



TYPE III APPLICATION (QUASI-JUDICIAL REVIEW)

File #: _____

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: _____

ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

EMAIL ADDRESS: _____ PHONE: _____ MOBILE: _____

OWNER (if different from above): _____ PHONE: _____

ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____

ENGINEER/SURVEYOR: _____ CONTACT: _____

EMAIL ADDRESS: _____ PHONE: _____ MOBILE: _____

GENERAL INFORMATION:

PROJECT LOCATION: _____ PROJECT VALUATION: \$ _____

PROJECT DESCRIPTION/USE: _____

MAP/TAX LOT NO. (i.e. 3200AB-400): _____ SITE SIZE: _____ SQ. FT. ACRE

COMP PLAN DESIGNATION: _____ CURRENT ZONING: _____

CURRENT USE: _____ TOPOGRAPY: _____

SURROUNDING USES: _____

NORTH: _____ SOUTH: _____

EAST: _____ WEST: _____

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	

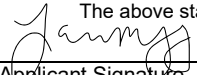
For detailed checklists, applicable criteria for the written criteria response, and number of copies per application type, turn to:

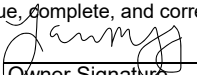
Annexation	p. 11
Comprehensive Plan / Zoning Map Amendment (site specific)	p. 18
Conditional Use Permit	p. 22
Short Term Rental	p. 26
Historic Landmark Modification/Alteration	p. 37
Planned Unit Development	p. 41

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.

 _____
Applicant Signature Date 9.21.2023

 _____
Owner Signature Date 9.21.2023

Print Name

Print Name

NEWBERG PERMIT CENTER FEE SCHEDULE

5% TECHNOLOGY FEE WILL BE ADDED TO TOTAL FEES (Resolution No. 2016-3268)

PRE-APPLICATION REVIEW	\$100
TYPE I (ADMINISTRATIVE REVIEW)	
OTHER: ANY TYPE I ACTION NOT SPECIFICALLY LISTED IN THIS SECTION	\$202
HOME OCCUPATION BUSINESS LICENSE REVIEW	\$202
ADU DESIGN REVIEW	\$202
COTTAGE CLUSTER DESIGN REVIEW	\$404
PROPERTY CONSOLIDATION	\$202
CODE ADJUSTMENT	\$505
* DESIGN REVIEW (DUPEX OR COM. /IND. MINOR ADDITION REVIEW)	0.3% OF PROJECT VALUE, \$505 MINIMUM
MINOR MODIFICATION OR EXTENSION OF TYPE I DECISION	\$202
MAJOR MODIFICATION OF TYPE I DECISION	50% OF ORIGINAL FEE
* PARTITION FINAL PLAT	\$1,015 + \$88 PER PARCEL
PROPERTY LINE ADJUSTMENT	\$1,015
SIGN REVIEW	\$89 + \$1.00 PER SQ. FT. OF SIGN FACE
* SUBDIVISION, PUD, OR CONDOMINIUM FINAL PLAT	\$2,034 + \$88 PER LOT OR UNIT
HISTORIC LANDMARK MINOR ALTERATION/DEMOLITION	\$0
TYPE II (LAND USE DECISION)	
OTHER-ANY TYPE II ACTION NOT SPECIFICALLY LISTED IN THIS SECTION	\$1,015
MINOR MODIFICATION OR EXTENSION OF TYPE II DECISION	\$202
MAJOR MODIFICATION OF TYPE II DECISION	50% OF ORIGINAL FEE
* DESIGN REVIEW (INCLUDING MOBILE/MANUFACTURED HOME PARKS)	0.6% OF TOTAL PROJECT COST, \$1,015 MINIMUM
* PARTITION PRELIMINARY PLAT	\$1,015 + \$88 PER PARCEL
* SUBDIVISION PRELIMINARY PLAT	\$2,034 + \$88 PER LOT
VARIANCE	\$1,015
TYPE III (QUASI-JUDICIAL REVIEW)	
OTHER-ANY TYPE III ACTION NOT SPECIFICALLY LISTED IN THIS SECTION	\$2,155
ANNEXATION	\$2,833 + \$270 PER ACRE
COMPREHENSIVE PLAN AMENDMENT (SITE SPECIFIC)	\$2,655
CONDITIONAL USE PERMIT	\$2,155
MINOR MODIFICATION OR EXTENSION OF TYPE III DECISION	\$202
MAJOR MODIFICATION OF TYPE III DECISION	50% OF ORIGINAL FEE
HISTORIC LANDMARK ESTABLISHMENT OR MODIFICATION	\$0
HISTORIC LANDMARK ELIMINATION	\$2,471
* SUBDIVISION PRELIMINARY PLAT	\$2,034 + \$88 PER LOT
* PLANNED UNIT DEVELOPMENT	\$4,304 + \$88 PER LOT
ZONING AMENDMENT (SITE SPECIFIC)	\$2,684
TYPE IV (LEGISLATIVE AMENDMENTS)	
COMPREHENSIVE PLAN TEXT AMENDMENT OR LARGE SCALE MAP REVISION	\$3,053
DEVELOPMENT CODE TEXT AMENDMENT OR LARGE SCALE MAP REVISION	\$3,053
APPEALS	
TYPE I OR II APPEAL TO PLANNING COMMISSION	\$582
TYPE I OR II APPEAL TO CITY COUNCIL	\$1,055
TYPE III APPEAL TO CITY COUNCIL	\$1,239
TYPE I ADJUSTMENTS OR TYPE II VARIANCES (That are not designed to regulate the physical characteristics of a use permitted outright)	\$326
EXHIBITOR LICENSE FEE APPEAL TO THE CITY COUNCIL	50% OF EXHIBITOR LICENSE FEE
OTHER FEES	
TECHNOLOGY FEE (This fee will be added to all Planning, Engineering and Building Fees, does not apply to SDC fees)	5% OF TOTAL
TREES IN PUBLIC RIGHT-OF-WAY REMOVAL PERMIT	\$10.50
EXPEDITED LAND DIVISION	\$7,563 + \$88 PER LOT OR UNIT
URBAN GROWTH BOUNDARY AMENDMENT	\$4,833
VACATION OF PUBLIC RIGHT-OF-WAY	\$2,005
FEE-IN-LIEU OF PARKING PROGRAM	\$16,231 PER VEHICLE SPACE
VERTICAL HOUSING DEVELOPMENT ZONE FEES	\$600 CERTIFICATION & APPLICATION FEE \$400 ANNUAL MONITORING FEE
BIKE RACK COST SHARING PROGRAM	\$100 PER RACK
LICENSE FEES	
GENERAL BUSINESS	\$50
HOME OCCUPATION	\$25
PEDDLER/SOLICITOR/STREET VENDOR	NO FEE (GENERAL BUSINESS LICENSE FEE ONLY)
EXHIBITOR	\$148
TEMPORARY MERCHANT	\$120/45 DAYS OR \$401/PERPETUAL

* ADDITIONAL LAND USE REVIEW FEES – ENGINEERING DEPARTMENT	
PLANNING REVIEW, PARTITION, SUBDIVISION & PUD'S (TYPE II/III APPLICATIONS).....	\$329.90 FIRST 19 LOTS + \$14.66 PER LOT OVER 19
FINAL PLAT REVIEW: PARTITION & SUBDIVISION	\$329.90 + \$8.29 PER LOT OR PARCEL
DEVELOPMENT REVIEW FOR PUBLIC IMPROVEMENTS ON COMMERCIAL, INDUSTRIAL, INSTITUTIONAL ZONES, & MULTIFAMILY DEVELOPMENTS	\$461.37 1ST ACRE + \$263.54 PER ADDITIONAL ACRES

GENERAL INFORMATION

Type III Development Permit Process (Quasi-Judicial Hearing)

Overview: Type III Permit applications are reviewed by the Planning Commission and include a mix of objective and subjective standards. Public notice is provided to property owners within 500 ft of the site. Any interested party may appear before the Planning Commission and comment on the project. The applicant or anyone commenting at the hearing may appeal the decision to the City Council. Some Type III decisions automatically proceed to the City Council with a recommendation by the Planning Commission. Type III decisions must be issued within 120 days of an application being determined complete.

Type III Permits Include:

- Annexations*
- Comprehensive Plan and Zoning Map Amendments – site specific*
- Conditional Use Permits
- Historic Landmark Reviews
- Planned Unit Developments
- Subdivisions not meeting the criteria in Newberg Development Code (NDC) §15.100.040(A), or proposed for Type III review by the applicant, or converted from a Type II to a Type III process.

Pre-Application Conference:

Please call to schedule a time for a pre-application meeting (**required on Type III applications**) prior to submitting an application. The Development Review Meetings are held every Wednesday. This meeting provides the opportunity to get advance information from Planning, Engineering and Building divisions all at once. It is likely to save you time and effort later. The non-refundable pre-application conference fee is \$105.00, payable prior to the conference.

Submit Application

- Pay fees
- Complete application form(s)
- Submit plans and other required information

Processing

- Staff will perform a completeness check of the application and notify applicant of any information that is missing or incomplete. Processing time 0 to 30 days.
- Staff will route the application to affected agencies and City departments Processing time 14 to 20 days
- Applicant will provide copies of mailed and posted notices to the City for review, mail the approved notice to property owners within 500 ft. of the site, post the site, and provide staff with an affidavit verifying that the notice was mailed and posted. Processing time 14 to 20 days
- Staff will prepare a written report for review by the Planning Commission. A copy will be available for review seven (7) days prior to the hearing. A copy will be mailed to the applicant seven prior to the hearing.

Planning Commission Hearing

- At the Planning Commission Hearing, the applicant and all interested parties are encouraged to testify. Testimony may be given orally or in writing.
- After public testimony, the Planning Commission may approve, deny, table, make a recommendation to the City Council or continue the item. If the decision is final at the Planning Commission, then proceed to Appeals. Planning Commission decisions become effective upon completion of the 14 day appeal period.

City Council Hearing

- If the decision is a recommendation from the Planning Commission that requires adoption of an ordinance, then a new public hearing will be held at the City Council. At the City Council hearing, the applicant and all interested parties are encouraged to testify. Testimony may be given orally or in writing. After public testimony, the City Council may approve, deny, table, or continue the item.

Appeals

- If the applicant, or other parties providing written testimony prior to or at the hearing, or parties providing oral testimony at the hearing; are dissatisfied with the decision of the Planning Commission, they may file an appeal within 14 calendar days of the issuance of the decision. Appeals of Type III decisions proceed to the City Council for a hearing on the record. City Council decisions may only be appealed to the Land Use Board of Appeals.

Permits

- Once a final decision has been made, the applicant may proceed or submit other permits, if necessary (i.e.: design review, building permits, subdivision approval, etc.). For applications involving more than one application type, the permits may be processed individually under each procedure or under the highest procedure number that applies.

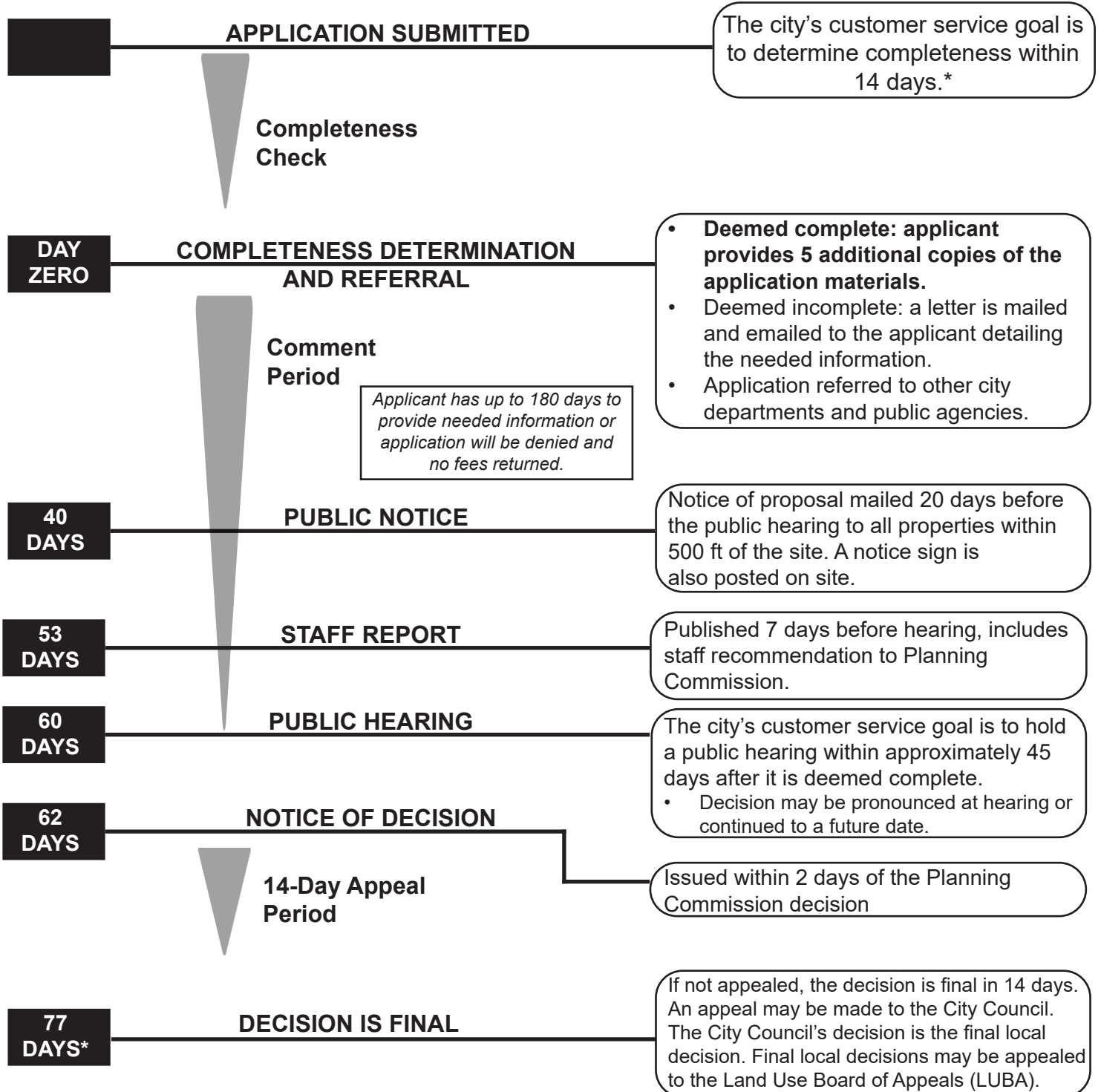
Helpful Hints:

- **Questions?** Information is free! Please do not hesitate to call (503) 537-1240 prior to submitting the application.
- **Partial Applications:** Please do not submit partial applications. If the application, plans, and fee are not submitted together; processing will be delayed and the application may not be accepted for review.
- **Face-to-Face:** It is best to submit an application in person. That way you can receive immediate feedback if there's missing information or suggestions for improvements.

LAND USE REVIEW PROCEDURE TYPE III



A pre-application conference is optional, **but encouraged**, for Type III procedures.



*Timeline reflects Newberg Municipal Code requirements and the city's customer service goals. Oregon State law allows 30 days for a completeness determination and requires a final local decision within 120 days of complete application. Applicants always retain the right to postpone the decision or extend past 120 days.

CITY OF NEWBERG

REQUIREMENTS FOR MAILED NOTICES

For all Type II and Type III land use applications, mailed notice must be sent to all property owners within five hundred (500) feet of the site. Newberg Development Code §15.100.210 sets forth the requirements for mailed notices. The applicant is responsible for preparing and mailing the notices, for paying the postage, and for submitting an affidavit of mailing within two days of mailing the notices.

Mailing List:

- The applicant must create a mailing list including the tax lot numbers and addresses of property owners within five hundred (500) feet of the outer boundaries of the tax lot or tax lots of the proposed project. This information can be obtained at a local title company.
- The Community Development Department may request that notice be provided to people other than those who own property within five hundred (500) feet of the site, if the Department believes that they are affected or otherwise represent an interest that may be affected by the proposed development.
- The mailing list and a copy of the mailed notice should be submitted with the affidavit of mailing.
- Envelopes returned to the post office should go to the Planning & Building Office so that they can be kept with the application file.

The return address on the notices should read:

City of Newberg
Community Development Department
P.O. Box 970
Newberg, OR 97132

Before mailing the notice, the applicant must submit a copy for approval to Planning Staff.

Mailed Notice Deadlines:

For Type III actions, the notice must be mailed at least:

- Twenty (20) days before the first new hearing
- If 2 or more hearings are required:
- Ten (10) days before the first new hearing.

The affidavit of mailing must be submitted to Planning Staff within two (2) days of mailing the notice.

Sample Notices:

A sample notice is included after the Type III Check Lists. Information to be filled in by the applicant is indicated by italicized text. Sample notices for each application type can also be found on the web at:

<http://www.newbergoregon.gov/planning/sample-notice-forms-type-ii-applications>

(or to navigate there on your own from the homepage (www.newbergoregon.gov): City Departments, Community Development, Planning, Planning Forms)

Failure to mail the notice and affirm that the mailing was completed in conformance with the code shall result in:

1. Postponement of a decision until the mailing requirements have been met; **or**
2. Postponement of the hearing to the next regularly scheduled meeting or to such other meeting as may be available for the hearing; **or**
3. The entire process being invalidated; **or**
4. Denial of the application.

CITY OF NEWBERG

REQUIREMENTS FOR POSTED NOTICES

For all Type II and Type III land use applications, the site must be posted with an approved notice. Newberg Development Code §15.100.260 establishes the standards for posted notices. Before notice is posted on the site, a copy of the notice must be submitted to the Planning & Building Office for review. Within two (2) days of posting the site, an affidavit of posting must be submitted to the Planning & Building Office.

Posted notices must contain the following information:

- Planning Division file number
- A brief description of the proposal
- Phone number and address for the Newberg Planning & Building Department, 414 E. First Street, phone 503-537-1240

Guidelines for Posting Notice:

- The posted notice must be waterproof and a minimum of two (2) feet by three (3) feet in size.
- Each frontage of the site must be posted. If a frontage is more than six hundred (600) feet in length, additional notices are required for each six hundred (600) feet or fraction thereof. For example, a lot with a 1400' frontage on Wyooski Street must be posted with three notices along that frontage.
- The notices must not be posted within the public right-of-way, though they must be within ten (10) feet of it.
- The notices must be clearly visible to pedestrians and motorists in the public right-of-way, and must not be posted on trees.
- For Type II applications, the site must be posted at least fourteen (14) days before a decision is rendered.
- For Type III applications, the site must be posted at least ten days (10) before the first scheduled hearing.

Signs for posted notices:

The posted notices must be able to withstand adverse weather. All posted notice signs must conform to the attached example. Signs must be landscape orientation and white with black lettering ("sans-serif" font i.e. Arial or block printing).

Signs may be ordered custom-made from sign companies or applicants may construct their own signs.

Acceptable materials for notice signs: (dimensions: minimum 2' x 3')

- Plywood (but sign face must be white)
- Plastic or corrugated plastic
- Foam core board (available at many art and hobby supply shops)
- Water resistant poster board
- Other weatherproof materials

Posted notice signs may not be attached to trees, and must be located outside the public right-of-way but within ten (10) feet of it. Therefore, the signs should have legs or stakes or otherwise be freestanding.

Removal of Posted Notice:

The notice must remain posted until a final decision is made. Within ten (10) days of the final decision, the notice(s) must be removed from the site by the applicant.

**CITY OF NEWBERG
SAMPLE POSTED NOTICE**

Land Use Notice

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

PROPOSAL: (insert general description of project)

FOR FURTHER INFORMATION, CONTACT:

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

3'

2'

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.

CITY OF NEWBERG

AFFIDAVIT OF NOTICING REQUIREMENTS

The affidavit on the following page must be submitted to the Community Development Department **within two (2) days of mailing notice** and **within two (2) days of posting notice**. The consequences of failure to mail and post notice, and to submit the affidavits within the two (2) day deadline are described in Newberg Development Code §15.100.210(J) and §15.100.260(I).

§15.100.210(J) - Failure to Mail the Notice:

Failure to mail the notice and affirm that the mailing was completed in conformance with the code shall result in:

- (1) Postponement of a decision until the mailing requirements have been met; or
- (2) Postponement of the hearing to the next regularly scheduled meeting or to such other meeting as may be available for the hearing; or
- (3) The entire process being invalidated; or
- (4) Denial of the application.

§15.100.260(I) - Failure to Post the Notice:

The failure of the posted notice to remain on the property shall not invalidate the proceedings. Failure by the applicant to post a notice and affirm that the posting was completed in conformance with the code shall result in:

- (1) Postponement of a decision until the mailing requirements have been met; or
- (2) Postponement of the hearing to the next regularly scheduled meeting or to such other meeting as may be available for the hearing; or
- (3) The entire process being invalidated; or
- (4) Denial of the application.

PLANNING DIVISION FILE #: _____

**CITY OF NEWBERG
AFFIDAVIT OF NOTICING**

REFERENCE ATTACHED LIST(S)/NOTICE(S)

I, _____, do hereby certify that the attached Notice of Land Use Action was:

- a) mailed to the following list of property owners, by United States mail, postage prepaid
on _____;
(date)
- b) posted on the site according to standards established in Newberg Development Code §15.100.260
on _____.
(date)

I acknowledge that failure to mail the notice in a timely manner constitutes an agreement by the applicant to defer the 120-day process limit and acknowledge that failure to mail will result in the automatic postponement of a decision on the application 15.100.210.(D)(2) _____.
(date)

Signature Date

Print name

§ 15.250.030 - TYPE III ANNEXATION CRITERIA

Annexation is the first step to converting future urbanizable lands to urbanizable land within the Newberg Urban Growth Boundary. It is an important part of the process of providing timely and orderly urban development. Development of lands at an urban density must include the provision of an adequate level of required urban services such as sewer, water, and roads. The City Charter requires that, unless otherwise mandated by state law, annexation may only be approved by a majority of those voting.

The following conditions must be met prior to or concurrent with city processing of any annexation request:

- The subject site must be located within the Newberg Urban Growth Boundary or Newberg Urban Reserve Areas.
- The subject site must be contiguous to the existing city limits

Provide a written response that specifies how your project meets the following criteria:

- (A) The proposed use for the site complies with the Newberg comprehensive plan and with the designation on the Newberg comprehensive plan map. If a redesignation of the plan map is requested concurrent with annexation, the uses allowed under the proposed designation must comply with the Newberg comprehensive plan.
- (1) Where large LDR or MDR designated parcels or groups of parcels are to be annexed, the applicant(s) shall concurrently apply for a comprehensive plan map amendment to include some HDR-designated/R-3 zoned lands, consistent with the policy of distributing R-3 multifamily housing throughout the community. Such zoning shall be applied to portions of the property that are most suitable for high density development.
 - (2) For the purposes of this policy, “large” is defined as an area greater than 15 net acres, after subtracting for land in stream corridor overlays. “Some” is defined as 10 percent of the net size of the application.
- (B) An adequate level of urban services must be available, or made available, within three years time of annexation. An adequate level of urban services shall be defined as:
- (1) Municipal sanitary sewer and water service meeting the requirements enumerated in the Newberg comprehensive plan for provision of these services.
 - (2) Roads with an adequate design capacity for the proposed use and projected future uses. Where construction of the road is not deemed necessary within the three year time period, the city shall note requirements such as dedication of right-of-way, waiver of remonstrance against assessment for road improvement costs, or participation in other traffic improvement costs, for application at the appropriate level of the planning process. The city shall also consider public costs for improvement and the ability of the city to provide for those costs.
- (C) Findings documenting the availability of police, fire, parks, and school facilities and services shall be made to allow for conclusionary findings either for or against the proposed annexation. The adequacy of these services shall be considered in relation to annexation proposals.
- (D) The burden for providing the findings for divisions (A), (B) and (C) of this section is placed upon the applicant.

- (E) The [city council](#) may annex properties where urban services are not and cannot practically be made available within the three-year time frame noted in subsection (B) of this section, but where annexation is needed to address
- (1) a health hazard,
 - (2) to annex an island,
 - (3) to address wastewater or water connection issues for existing development,
 - (4) to address specific legal or contract issues,
 - (5) to annex property where the timing and provision of adequate services in relation to development is or will be addressed through legislatively adopted specific area plans or similar plans, or to address similar situations.

In these cases, absent a specific legal or contractual constraint, the [city council](#) shall apply an interim zone, such as a limited-use overlay, that would limit development of the property until such time as the services become available.

ANNEXATION CHECKLIST

The following information shall be submitted with each application. Incomplete applications will not be processed. Incomplete or missing information may delay the review process. Check with the Planning Division staff regarding additional requirements for your project.

- FEES**
- PUBLIC NOTICE INFORMATION** – Draft of mailer notice and sign; mailing list to all properties within 500’.
- WRITTEN CRITERIA RESPONSE** – Address the criteria listed on page 15.
- CURRENT TITLE REPORT**
- MEASURE 49 WAIVER**
- ANNEXATION CONSENT FORMS**
- MAP AND LEGAL DESCRIPTION OF THE PROPERTY** – Provide a map and a corresponding written legal description of the area to be annexed. The map and legal description must be capable of closure and be certified by a registered engineer or surveyor. If not certified, the map and description must be approved by the Department of Revenue per ORS 308.225.
- GENERAL LAND USE PLAN** – Indicate types and intensities of proposed development, transportation routes (for pedestrians and vehicles), watercourses, significant natural features, open space, significant stands of mature trees, wildlife travel corridors, and any development on adjacent properties.
- DEVELOPMENT CONCEPT STATEMENT** – Provide a written statement about the overall development concept that addresses methods by which the physical and social environment of the site, surrounding area, and community will be enhanced by this project.
- PUBLIC FACILITIES FINANCING STATEMENT** – Provide a written statement outlining the method and source of financing that will be used to provide public utilities to the site.
- POSITIVE AND NEGATIVE EFFECTS STATEMENT** – Provide a written statement regarding the potential positive and negative physical, aesthetic, and related social effects of the proposed development on the community as a whole and on the smaller sub-community or neighborhood of which it will become a part, along with proposed actions to mitigate the negative effects.

ANNEXATION CONSENT

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF NEWBERG, OREGON:

The undersigned _____

being the sole owner of the real premises described in Exhibit A attached hereto and incorporated by reference herein, and generally known as (address) _____ and (tax lot) _____, does hereby consent to the annexation of such territory above described to the City of Newberg, Oregon.

The undersigned does hereby respectfully petition that the real premises described in Exhibit A be annexed to the City of Newberg, Oregon, in the manner provided by the laws of the State of Oregon and the Charter and Ordinances of the City of Newberg, Oregon.

This consent is binding upon the heirs, successors, and assigns of the above listed property.

In construing this consent, the singular includes the plural as circumstances may require.

IN WITNESS WHEREOF, Petitioner has caused these presents to be executed this _____ day of _____, 20 ____.

STATE OF _____, County of _____ ss _____
Month / day / year

Personally appeared the above named _____

and acknowledged the foregoing instrument to be _____ voluntary act and deed.

Before me:

Notary Public for _____
My commission expires _____

WAIVER OF EXPIRATION OF ANNEXATION CONSENT

WHEREAS: The undersigned

_____ as

owner(s) of certain property have signed a consent to annex that property to the City of Newberg, Oregon, which consent is attached; and

WHEREAS: ORS 222.173 provides that “only statements of consent to annexation which are filed within any one-year period shall be effective, unless separate written agreement waiving the one-year period or prescribing some other period of time has been entered into between an owner of land or an elector and the city.”; and

WHEREAS: The owner(s) desire that this consent to annex be valid until the property is annexed.

NOW, THEREFORE:

The undersigned do hereby request that the attached consent to annex be valid until the property is annexed to the City of Newberg, Oregon.

In construing this consent, the singular includes the plural as circumstances may require.

IN WITNESS WHEREOF, Petitioner has caused these presents to be executed this _____ day of _____, 20 ____.

STATE OF _____, County of _____ ss _____
month/day/year

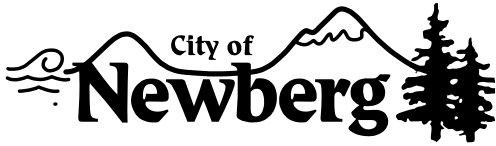
Personally appeared the above named _____

and acknowledged the foregoing instrument to be _____ voluntary act and deed.

Before me:

Notary Public for:

My commission expires:



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 PROPOSED ANNEXATION

A property owner in your neighborhood submitted an application to the City of Newberg to annex approximately [xxx] acres at [xxx] Street, Yamhill County tax lot [xxx]. The Newberg Planning Commission will hold a hearing on **Date of Hearing** at 7pm 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 testifying before the Planning Commission. For more details about giving comments, please see the back of this sheet.

The application would annex (*number of lots, size*): (*describe the application, including current and proposed zone designations*)

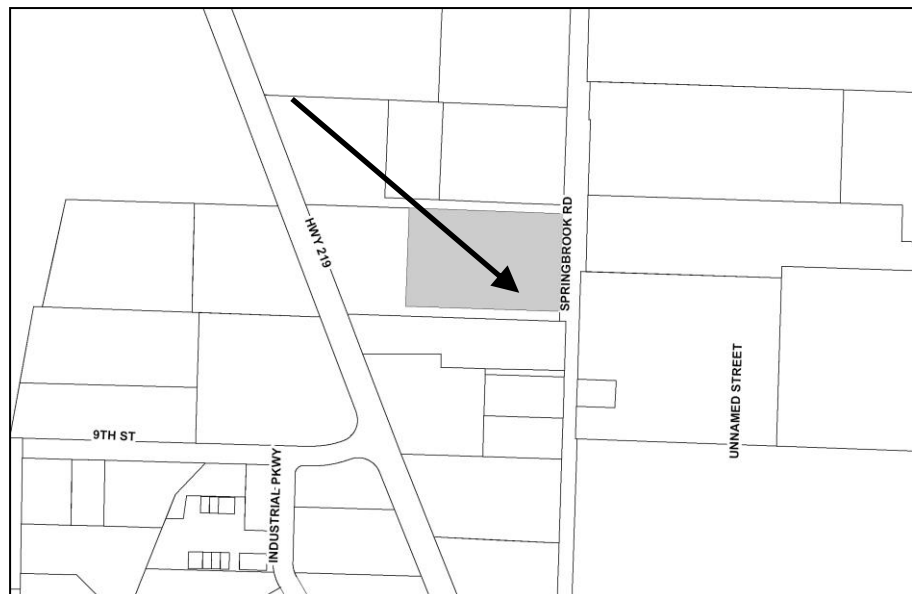
APPLICANT: *Applicant's name*
TELEPHONE: *Applicant's phone number*

PROPERTY OWNER: *Property owner name*

LOCATION: *Project Address*

TAX LOT NUMBER: *Yamhill County Tax Map and Lot Number (i.e. 3219AB-1400)*

Insert site map with the project location highlighted as shown on the adjacent sample map.



We are mailing you information about this project because you own land within 500 feet of the proposed annexation. 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. You also may submit written comments. Oral testimony is typically 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.XX **(City staff will give you the file number for your project at the time of application)**
City of Newberg
Community Development Department
PO Box 970
Newberg, OR 97132

All written comments must be received by 4:30 p.m. on **(enter date seven days from date of the 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. 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 503-537-1215.

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 annexation are found in Newberg Development Code Section 15.250.030.

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 recommendation at the end of the public hearing. Their recommendation will be forwarded to the City Council, Who also will hold a hearing on the application. If you participate in the public hearing process, either by testifying at the public hearing, or by sending in written comments, we will send you 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 TRS services please dial 711.

§ 15.302.030 **TYPE III COMPREHENSIVE PLAN/ZONING MAP AMENDMENT CRITERIA**

Property owners or the city may initiate a map amendment for one parcel or a small group of parcels under the Type III procedure. It may be initiated by a resolution of the Planning Commission or City Council. Unlike other Type III procedures, the decision of the Planning Commission on a Type III plan map amendment shall be in the form of a recommendation to the City Council.

The City Council shall hold another new hearing and make a final decision.

Where an application has been denied, no new application for the same purpose shall be filed within one year of the date of the previous denial unless the City Council for good cause shall grant permission to do so.

The owner must demonstrate compliance with the following criteria

- a) The proposed change is consistent with and promotes the goals and policies of the Newberg Comprehensive Plan and this Code;
- b) Public facilities and services are or can be reasonably made available to support the uses allowed by the proposed change.
- c) Compliance with the State Transportation Planning Rule (OAR 660-012-0060) for proposals that significantly affect transportation facilities.
- d) A traffic study shall be submitted for any proposed change that would significantly affect a transportation facility, or that would allow uses that would increase trip generation in excess of 40 trips per p.m. peak hour.
 - a. This requirement may be waived by the director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed, which adequately mitigate any traffic impacts and/or the proposed use is not in a location, which is adjacent to an intersection, which is functioning at a poor level of service.
- e) A traffic study may be required by the director for changes in areas below 40 trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service. The traffic study shall be conducted according to the City of Newberg design standards.

The property owner who desired to have their property reclassified has the burden of establishing that the requested classification meets the requirements of this section. As part of the application, the property owner requesting a change shall file a waiver stating that the owner will not file any demand against the city under Ballot Measure 49, approved November 6, 2007, that amended ORS Chapters 195 and 197.

COMPREHENSIVE PLAN MAP/ZONING MAP AMENDMENT CHECKLIST

The following information shall be submitted with each application. Incomplete applications will not be processed. Incomplete or missing information may delay the review process. Check with the Planning Division staff regarding additional requirements for your project.

- FEES**
- PUBLIC NOTICE INFORMATION** – Draft of mailer notice and sign; mailing list to all properties within 500’.
- WRITTEN CRITERIA RESPONSE** – Address the criteria listed on page 19. The written response should detail how the proposed comprehensive plan map/zoning map amendment meets the goals and policies of the Newberg Comprehensive Plan. The written response should also address the location and size of existing public utilities to serve the site, or if none are currently available, detail how public utilities will be extended to serve the site.
- CURRENT TITLE REPORT**
- MEASURE 49 WAIVER**
- MAP AND LEGAL DESCRIPTION OF THE PROPERTY** – Provide a map and a corresponding written legal description of the area to be changed. The map and legal description must be capable of closure and be certified by a registered engineer or surveyor. If not certified, the map and description must be approved by the Department of Revenue per ORS 308.225.
- GENERAL LAND USE PLAN** – Indicate types and intensities of proposed development, transportation routes (for pedestrians and vehicles), watercourses, significant natural features, open space, significant stands of mature trees, wildlife travel corridors, and any development on adjacent properties.
- TRAFFIC STUDY** – A traffic study shall be submitted for any proposed change that would significantly affect a transportation facility, or that would allow uses that would increase trip generation in excess of 40 trips per p.m. peak hour. This requirement may be waived by the Director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed, which adequately mitigate any traffic impacts and/or the proposed use is not in a location, which is adjacent to an intersection which is functioning at a poor level of service. A traffic study may be required by the Director for changes in areas below 40 trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service. If required, the traffic study shall be conducted according to the City of Newberg design standards.



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 COMPREHENSIVE PLAN AND ZONE CHANGE

A property owner in your neighborhood submitted an application to the City of Newberg for a comprehensive plan zone change from { } to { } and zone change { } to { }. The Newberg Planning Commission will hold a hearing on **Date of Hearing** at 7pm 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 testifying before the Planning Commission. For more details about giving comments, please see the back of this sheet.

The application would create: *(Include the reason for application, proposed uses, history of the property or application, allowed uses, etc.)*

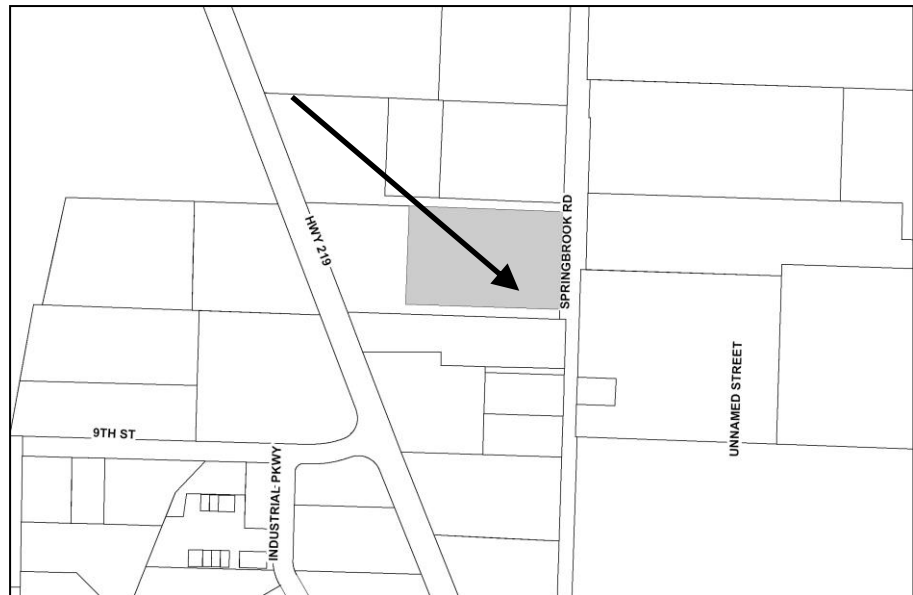
APPLICANT: *Applicant's name*
TELEPHONE: *Applicant's phone number*

PROPERTY OWNER: *Property owner name*

LOCATION: *Project Address*

TAX LOT NUMBER: *Yamhill County Tax Map and Lot Number (i.e. 3219AB-1400)*

Insert site map with the project location highlighted as shown on the adjacent sample map.



We are mailing you information about this project because you own land within 500 feet of the proposed comprehensive plan zone change. 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. You also may submit written comments. Oral testimony is typically 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.XX **(City staff will give you the file number for your project at the time of application)**
City of Newberg
Community Development Department
PO Box 970
Newberg, OR 97132

All written comments must be received by 4:30 p.m. on *(enter date seven days from date of the 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. 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 comprehensive plan map and zone change are found in Newberg Development Code Section 15.302.030(A) (3).

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 recommendation to the City Council at the end of the public hearing process. The Planning Commission's recommendation will be forwarded to the City Council. The City Council will hold a hearing on the application at a later date. If you participate in the public hearing process, either by testifying at the public hearing, or by sending in written comments, we will send you 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 TRS services please dial 711.

§15.225.010-060 TYPE III CONDITIONAL USE PERMIT CRITERIA

DESCRIPTION PURPOSE

It is recognized that certain types of uses require special consideration prior to their being permitted in a particular district. The reason for requiring such special consideration involves, among other things, the size of the area required for the full development of such uses, the nature of the traffic problems incidental to operation of the use, the effect such uses have on any adjoining land uses and on the growth and development of the community as a whole.

All uses permitted conditionally are declared to possess such unique and special characteristics as to make impractical their being included as out-right uses in any of the various districts herein defined. The authority for the location and operation thereof shall be subject to review and the issuance of a conditional use permit. The purpose of review shall be to determine that the characteristics of any such use shall be reasonably compatible with the types of uses permitted in surrounding areas, and for the further purpose of stipulating such conditions as may be reasonable so that the basic purposes of this code shall be served. Nothing construed herein shall be deemed to require the hearing body to grant a conditional use permit.

GENERAL CONDITIONAL USE PERMIT CRITERIA 15.225.060

A [conditional use permit](#) may be granted through a Type III procedure only if the proposal conforms to all the following criteria:

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

Provide a written response that specifies how your project meets the following criteria:

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

If new [buildings](#) or [structures](#) are to be included as part of the application, the [planning commission](#) shall concurrently review the application for site design review in order to streamline the review process.

In order to fully evaluate the proposal, additional information may be required. This includes but is not limited to traffic studies, noise studies, visual analysis, and other site impact studies as determined by the director or planning commission.

CONDITIONAL USE PERMIT CHECKLIST

The following items must be submitted with each application. Incomplete applications will not be processed. Incomplete or missing information may delay the review process. Check with the Planning Division regarding additional requirements for your project.

- FEES**
- PUBLIC NOTICE INFORMATION** – Draft of mailer notice and sign; mailing list of all properties within 500’.
- CURRENT TITLE REPORT** (within 60 days old)
- WRITTEN CRITERIA RESPONSE** – Address the criteria listed on page 21.
- PROJECT STATEMENT** – Provide a written statement that addresses the operational data for the project, including hours of operation, number of employees, traffic information, odor impacts, and noise impacts.
- SITE DEVELOPMENT PLAN.** Make sure the plans are prepared so that they are at least 8 ½ x 11 inches in size and the scale is standard, being 10, 20, 30, 40, 50, 100 or multiples of 100 to the inch (such as 1”:10’, 1”:20’ or other multiples of 10). Include the following information in the plan set (information may be shown on multiple pages):
 - Existing Site Features:** Show existing landscaping, grades, slopes and structures on the site and for areas within 100’ of the site. Indicate items to be preserved and removed.
 - Drainage & Grading:** Show the direction and location of on and off-site drainage on the plans. This shall include site drainage, parking lot drainage, size and location of storm drain lines, and any retention or detention facilities necessary for the project. Provide an engineered grading plan if necessary.
 - Utilities:** Show the location of and access to all public and private utilities, including sewer, water, storm water and any overhead utilities.
 - Public Improvements:** Indicate any public improvements that will be constructed as part of the project, including sidewalks, roadways, and utilities.
 - Access, Parking, and Circulation:** Show proposed vehicular and pedestrian circulation, parking spaces, parking aisles, and the location and number of access points from adjacent streets. Provide dimensions for parking aisles, back-up areas, and other items as appropriate. Indicate where required bicycle parking will be provided on the site along with the dimensions of the parking spaces.
 - Site Features:** Indicate the location and design of all on-site buildings and other facilities such as mail delivery, trash disposal, above ground utilities, loading areas, and outdoor recreation areas. Include appropriate buffering and screening as required by the code.
 - Exterior Lighting Plan:** Show all exterior lighting, including the direction of the lighting, size and type of fixtures, and an indication of the amount of lighting using foot candles for analysis.
 - Landscape Plan:** Include a comprehensive plan that indicates the size, species and locations of all planned landscaping for the site. The landscape plan should have a legend that indicates the common and botanical names of plants, quantity and spacing, size (caliper, height, or container size), planned landscaping materials, and description of the irrigation system. Include a calculation of the percentage of landscaped area.
 - ADA Plan Compliance:** Indicate compliance with any applicable ADA provisions.
 - Architectural Drawings:** Provide floor plans and elevations for all planned structures.
 - Signs and Graphics:** Show the location, size, colors, materials, and lighting of all exterior signs, graphics or other informational or directional features if applicable.
 - Other:** Show any other site elements which will assist in the evaluation of the site and the project.
- TRAFFIC STUDY.** A traffic study shall be submitted for any project that generates in excess of forty (40) trips per p.m. peak hour. This requirement may be waived by the Director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed which adequately mitigate any traffic impacts and/or the proposed use is not in a location which is adjacent to an intersection which is functioning at a poor level of service. A traffic study may be required by the Director for projects below forty (40) trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service.



Community Development Department

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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 *(describe proposed use)*. 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 *(describe how many acres)* acre parcel to allow *(describe the proposed use of the land; describe anticipated improvements, and any proposed construction or demolition anticipated on the site)*.

APPLICANT: *(Applicant's name)*

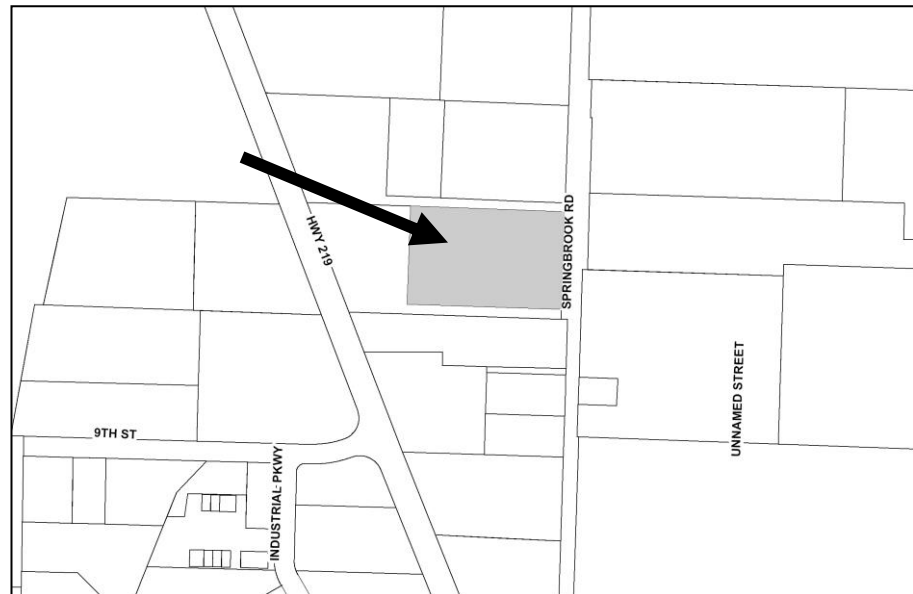
TELEPHONE: *(Applicant's number)*

PROPERTY OWNER: *(Property owner name)*

LOCATION: *(Property address)*

TAX LOT NUMBER: *Yamhill County Tax Map and Lot Number (i.e. 3219AB-1400)*

Insert site map with the project location highlighted as shown on the adjacent sample map.



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***

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TYPE III SHORT TERM RENTAL CRITERIA

THERE ARE SEVERAL TYPES OF SHORT-TERM RENTALS:

BED & BREAKFAST ESTABLISHMENT (2 OR FEWER ROOMS): *(Only Zones R-1 is Type III Process)*

Is a structure designed as a single-family dwelling and occupied by an on-site manager (property occupant/property owner) in which 2 or fewer sleeping units are provided for periods of less than 30 days for use by travelers or transients for a charge or fee paid or to be paid for the rental or use of the facility.

BED & BREAKFAST ESTABLISHMENT (3 OR MORE ROOMS):

Is a structure designed as a single-family dwelling and occupied by an on-site manager in which 3 or more sleeping units are provided for periods of less than 30 days for use by travelers or transients for a charge or fee paid or to be paid for the rental or use of the facility. This use is also typically known as a traditional bed & breakfast.

GENERAL REQUIREMENTS: [NMEC15.445.010](#)

- The structure used for a [bed and breakfast establishment](#) shall be designed for and occupied as a single-family residence. The structure shall maintain the characteristics of a single-family residence.
- All residences used for bed and breakfast establishments shall be applicant occupied.
- A minimum of one off-street [parking space](#) shall be provided for every two permitted guest sleeping rooms. In addition, parking standards normally required for single-family residences will apply.
- The duration of each guest's stay at the bed and breakfast establishment shall be limited to no more than seven consecutive days and no more than 15 days within a 30-day period.
- Bed and breakfast establishments located in other than single-story buildings shall provide permanent or portable fire escape systems from the upper floor(s) in a manner acceptable to the Newberg fire department.
- All bed and breakfast establishments shall conform to the requirements of the current edition of the Oregon Structural Specialty Code and Oregon Fire [Code](#).

VACATION RENTAL HOMES: *(Only Zones R-1 & R-2 is Type III process)*

A single-family dwelling unit that is used, rented or occupied for periods of less than 30 days, or is available, advertised, or listed by an agent as available for use, rent for occupancy for periods of less than 30 days. The purpose is to maintain the peace, quiet, traffic patterns, and property maintenance typical for the residential neighborhood.

GENERAL REQUIREMENTS: [NMC15.445.300-340](#)

- The [vacation rental home](#) must be a structure approved for occupancy as a [single-family dwelling](#) unit.
- The 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.
- The premises of the vacation rental home may not include any occupied [recreational vehicle](#), [trailer](#), tent or temporary shelter during the rental occupancy.
- 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 City Staff. The registration shall include such information required by the City, including the name and contact information for the [owner](#), operator and a local contact.

- 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.

COMPLAINTS AND REVOCATION OF REGISTRATION. [NMC15.445.350](#)

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](#).

VACATION RENTALS AND BED AND BREAKFAST CONDITIONAL USE PERMIT CHECKLIST

The following items must be submitted with each application. Incomplete applications will not be processed. Incomplete or missing information may delay the review process. Check with the Planning Division regarding additional requirements for your project.

Submit one (1) original 8 ½" x 11" or 11" x 17" reproducible document together with 2 copies of the following information:

- FEES**
- PUBLIC NOTICE INFORMATION** – Draft of mailer notice and sign; mailing list of all properties within 500'. *(This can be requested from a title company.)*
- CURRENT TITLE REPORT** (within 60 days old)
- WRITTEN CRITERIA RESPONSE** - Address the criteria listed on page 21 and [15.445.330](#) Vacation Rental Home standards or [15.445.010](#) Bed and Breakfast Establishments standards.
- PROJECT STATEMENT** - Provide a written statement that addresses the operational data for the project, including hours of operation, number of employees, traffic information, odor impacts, and noise impacts.
- EXISTING PROPERTY MAP** - Make sure the maps are at least 8 ½ x 11 inches in size and the scale is standard. An aerial picture of the property can be used as the existing property map (such as Google Maps). Where applicable, include the following information in the map(s) (information may be shown on multiple pages):
 - Site Features:** Indicate the location and footprint of all on-site buildings and other facilities such as mail delivery, and trash disposal.
 - Off-Street Parking:** Show proposed vehicular parking spaces and how the spaces meet the off-street parking requirements.
 - Signs and Graphics:** Show the location, size, colors, materials, and lighting of all exterior signs, graphics or other informational or directional features.
 - Other:** Show any other site elements which will assist in the evaluation of the site and the project.



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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 *(describe proposed use)*. 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 *(describe how many acres)* acre parcel to allow *(describe the proposed use of the land; describe anticipated improvements, and any proposed construction or demolition anticipated on the site)*.

APPLICANT: *(Applicant's name)*

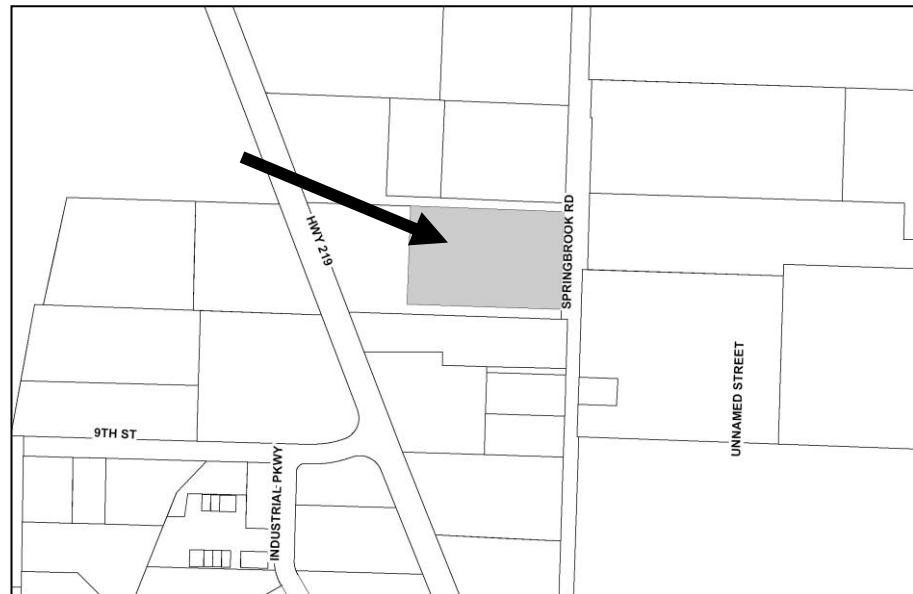
TELEPHONE: *(Applicant's number)*

PROPERTY OWNER: *(Property owner name)*

LOCATION: *(Property address)*

TAX LOT NUMBER: *Yamhill County Tax Map and Lot Number (i.e. 3219AB-1400)*

Insert site map with the project location highlighted as shown on the adjacent sample map.



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.

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Community Development Department
PO Box 970
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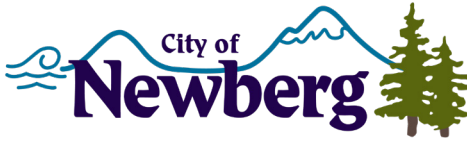
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Date Mailed: ***Date notice is mailed***

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FILE #: _____

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

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:	
Applicant Name:	
Mailing Address:	State/Zip:
Phone:	Email:
This is a single-family house: <input 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.

- Jm I/we will register and pay the transient lodging tax each year.
- Jm I/we will post the vacation rental home registration that contains the information listed in the Development Code in [15.445.340](#).
- Jm 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.

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.

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

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.

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.



**COMMUNITY DEVELOPMENT
PLANNING DIVISION**
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FILE #: _____

BED & BREAKFAST 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:	
Applicant Name:	
Mailing Address:	State/Zip:
Phone:	Email:
This is a single-family house: <input type="checkbox"/> Yes <input type="checkbox"/> No House Type: _____	
The applicant continues to occupy the property while renting : <input type="checkbox"/> Yes <input type="checkbox"/> No	

FUTURE REQUIREMENTS:

Initial to commit to meeting these requirements if the bed and breakfast application is approved.

- _____ I/we will register and pay the transient lodging tax each year.

- _____ The bed and breakfast establishment conforms to the requirements of the current edition of the Oregon Structural Specialty Code and Oregon Fire Code.

- _____ The duration of each guest’s stay shall be limited to no more than seven (7) consecutive days and no more than 15 days with a 30-day period.

GENERAL INFORMATION:

Provide a brief description of your proposed bed and breakfast including how it will be rented out.

BED AND BREAKFAST ESTABLISHMENTS CRITERIA:

Provide a brief response to the criteria listed below from the Newberg Development Code in [15.445.010](#)

1. The structure used for a bed and breakfast establishment shall be designed for and occupied as a single-family residence. The structure shall maintain the characteristics of a single-family residence.

2. A minimum of one off-street parking space shall be provided for every two permitted guest sleeping rooms. In addition, parking standards normally required for single-family residences will apply (2 off-street parking spaces). Please state how this criterion will be met.

3. Bed and breakfast establishments located in other than single-story buildings shall provide permanent or portable fire escape systems from the upper floor(s) in a manner acceptable to the Newberg fire department.

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.

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.

Other/Continued Response Section:

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.

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.

Other/Continued Response Section:

§15.344.030(A) **TYPE III HISTORIC LANDMARK ALTERATION / MODIFICATION CRITERIA**

The purpose of the Historic overlay zone is to safeguard the Historic Landmarks, buildings and sites representing significant elements of Newberg history and to promote the historic educational, cultural, economic and general welfare of the public through the preservation, restoration and protection of these buildings, structures, sites, and objects of Historic interest within the City. To foster civic pride in the accomplishments of the past, protect and enhance the City's attractions to tourists and visitors and to carry out the provisions of the Land Conservation and Development Commission Goal 5

The [Historic Preservation Commission](#) shall review applications for [landmark](#) designation, [alteration](#), new construction, and demolition requiring Type III review. In conducting a Type III review, the commission shall have all powers and duties of the Planning Commission. The notice, review, and appeal provisions of this code that apply to Type III Planning Commission reviews shall apply equally to Type III Historic Preservation Commission review. In cases where an application requires both Historic Preservation Commission and Planning Commission review, such as for a modification to a landmark for a conditional use, the two commissions may hold a combined hearing. However, the two commissions shall make separate decisions.

Requests to alter a designated landmark in such a manner as to affect its exterior appearance shall be reviewed for permit approval by the historic preservation commission using the Type III procedure.

The Historic Preservation Commission, in considering applications for permit approval for any alteration, shall base their decision on substantial compliance with the following criteria and guidelines:

- (A) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided. Specific design elements which must be addressed include:
- Average setback. When a new structure is being constructed on an infill lot, the front yard setback shall be the same as the buildings on either side. When the front setbacks of the adjacent buildings are different, the front setback of the new structure shall be an average of the two.
 - Architectural elements. The design shall incorporate architectural elements of the city's historic styles, including Queen Anne, Colonial Revival, Dutch Colonial Revival, and Bungalow styles. Ideally, the architectural elements should reflect and/or be compatible with the style of other nearby historic structures. Typical design elements which should be considered include, but are not limited to, "crippled hip" roofs, Palladian-style windows, roof eave brackets, roof dormers, and decorative trim boards.
 - Building orientation. The main entrance of the new structure shall be oriented to the street. Construction of a porch is encouraged but not required. Such a porch shall be at least six feet in depth.
 - Vehicle parking/storage. Garages and carports shall be set back from the front facade of the primary structure and shall relate to the primary structure in terms of design and building materials.
 - Fences. Fences shall be built of materials which are compatible with the design and materials used in the primary structure
- (B) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- (C) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
- (D) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved to the extent possible.
- (E) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall reasonably match the old in design,

color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

- (F) Chemical or physical treatments, such as sandblasting, that cause extensive damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- (G) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- (H) New additions, exterior alterations, or related new construction shall not destroy historic character of the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- (I) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

§ 15.344.030(B) **TYPE III HISTORIC LANDMARK NEW CONSTRUCTION CRITERIA**

If an application is made to build a new building on a landmark site, the Historic Preservation Commission shall review the request through the Type III procedure to assure the plans are compatible with any existing landmark structures on the site.

No new structure or major public improvement shall be constructed without review pursuant to the following criteria:

- A. Designs shall be compatible with any existing Landmark structures on the site in terms of size, scale, material and character.
- B. Contemporary designs shall not be discouraged when they do not destroy significant historical, architectural, or cultural material.
- C. Review criteria shall include consideration of the guidelines listed in § 15.344.030 (A)(3).

§ 15.344.030(C) **TYPE III HISTORIC LANDMARK DEMOLITION AND MOVING CRITERIA**

The process and public notice for review of a demolition permit shall be conducted under the Type III procedure. Unless extended by mutual consent of the applicant and the Historic Preservation Commission, the Historic Preservation Commission shall complete any review within 45 days of the date the city received a complete application, with the intent that the Historic Preservation Commission and applicant seek alternatives such as sale, salvage, relocation or donation to historic or interested groups, not simply to delay the demolition or moving.

In reviewing an application for a demolition permit or moving permit, the Commission shall consider the purpose of this code as stated in § 15.344.010 and the criteria used in the original designation of the landmark as stated in § 15.344.030 (D).

The City Council may order the removal or demolition of any structure determined to be dangerous to life, health, or property.

In the event of the demolition or moving of a landmark, building, structure, site or object, the history of such landmark shall be documented and kept on file with the City.

HISTORIC LANDMARK MODIFICATION/ALTERATION REVIEW CHECKLIST

The following items must be submitted with each application. Incomplete applications will not be processed. Incomplete or missing information may delay the review process. Check with the Planning Division regarding additional requirements for your project.

- FEES**
- PUBLIC NOTICE INFORMATION** – Draft of mailer notice and sign; mailing list of all properties within 500’.
- CURRENT TITLE REPORT** (within 60 days old)
- WRITTEN CRITERIA RESPONSE** – Address the criteria listed on page 23 or 24 as applicable.
- PROJECT STATEMENT** – Provide a written statement that addresses the scope of the project. Include information about the historic nature of the structure (age, style) along with details about the existing and planned materials, textures, or any other information relevant to the structure.
- SITE PLAN**. Make sure the plans are prepared so that they are at least 8 ½ x 11 inches in size and the scale is standard, being 10, 20, 30, 40, 50, 100 or multiples of 100 to the inch (such as 1”:10’, 1”:20’ or other multiples of 10). Include the following information in the plan set (information may be shown on multiple pages):
 - Existing Site Features: Show existing landscaping, grades, slopes and structures on the site and for areas within 100’ of the site. Indicate items to be preserved and removed.
 - Site Features: Indicate the location and design of all on-site buildings and other facilities such as mail delivery, trash disposal, above ground utilities, loading areas, and outdoor recreation areas. Include appropriate buffering and screening as required by the code.
 - ADA Plan Compliance: Indicate compliance with any applicable ADA provisions.
 - Architectural Drawings: Provide floor plans and elevations for all existing and planned alterations. Include detail about existing materials used on the structure as well as proposed materials to be used in conjunction with any alteration of the structure.
 - Other: Show any other site elements which will assist in the evaluation of the site and the project.

§ 15.240.010 TYPE III PLANNED UNIT DEVELOPMENT CRITERIA

The city's planned unit development regulations are intended to:

- (A) Encourage comprehensive planning in areas of sufficient size to provide developments at least equal in the quality of their environment to traditional lot by lot development and that are reasonably compatible with the surrounding area; and
- (B) Provide flexibility in architectural design, placement and clustering of buildings, use of open space and outdoor living areas, and provision of circulation facilities, parking, storage and related site and design considerations; and
- (C) Promote an attractive, safe, efficient and stable environment which incorporates a compatible variety and mix of uses and dwelling types; and
- (D) Provide for economy of shared services and facilities; and
- (E) Implement the density requirements of the comprehensive plan and zoning districts through the allocation of the number of permitted dwelling units based on the number of bedrooms provided.

The applicant must apply for a Pre-Application meeting to discuss the feasibility of the proposed planned unit development and determine the processing requirements.

An application, with the required fee, for preliminary plan approval shall be made by the owner of the affected property, or the owner's authorized agent.

The application shall contain or have attached sufficient information as prescribed by the director to allow processing and review in accordance with these regulations. As part of the application, the property owner requesting the planned development shall file a waiver stating that the owner will not file any demand against the city under Ballot Measure 49, approved November 6, 2007, that amended ORS Chapters 195 and 197 based on the city's decision on the planned development.

Decisions shall include review and recognition of the potential impact of the entire development, and preliminary approval shall include written affirmative findings that::

- (1) The proposed development is consistent with standards, plans, policies and ordinances adopted by the city; and
- (2) The proposed development's general design and character, including but not limited to anticipated building locations, bulk and height, location and distribution of recreation space, parking, roads, access and other uses, will be reasonably compatible with appropriate development of abutting properties and the surrounding neighborhood; and
- (3) Public services and facilities are available to serve the proposed development. If such public services and facilities are not at present available, an affirmative finding may be made under this criterion if the evidence indicates that the public services and facilities will be available prior to need by reason of:
 - a) Public facility planning by the appropriate agencies; or
 - b) A commitment by the applicant to provide private services and facilities adequate to accommodate the projected demands of the project; or
 - c) Commitment by the applicant to provide for offsetting all added public costs or early commitment of public funds made necessary by the development.
- (4) The provisions and conditions of this code have been met; and
- (5) Proposed buildings, roads, and other uses are designed and sited to ensure preservation of features, and other unique or worthwhile natural features and to prevent soil erosion or flood hazard; and
- (6) There will be adequate on-site provisions for utility services, emergency vehicular access, and, where appropriate, public transportation facilities; and
- (7) Sufficient usable recreation facilities, outdoor living area, open space, and parking areas will be conveniently and safely accessible for use by residents of the proposed development; and
- (8) Proposed buildings, structures, and uses will be arranged, designed, and constructed so as to take into consideration the surrounding area in terms of access, building scale, bulk, design, setbacks, heights, coverage, landscaping and screening, and to assure reasonable privacy for residents of the development and surrounding properties.

PLANNED UNIT DEVELOPMENT CHECKLIST

The following items must be submitted with each application. Incomplete applications will not be processed. Incomplete or missing information may delay the review process. Check with the Planning Division regarding additional requirements for your project.

- FEES**
- CURRENT TITLE REPORT** (within 60 days old)
- MEASURE 49 WAIVER**
- WRITTEN CRITERIA RESPONSE** – Address the criteria listed on page 26. In addition, the written response should address the planned unit development general provisions found in § 15.240.020 of the Development Code.
- SITE DEVELOPMENT PLAN** - Make sure the plans are prepared so that they are at least 8 ½ x 11 inches in size and the scale is standard, being 10, 20, 30, 40, 50, 100 or multiples of 100 to the inch (such as 1":10', 1":20' or other multiples of 10). Include the following information in the plan set (information may be shown on multiple pages):
 - Existing Site Features:** Show existing landscaping, grades, slopes and structures on the site and for areas within 100' of the site. Indicate items to be preserved and removed.
 - Drainage & Grading:** Show the direction and location of on and off-site drainage on the plans. This shall include site drainage, parking lot drainage, size and location of storm drain lines, and any retention or detention facilities necessary for the project. Provide an engineered grading plan if necessary.
 - Utilities:** Show the location of and access to all public and private utilities, including sewer, water, storm water and any overhead utilities.
 - Public Improvements:** Indicate any public improvements that will be constructed as part of the project, including sidewalks, roadways, and utilities.
 - Access, Parking, and Circulation:** Show proposed vehicular and pedestrian circulation, parking spaces, parking aisles, and the location and number of access points from adjacent streets. Provide dimensions for parking aisles, back-up areas, and other items as appropriate. Indicate where required bicycle parking will be provided on the site along with the dimensions of the parking spaces.
 - Site Features:** Indicate the location and design of all on-site buildings and other facilities such as mail delivery, trash disposal, above ground utilities, loading areas, and outdoor recreation areas. Include appropriate buffering and screening as required by the code.
 - Exterior Lighting Plan:** Show all exterior lighting, including the direction of the lighting, size and type of fixtures, and an indication of the amount of lighting using foot candles for analysis.
 - Landscape Plan:** Include a comprehensive plan that indicates the size, species and locations of all planned landscaping for the site. The landscape plan should have a legend that indicates the common and botanical names of plants, quantity and spacing, size (caliper, height, or container size), planned landscaping materials, and description of the irrigation system. Include a calculation of the percentage of landscaped area.
 - ADA Plan Compliance:** Indicate compliance with any applicable ADA provisions.
 - Architectural Drawings:** Provide floor plans and elevations for all planned structures.
 - Sun Exposure Plan Diagram:** All buildings and structures on the site must comply with the sun exposure plan (see Figure VIII in the Development Code for more details).
 - Signs and Graphics:** Show the location, size, colors, materials, and lighting of all exterior signs, graphics or other informational or directional features if applicable.
 - Other:** Show any other site elements which will assist in the evaluation of the site and the project.
- TRAFFIC STUDY** - A traffic study shall be submitted for any project that generates in excess of forty (40) trips per p.m. peak hour. This requirement may be waived by the Director when a determination is made that a previous traffic study adequately addresses the proposal and/or when off-site and frontage improvements have already been completed which adequately mitigate any traffic impacts and/or the proposed use is not in a location which is adjacent to an intersection which is functioning at a poor level of service. A traffic study may be required by the Director for projects below forty (40) trips per p.m. peak hour where the use is located immediately adjacent to an intersection functioning at a poor level of service.
- TUALATIN VALLEY FIRE & RESCUE SERVICE PROVIDER PERMIT** -
The permit form and detailed information can be found on TVFR website at:
<https://www.tvfr.com/376/New-Construction-and-Service-Provider-Pe>



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 PLANNED UNIT DEVELOPMENT

A property owner in your neighborhood submitted an application to the City of Newberg for a planned unit development at {address}. The Newberg Planning Commission will hold a hearing on ***Date of Hearing*** at 7pm 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 testifying before the Planning Commission. For more details about giving comments, please see the back of this sheet.

The application would create *(number of lots created) lots: (describe the name of the planned unit development, how large each lot will be, the anticipated street access, and any proposed construction or demolition anticipated on the site.)*

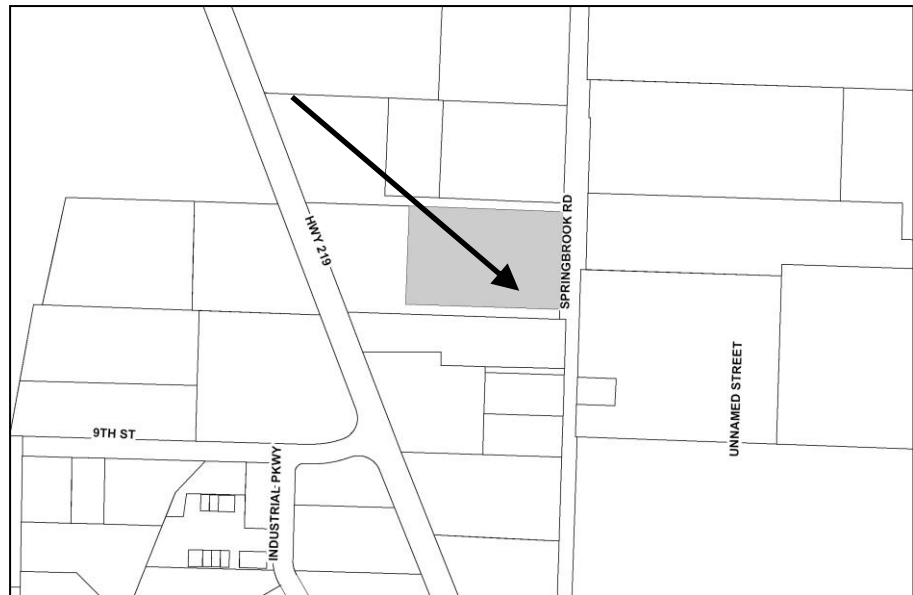
APPLICANT: *Applicant's name*
TELEPHONE: *Applicant's phone number*

PROPERTY OWNER: *Property owner name*

LOCATION: *Project Address*

TAX LOT NUMBER: *Yamhill County Tax Map and Lot Number (i.e. 3219AB-1400)*

Insert site map with the project location highlighted as shown on the adjacent sample map.



We are mailing you information about this project because you own land within 500 feet of the proposed planned unit development. 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. You also may submit written comments. Oral testimony is typically 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.XX **(City staff will give you the file number for your project at the time of application)**
City of Newberg
Community Development Department
PO Box 970
Newberg, OR 97132

All written comments must be received by 4:30 p.m. on ***(enter date seven days from date of the 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. 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 Planned Unit Development are found in Newberg Development Code Section 15.240.030 (C).

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, we will send you 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 TRS services please dial 711.

Working Together For A Better Community-Serious About Service"

<https://newbergoregon.sharepoint.com/sites/PlanningDepartment/Shared Documents/Templates/Notices/Applicant Mailed Notice Templates/PC Mailed Notice - PUD .doc>

AFTER RECORDING RETURN TO:

City of Newberg
Community Development Department
PO Box 970 – (414 E. First Street)
Newberg, OR 97132

COVENANT OF WAIVER OF RIGHTS AND REMEDIES

Recitals

- 1) The undersigned, _____ and _____ (hereinafter referred to as "Owner" or "Owners") has/have petitioned the City of Newberg (hereinafter referred to as "City") to commence certain proceedings, relating to _____ for the real property described in **Exhibit A** which is attached hereto and incorporated herein.
- 2) Pursuant to the enactment of **Ballot Measure 49** (adopted November 6, 2007), if a public entity enacts one or more land use regulations that restrict the residential use of private real property or a farming or forest practice and that reduce the fair market value of the property, then the owner of the property shall be entitled to just compensation from the public entity that enacted the land use regulation or regulations as provided in Measure 49.
- 3) There is the potential that the Oregon electors or the Oregon Legislature may, in the future, enact further statutory or constitutional amendments relating to compensation for the impact of local regulations upon real property, under certain circumstances.
- 4) City does not wish to approve the Owner's/Owners' requested proceedings if the result would or could arguably give rise to a later claim by the Owner or Owners, or the Owner's/Owners' successors or assigns for compensation for the land use regulations in effect upon the effective date of the proceedings, or would or could arguably require the City to waive the City's land use regulations in effect upon the effective date of the proceedings, which are being newly imposed upon the property by reason and result of the proceedings.
- 5) Owner(s) seek(s) to induce the City to proceed with the proceedings and therefore Owner(s) agree(s) to eliminate the potential of claim for compensation or the right to seek waiver from the City's land use regulations existing as of the effective date of the proceedings.

NOW THEREFORE, the undersigned Owner(s) warrant(s) that the Owner(s) executing this covenant hold(s) the full and complete present ownership or any interest therein in the property, and hereby agree(s) and covenant(s) as follows:

- 1) As inducement to the City to proceed with the following proceeding(s) affecting the subject real property: _____, which may include designation of the property as subject to additional applicable overlay zones and districts, e.g., Limited Use Overlay District, (all inclusively referred to herein as "proceedings"), the undersigned Owner(s), on behalf of Owner(s), Owner's/Owners' heirs, devisees, executors, administrators, successors and assigns, agree(s) and covenant(s) to the City of Newberg, its officers, agents, employees and assigns that the undersigned hereby remises, waives, releases and forever discharges, and agrees that Owner(s) shall be estopped from asserting any rights and remedies, actions, causes of action, suits, claims, liabilities, demands, and rights to waivers arising under or granted by any statutory or constitutional regulatory compensation or waiver provisions, including but not limited to Ballot Measure 49 (2007) or otherwise enacted after the date of this proceeding which would create a right of claim for compensation or waiver from City land use regulations that exist upon the effective date of the proceeding and which, by the approval of the proceeding, are then applicable to the property.
- 2) This waiver and release shall bind the undersigned's heirs, devisees, executors and administrators, successors in interests, and assigns. This covenant, waiver, release and discharge shall run with the land, and this instrument, or a memorandum hereof, may be recorded in the official records of the County in which the subject real property is located. This instrument may be terminated upon the filing of a Notice of Termination of Covenant filed by the City of Newberg.

- 3) If this instrument is given contemporaneous with a consent to future proceedings to be initiated by the City, Owner(s) acknowledge(s) that the proceedings may be initiated by the City of Newberg at any time in the discretion of the City of Newberg, and that this waiver and release is applicable to any ordinances adopted prior to the effective date of the proceeding.
- 4) This document is executed of my/our own free will and without duress. I, or if more than one, each of us respectively acknowledge that I/we have been advised to obtain legal advice prior to the execution of this document, and that either I, or each of us respectively, have either obtained legal advice or have independently elected not to seek legal advice prior to the execution of this document, recognizing that this document may affect my/our legal rights and remedies.

OWNER

OWNER

STATE OF OREGON)

County of Yamhill) ss.

This instrument was acknowledged before me on this ____ day of _____, 202__, by _____ and _____.

 Notary Public for Oregon
 My Commission expires: _____

CITY OF NEWBERG

APPROVED AS TO FORM:

 Sue Ryan , City Recorder

 James Walker, City Attorney

Dated: _____

Dated: _____

Vacation Rentals Criteria Form

GENERAL INFORMATION:

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

Rental is 4 bedroom, 2 bathroom single level home, and will be rented out on short-term vacation rental websites.

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.

Two parking spaces are located in the driveway of the home.

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

Regular garbage pickup will be provided by the waste collection already in service at the home. Existing pickup day is Wednesday of each week.

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.

The home has 4 bedrooms, and the home will be rented out to no more than 8 people at one time, 2 per bedroom.

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.

Occupation of this home by recreational vehicle, trailer, tent, or temporary shelter will be prohibited by the listing for this home.

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.

Based on the location, size, design, and operation of the proposed vacation rental, it will be reasonably compatible and have minimal impact on the nearby properties and neighborhood, considering that parking will be available on site and no major impacts to traffic are anticipated.

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.

Yes, the proposed vacation rental will provide convenient and functional environment for short-term rental guests. In addition, the home will be maintained regularly to ensure it remains suitable based on its location and setting.

Other/Continued Response Section:

N/A



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 operate a vacation rental home. 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.

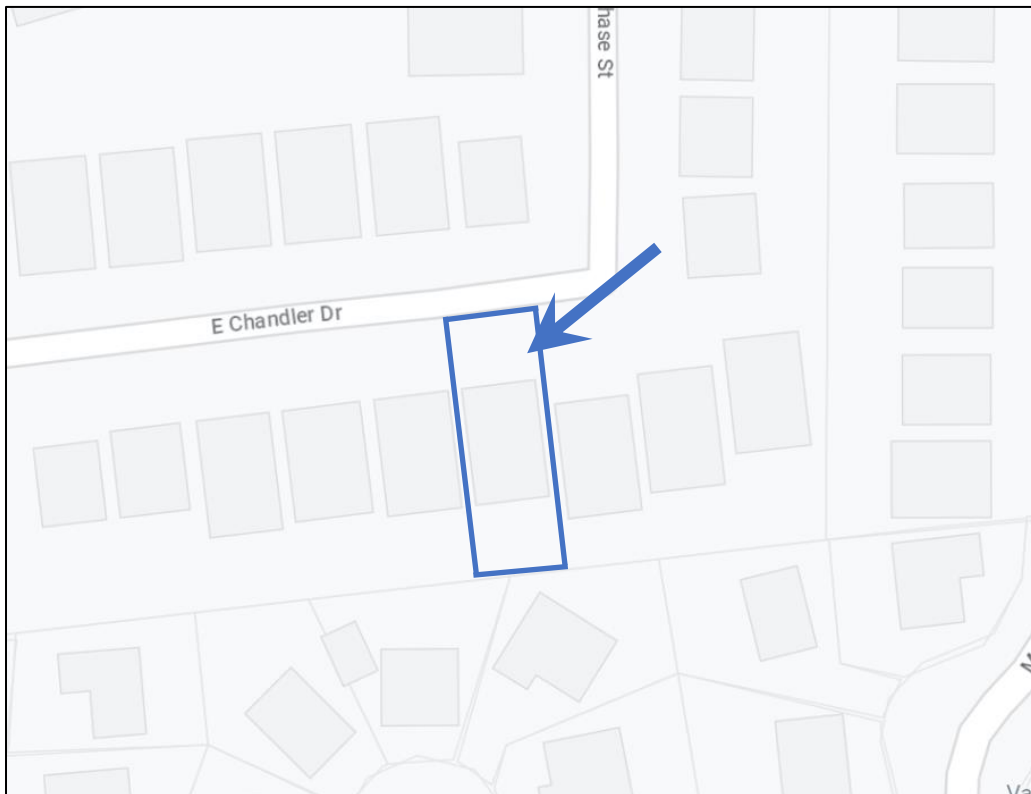
The application would change the land use of this 0.14 acre parcel to allow a conditional use permit to operate a vacation rental home (a short term rental) in an existing single family dwelling, in a accordance with city regulations.

APPLICANT: ***Trevor and Lauren Marugg***
TELEPHONE: ***(503) 953-5709***

PROPERTY OWNER: ***Trevor and Lauren Marugg***

LOCATION: ***312 E. Chandler Dr., Newberg OR 97132***

TAX LOT NUMBER: ***Yamhill County Tax Map and Lot Number R3207AC 04500***



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.

Land Use Notice

FILE # (file number to be determined)

PROPOSAL: Conditional use permit to operate a vacation rental home

FOR FURTHER INFORMATION, CONTACT:




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

Project Statement for Vacation Rental at 312 E. Chandler Dr.

This application is for a short-term vacation rental at 312 E. Chandler Dr. in Newberg, OR.

We do not plan to have any employees, but may work with a management company and cleaning company. No traffic, odor, or noise impacts are expected as a result of this project, as there will not be a significant increase in the number of people on the property. Hours of operation will be dependent upon the rental schedule and will be compliant with city regulations.



-  Property at 312 E Chandler Dr
-  Parking space (driveway)
-  Solid waste disposal

TAXID	Owner Name	Mailing Address	Mail City	Mail State	Mail Zip	Site Address	Site City	Site State	Site Zip
R3207AC 06400	John & Georgeta Lucescu	102 W Taylor Dr	Newberg	OR	97132	102 W Taylor Dr	Newberg	OR	97132
R3207AC 05400	Mark & Chelsea Thomas	105 E Chandler Dr	Newberg	OR	97132	105 E Chandler Dr	Newberg	OR	97132
R3207AB 02100	Julie & Seth Bradshaw	110 E Taylor Dr	Newberg	OR	97132	110 E Taylor Dr	Newberg	OR	97132
R3207AC 05500	Danae Grandfield	111 E Chandler Dr	Newberg	OR	97132	111 E Chandler Dr	Newberg	OR	97132
R3207AB 08100	City of Newberg	Po Box 970	Newberg	OR	97132	123 E Taylor Dr	Newberg	OR	97132
R3207AB 02000	Owen & Casie Hunt	128 E Taylor Dr	Newberg	OR	97132	128 E Taylor Dr	Newberg	OR	97132
R3207AC 00334	James & Jayme Newman	201 E Hilltop Dr	Newberg	OR	97132	201 E Hilltop Dr	Newberg	OR	97132
R3207AC 05600	Eric & Amy Pono	205 E Chandler Dr	Newberg	OR	97132	205 E Chandler Dr	Newberg	OR	97132
R3207AB 01900	Paul & Kaitlin Rudwick	206 E Taylor Dr	Newberg	OR	97132	206 E Taylor Dr	Newberg	OR	97132
R3207AC 05000	Kody & Janelle Kosters	212 E Chandler Dr	Newberg	OR	97132	212 E Chandler Dr	Newberg	OR	97132
R3207AC 00109	Brian & Vanessa Ernst	212 E Natalie Dr	Newberg	OR	97132	212 E Natalie Dr	Newberg	OR	97132
R3207AB 01800	Leanne & Justin Vinson	212 E Taylor Dr	Newberg	OR	97132	212 E Taylor Dr	Newberg	OR	97132
R3207AC 00333	Brian & Alexandra Milbourn	213 E Hilltop Dr	Newberg	OR	97132	213 E Hilltop Dr	Newberg	OR	97132
R3207AC 00121	Chris & Laura Desanto	213 E Natalie Dr	Newberg	OR	97132	213 E Natalie Dr	Newberg	OR	97132
R3207AC 05700	Kenneth & Brenda Grall	215 E Chandler Dr	Newberg	OR	97132	215 E Chandler Dr	Newberg	OR	97132
R3207AB 01400	Laura & Brent Fisk	215 E Taylor Dr	Newberg	OR	97132	215 E Taylor Dr	Newberg	OR	97132
R3207AC 04900	Samuel & Angela Porter	222 E Chandler Dr	Newberg	OR	97132	222 E Chandler Dr	Newberg	OR	97132
R3207AC 00110	Jillian & Winfred Felizarta	224 E Natalie Dr	Newberg	OR	97132	224 E Natalie Dr	Newberg	OR	97132
R3207AB 01700	Douglas & Erica Riggs	224 E Taylor Dr	Newberg	OR	97132	224 E Taylor Dr	Newberg	OR	97132
R3207AC 05800	Caryn & Greg Wall	225 E Chandler Dr	Newberg	OR	97132	225 E Chandler Dr	Newberg	OR	97132
R3207AC 00332	Bryan Danielson & Sarah Barber	227 E Hilltop Dr	Newberg	OR	97132	227 E Hilltop Dr	Newberg	OR	97132
R3207AB 01300	Steven & Linda Keller	227 E Taylor Dr	Newberg	OR	97132	227 E Taylor Dr	Newberg	OR	97132
R3207AC 04800	Justin Armstrong & Deanna Joo	230 E Chandler Dr	Newberg	OR	97132	230 E Chandler Dr	Newberg	OR	97132
R3207AB 01600	Todd Bay	232 E Taylor Dr	Newberg	OR	97132	232 E Taylor Dr	Newberg	OR	97132
R3207AC 05900	Matthew Meinert	233 E Chandler Dr	Newberg	OR	97132	233 E Chandler Dr	Newberg	OR	97132
R3207AB 01200	Jared & Kelsey Davis	235 E Taylor Dr	Newberg	OR	97132	235 E Taylor Dr	Newberg	OR	97132
R3207AC 00111	Caitlin Johnson	236 E Natalie Dr	Newberg	OR	97132	236 E Natalie Dr	Newberg	OR	97132
R3207AB 07900	Sigmund Custom Homes	Po Box 3189	Newberg	OR	97132	238 E Barbaras Way	Newberg	OR	97132
R3207AB 01100	Daniel Boucher & Debra Dungan	239 E Taylor Dr	Newberg	OR	97132	239 E Taylor Dr	Newberg	OR	97132
R3207AB 01500	Dan Guimont	240 E Taylor Dr	Newberg	OR	97132	240 E Taylor Dr	Newberg	OR	97132
R3207AC 04700	John & Taylor Burrows	242 E Chandler Dr	Newberg	OR	97132	242 E Chandler Dr	Newberg	OR	97132
R3207AB 00600	Lindsay & Kenneth Stoller	243 E Taylor Dr	Newberg	OR	97132	243 E Taylor Dr	Newberg	OR	97132
R3207AC 06000	Francisco & Ann Benetti	245 E Chandler Dr	Newberg	OR	97132	245 E Chandler Dr	Newberg	OR	97132
R3207AB 07800	Sigmund Custom Homes	Po Box 3189	Newberg	OR	97132	246 E Barbaras Way	Newberg	OR	97132
R3207AB 07700	Sigmund Custom Homes	Po Box 3189	Newberg	OR	97132	262 E Barbaras Way	Newberg	OR	97132
R3207AC 00331	Ethan & Rebecca Moser	301 E Hilltop Dr	Newberg	OR	97132	301 E Hilltop Dr	Newberg	OR	97132
R3207AC 04600	Kathleen Orozco	302 E Chandler Dr	Newberg	OR	97132	302 E Chandler Dr	Newberg	OR	97132
R3207 01000	Chehalem Park & Recreation Dis	501 E 1st St	Newberg	OR	97132	303 W Foothills Dr	Newberg	OR	97132
R3207AC 00112	Ronald & Marsha Carr	304 E Natalie Dr	Newberg	OR	97132	304 E Natalie Dr	Newberg	OR	97132
R3207AB 00700	Kevin & Nicole Kopple	304 E Taylor Dr	Newberg	OR	97132	304 E Taylor Dr	Newberg	OR	97132
R3207AC 06100	David & Rebecca Beasley	305 E Chandler Dr	Newberg	OR	97132	305 E Chandler Dr	Newberg	OR	97132
R3207AB 00500	Michael & Janet Cain	307 E Taylor Dr	Newberg	OR	97132	307 E Taylor Dr	Newberg	OR	97132
R3207AC 00114	Arnold & Shirley Rahier	311 E Natalie Dr	Newberg	OR	97132	311 E Natalie Dr	Newberg	OR	97132

R3207AC 04500	Trevor & Lauren Marugg	312 E Chandler Dr	Newberg	OR	97132	312 E Chandler Dr	Newberg	OR	97132
R3207AC 00113	George & Carol Burnside	312 E Natalie Dr	Newberg	OR	97132	312 E Natalie Dr	Newberg	OR	97132
R3207AB 07600	Sigmund Custom Homes	Po Box 3189	Newberg	OR	97132	314 E Barbaras Way	Newberg	OR	97132
R3207AB 00800	Jeffrey & Heather Vinson	314 E Taylor Dr	Newberg	OR	97132	314 E Taylor Dr	Newberg	OR	97132
R3207AC 06200	Paul & Shari Quinn	315 E Chandler Dr	Newberg	OR	97132	315 E Chandler Dr	Newberg	OR	97132
R3207AC 00330	Michael & Peggy Rennick	315 E Hilltop Dr	Newberg	OR	97132	315 E Hilltop Dr	Newberg	OR	97132
R3207AB 00400	Lydia & Daniel Yun	317 E Taylor Dr	Newberg	OR	97132	317 E Taylor Dr	Newberg	OR	97132
R3207AC 04400	James & Valerie Brooks	320 E Chandler Dr	Newberg	OR	97132	320 E Chandler Dr	Newberg	OR	97132
R3207AC 00136	Donna Ramos	3546 Atlas St	San Diego	CA	92111	321 E Natalie Dr	Newberg	OR	97132
R3207AB 00300	Merrit & Earline Apple	321 E Taylor Dr	Newberg	OR	97132	321 E Taylor Dr	Newberg	OR	97132
R3207AB 07500	Sigmund Custom Homes	Po Box 3189	Newberg	OR	97132	322 E Barbaras Way	Newberg	OR	97132
R3207AC 00329	Arnold & Renee Turner	323 E Hilltop Dr	Newberg	OR	97132	323 E Hilltop Dr	Newberg	OR	97132
R3207AC 00135	Owner Record	324 E Natalie Dr	Newberg	OR	97132	324 E Natalie Dr	Newberg	OR	97132
R3207AB 00900	Addison & Jessica Hollen	326 E Taylor Dr	Newberg	OR	97132	326 E Taylor Dr	Newberg	OR	97132
R3207AB 00200	Cam & Marla Henderer	327 E Taylor Dr	Newberg	OR	97132	327 E Taylor Dr	Newberg	OR	97132
R3207AC 04300	James & Judy Campbell	328 E Chandler Dr	Newberg	OR	97132	328 E Chandler Dr	Newberg	OR	97132
R3207AC 00137	Debra Delsarto & Kyle Chappell	331 E Natalie Dr	Newberg	OR	97132	331 E Natalie Dr	Newberg	OR	97132
R3207AB 01000	Gary & Beth Bering	332 E Taylor Dr	Newberg	OR	97132	332 E Taylor Dr	Newberg	OR	97132
R3207AB 00100	Johannes & Bonnie Wytmsa	333 E Taylor Dr	Newberg	OR	97132	333 E Taylor Dr	Newberg	OR	97132
R3207AC 04200	Carol Snow	334 E Chandler Dr	Newberg	OR	97132	334 E Chandler Dr	Newberg	OR	97132
R3207AC 00134	Edward & Kelle Howard	336 E Natalie Dr	Newberg	OR	97132	336 E Natalie Dr	Newberg	OR	97132
R3207AB 07400	Sigmund Custom Homes	Po Box 3189	Newberg	OR	97132	340 E Barbaras Way	Newberg	OR	97132
R3207AA 03400	Sherri Harkness	10405 SW Crestwood Ct	Beaverton	OR	97008	345 E Taylor Dr	Newberg	OR	97132
R3207AA 03500	Jesse Brackenbury	357 E Taylor Dr	Newberg	OR	97132	357 E Taylor Dr	Newberg	OR	97132
R3207AC 00328	Michael & Jeri Vangrunsven	3615 N Morris St	Newberg	OR	97132	3615 N Morris St	Newberg	OR	97132
R3207AD 03200	Debbie Alga	3622 N Morris St	Newberg	OR	97132	3622 N Morris St	Newberg	OR	97132
R3207AA 03600	Shauna & Paul Karver	369 E Taylor Dr	Newberg	OR	97132	369 E Taylor Dr	Newberg	OR	97132
R3207AC 00108	Michael Howard	512 Mountain View Rd	El Cajon	CA	92021	3700 N Jones St	Newberg	OR	97132
R3207AC 00105	Gary & Loreen Juran	3723 N Jones St	Newberg	OR	97132	3723 N Jones St	Newberg	OR	97132
R3207AD 03302	Nicole Heupel	3735 N Dahlia St	Newberg	OR	97132	3735 N Dahlia St	Newberg	OR	97132
R3207AD 03300	Royal & Kathleen Graff	3743 N Dahlia St	Newberg	OR	97132	3743 N Dahlia St	Newberg	OR	97132
R3207AC 00122	Michael & Vicki Thompson	3800 N Jones St	Newberg	OR	97132	3800 N Jones St	Newberg	OR	97132
R3207AD 03102	Christopher Strange	3800 N Morris St	Newberg	OR	97132	3800 N Morris St	Newberg	OR	97132
R3207AC 00104	Travis Smith	3801 N Jones St	Newberg	OR	97132	3801 N Jones St	Newberg	OR	97132
R3207AC 00120	Lindsay & Joshua Lillie	3801 N Shelly Ct	Newberg	OR	97132	3801 N Shelly Ct	Newberg	OR	97132
R3207AC 00103	James & Amy Macnair	3203 N Solstice Ln	Newberg	OR	97132	3823 N Jones St	Newberg	OR	97132
R3207AC 00138	Connie Holland	3823 N Morris St	Newberg	OR	97132	3823 N Morris St	Newberg	OR	97132
R3207AC 00119	Marvin & Judith Bixby	3823 N Shelly Ct	Newberg	OR	97132	3823 N Shelly Ct	Newberg	OR	97132
R3207AC 00123	Alan Jones	1007 Buschmann Rd APT 2	Paradise	CA	95969	3824 N Jones St	Newberg	OR	97132
R3207AC 00115	Robert & Gloria Davis	3824 N Shelly Ct	Newberg	OR	97132	3824 N Shelly Ct	Newberg	OR	97132
R3207AC 00100	Kevin & Sandra Fish	3841 N Jones St	Newberg	OR	97132	3841 N Jones St	Newberg	OR	97132
R3207AC 00139	Ronald & Sarah Dennis	3841 N Morris St	Newberg	OR	97132	3841 N Morris St	Newberg	OR	97132
R3207AC 00118	David & Ellen Hendry	3841 N Shelly Ct	Newberg	OR	97132	3841 N Shelly Ct	Newberg	OR	97132
R3207AC 00124	Brad Nelson	3842 N Jones St	Newberg	OR	97132	3842 N Jones St	Newberg	OR	97132

R3207AC 00116	Morrisson	404 E 1st St	Newberg	OR	97132	3842 N Shelly Ct	Newberg	OR	97132
R3207AD 03101	John & Sally Clemons	3850 N Morris St	Newberg	OR	97132	3850 N Morris St	Newberg	OR	97132
R3207AC 00117	Christopher & Lisa Myers	3856 N Shelly Ct	Newberg	OR	97132	3856 N Shelly Ct	Newberg	OR	97132
R3207AC 05100	Melissa Robinson	3861 N Jones St	Newberg	OR	97132	3861 N Jones St	Newberg	OR	97132
R3207AC 00140	Kirby & Lili Blankenship	3861 N Morris St	Newberg	OR	97132	3861 N Morris St	Newberg	OR	97132
R3207AD 05900	Marika & Michael Conrad	3867 N Morris St	Newberg	OR	97132	3867 N Morris St	Newberg	OR	97132
R3207AD 03100	Cathy Holbrook	3870 N Morris St	Newberg	OR	97132	3870 N Morris St	Newberg	OR	97132
R3207AD 05800	Sean & Jennifer Keeton	3872 N Morris St	Newberg	OR	97132	3872 N Morris St	Newberg	OR	97132
R3207AC 05200	Peter & Clare-Lee Kozushko	3873 N Jones St	Newberg	OR	97132	3873 N Jones St	Newberg	OR	97132
R3207AD 06000	Lisa Fernandez & James Rice	3873 N Morris St	Newberg	OR	97132	3873 N Morris St	Newberg	OR	97132
R3207AC 04100	Miguel & Celia Salas	3878 N Chase St	Newberg	OR	97132	3878 N Chase St	Newberg	OR	97132
R3207AD 06100	Matthew & Lauren Brown	3879 N Morris St	Newberg	OR	97132	3879 N Morris St	Newberg	OR	97132
R3207AC 05300	Holly & Holly Steadman	3881 N Jones St	Newberg	OR	97132	3881 N Jones St	Newberg	OR	97132
R3207AC 04000	Kati & Cody Zoucha	3884 N Chase St	Newberg	OR	97132	3884 N Chase St	Newberg	OR	97132
R3207AD 06200	Kian & Bree Brown	3885 N Morris St	Newberg	OR	97132	3885 N Morris St	Newberg	OR	97132
R3207AD 06300	John & Susan Buehler	3891 N Morris St	Newberg	OR	97132	3891 N Morris St	Newberg	OR	97132
R3207AC 06300	Bryon & Rhonda Henderson	5425 SW Elm Ave	Beaverton	OR	97005	3895 N Chase St	Newberg	OR	97132
R3207AC 03900	Melanie & Jefferson Mildenberger	3896 N Chase St	Newberg	OR	97132	3896 N Chase St	Newberg	OR	97132
R3207AD 06400	Kimberly & Adam Phillips	3897 N Morris St	Newberg	OR	97132	3897 N Morris St	Newberg	OR	97132
R3207AA 03200	Philip & Beverly Tollefson	3941 N Morris St	Newberg	OR	97132	3941 N Morris St	Newberg	OR	97132
R3207AA 03100	Wendy Gregory	6335 Coyote Point Cir	Reno	NV	89511	3946 N Morris St	Newberg	OR	97132
R3207AA 03300	Candace Shue & Kimmee Patawaran	3947 N Morris St	Newberg	OR	97132	3947 N Morris St	Newberg	OR	97132
R3207AD 03109	James & Joann Rightmire	26045 NE View Crest Ct	Newberg	OR	97132	400 E Natalie Dr	Newberg	OR	97132
R3207AD 06500	Boyer & Courtney Loyer	407 E Dreas Way	Newberg	OR	97132	407 E Dreas Way	Newberg	OR	97132
R3207AA 03700	Martin & Lisa Huber	409 E Taylor Dr	Newberg	OR	97132	409 E Taylor Dr	Newberg	OR	97132
R3207AD 03103	Ronald & Patricia Auld	411 E Natalie Dr	Newberg	OR	97132	411 E Natalie Dr	Newberg	OR	97132
R3207AD 03107	Gerald Boe	412 E Natalie Dr	Newberg	OR	97132	412 E Natalie Dr	Newberg	OR	97132
R3207AD 03108	Gerald Boe	412 E Natalie Dr	Newberg	OR	97132	412 E Natalie Dr	Newberg	OR	97132
R3207AD 05700	Brynn & David Buswell	418 E Dreas Way	Newberg	OR	97132	418 E Dreas Way	Newberg	OR	97132
R3207AD 06600	Wingate Aviation Enterprises	215 N Blaine St Ste B	Newberg	OR	97132	419 Dreas Way	Newberg	OR	97132
R3207AA 03000	William Congdon	420 E Taylor Dr	Newberg	OR	97132	420 E Taylor Dr	Newberg	OR	97132
R3207AD 03104	Rauha & Sarah Rahkola	421 E Natalie Dr	Newberg	OR	97132	421 E Natalie Dr	Newberg	OR	97132
R3207AD 05600	Wingate Aviation Enterprises	215 N Blaine St Ste B	Newberg	OR	97132	430 Dreas Way	Newberg	OR	97132
R3207AD 06700	Navida Momthan	431 E Dreas Way	Newberg	OR	97132	431 E Dreas Way	Newberg	OR	97132
R3207AD 03105	Mark & Blythe Darula	431 E Natalie Dr	Newberg	OR	97132	431 E Natalie Dr	Newberg	OR	97132
R3207AA 02900	Brandon & Jami Wolfard	432 E Taylor Dr	Newberg	OR	97132	432 E Taylor Dr	Newberg	OR	97132
R3207AD 05500	Sylvia & Robert Burns	506 E Dreas Way	Newberg	OR	97132	506 E Dreas Way	Newberg	OR	97132
R3207AD 06800	Jace & Tabitha Hall	507 E Dreas Way	Newberg	OR	97132	507 E Dreas Way	Newberg	OR	97132

Example of posting to accompany the vacation rental home registration on the front door

Short-term Rental Operator:

Name

000-000-0000

Police Department: 503-538-8321

Maximum Number of Occupants: 8 people

Standards for Rental Occupancy:

8 people per stay

No recreational vehicles, trailers, tents, or temporary shelters are permitted

Solid Waste Collection: Wednesday



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

Additional Information Required
Additional Information Required

Order No.: 1039-4104617
September 21, 2023

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

Re: na

Fee: \$200.00

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

LOT 9, DUTCHMAN RIDGE, CITY OF NEWBERG, YAMHILL COUNTY, OREGON.

and as of September 11, 2023 at 8:00 a.m.

We find that the last deed of record runs to

Trevor S. Marugg and Lauren E. Marugg, as tenants by the entirety

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

1. Taxes for the fiscal year 2023-2024 a lien due, but not yet payable
2. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
3. All lots are subject to a 10 foot wide public utility easement along the lot lines adjacent to N. Jones Street, E. Chandler Drive, N. Chase Street and E. Taylor Drive, as stated and shown on plat of Dutchman Ridge.

4. Covenants, conditions, restrictions and/or easements; but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, family status, or national origin to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes:
Recording Information: July 22, 2019 as Instrument No. 201909861, Deed and Mortgage Records

5. Deed of Trust and the terms and conditions thereof.
Grantor/Trustor: Trevor S. Marugg and Lauren E. Marugg, as tenants by the entirety
Grantee/Beneficiary: First Community Credit Union
Trustee: First American Title Insurance
Amount: \$435,200.00
Recorded: December 28, 2020
Recording Information: Instrument No. 202023430, Deed and Mortgage Records

6. Deed of Trust and the terms and conditions thereof.
Grantor/Trustor: Trevor S. Marugg and Lauren E. Marugg, as tenants by the entirety
Grantee/Beneficiary: First Technology Federal Credit Union, a Federal Credit Union
Trustee: First American Title
Amount: \$140,000.00
Recorded: November 30, 2022
Recording Information: Instrument No. 202215198, Deed and Mortgage Records

Note: This Deed of Trust contains Line of Credit privileges. If the current balance owing on said obligation is to be paid in full in the forthcoming transaction, confirmation should be made that the beneficiary will issue a proper request for full reconveyance.

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.

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

Tax Amount:	\$4,175.41
Map No.:	R3207AC 04500
Property ID:	712242
Tax Code No.:	29.0

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.