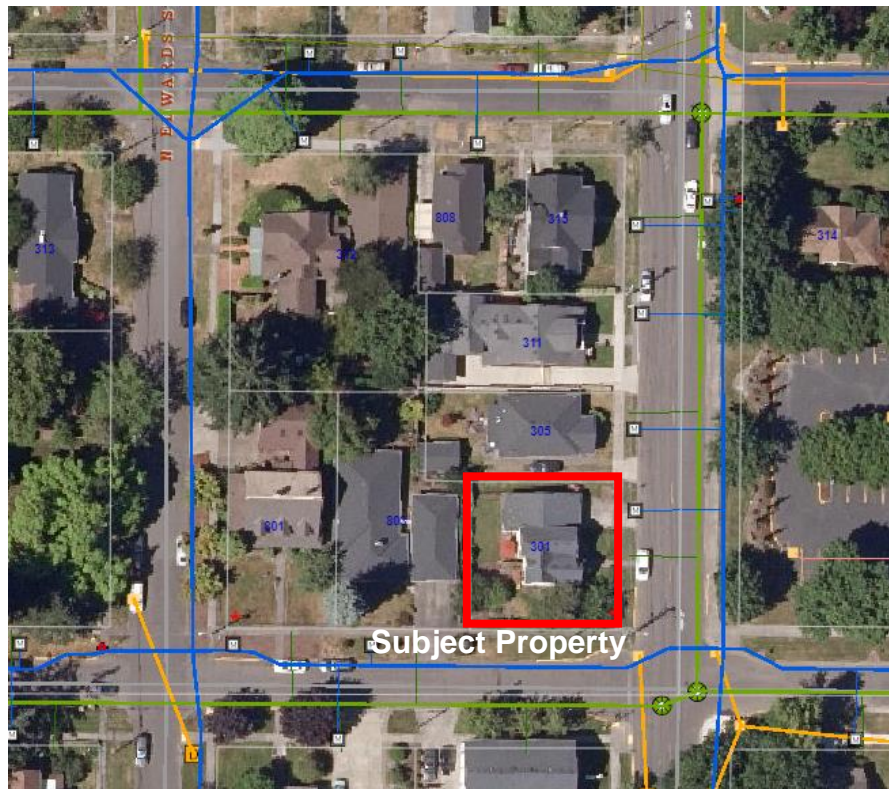
- c. South: Office
 - d. West: Single-family residence
6. Zoning: The following zoning districts about the subject property.

Figure 2. Zoning Map



- a. North: R-3 (High Density Residential)
 - b. East: I (Institutional)
 - c. South: C-3 (Central Business District)
 - d. West: R-2 (Medium Density Residential)
7. Access and Transportation: This property has frontage along N Meridian Street (Minor Arterial) and E Sheridan Street (Minor Arterial). Existing access to the site is from N Meridian Street.

Figure 3. Utilities Map



8. Utilities:

- a. Water: The City's GIS system shows there is an existing 6-inch water main in N Meridian Street. The Applicant has not indicated a need for modification to the existing water system.
- b. Wastewater: The City's GIS system shows there is an existing 21-inch wastewater main in N Meridian Street. The Applicant has not indicated a need for modification to the existing wastewater system.
- c. Stormwater: There is no stormwater line in this segment of N Meridian Street. Stormwater flows from the property to the curb line and to the nearest inlet.
- d. Overhead Lines: There are overhead utilities serving the property along the frontage on N Meridian Street. Any new connection to the property will need to be undergrounded. See NMC 15.430.010 for exception provisions.

B. PROCESS: The vacation rental is a Type II application and follows the procedures in

Newberg Development Code Section 15.100.030. Following a 14-day public comment period, the Community Development Director makes a decision on the application based on the criteria listed in the attached findings. The Director's decision is final unless appealed.

Important dates related to this application are as follows:

1. 8/7/23: The Community Development Director deemed the application complete.
2. 8/9/23: The Applicant mailed notice to the property owners within 500 feet of the site.
3. 8/9/23: The Applicant posted notice on the site.
4. 8/24/23: The 14-day public comment period ended.
5. 10/5/23: The Community Development Director issued a decision on the application.

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

1. City Manager: Reviewed, no conflict.
2. Community Development Director: Reviewed, no conflict
3. Public Works Director: Reviewed, no conflict.
4. Engineering Division: Reviewed, no conflict.
5. Public Works Maintenance: Reviewed, no conflict.
6. Police: Reviewed, no conflict.
7. Finance Department: Reviewed, no conflict.
8. Public Works Compliance: Reviewed, no conflict.
9. Waste Management: Reviewed, no conflict.

D. PUBLIC COMMENTS:

At the time of writing this report no public comments have been received.

Section II: Findings
Special Use Permit for Vacation Rental Home
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A. 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 located in the R-3 zoning district. The table below is an excerpt from NCM Chapter 15.305, which states vacation rental homes are permitted as a special use in the R-3 zone. The Applicant has requested special use approval to operate a vacation rental home in an existing dwelling. The structure was previously approved for occupancy as a single-family dwelling unit.

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

This criterion is met.

15.445.320 Registration required.

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

Finding: As required by NMC 15.445.320, prior to the use of the home as a vacation rental the owner or Applicant will be required to register the vacation rental home with the City and will be required to pay the Transient Lodging Tax.

This criterion will be met with the adherence to the aforementioned condition of approval.

15.445.330 Standards.

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

B. The applicant shall provide for regular refuse collection.

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

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

Finding: The proposed vacation rental would be in an existing 3-bedroom single-family dwelling. There are two off-street parking spaces available in the driveway and two spaces in the existing carport.

The Applicant will be responsible for providing for regular refuse collection and has indicated Waste Management collects on each Wednesday. The property owner must maintain weekly refuse collection and removal.

Because the home has three bedrooms, the maximum number of guests is limited to 6. Guest contracts will not allow recreational vehicles, trailers, tents, or temporary shelters during the rental occupancy.

The Application Materials (Attachment 1) indicate that the project will offer four off-street parking spaces. Because operation of the vacation rental will require a minimum of two parking spaces on the site that are available for use of the rental occupants, the owner is conditioned to keep at two least off-street parking spaces available for use of vacation rental guests.

These criteria are met with the adherence to the aforementioned conditions of approval.

15.445.340 Registration posting.

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

A. The name of the operator and a telephone number where the operator may be reached.

B. The telephone number for the police department.

C. The maximum number of occupants permitted to stay in the dwelling.

D. The standards for the rental occupancy.

E. The solid waste collection day.

Finding: The Applicant has acknowledged the requirements listed in NMC Section 15.445.340 and has stated that they will comply with these requirements. Prior to the use of the home as a

vacation rental and during the use of the home as a vacation rental, the Applicant is required to post the required information for NMC 15.445.040(A-E) by the front door of the vacation rental.

Operator Name: Stephen R Thornton

Phone Number: 503-380-2021

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

Max Number of Guests: Six (6)

Trash Pick-Up Day: Wednesday

City of Newberg Vacation Rental Standards:

- Each vacation rental home shall provide a minimum of two parking spaces on the site that are available for use of the rental occupants.
- The Applicant shall provide for regular refuse collection.
- The vacation rental home may not be occupied by more than two rental occupants per bedroom, up to a maximum of 15 people. This rental is limited to 6 total occupants.
- The premises of the vacation rental home may not include any occupied recreational vehicle, trailer, tent, or temporary shelter during the rental occupancy.

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

15.445.350 Complaints and revocation of registration.

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

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

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

C. Establish a probationary period to monitor compliance.

D. Dismiss the complaint.

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

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

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

CONCLUSION: Based on the above findings, the project meets the criteria required within the Newberg Development Code subject to completion of the attached conditions.

Section III: Conditions
Special Use Permit for Vacation Rental Home
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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 and will be required to pay the transient lodging tax.
2. **Refuse Collection:** The property owner must maintain weekly refuse collection and removal.
3. **Guest Occupancy:** The maximum number of guests for the vacation rental home is limited to 6.
4. **Temporary Shelters:** Guest contracts will not allow recreational vehicles, trailers, tents, or temporary shelters during the rental occupancy.
5. **Parking:** The owner is conditioned to keep at least two off-street parking spaces available for use of vacation rental guests.
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.

Operator Name: Stephen R Thornton

Phone Number: 503-939-7873

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

Max Number of Guests: Eight (6)

Trash Pick-Up Day: Wednesday

City of Newberg Vacation Rental Standards:

- Each vacation rental home shall provide a minimum of two parking spaces on the site that are available for use of the rental occupants.
- The Applicant shall provide for regular refuse collection.
- The vacation rental home may not be occupied by more than two rental occupants per bedroom, up to a maximum of 15 people. This rental is limited to 6 total occupants.

- 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

Attachment 2: Agency Comments