

NEWBERG PLANNING COMMISSION MINUTES

February 8, 2024

Meeting audio did not begin until the quasi-judicial hearing for Case No. CUP 23-0021 (Agenda Item V.A).

CALL MEETING TO ORDER

Chair Dale called the meeting to order at 7:06 p.m.

ROLL CALL

Members Present: Jason Dale, Michael Griffiths, and Student Commissioner Abigail Seits. Kriss Wright was present via Zoom.

Members Absent: Linda Newton-Curtis and Layne Quinn

Staff Present: Community Development Director Scot Siegel, Planning Manager Clay Downing, Assistant Planner Leanne Wagener, and Administrative Assistant Fé Bates. Councilor Molly Olson was present as the City Council representative.

PUBLIC COMMENTS

None.

CONSENT CALENDAR

Approval of January 11, 2024 Minutes

[NPC Minutes\(1.11.24\).pdf](#)

Action: To approve the January 11, 2024 meeting minutes as presented

Motion: PC

Second: PC

Vote: Yes: 4 No: 0 Abstain: 0 Absent: 2 (Newton-Curtis, Quinn)

QUASI JUDICIAL PUBLIC HEARINGS

CUP23-0021 Conditional Use Permit for a vacation rental home at 1113 E 4th Street

[CUP23-0021_VR_1113 E 4th St_Staff Report.pdf](#)

[Attachment 1. Application Materials_CUP23-0021.pdf](#)

[Attachment 2. Referral Comments_CUP23-0021.pdf](#)

Chair Dale opened the public hearing and called for any abstentions, bias, ex parte contacts, or objections to jurisdiction. *There were none.*

[0:23] Meeting audio begins here.

PC Seits read the legal announcement.

The Planning Commission took a short break to resolve technical issues.

Assistant Planner Wagener presented the Staff Report via PowerPoint and discussed the location, zoning, utilities, and the applicable criteria in the Newberg Municipal Code (NMC) Sections 15.225.060, and

15.445.300 – 15.445.350. The single-family home had four bedrooms, provided six off-street parking spaces, was located 900 feet from the downtown central business district, and had compatible use and similar size and scope to nearby properties. The property’s proposed use was similar to a long-term rental and was compatible with other residential uses. The applicant would be required to register with the City to pay Transient Lodging Tax (TLT). The property had a capacity of eight guests, and would not allow RVs, tents, or other temporary shelters. The applicant must post the required information next to the front door of the vacation rental.

Staff recommended that the Planning Commission move to adopt Planning Commission Order 2024-004 with conditions, approving Conditional Use Permit CUP23-0021 for a vacation rental home at 1113 E 4th St.

Applicant Testimony: Elissa Zavora stated she and her mom had recently purchased the subject property. Ms. Zavora worked remotely and intended to live in the home between travelling out of town to her work, and noted that the house had five bedrooms, but as one would be her dedicated bedroom, only four bedrooms would be rented to guests. Ms. Zavora had experience managing short-term rentals and vetting renters for other people, and she stated it was a priority to keep her neighbors happy. One of Ms. Zavora’s neighbors owned a landscape company and would be the primary contact for the vacation rental when Ms. Zavora was out of town. Ms. Zavora noted a typographical error in her application stating a different name for the applicant.

AP Wagener confirmed the error in the application had been corrected.

PC Wright asked for details about Ms. Zavora’s property management experience.

Ms. Zavora described her experience managing a friend’s vacation rental cabin in Montana, which she managed remotely, and two properties for a man in California.

PC Wright thanked the applicant for her thoughtful project statement and for investing in an older home which contributed to Newberg’s historic charm.

Chair Dale confirmed there was no public testimony and closed the public hearing.

Staff recommendation remained the same.

Action:	To adopt Planning Commission Order 2024-004 with conditions, approving Conditional Use Permit CUP23-0021 for a vacation rental home at 1113 E 4 th St.
Motion:	PC Wright
Second:	PC Griffith
Vote:	Yes: 4 No: 0 Abstain: 0 Absent: 2 (Newton-Curtis, Quinn)

[CUP23-0020 Conditional Use Permit for a vacation rental home at 206 E 5th St](#)
[CUP23-0020_VR_206 E 5th St_Staff Report.pdf](#)

[Attachment 1. Application Materials.pdf](#)

[Attachment 2. Referral Comments.pdf](#)

[Attachment 3. Public Comments_CUP23-0020.pdf](#)

Chair Dale opened the public hearing and called for any abstentions, bias, ex parte contacts, or objections to jurisdiction. PC Wright disclosed that she had driven past the subject property, but it had been some time ago.

PC Seits read the legal announcement.

AP Wagener presented the Staff Report for the record via PowerPoint and discussed the location, zoning, utilities, and the applicable criteria in the Newberg Municipal Code (NMC) Sections 15.225.060, and 15.445.300 – 15.445.350. The single-family home had two bedrooms, provided four off-street parking spaces, was located close to the downtown central business district, and had compatible use and similar size and scope to nearby properties. The property's proposed use was similar to a long-term rental and was compatible with other residential uses. The applicant would be required to register with the City to pay Transient Lodging Tax (TLT). The property had a capacity of four guests, and would not allow RVs, tents, or other temporary shelters. The applicant must post the required information next to the front door of the vacation rental.

Staff recommended that the Planning Commission move to adopt Planning Commission Order 2024-003 with conditions, approving Conditional Use Permit CUP23-0020 for a vacation rental home at 206 E 5th St.

PC Wright stated that she was concerned renters may park on 5th St and block the street. AP Wagener confirmed only two parking spaces were required, and with four parking spaces available and a four-guest limit, parking on the street seemed unlikely.

Applicant Testimony: Jan Cole stated there was ample parking on both sides of the street and there had been some construction going on which had impacted parking for a while, but the construction was almost complete. Ms. Cole had purchased the 1909 bungalow home one year ago to be closer to her family and she had replaced the sewer lines, water lines, drains, and electric wiring in the home during the last year and the home was like new. Ms. Cole planned to live in the home part-time between traveling to be with a man she intended to marry who was from Australia. Ms. Cole had contacted property management agencies to ensure the home would be maintained while she was away. Ms. Cole's neighbor was the contractor who had done the work on her home, and he would be the primary contact when she was out of town. Ms. Cole noted some neighbors were excited about the vacation rental.

PC Wright thanked the applicant for investing in an older home in Newberg and confirmed with the applicant that Megan at Lifestyle Properties would be the property manager.

Chair Dale confirmed there was no public testimony and closed the public hearing.

Staff recommendation remained the same.

Action: To adopt Planning Commission Order 2024-003 with conditions, approving Conditional Use Permit CUP23-0020 for a vacation rental home at 206 E 5th St.

Motion: PC Griffith
Second: PC Wright
Vote: Yes: 4 No: 0 Abstain: 0 Absent: 2 (Newton-Curtis, Quinn)

ITEMS FROM STAFF

Anticipated Schedule of Planning Commission Activities

[PC Forward Looking Calendar.pdf](#)

PM Downing discussed upcoming potential agenda items including the West End Mill District Comprehensive Plan Text and Map amendments, Zoning and Development Code amendments, and the Collina Subdivision.

Introduction of New Community Development Director Scot Siegel

PM Downing introduced the new Community Development Director Scot Siegel. CDD Siegel shared his professional background and experience in development, entitlement, and policy work for Multnomah County and the City of Lake Oswego. CDD Siegel looked forward to working with the development community and citizens of Newberg to ensure design quality, housing production, and implementing Council Goals. CDD Siegel had experience serving on a Planning Commission, a Historic Resources Advisory Board, and Neighborhood Associations, and felt he brought a well-rounded perspective.

Commissioners and Staff members present shared introductions and personal facts in turn to get to know each other better.

PM Downing provided an update on the Newberg Affordable Housing Trust Fund (NAHTF) and Construction Excise Tax (CET) Notices of Funding Availability (NOFA) which had been released, and he discussed the amounts of funding available for affordable housing projects.

PM Downing stated the Short-Term Rental Ad Hoc Committee (STRAHC) had completed their recommendations for the City Council. PM Downing committed to sending the STRAHC recommendations to Commissioners via email. PM Downing shared some highlights of the STRAHC recommendations including changes to procedures and criteria, a citywide cap of no more than two percent of households being vacation rentals, noticing requirements, good neighbor provisions, and recommendations for enforcement and compliance. The STRAHC recommendations, Planning Commission recommendations, Newberg Police Department statement, and the research paper on short-term rentals were tentatively planned to be presented to the City Council on March 4, 2024. STRAHC meetings were archived and available to view on the City's website.

ITEMS FROM COMMISSIONERS

Commissioner Wright noted the Oregon Housing and Community Services (OHCS) and Corporation for Supportive Housing (CSH) had announced Oregon's fifth Supportive Housing Institute beginning in May 2024 to provide targeted training, technical assistance, and project support to Development teams seeking to develop Permanent Supportive Housing (PSH) in their communities. PM Downing stated the City would

likely be interested as there were currently funds available for affordable housing projects and interested developers could be notified of the opportunity for training and support.

PM Downing discussed the work plan presented to the City Council regarding the review and possible revision of daycare facility standards during June 2024. Staff had been directed by the City Council to investigate daycare standards, definitions, categories, and procedures in Newberg to determine if it was excessively laborious to set up a daycare in Newberg. Staff hoped to prepare legislative and Code amendments as groundwork for new daycare standards and policies. The City Councilor involved would be contacted to see if other organizations, practitioners, or stakeholders could provide some insights into what policies would work in Newberg. People who had hoped to start a daycare sometimes gave up due to the Codes and laws in place. Childcare providers were needed to build the City's workforce again.

Staff was asked to provide an update at the March 2024 meeting on any enrolled or passed land use laws or environmental bills. The public had been asking about the urban growth boundary (UGB) expansion proposal, and it was likely that 30 percent of the land must be dedicated to affordable housing for sixty years. Commissioners wanted to know the City's stance on the matter.

PM Downing was unsure of the process for selecting new Planning Commissioners to fill the vacant seats, but stated it was likely they would be selected from the pool of recent applicants.

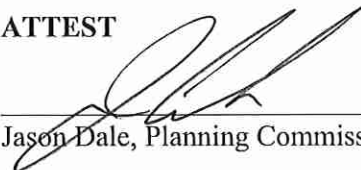
A recent CUP application had been withdrawn by the applicant after a deadlocked vote resulted in tabling the application for the next meeting. PM Downing stated he had discussed Planning Commission participation guidelines with the City Attorney to clarify how to proceed in the case of a deadlocked vote within Type III procedures, and the City Attorney had confirmed a decision must be provided by the Planning Commission through deliberation until a decision was reached based on city code language.

The City Recorder had confirmed that another applicant for the Planning Commission seat had been identified and they would be meeting with the Mayor soon. If the person was not accepted, a recruitment would begin in the spring to fill the Planning Commission vacancies.

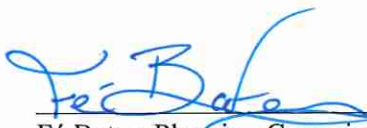
ADJOURNMENT

The meeting was adjourned at 8:35 pm.

ATTEST



Jason Dale, Planning Commission Chair



Fé Bates, Planning Commission Secretary