

NEWBERG PLANNING COMMISSION MINUTES

August 8, 2019

PUBLIC SAFETY BUILDING (401 E. THIRD STREET)

Chair Edwards called meeting to order at 7:00 pm.

ROLL CALL

Members Present: John Wuitschick
Kriss Wright
Allyn Edwards
Sharon Capri

Members Absent: Colin Bolek, Student PC, excused
Robert Ficker, excused
Jason Dale
Jeffrey Musall

Staff Present: Doug Rux, Community Development Director
Keshia Owens, Assistant Planner
Sue Ryan, City Recorder

PUBLIC COMMENTS:

None

OATH OF OFFICE:

City Recorder Ryan administered the Oath of Office to Kriss Wright.

CONSENT CALENDAR:

1. Approval of the July 11, 2019 Planning Commission meeting minutes

MOTION: PC Wright/PC Capri moved to approve the July 11, 2019 Planning Commission Meeting Minutes. Motion carried (4 Yes/0 No).

QUASI-JUDICIAL PUBLIC HEARING

1. Rider Vacation Rental Conditional Use Permit
File No. CUP19-0001 Planning Commission Order 2019-07

CALL TO ORDER:

Chair Edwards called hearing to order at 7:04 pm and read the legal requirements for the hearing.

CALL FOR ABSTENTIONS AND OBJECTIONS TO JURISDICTION: None

STAFF REPORT:

Assistant Planner Owens said this was a request for a Conditional Use Permit to use an existing two bedroom single family dwelling as a vacation rental at 1802 E Orchard Drive. She discussed the applicable criteria. The location was close to downtown and regional attractions. The use would be similar to a regular residential use. There were two off street parking spaces provided. The applicant would be required to pave the gravel parking area and if the paving created more than 500 square feet of new impervious surface area, a public improvement permit and erosion and sediment control

permit would need to be obtained to install any new stormwater system requirements. This was a single family dwelling, if approved would be registered with the City, and regular trash collection would be provided. There would be a maximum occupancy of four guests. There would be no RVs, tents, or other temporary shelters. Standards and contact information would be posted by the front door. Staff recommended approval of the application with conditions.

PUBLIC TESTIMONY:

Applicant: Amanda Rider, owner/applicant, said her background was in hospitality and she was now in real estate. She had done a lot of improvements to the house and landscaping. She thought the majority of guests would be parents of George Fox students or people coming to experience the valley. She wanted to create a good experience for her guests and she would be screening the guests she rented to. She did not think it would make a difference in the neighborhood.

PC Wright asked about the plans for paving the parking area. Ms. Rider responded it would be a 20 x 20 pad, roughly 400 square feet. It would be concrete.

Proponents: None

Opponents:

Sara Grant, Newberg resident, read her letter into the record. She lived next door to this property. Allowing strangers who had no investment in the neighborhood would weaken the fabric of Orchard Drive. This was a narrow, non-through traffic road and many children played on the street. There could be an increase in traffic, parking on the road, and safety issues. There were already over 100 vacation rentals in Newberg and she questioned the need for another. She was not opposed to renting the house to permanent renters.

PC Capri stayed in Airbnbs frequently and tried to dispel her concerns about safety with strangers coming in. Renters were well screened and she did not think it would be a problem.

Ms. Grant asked if the Commission could visit this street to see how the increased traffic would affect them. Chair Edwards thought the traffic with a vacation rental would be less because it would not be a daily use.

Ms. Grant said there were two other homes on the street that were rentals, and the rest were owned by the people living there.

PC Wright asked about the number of rentals in Newberg. Community Development Director Rux stated the number of registered vacation rentals was 41.

PC Wuitschick asked about the age requirements for vacation rentals. CDD Rux replied the City had no regulations on the age for vacation rentals.

PC Wright clarified the maximum occupancy was four people, adults and children.

Margaret Nava, Newberg resident, also used Airbnbs and did not think it had a good screening process. A lot of children lived on this street. Having a stream of strangers on the street was a safety concern. This was a private drive and the residents would have to pay for any damage caused by extra traffic. This was a unique, neighborly neighborhood and a place for families. They knew who lived on the street and the cars that came through. She wanted to make sure this kind of livability would continue. With a vacation home, there would be a constant turn-around of strangers and no home owner supervision of the visitors. Strangers would be walking on the street and if one vacation rental was allowed, more could follow.

PC Capri thought the concerns regarding safety could be passed on to the guests. They could be told this was a quiet community. Most of the time that was what guests wanted and respected it. Occupancy was usually 30% to 60%, which was about 10 days per month. Ms. Nava responded more people would need to stay there to make it profitable.

PC Wuitschick asked if this was a private street. CDD Rux responded yes.

Chair Edwards stated the Commission appreciated the comments. He thought the neighborhood could be involved and if anything was going on at the rental house, they could call the applicant or the police.

Rebuttal: Ms. Rider said she had put a lot of money into this house and did not want people coming in to destroy the house or terrorize the neighborhood. She would be providing a lot of information to each guest including information about the neighborhood. She did not think there would be an issue with safety. People wanted to stay on a quiet street. This would not be a lucrative business, but was a passion of hers to host people in the City.

CLOSE OF PUBLIC TESTIMONY:

Chair Edwards closed the public testimony portion of the hearing at 7:41 pm.

FINAL COMMENTS FROM STAFF AND RECOMMENDATION:

AP Owens said staff recommended approval.

ACTION BY THE PLANNING COMMISSION:

PC Wuitschick was concerned that this was a private street, the safety of the children, and there was no requirement for the age of the guests. He would be voting no.

PC Wright stated only a few neighbors were opposed to this. She thought the neighborhood would be watching and any problems could be reported. She was in favor.

PC Capri said if there were problems at this site and several complaints or violations, the Conditional Use could be revoked. It would be well watched and she thought the neighbors would be pleasantly surprised.

Chair Edwards said this was a difficult position, and they had to consider the code and make decisions accordingly.

MOTION: PC Capri/PC Wright moved to approve CUP19-0001. Motion passed (3 Yes/1 No [PC Wuitschick]).
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There was discussion regarding the proper process for Commission deliberation during public hearings.

ITEMS FROM STAFF:

1. Anticipated Schedule of Planning Commission Activities

CDD Rux reviewed the upcoming schedule.

PC Capri asked about 5G coming to the City. CDD Rux responded they could not stop it and needed to create regulations for it. Health issues could not be a criterion.

ITEMS FROM COMMISSIONERS:

PC Wuitschick said he would be absent until November due to knee replacement surgery.

Chair Edwards asked staff to arrange training on the new iPads and training on quasi-judicial procedures for the new Commissioners.

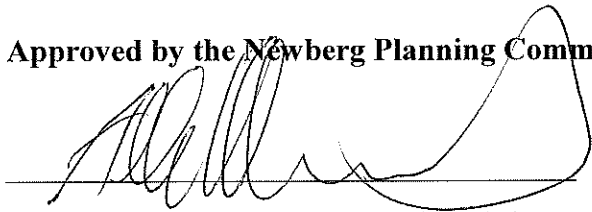
There was discussion regarding what the Commission had to disclose in a quasi-judicial hearing.

The next Planning Commission meeting would be on August 22, 2019.

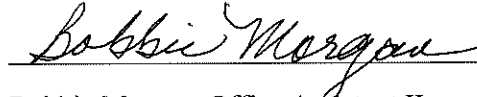
ADJOURNMENT:

Chair Edwards adjourned meeting at 8:04 p.m.

Approved by the Newberg Planning Commission this September 12, 2019.

A handwritten signature in black ink, appearing to read 'Allyn Edwards', written over a horizontal line.

Allyn Edwards, Planning Commission Chair

A handwritten signature in black ink, appearing to read 'Bobbie Morgan', written over a horizontal line.

Bobbie Morgan, Office Assistant II