



## Planning Commission Meeting

7PM

Public Safety Building

401 E Third St

Hybrid: Instructions To Join Electronically At [www.Newbergoregon.gov](http://www.Newbergoregon.gov)

Email Comments To: [Fe.Bates@Newbergoregon.gov](mailto:Fe.Bates@Newbergoregon.gov)

**April 10, 2025**

**1. CALL MEETING TO ORDER**

**2. ROLL CALL**

**3. PUBLIC COMMENTS**

*(5-minute maximum per person - for items not on the agenda)*

**4. CONSENT CALENDAR**

- a. [2/13/2025 Planning Commission Meeting Minutes](#)

**5. WORK SESSION**

**DCA24-0003 Vacation Rental Home Policy Update**

[Attachment 1. Community Engagement Summary.pdf](#)

[Attachment 2. Draft Code Changes.pdf](#)

**6. ITEMS FROM STAFF**

- a. [Anticipated Schedule of Planning Commission Activities](#)
- b. **Staff Updates for Planning Commission**

**7. ITEMS FROM COMMISSIONERS**

**8. ADJOURNMENT**



## **Planning Commission Meeting**

**February 13, 2025**

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### **CALL MEETING TO ORDER**

Meeting called to order at 7:00 p.m.

### **ROLL CALL**

Commissioners Present: Linda Newton-Curtis (Chair)  
Layne Quinn (Vice Chair)  
Mathew Mansfield  
Randy Rickert  
Jose Villalpando  
Kriss Wright  
Jason Dale  
Elise Steffen (Student)

Commissioners Absent: NONE

City Council Representative:  
Jeri Turgesen

Staff Present: Assistant Planner: James Dingwall  
Community Development Director: Scot Siegel  
Administrative Assistant: Fé Bates

### **PUBLIC COMMENTS**

None

### **CONSENT CALENDAR**

#### **Approve January 9, 2025 Minutes**

Action: Approve the minutes from January 9, 2025  
Motion: Commissioner Quinn  
Second: Commissioner Wright  
Voice Vote: Unanimous Yes

### **QUASI-JUDICIAL PUBLIC HEARINGS**

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**PUD24-0009 Nagomi at Springbrook 100-Unit Planned Unit Development at 3809 NE Springbrook Road**

Chair Newton-Curtis opened the public hearing and called for any abstentions, ex parte contact, or objections to jurisdiction. Hearing none, the meeting proceeded.

James Dingwall, Assistant Planner, presented the staff report for the 100-lot single-family residential planned unit development proposed by Itajo USA. He outlined the site details, zoning, and applicable criteria for review. Dingwall noted three modification requests from the applicant: 1) reduced lot frontage for 3 lots, 2) increased lot coverage for R-1 zoned lots, and 3) allowance for buildings to intrude into the sun exposure plane.

The staff recommendation was to adopt Planning Commission Order 2025-05 approving PUD24-0001 with conditions.

Chair opened the floor Public Testimony:

PROPONENT: Mercedes Serra from 3J Consulting, representing the applicant, gave a presentation on the proposed development. She provided details on the site layout, density, modifications requested, traffic impacts, and design elements. Serra addressed questions from commissioners regarding traffic, stormwater management, and sun exposure impacts..

OPPONENT: Tracy Wagner and Scott Huffman expressed concerns about increased traffic on Benjamin Road, potential changes to speed limits, culvert capacity, and the location of green space within the development. They also noted general concerns about the proposed density.

In response to public comments, Serra clarified that the applicant cannot change road speed limits, that stormwater facilities will ensure no increased flow to existing culverts, and that the proposed density meets the city's vision for the site.

Chair Closed the Public Testimony and asked for final comments from Staff:

Staff recommended approval of PUD24-0009 Nagomi at Springbrook 100-Unit Planned Unit Development at 3809 NE Springbrook Road.

Chair Opened the floor for Planning Commissioners' deliberation:

Commissioners discussed various aspects of the proposal, including density, light impacts from the sun exposure plane modifications, and the reduced lot frontage request. Some commissioners expressed concerns about the modifications and overall density, while others felt the proposal met the established zoning requirements.

Action: Approve PUD24-0009 Nagomi at Springbrook 100-Unit Planned Unit Development at 3809 NE Springbrook Road

Motion: Commissioner Quinn

Second: Commissioner Dale

Roll Call Vote: 6 YES ; 2 NO; \_\_\_ Absent ; \_\_\_ Abstained

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**ITEMS FROM STAFF**

Community Development Director Scott Siegel provided updates on City Council goals related to planning, including work on land needs analysis, short-term rental policy review, street tree list updates, and historic preservation efforts. He also noted upcoming agenda items for future Planning Commission meetings.

**ITEMS FROM COMMISSIONERS**

Commissioner Wright requested updates to the Planning Commission member list to reflect new leadership positions. She also asked for an updated land use analysis to show current affordable housing needs in Newberg. Commissioner Quinn agreed with this request.

Commissioner Wright welcomed new student commissioner Elise Stefan and thanked her for volunteering.

**ADJOURNMENT**

Meeting adjourned at 8:54 p.m.

Attest:

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Planning Commission Chair

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Fé Bates, Planning Commission Secretary



## MEMORANDUM

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TO: Newberg Planning Commission

FROM: James Dingwall, Assistant Planner

SUBJECT: DCA24-0003 Vacation Rental Home Policy Update – Planning Commission Work Session

DATE: April 3, 2025

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Following the development of policy recommendations for updates to the City's vacation rental home policy by the Planning Commission and Short-Term Rental Ad Hoc Committee and Council's direction to staff to proceed with a development code amendment, staff conducted community engagement events outlined as Task 2 in the project Scope of Work. This engagement provided an overview of the City's current policy, vacation rental home landscape of active rentals and permits, and recommendations from the Short-Term Rental Ad Hoc Committee. The events focused on the general public's interaction with vacation rental homes and gathered input on the number of vacation rentals, approval procedures and permit duration, and applicant outreach requirements at an in-person and a virtual open house. The second in-person open house targeted vacation rental home operators, and in addition to the feedback asked to the public, asked about Transient Lodging Tax collection, tracking and monitoring, amortization and grandfathering, and penalties for non-compliance. An online survey was also conducted providing information shared at the open house events and collecting responses to open house questions. 24 participants attended the in-person and virtual open houses, and 70 survey responses were received. The Public Engagement Summary (Attachment 1) contains an overview of the feedback received. On March 17, 2025, City Council received an update on the public engagement and summary of policy outcomes to provide direction on proposed code language. Attachment 2 contains initial code amendment language for the Planning Commission's review at a work session at the April 10, 2025 Planning Commission meeting. Following the work session, a public hearing is scheduled for the Planning Commission's May 8, 2025 meeting to make a recommendation to the City Council.

### Attachments:

- Attachment 1. DCA24-0003 Public Engagement Summary
- Attachment 2. DCA24-0003 Draft Code Changes

# COMMUNITY ENGAGEMENT SUMMARY REPORT

## Vacation Rental Home Regulations Update



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## Introduction to Project Objectives and Project Scope of Work

The City of Newberg's Vacation Rental Home Regulations Update includes three overall project objectives that call for:

### ***Objective 1. Grow Tourism Responsibly***

Leverage opportunities at the City of Newberg to foster growth in tourism while minimizing conflicts between the City's residents and visitors.

### ***Objective 2. Improve Compliance Rates***

Implement operational changes and update local regulations that improve compliance rates for permitting, business licensing, and transient lodging tax remittances.

### ***Objective 3. Improve Knowledge of Vacation Rental Home Operations***

Improve the understanding of local vacation rental activities and remain responsive to community needs relating to them.

The project includes a scope of work broken into six primary work areas including:

**Task 1: Initiation** included project kick-off with the Newberg City Council and Planning Commission.

**Task 2: Community Engagement** launched public outreach to the community and included multiple methods of obtaining community input on the project.

**Task 3: Policy Concept Development** will act as a check-in with the City Council regarding initial recommendations, public input received, and clarification on key decisions affecting local regulations.

**Task 4: Code Drafting** will focus on drafting new language for the City's Development Code (Newberg Municipal Code, Title 15) and other regulations as needed.

**Task 5: Legislative Action** will begin the process of public hearings related to adoption of new or amended regulations.

**Task 6: Operational Policy Changes** includes operational changes related to City Council direction including those related to new monitoring software, business license procedure updates, and operationalizing of regulatory changes.

This report focuses on Task 2 (Community Engagement). Specially, the report shares the events and materials used to communicate with the public as well as the results of engagement activities that were conducted from in November and December 2024.

## Public Engagement Plan

### Engagement Issues & Prompts

In preparing to conduct outreach and engagement materials that built on the overall project objectives, staff used the following problem statements and prompts with the public:

#### Issue Areas for Project

LOW COMPLIANCE RATES	NUISANCE CONCERNS	HOUSING AVAILABILITY	NEIGHBORHOOD CONNECTIONS
Data indicates that some VRH operators are failing to follow permit requirements, and/or pay their fair share of required Transient Lodging Taxes.	Residents have repeatedly expressed concerns that VRH's will result in neighborhood impacts such as increased traffic, noise, and other nuisances.	Changing housing from residential use to visitation changes the amount of housing available to residents for long-term housing.	Residents repeatedly expressed concerns that the change of residents to visitors will impact their ability to have neighbor-to-neighbor connections and sense of place.

#### Community Engagement Prompts for Participants

UNDERSTAND THE RULES FOR VACATION RENTAL HOMES	SHARE INITIAL IDEAS FOR CHANGE	IDENTIFY THE PUBLIC'S PREFERRED ALTERNATIVES	UNDERSTAND & CONSIDER OPERATOR FEASIBILITY
Help residents, operators, and interested parties learn about the existing regulations for vacation rental homes in Newberg.	Share the City Council's initial recommendations for changes to vacation rental homes.	Gather input from interested parties on their preferred alternative(s) for future regulations of vacation rental homes.	Understand how proposed recommendations or alternatives could impact the ability of vacation rental home operators to conduct or continue activities

### Community Outreach and Events

- **City Council Listening Session:** On August 22, 2024, Newberg City Councilors and the Mayor hosted a community listening session which introduced issues related to vacation rental homes and invited public comments related to the topic.
- **Joint City Council/Planning Commission Work Session**
  - Purpose: Review project scope of work. Provide an opportunity for City Council and Planning Commission members to communicate past interaction with the public and thoughts on the City's current vacation rental home regulation, implementation, and initial policy recommendations.

- *Presented Information: Vacation Rental Home Regulation Update Scope of Work & Existing Vacation Rental Home Conditions*
- Discussion Focus Areas:
  - Communicate Planning Commission interaction with applicant and public commenters in review of Conditional Use Permits.
  - Discuss impacts of vacation rental homes on livability in Newberg.
    - Discuss the benefits/challenges of VRH in Newberg
  - Discuss broad recommendation areas.
- November 2024 – In Person Community Open House
  - Purpose: Receive feedback on impacts of vacation rental homes in Newberg neighborhoods and the proposed types of regulation changes.
  - *Presented Information: Current (Rental Scape) data on VRHs, Existing Regulation and Policies, (brief) overview of potential regulation changes*
  - Activity:
    - Comment boards/dot surveying for categories of regulation (identified in white paper/ad hoc recommendations)
- November 2024 – Virtual Community Open House
  - Purpose: Receive feedback on impacts of vacation rental homes in Newberg neighborhoods and the proposed types of regulation changes.
  - *Presented Information: Current (Rental Scape) data on VRHs, Existing Regulation and Policies, (brief) overview of potential regulation changes*
  - Activity:
    - Miro boards for categories of regulation (identified in white paper/ad hoc recommendations)
- December 2024 – Vacation Rental Home Operators Forum (in-person)
  - Purpose: Identify operational practices and impacts for operators and receive feedback on implementation of potential policy updates.
  - *Presented Information: Recent developments and data on VRHs in Newberg, Proposed operational policy updates*
  - Activity:
    - Discussion of livability impacts and operators’ perspective.
    - Preferred operational updates, suggestions for compliance promotion
    - Are some of these fixes actually fixes, are they realistic to maintain?

### **Ongoing Activities and Tools**

- Online Public Input Form, form to be aligned with outreach event activity questions and available only during the *Task 2. Community Engagement* portion of the project.

## Analysis of Public Engagement Results

### Public Open Houses

The public open houses included two focus areas – an education station and input station. The education station provided an overview of the project, the City’s current policy and presence of vacation rentals in Newberg, and recommended policies (images of the educational posters are included in Appendix B). The content included:

- Why is Newberg changing rules for vacation rentals and why is the City asking residents about vacation rental homes?
- Key terms, permit types, development standards, and other requirements for vacation rental home approval in Newberg.
- Where vacation rental homes can be permitted, and the processes required for approval in different zoning districts.
- Where are vacation rental homes in Newberg now? What are the permitting and compliance trends for existing vacation rental homes?
- An overview of the vacation rental home policy discussion in Newberg, including a timeline of events and staff presentations, and the project scope for the vacation rental home policy update.
- The list of City Council recommendations for changes to vacation rental home regulations and operations.

The input requested from the public focused on four major policy questions building on the recommendations from the Planning Commission and Short-Term Rental Ad Hoc Committee:

1. How should Newberg limit the overall number of vacation rental homes across the city?
2. What process should vacation rental homes be required to undergo to be approved?
3. How long should an approved vacation rental home permit be valid for?
4. What outreach to neighbors should vacation rental home operators be required to conduct?

The input station provided attendees with an option to rate how strongly they supported or disliked the current policy or each policy option that had been considered by the Planning Commission or Short-Term Rental Ad Hoc committee, or provide additional options. The City also published an online survey with the same education information and input questionnaire.

The City also held an open house focused on vacation rental home operators, looking to gauge the impact of operational and rental management policy recommendations. This discussion was a group discussion with City staff following an opportunity to review the education information posters. The focus areas included Transient Lodging Tax collection, penalties for noncompliance, tracking, reporting, and communicating complaints, grandfathering and amortization of existing nonconforming rentals, and what should constitute an active user of rental permit.

Approximately 85 responses were collected to the input station questions across the open houses and online survey. Table 1 indicates the engagement breakdown by event type.

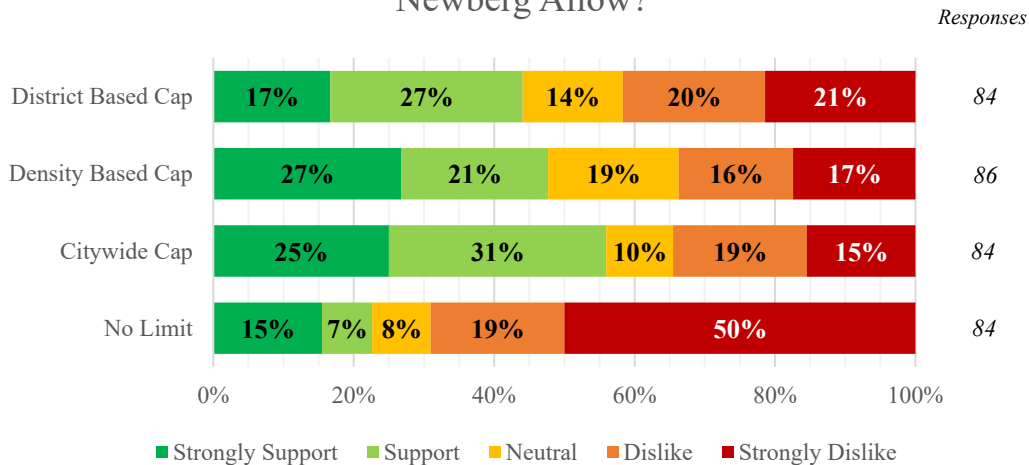
**Table 1. Engagement Summary**

Event	Attendees/Respondents
Open House	11
Operator Open House	10
Virtual Open House	3
Survey	70
<i>Total</i>	<i>94</i>

**Input Station Responses**

The public indicated strong support for regulating how many vacation rentals should be permitted in Newberg. As shown in Figure 1, approximately 70 percent of respondents disliked or strongly disliked the current policy not limiting the number of rentals that can be permitted. Over 50 percent supported a citywide cap, the recommended policy from the Short-Term Rental Ad Hoc Committee and City Council, while just under 50 percent supported a density-based or district-based cap. In addition, members of the public also suggested additional options of an ownership/operator cap or considering different densities in different zoning districts or areas of the City.

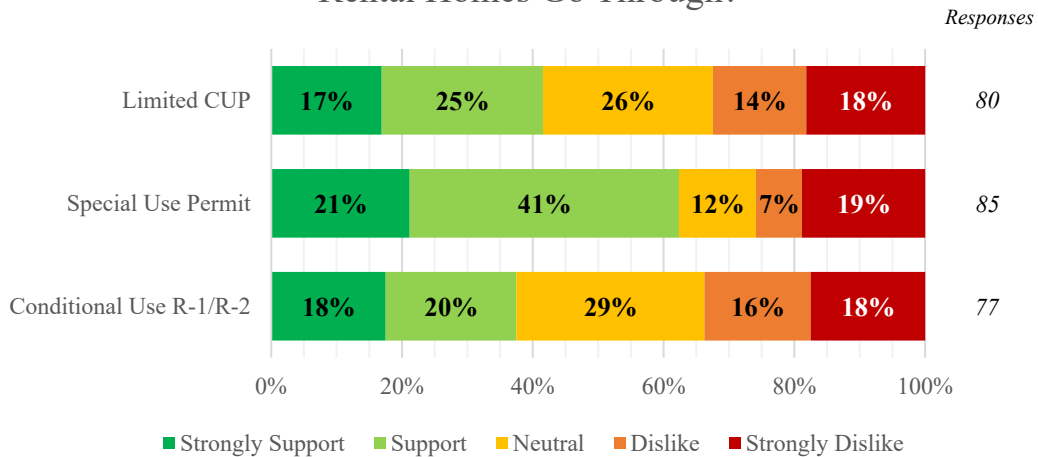
Figure 1. How Many Vacation Rental Homes Should Newberg Allow?



A majority of the respondents also supported changing the approval process for vacation rental homes from the current split pathway (Type III Conditional Use Permit in R-1 and R-2 zoning districts and Type II Special Use Permit in other permitted zoning districts) to a Special Use Permit for all vacation rental homes, approximately 62 percent, as shown in Figure 2. This would limit the vacation rental applications being elevated to the Planning Commission to those appealed. The Type II Special Use Permit requires public notice to neighbors within 500 feet, but approval criteria are limited to the Special Use Standards for vacation rental homes and a decision is made by the Community Development Director.



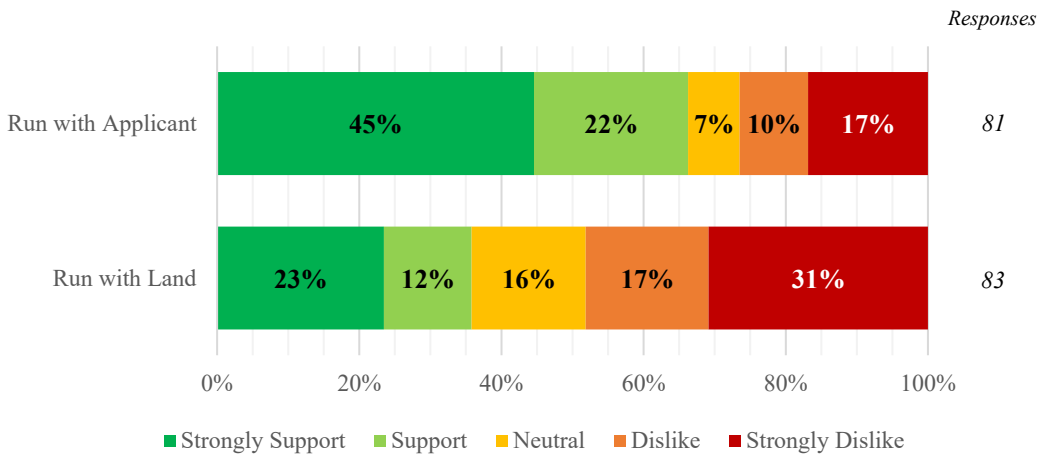
Figure 2. What Approval Process Should Vacation Rental Homes Go Through?



Online survey respondents who indicated support for limited Conditional Uses provided suggestions for potential scenarios which might require a Conditional Use Permit if the “Limited CUP” policy was selected, including considering density of vacation rentals or proximity to schools, daycares, or senior living facilities.

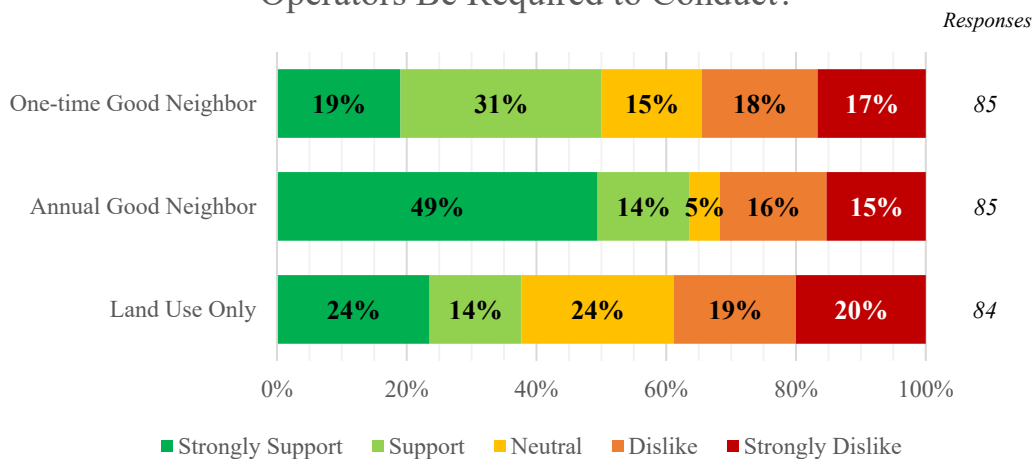
Approximately two thirds of respondents indicated that vacation rental homes should “run with the Applicant” instead of with the property that the approved rental is located on (See Figure 3). Currently, only some vacation rental permits “run with the land,” when a rental is approved in an R-1 or R-2 zoning district and require a Conditional Use Permit, which are transferable to subsequent owners or contract purchasers.

Figure 3. How Long Should Vacation Rental Home Permits Be Valid For?



The public also responded that they supported increased noticing requirements for approved vacation rental homes. As shown in Figure 4, just under 40 percent supported maintaining the current policy of only requiring noticing of the land use approval process, which requires posted notice on the site and mailed notice to properties within 500 feet when an application is received. 50 percent of respondents indicated supporting an additional one-time Good Neighbor notice which could include contact information, regulations etc. to properties around the approved rental. Just under 65 percent indicated that they supported or strongly supported an annual Good Neighbor notice requirement.

Figure 4. What Noticing Should Vacation Rental Home Operators Be Required to Conduct?



Vacation rental home operators also provided additional feedback on policy changes that could impact their rental operations and ongoing interaction with the City to maintain compliance.

- *Transient Lodging Tax Collection:* Recommended revisions/review of the TLT collection form, identifying types of payments submitted by what type of operator or platform to improve accuracy in reporting. Raised concerns about potential issues with platforms (i.e. AirBnB) remitting TLT resulting in lump sum payments that cannot be attributed to addresses and possible limitations in platform reporting to operators when TLT payments have been made. Raised the possibility of the City providing platforms with the TLT registration form upon registration with the platform.
- *Penalties for Non-compliance:* Recommended that any unpaid TLT be required in addition to a penalty for non-compliant operations. Noted that when new regulations are in place, adequate publication by the City of requirements will be needed. Suggested a “first strike” notification and time period for reconciliation before penalties are applied. Consider a “new home FAQ” or information sheet for property owners of vacation rental home requirements that could be issued when city services are connected or initiated for a new property owner.

- *Tracking, Reporting, and Communicating Complaints:* An app like See, Click, Fix may be an option for ongoing issues, but would require publication to ensure people know to use the app. Good neighbor notifications could be a preferred first line response of how to address issues with a rental in your area. Repeated good neighbor notices may address house turnover and assisting neighbors with knowing where/how to complain. Concern raised that forcing the public into one complaints channel does not seem effective. Suggested multiple options based on the situation – who to contact when and at what level of severity.
- *Amortization and Grandfathering of Non-conforming use:* 90-day recommended period may be too long to allow people to submit a land use permit. Consider temporary grandfathering only, should be on the amortization schedule (could be 2-5 years). Observed that the duration of a VRH is 4.5 years, could consider trends to set the compliance timetable.
- *What should be considered an active user of a VRH permit?:* Suggested associating activity with TLT remittances, is equivalent to effectuating the permit. Keep the process simple, and tie to annual permit and licensing requirements.

## Appendix A. City Council Listening Session Results

### *Listening Session Minutes*



**City Council  
Short Term Rental Listening Session Minutes  
August 22, 2024  
Newberg Public Safety Building 401 E. Third Street  
Denise Bacon Community Room**

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#### **1. CALL TO ORDER**

The meeting was called to order at 7:05pm.

#### **2. ROLL CALL**

Councilors Present: Mayor Bill Rosacker, Elise Yarnell Hollamon, Robyn Wheatly, Derek Carmon

Staff Present: Will Worthey, Rachel Thomas, Emily Salsbury

#### **3. PLEDGE OF ALLEGIANCE**

#### **4. INTRODUCTION OF TOPIC**

City Manager Worthey introduced the topic including the current state of short-term rentals in the city, regulations, and statistics about existing rentals.

#### **5. PUBLIC COMMENTS**

Public comments were received in writing and verbally. The following is a summary of the verbal comments.

##### **Michelle Lipka**

Homeowner responsibility is not to create affordable housing or college housing. There is a need for tourism.

Short-term rental hosts have a stake in the community and provide more connection to visitors/tourists to keep economic interest vested in the community.

Mid-term vs Short term rental, consider all of them.

**Jeri Turgusen**

Parking creates issue for other residents, illegal parking.

House parties create a change from the norm in keeping peace on the street. Transient neighborhood, less connection.

**John Laney**

Short term rental owner.

Short term rentals create options for people who are regularly stopping into Newberg but aren't at home all the time.

**Elizabeth Gann**

Sees Airbnb's popping up all over the place. Neighbors aren't bad when they're there, but the neighborhood doesn't feel like a community anymore.

Density of Airbnb's pushes out the community feel that Newberg has, especially on specific street (Sherman and College).

Protect livability.

**Unnamed**

Lives in hot zone. Surrounded by rentals.

Taxes? TLT vs property taxes, people who aren't running under compliance should be. Owns a short-term rental.

Numbers are out of date.

**Andrew Turner- Valley wine merchants Short-term Rental owner on First Street.**

Rule followers want more enforcement for regulations. Host responsibility important.

Provide custom experience to renters. Balance is key.

**Elise Prayzitch**

Resident of Friendsview.

Not a short-term rental owner.

Where does the workforce live? Workforce housing is being affected by short-term rentals.

**Megan Carda**

Lifestyle Properties Vacation rentals. Proponent of regulations.

Grew up in Dundee but deeply connected to Newberg. Worked at Izzy's.

The Allison changed everything for the hospitality industry, helps keep people in Newberg instead of going to Portland.

Spill over from the Allison comes to vacation rentals, create great consistent jobs. Regulations need to be balanced, they can kill the industry if they are too strict.

**Deaneen Zackson**

Short-term rental owner.

Restrictions on number of rentals owned in a community by one individual or restrictions on length of time something can be a rental. Concerned about affordable housing. Concerned with non- locals buying up property for this purpose.

**Stan Smith**

Owns short term rental outside of city limits. We drive business to the city.

Challenges in neighborhoods might need oversight. Mid-term rentals should be considered.

**Jake Keister**

What is the actual data behind these feelings? Occupancy rates? Percentage of housing? Job creation from short term rentals. Compliance with taxes.

We need transparency on regulations, want to make sure owners right to prosperity isn't affected by regulations.

Announcement from Rachel Thomas that Board, Committee, and Commission recruitment is beginning soon.

**6. ADJOURNMENT**

The meeting was adjourned at 8:07.

**Comparative Results Table of Written Comments**

Approximately 30 people attended the listening session. A small handful provided written testimony only and did not attend the meeting. Most people chose to give verbal and written testimony I have recorded these opinions separately it is important to remember that for most people present they spoke AND handed in a written comment.

**WRITTEN COMMENTS**

POLICY POSITION	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	1	2	3	4	5	6	7	8	9	10	11	TOTAL (37)	
Opposed to all regulations or supportive generally of STRs							1			1		1	1	1								1					1												7
In favor of light regulation generally				1																1	1			1				1	1		1	1	1		1			10	
In favor of light regulation by proximity / density						1		1								1										1		1		1									6
In favor of light regulation by cap						1					1														1					1									4
In favor of preventing large out of town entities from operating STRs (large scale STR volumes)								1	1																										1				3
In favor of regulating the length of time a unit can operate as a STR																																			1				1
In favor of limiting the activities occurring at an STR																												1								1			2
In favor of severely limiting the number of STRs	1	1																1					1																4
Wants to ban STR entirely					1																																		1
Mixed opinions (lists pro's and Con's) or asks for caution			1																1															1		1			4
No opinion or desires more information															1	1																				1			3



Appendix B. Community Open House, Operator Forum, Virtual Open House Posters,

Education Station Posters

Shared during Community Open House, Operator Forum, and Virtual Open House.

# WHY IS NEWBERG CHANGING RULES FOR VACATION RENTAL HOMES (VRH)?

**LOW COMPLIANCE RATES**

Data indicates that some VRH operators are failing to follow permit requirements, and/or pay their fair share of required Transient Lodging Taxes.

**NUISANCE CONCERNS**

Residents have repeatedly expressed concerns that VRH's will result in neighborhood impacts such as increased traffic, noise, and other nuisances.

**HOUSING AVAILABILITY**

Changing housing from residential use to visitation changes the amount of housing available to residents for long-term housing.

**NEIGHBORHOOD CONNECTIONS**

Residents repeatedly expressed concerns that the change of residents to visitors will impact their ability to have neighbor-to-neighbor connections and sense of place.

## PROJECT OBJECTIVES

- Leverage opportunities at the City of Newberg to foster growth in tourism while minimizing conflicts between the City's residents and visitors.

Grow Tourism Responsibly



- Implement operational changes and update local regulations that improve compliance rates for permitting, business licensing, and transient lodging tax remittances.

Improve Compliance Rates



- Improve the understanding of local vacation rental activities and remain responsive community needs relating to them.

Improve Knowledge of Vacation Rental Home Operations



## WHY IS THE CITY ASKING RESIDENTS ABOUT VACATION RENTAL HOMES?

- Help residents, operators, and interested parties learn about the existing regulations for vacation rental homes in Newberg.

Understand the Rules for Vacation Rental Homes



- Share the City Council's initial recommendations for changes to vacation rental homes.

Share Initial Ideas for Change



- Gather input from interested parties on their preferred alternative(s) for future regulations of vacation rental homes.

Identify the Public's Preferred Alternatives

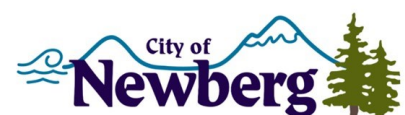


- Understand how proposed recommendations or alternatives could impact the ability of vacation rental home operators to conduct or continue activities.

Understand Consider Operator Feasibility



## Vacation Rental Home Regulations Update





# WHAT IS A "VACATION RENTAL HOME"?

## KEY TERMS

VACATION RENTAL HOME	BED & BREAKFAST	HOTELS AND MOTELS
<ul style="list-style-type: none"> <li>A single-family dwelling unit that is occupied for periods of less than 30 days or is otherwise available for use or rent for occupancy for periods of less than 30 days.</li> </ul>	<ul style="list-style-type: none"> <li>A single-family dwelling occupied by an on-site manager in which sleeping units are provided for periods of less than 30 days.</li> </ul>	<ul style="list-style-type: none"> <li>A structure with sleeping units or dwelling units rented or occupied for periods of less than 30 days.</li> </ul>

## PERMIT TYPES

<ul style="list-style-type: none"> <li>Require public noticing and are approved by the Newberg Planning Commission.</li> <li>Can be appealed to the City Council.</li> <li>Required in R-1 and R-2 Zones</li> </ul>	<ul style="list-style-type: none"> <li>Require public noticing and are approved administratively only if the application meets the City's adopted criteria.</li> <li>May be appealed to the City's Planning Commission</li> <li>Required in R-3, R-4, RP, M-E zones and all commercial (C) zones</li> </ul>
<p>CONDITIONAL USE PERMIT </p>	<p>SPECIAL USE PERMIT </p>

## STANDARDS

<p><b>BUILDING TYPE</b></p> <ul style="list-style-type: none"> <li>Only allowed in single-family dwellings</li> </ul>	<p><b>PARKING REQUIRED</b></p> <ul style="list-style-type: none"> <li>Must provide 2 off-street parking spaces</li> </ul>
<p><b>MAXIMUM CAPACITY</b></p> <ul style="list-style-type: none"> <li>May have up to 2 occupants per bedroom</li> </ul>	<p><b>PROPERTY MAINTENANCE</b></p> <ul style="list-style-type: none"> <li>Must provide regular refuse service</li> </ul>

## OTHER REQUIREMENTS

<ul style="list-style-type: none"> <li>All VRH's, hotels, motels, and bed &amp; breakfasts are required to pay a Transient Lodging Tax (TLT) for each visitor that stays with them.</li> <li>In 2023, the City collected \$1.4M in TLT, approximately 6.6% was estimated to be from VRH's.</li> </ul>	<ul style="list-style-type: none"> <li>All businesses, including VRH's, are required to obtain a business license annually.</li> </ul>
<p>TRANSIENT LODGING TAX </p>	<p>BUSINESS LICENSE </p>

# Vacation Rental Home Regulations Update

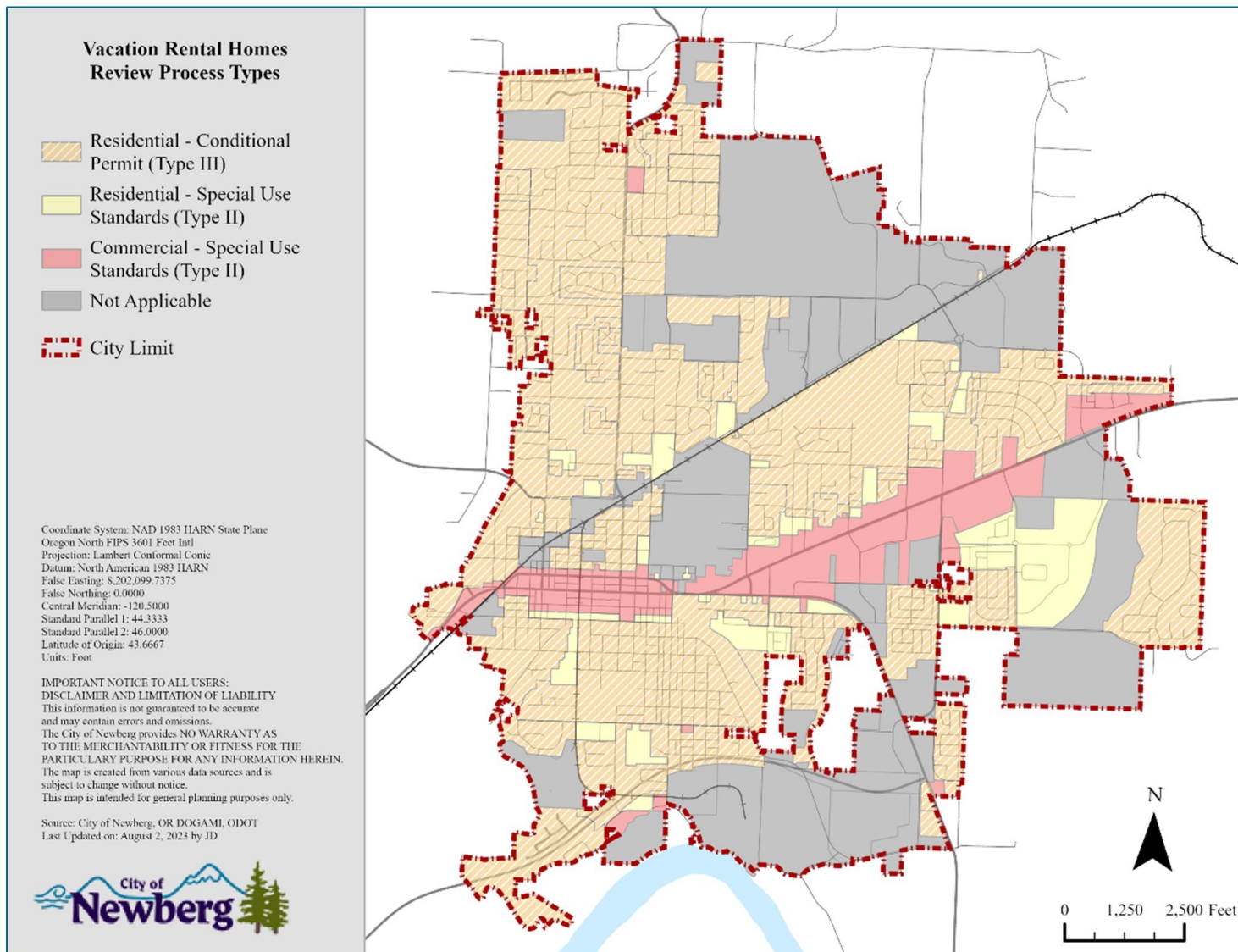




# WHERE ARE VACATION RENTAL HOMES ALLOWED?

## VRH LOCATIONS

RESIDENTIAL AREAS	COMMERCIAL AREAS	OTHER AREAS
<ul style="list-style-type: none"> <li>• Generally allowed in most residential areas.</li> <li>• Allowed with a <b>Conditional Use Permit</b> in the R-1 and R-2 Zones</li> <li>• Allowed with a <b>Special Use Permit</b> in R-3, R-4, and R-P Zones</li> </ul>	<ul style="list-style-type: none"> <li>• Generally allowed in most residential areas.</li> <li>• Allowed with a <b>Special Use Permit</b> in C-1, C-2, C-3, and C-4 areas.</li> <li>• Downtown is primarily C-3 zone, and most other commercial areas in the City are zoned C-2.</li> </ul>	<ul style="list-style-type: none"> <li>• Prohibited in most Industrial Zones which tend to include warehouses, manufacturing and similar uses.</li> <li>• Prohibited in Community Facility and Institutional Zones which tend to include campuses, community facilities, parks, and similar activities.</li> </ul>





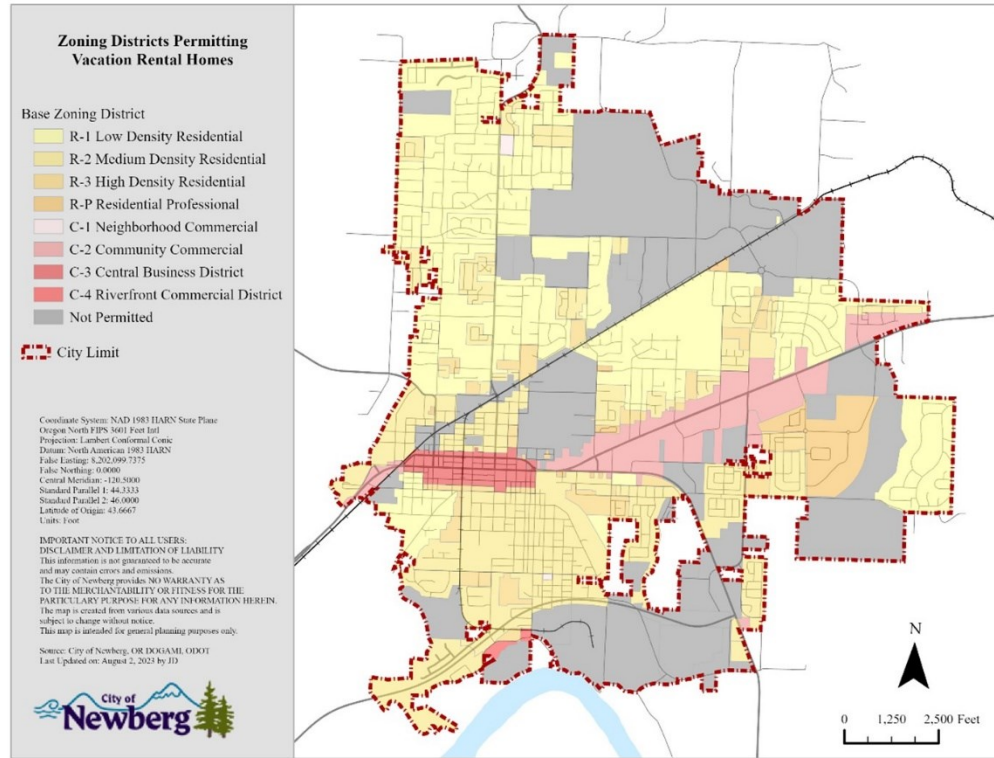
# WHERE DO WE HAVE VACATION RENTALS NOW?

## WHY DOES ZONING MATTER?

All properties within the City of Newberg have a *Zoning District* which correlates to what activities may occur on that property. In general, zoning districts can be:

- **Residential** including R-1, R-2, R-3, and R-P;
- **Commercial** including C-1, C-2, C-3, and C-4;
- **Industrial** including M-1, M-2, M-3, and M-E zones; or
- **Institutional** including the I and CF zones.

Zoning districts are used to limit conflict between neighboring properties and plan for future growth as Newberg determines the best places to grow in the future.



### EXISTING DATA FOR VACATION RENTAL HOME LOCATIONS & ACTIVITIES

The City's past and recent understanding of VRH activities has been based exclusively on City data limited to:

- Land use permit approvals for conditional and special use permits;
- Annual business license registrations and renewals; and
- Transient lodging tax registrations and payments.

This past data has failed to provide information about operators who may be operating without any of the required permits, fee payments, or other requirements.

### NEW DATA FOR VACATION RENTAL HOME LOCATIONS & ACTIVITIES

In October 2024, the City began use a new software called "Rentalscape" which is designed to enhance identification and monitoring of vacation rental activities in Newberg.

New data from recent operational changes will identify vacation rental home listings across multiple hosting platforms such as AirBnB, VRBO, Flipkey and other platforms. The new tool will:

- Identify Evaluate properties, listings, and booked dates;
- Support identification of registered and non-compliant VRH operations;
- Estimate anticipated occupancy, operator revenue, and Transient Lodging Tax revenue.

## Vacation Rental Home Regulations Update





# VACATION RENTAL HOMES BY THE NUMBERS

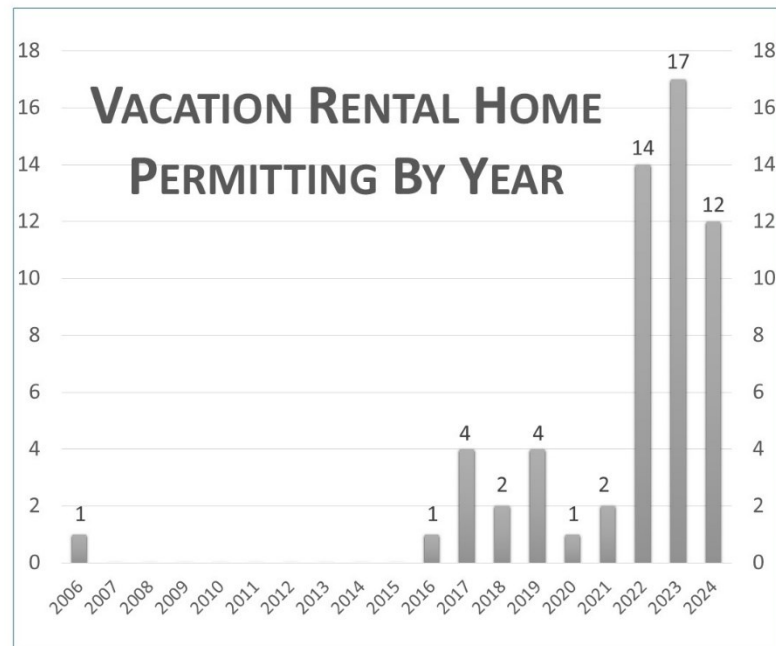
## REQUIREMENTS

All Vacation Rental Homes in Newberg are required to comply with three basic obligations:

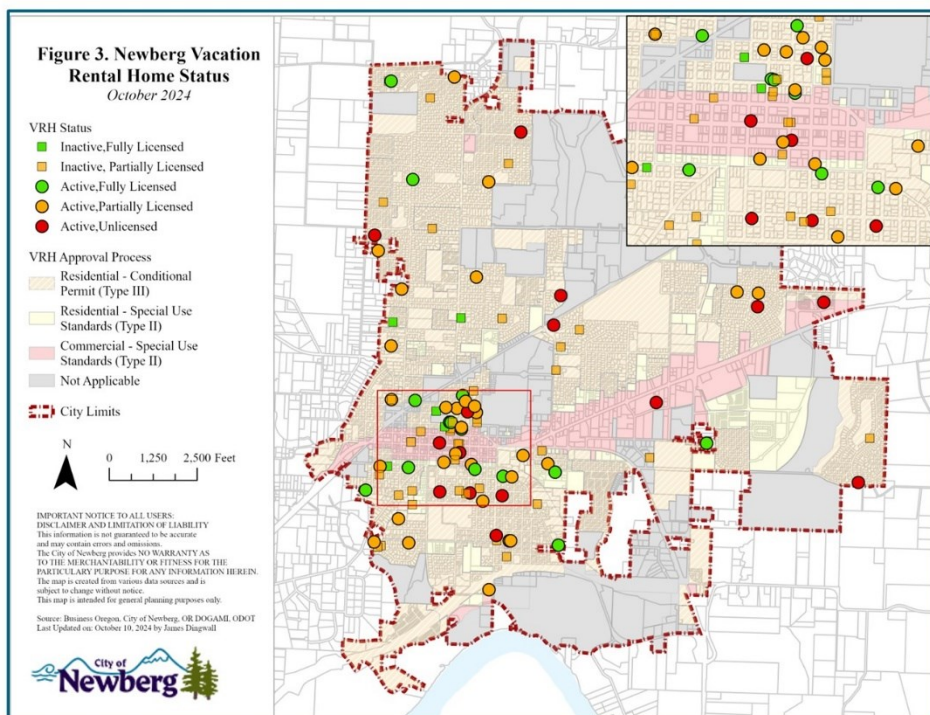
- 1. LAND USE APPROVAL:** One-time permitting approval is required. Depending on where the VRH is located, a **CONDITIONAL USE PERMIT** or **SPECIAL USE PERMIT** must be obtained before beginning operation. Records indicate that **58** VRH's have obtained the required land use permit or are in the process of obtaining one at this time.
- 2. BUSINESS LICENSE REQUIRED:** Annually, **all businesses** in the City must obtain a business licenses. For vacation rentals, this is an ongoing requirement that must occur each year. For the purposes of this requirement, a business means "professions, trades, occupations, shops and every kind of calling carried on for profit or livelihood." Records indicate that **30** VRH's currently have their required business license.
- 3. TRANSIENT LODGING TAX PAYMENT:** All operator renting a structure or portion of a structure to one or more individuals for a period of **30 days or less** for dwelling, lodging and/or sleeping is required to pay a tax based on occupancy of 9% of the rent paid. This does not include long-term rentals which are more than 30 days in duration. Records indicate that **64** VRH's have registered to pay the required transient lodging tax.

## NUMBR & TRENDS

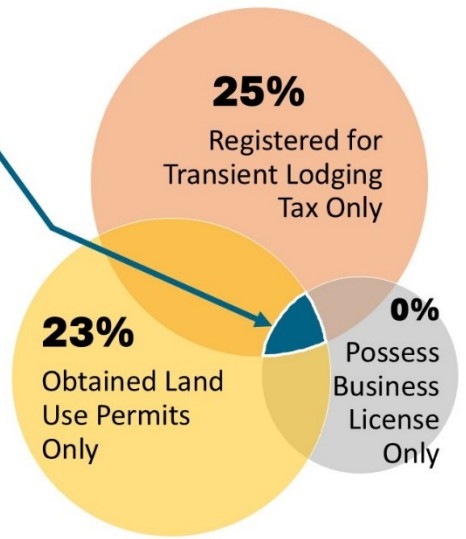
The City of Newberg initially adopted VRH regulations in 2013. Shortly after 2020, the City began to experience growth in VRH activities with new permit numbers continuing to grow in 2022-2024. City records indicate 87 VRH's are operating in Newberg.



## COMPLIANCE



Only **23%** (20 of 87) of VRH's comply with all City requirements



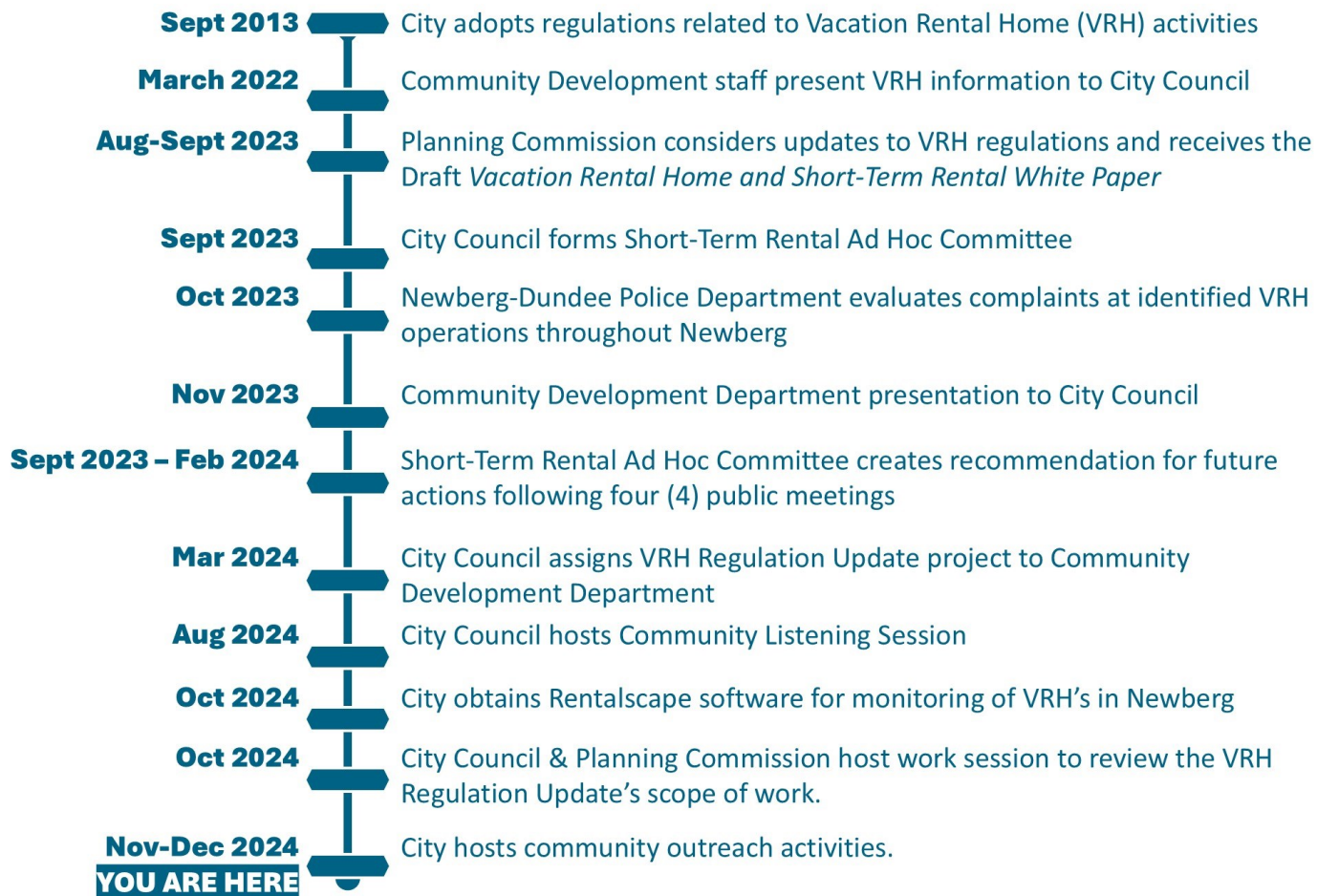
## Vacation Rental Home Regulations Update





# WHAT'S BEEN TALKED ABOUT? WHAT'S HAPPENING NEXT?

VACATION RENTAL TIMELINE



PROJECT SCOPE

TASK	TIMELINE	EVENTS AND DELIVERABLES
<b>Task 1: Initiation</b> Kick-off project and confirm project scope of work activities with the City Council.	OCT 2024	<ul style="list-style-type: none"> <li>Joint City Council &amp; Planning Commission Kick Off</li> </ul>
<b>Task 2: Community Engagement</b> Share project objectives and gather public input related to proposed changes for VRH's in Newberg.	AUG 2024 - DEC 2024	<ul style="list-style-type: none"> <li>City Council Listening Session (Completed August 2024)</li> <li><b>In-Person &amp; Virtual Open House</b></li> <li><b>VRH Operators Discussion</b></li> <li>Create Community Engagement Summary Report</li> </ul>
<b>Task 3: Policy Concept Development</b> Communicate findings from community engagement and recommended changes in response to public input.	DEC 2024 - JAN 2025	<ul style="list-style-type: none"> <li>City Council Work Session</li> <li>Create Policy Concepts Outcomes Report</li> </ul>
<b>Task 4: Code Drafting</b> Create code amendments based on City Council direction and public input.	JAN 2025 – APR 2025	<ul style="list-style-type: none"> <li>Planning Commission Work Session (2x)</li> <li>Draft Code Language &amp; Staff Report</li> </ul>
<b>Task 5: Legislative Action</b> Adopt code amendments following public hearing process.	MAR 2025 – JUNE 2025	<ul style="list-style-type: none"> <li>Planning Commission Hearing</li> <li>City Council Work Session</li> <li>City Council Hearing (potential 2x)</li> </ul>
<b>Task 6: Operational Policy Changes</b> Implement operational changes to how VRH's are administered and overseen by the City of Newberg.	SEPT 2024 – JUNE 2025	<ul style="list-style-type: none"> <li>Launch RentalScape monitoring software</li> <li>Update business license process with new permitting database (OpenGov) launch</li> <li>Implement operational related to changes in municipal code.</li> </ul>



## Vacation Rental Home Regulations Update





# CITY COUNCIL RECOMMENDATIONS FOR CHANGES TO VACATION RENTAL HOME REGULATIONS AND OPERATIONS

WORK AREA	TOPIC	POLICY CHANGES	OPERATIONAL CHANGES
1. Conduct a bi-annual short-term rental program update, including the number of short-term rentals, compliance data, and progress of other implementation measures.	Reporting		X
2. Provide a one-year post-adoption review of program implementation and impact.	Reporting		X
3. Consider implementing a cap limiting the total number of permitted vacation rental homes to two percent (2%) of the total number of households in Newberg.	Process & Operations	X	
4. Consider amending Newberg Municipal Code 15.305.020 Zoning Use Table – Use Districts to indicate vacation rental homes as a Special Use in the Low Density Residential (R-1) and Medium Density Residential (R-2) zoning districts.	Process & Operations	X	
5. Consider amending Newberg Municipal Code 15.445 Special Use Standards to indicate that vacation rental home land use approvals are not transferrable to subsequent owners or contract purchasers.	Process & Operations	X	
6. Consider amending Newberg Municipal Code 15.445 Special Use Standards to require vacation rental home permit grantees to provide annual “Good Neighbor” notices to adjacent properties including posted contact information.	Process & Operations	X	X
7. Consider amending Newberg Municipal Code 15.445 Special Use Standards to require short-term rental platforms to collect Transient Lodging Tax on behalf of operators for remittance to the City of Newberg.	Compliance & Enforcement	X	X
8. Consider amending Newberg Municipal Code 15.445 Special Use Standards to include penalties for noncompliance with Transient Lodging Tax remittance, land use permitting, or business license acquisition to be \$2,000 for the first confirmed offense and \$5,000 for the second confirmed offense of non-compliant operation.	Compliance & Enforcement	X	
9. Consider implementing a software solution to track operation and compliance of vacation rental homes within the City.	Compliance & Enforcement		X
10. Consider use of the “See-Click-Fix” app to track complaints from neighbors, in lieu of routing vacation rental home complaints through the police department.	Compliance & Enforcement		X
11. Consider requiring existing vacation rental homes to: <ul style="list-style-type: none"> <li>a. Apply for a land use permit within 90 days of the City’s adoption of new regulations and</li> <li>b. Obtain a land use permit, business license, and Transient Lodging Tax registration within one year of the City’s adoption of new regulations.</li> </ul>	Grandfathering & Amortization	X	
12. Consider allowing continued nonconforming uses without adherence to Newberg Municipal Code 15.445 Special Use Standards if in operation prior to December 7, 2023, provided they come into compliance within the amortization policy window (see #11).	Grandfathering & Amortization	X	
13. Engage with the public regarding possible changes to vacation rental home regulations.	Community Engagement	X	X



## Vacation Rental Home Regulations Update





## ISSUE AREAS AND OTHER ALTERNATIVES



The City is seeking input from the public to help determine what rules and regulations will represent the best fit for our community. Residents, VRH operators, and other stakeholders are invited to compare:

- Existing regulations,
- City Council recommended changes to current rules, and
- Other alternatives which have been used elsewhere or should be considered for Newberg.



### ISSUE AREA

### QUESTIONS FOR CONSIDERATION & PUBLIC INPUT

*CITY COUNCIL RECOMMENDATION*

#### PUBLIC REPORTING & INFORMATION

*Recommendations #1, #2, & #9*

**Q:** Will the proposed reporting be adequate for maintaining an understanding of VRH's and their community impacts?

Is more or less reporting needed for a high level of community understanding?

#### NUMBER OF VACATION RENTAL HOMES IN NEWBERG

*Recommendation #3*

**Q:** Should there be a limit in how many VRH's are allowed in Newberg?

If so, how could such a limit reduce unintended consequences from VRH's?

#### PERMITTING PROCESS & PROCEDURES

*Recommendations #4 & #5*

**Q:** Currently most VRH applications must go to a public hearing at the Planning Commission to receive approval but have relatively objective criteria to meet. Should the City modify its procedures to streamline applications?

**Q:** Once obtained, permits currently "run with the land" which allows a permit to pass from one owner to another owner at a property as long as the activity continues. Is this OK, should this activity "run with the operator" or be modified in some other way?

#### COMPLIANCE IN VRH OPERATIONS

*Recommendations #6 & #7*

**Q:** Currently neighbors are notified only during a VRH's one-time application to operate a vacation rental. Should the City require an annual "Good Neighbor" noticing of adjacent property owners to ensure neighbors have contact information for the VRH?

#### WHAT ELSE IS THE CITY DOING?

**Operational Changes:** The City has acquired a new software called "Rentalscape" to enhance its ability to identify and monitor VRH's across multiple online listing platforms such as AirBNB, VRBO, and FlipKey.

**Additional Input Opportunities:** In addition to the community open houses scheduled for November and December, the City will release an online survey that will be available to the public so that people who missed the open houses can provide early input into the project.

**Input Station Posters (In-Person Events)**

The below posters were shared during Community Open House and Operator Forum events. Participants were invited to participate via a voting exercise and provided with the opportunity write-in additional concepts or general comments. The results from the Community Open House and Operator Forum are provided in Appendix C and Appendix D respectively.

An alternative format of these posters was created using the *Miro Board* application which is provided in Appendix E.

**City of Newberg** **DO YOU AGREE?**

**Pick Your Policies!**

		Strongly Support	Support	Neutral	Dislike	Strongly Dislike
<b>Number of Vacation Rentals</b>	<b>No Limit</b> <i>(Current Policy)</i>	The number of vacation rental homes in Newberg is not currently regulated.				
	<b>Citywide Cap</b> <i>(Recommended Policy)</i>	Limits the total number of permitted vacation rental homes to two percent (2%) of the total number of households in Newberg.  <i>Currently, could allow for up to 189 vacation rental homes based on the U.S. Census Bureau estimate of 9,481 existing households in Newberg. There are an estimated 87 vacation rental homes currently in Newberg.</i>				
	<b>Density-based Cap</b>	Limits new vacation rental homes that can be approved to only those occurring to a specified distance way from one another such as 200, 500, 1000 feet of an existing vacation rental home.				
	<b>District-based Cap</b>	Creates districts, such as neighborhoods or zoning districts, which allow up to a specific number of vacation rental homes such as "up to 10 in District A."				
	<i>Other:</i>					
	<i>Other:</i>					
	<i>Other:</i>					

**Vacation Rental Home Regulations Update**



## DO YOU AGREE?



### Pick Your Policies!

		Strongly Support	Support	Neutral	Dislike	Strongly Dislike
<b>Vacation Rental Registration Process</b>	<b>Conditional Use Permit Required in R-1 and R-2 zones</b> <i>(Current Policy)</i>	Planning Commission hearing required in Low and Medium-Density Residential Districts. A permit is issued by the Community Development Director in High-Density and Commercial zones.				
	<b>Special Use Permit</b> <i>(Recommended Policy)</i>	Requires a permit issued by the Community Development Director in all zones. Permits can be appealed to the Planning Commission.				
	<b>Limited Conditional Use Permit Required</b>	Requires a Planning Commission Hearing for Vacation Rental Homes in certain situations or near sensitive sites (e.g. near schools)				
	<i>If you support this alternatives, where would you want to see conditional use permits required?</i>					
	Other:					
Other:						
<b>Duration</b>	<b>Runs with the Land</b> <i>(Existing Policy)</i>	Currently, conditional use permits issued for vacation rental homes are transferred to subsequent owners or contract purchasers.				
	<b>Runs with the Applicant</b> <i>(Recommended Policy)</i>	Prohibit new conditional use permits issued for vacation rental homes from transferring to subsequent owners or contract purchasers				
	Other:					

### Vacation Rental Home Regulations Update



## DO YOU AGREE?



### Pick Your Policies!

		Strongly Support	Support	Neutral	Dislike	Strongly Dislike
<b>Outreach</b>	<b>Land Use Notice Only</b> <i>(Current Policy)</i> Require vacation rental home operators to send notices of the land use approval process (Planning Commission Hearing or Special Use Permit).					
	<b>Annual Good Neighbor Notices</b> <i>(Recommended Policy)</i> Require vacation rental home operators to send notices to neighbors including contact information, regulations, etc. annually in addition to land use notices.					
	<b>One-time Good Neighbor Notices</b> Require vacation rental home operators to send notices to neighbors including contact information, regulations, etc. upon approval.					
	<i>Other:</i>					

## WHAT ARE YOUR THOUGHTS ON VACATION RENTALS IN YOUR NEIGHBORHOOD?

Are there ways vacation rentals are impacting your neighborhood? Do you have any other ideas? Add a sticky note to the poster with your thoughts!

### Vacation Rental Home Regulations Update

*Operator Discussion Posters*

Additional posters were used to facilitate a group discussion during the Operator Forum event. Staff wrote down responses onto these posters. Those results are provided in Appendix X.



## TRANSIENT LODGING TAX COLLECTION

*RECOMMENDED POLICY: PLATFORM COLLECTS TLT*

## PENALTIES FOR NONCOMPLIANCE

*RECOMMENDED POLICY: \$2,000 FIRST CONFIRMED OFFENSE, \$5,000 SECOND CONFIRMED OFFENSE*

**Vacation Rental Home Regulations Update**



## TRACKING, REPORTING, COMMUNICATING COMPLAINTS

*RECOMMENDED POLICY: USE THE SEE, CLICK, FIX APP INSTEAD OF POLICE DEPARTMENT*

## AMORTIZATION

*RECOMMENDED POLICY: APPLY FOR A LAND USE PERMIT WITHIN 90 DAYS OF NEW REGULATIONS, OBTAIN LAND USE, TLT, AND BUSINESS LICENSE WITHIN ONE YEAR.*

**Vacation Rental Home Regulations Update**



## GRANDFATHERING

*RECOMMENDED POLICY: ALL CONTINUED NONCONFORMING STANDARDS PROVIDED THEY USE THE AMORTIZATION PROCESS*

## ACTIVE USER

*WHAT SHOULD QUALIFY AS AN ACTIVE RENTAL?*

**Vacation Rental Home Regulations Update**

### Appendix C. Community Engagement Results

How many vacation rentals should the City allow?						
	Strongly Support	Support	Neutral	Dislike	Strongly Dislike	<i>Number of Responses</i>
No Limit	13	6	7	16	42	84
Citywide Cap	21	26	8	16	13	84
Density Based Cap	23	18	16	14	15	86
District Based Cap	14	23	12	17	18	84

What Process should vacation rental homes go through?						
	Strongly Support	Support	Neutral	Dislike	Strongly Dislike	<i>Number of Responses</i>
Conditional Use R-1/R-2	14	16	23	13	14	80
Special Use Permit	18	35	10	6	16	85
Limited CUP	13	19	20	11	14	77

How long should vacation rental permits be valid for?						
	Strongly Support	Support	Neutral	Dislike	Strongly Dislike	<i>Number of Responses</i>
Run with Land	19	10	13	14	25	81
Run with Applicant	37	18	6	8	14	83

What Process should vacation rental homes go through?						
	Strongly Support	Support	Neutral	Dislike	Strongly Dislike	<i>Number of Responses</i>
Land Use Only	20	12	20	16	17	85
Annual Good Neighbor	42	12	4	14	13	85
One-time Good Neighbor	16	26	13	15	14	84



How many vacation rentals should the City allow?

	Strongly Support	Support	Neutral	Dislike	Strongly Dislike
No Limit	15%	7%	8%	19%	50%
Citywide Cap	25%	31%	10%	19%	15%
Density Based Cap	27%	21%	19%	16%	17%
District Based Cap	17%	27%	14%	20%	21%

What Process should vacation rental homes go through?

	Strongly Support	Support	Neutral	Dislike	Strongly Dislike
Conditional Use R-1/R-2	18%	20%	29%	16%	18%
Special Use Permit	21%	41%	12%	7%	19%
Limited CUP	17%	25%	26%	14%	18%

How long should vacation rental permits be valid for?

	Strongly Support	Support	Neutral	Dislike	Strongly Dislike
Run with Land	23%	12%	16%	17%	31%
Run with Applicant	45%	22%	7%	10%	17%

What Process should vacation rental homes go through?

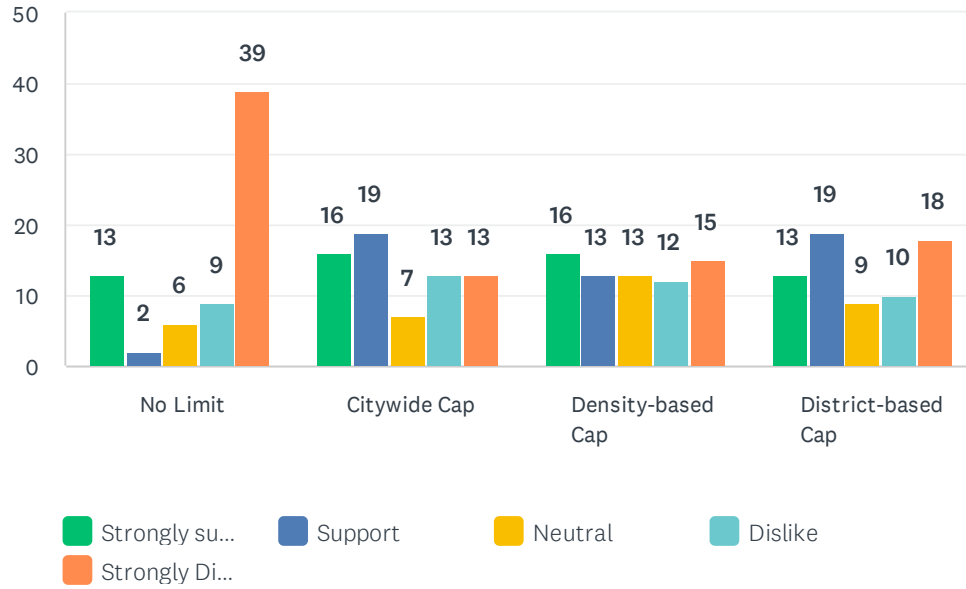
	Strongly Support	Support	Neutral	Dislike	Strongly Dislike
Land Use Only	24%	14%	24%	19%	20%
Annual Good Neighbor	49%	14%	5%	16%	15%
One-time Good Neighbor	19%	31%	15%	18%	17%

## Appendix D. Online Questionnaire Sample & Results



## Q1 How many vacation rentals should the City allow?

Answered: 70 Skipped: 0



	STRONGLY SUPPORT (1)	SUPPORT (2)	NEUTRAL (3)	DISLIKE (4)	STRONGLY DISLIKE (5)	TOTAL	WEIGHTED AVERAGE
No Limit	18.84% 13	2.90% 2	8.70% 6	13.04% 9	56.52% 39	69	3.86
Citywide Cap	23.53% 16	27.94% 19	10.29% 7	19.12% 13	19.12% 13	68	2.82
Density-based Cap	23.19% 16	18.84% 13	18.84% 13	17.39% 12	21.74% 15	69	2.96
District-based Cap	18.84% 13	27.54% 19	13.04% 9	14.49% 10	26.09% 18	69	3.01

City of Newberg Vacation Rental Home Policy Update

BASIC STATISTICS						
	MINIMUM	MAXIMUM	MEDIAN	MEAN	STANDARD DEVIATION	
No Limit	1.00	5.00	5.00	3.86	1.56	
Citywide Cap	1.00	5.00	2.00	2.82	1.46	
Density-based Cap	1.00	5.00	3.00	2.96	1.47	
District-based Cap	1.00	5.00	3.00	3.01	1.49	

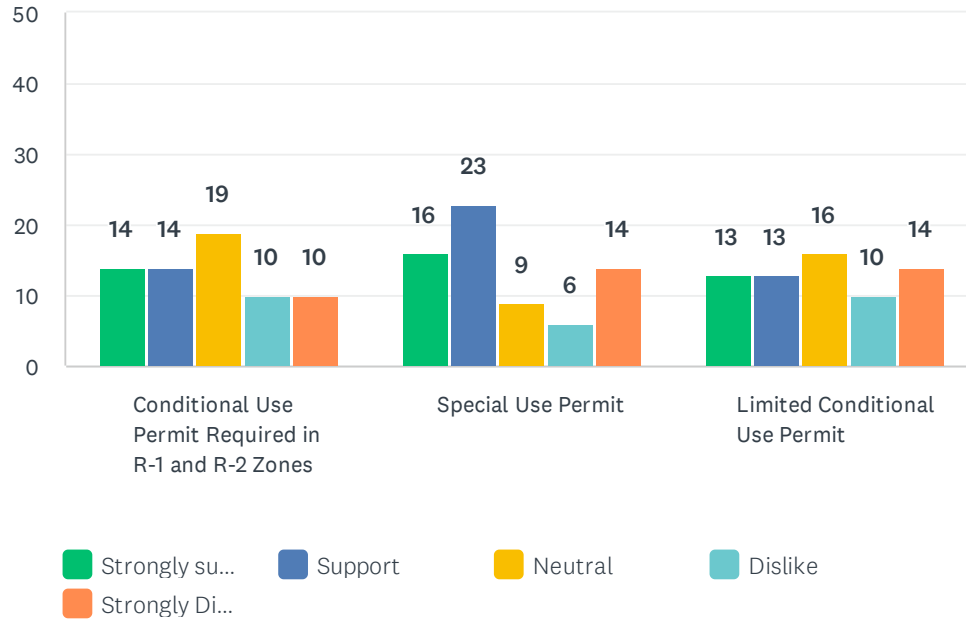
#	HAVE ANOTHER IDEA? PLEASE SPECIFY.	DATE
1	No more vacation rentals. What the heck are hotels for then? This is a community that is based on permanent residents, it's not freaking Sunriver. NO NO NO NO NO NO. You listed the reasons why I am opposed to this below: Low Compliance Rates - Data indicates that some VRH operators are failing to follow permit requirements, and/or pay their fair share of required Transient Lodging Taxes. WHAT THE HELL?!! Nuisance Concerns - Residents have repeatedly expressed concerns that VRH's DO result in neighborhood impacts such as increased traffic, noise, and other nuisances. Housing Availability - Changing housing from residential use to visitation changes the amount of housing available to residents for long-term housing. WE NEED HOMES FOR PEOPLE not a bunch of wine-o types breezing through. Neighborhood Connections - Residents repeatedly expressed concerns that the change of residents to visitors will impact their ability to have neighbor-to-neighbor connections and sense of place. Just a bunch of party people disrupting the peace.	12/15/2024 3:02 PM
2	It should be smaller than 2%. There are already too many.	12/14/2024 2:56 PM
3	All of the above are terrible ideas! You are asking the wrong questions (IMHO)! 1- Please do NOT allow ANY whole house transient rentals in ANY house (primary dwelling unit) in ANY residential zone!!!! Allowing this practice is the primary driver of problems and a huge mistake that create never-ending problems! Only allow transient lodging in ADUs (attached or detached) and only when the OWNER (not a paid manager or renter) occupies the primary dwelling unit and LIVES (full time) ON SITE. 2-In "homes" located in RP, yes you should allow transient lodging of primary dwelling units, as this is a transitional (pseudo-commercial) zone that usually is adjacent to commercial activity. Planner should revisit this RP zone and identify houses that could/should be added to the RP zone (houses that skirt commercial districts.) This RP zone (and/or residences in a commercial zone) should be the ONLY place where transient lodging is allowed with the owner not present!	12/14/2024 9:59 AM
4	Why even allow whole house vacation rentals in residential zones? Would we allow a whole home to become a commercial shop instead of a residential dwelling? Why are we allowing housing stock to be diminished while we are in a housing crisis, and turning residential houses into what are essentially hotels scattered in residential zones? My suggestion: no whole home vacation rentals allowed in Residential zones. Only allow ADUs to be vacation rentals - and have a citywide cap on that number, since we have a housing crisis and need long term dwellings wherever possible. I don't have a problem with short term rentals of dwellings in CR or RP zones. Because those were planned to be commercial type zones.	12/14/2024 9:35 AM
5	The less the better. We have very little housing for rent. If we want more vacation rentals, then build new buildings for them. Stop taking away what little housing there is.	12/14/2024 1:47 AM

## City of Newberg Vacation Rental Home Policy Update

6	More green space please!	12/13/2024 11:20 PM
7	Citywide cap @ 1%	12/13/2024 9:48 PM
8	Newberg homes should go to families. No more companies. 87 seems sufficient.	12/13/2024 8:44 PM
9	I don't see how any of these address the concerns listed on the initial slide. To do that, one would need to limit the rentals to the same property where the owner lives, such as a room or ADU on the property.	12/13/2024 8:41 PM
10	No Limit, this way there is competition which brings in quality	11/27/2024 9:36 AM
11	How about the city being in charge of housing for its constituents as opposed to forcing hard-working homeowners to be in charge of that? Do something with zoning to require a percentage of new builds to provide affordable housing on the ground floor of apartment buildings or on upper floors of commercial buildings. And George Fox University should have zero input into this issue. If they don't have enough housing for their students, then they need to build dorms.	11/27/2024 9:25 AM
12	I think certain areas should possibly be allowed to have more vacation rentals... especially downtown Newberg, which does not have any hotels and tourists support the local businesses.	11/26/2024 6:27 PM
13	We should minimize the complexity as much as possible. And the burden to the home-owner should be minimal too, to improve compliance.	11/26/2024 5:01 PM
14	Too much is too much and deteriorates the value of each VHR business. My business is suffering reduction of guests by market flooding...including hotels (new Marriott)	11/21/2024 10:31 AM

## Q2 What process should vacation rental homes go through?

Answered: 68 Skipped: 2



	STRONGLY SUPPORT (1)	SUPPORT (2)	NEUTRAL (3)	DISLIKE (4)	STRONGLY DISLIKE (5)	TOTAL	WEIGHTED AVERAGE
Conditional Use Permit Required in R-1 and R-2 Zones	20.90% 14	20.90% 14	28.36% 19	14.93% 10	14.93% 10	67	2.82
Special Use Permit	23.53% 16	33.82% 23	13.24% 9	8.82% 6	20.59% 14	68	2.69
Limited Conditional Use Permit	19.70% 13	19.70% 13	24.24% 16	15.15% 10	21.21% 14	66	2.98

City of Newberg Vacation Rental Home Policy Update

BASIC STATISTICS					
	MINIMUM	MAXIMUM	MEDIAN	MEAN	STANDARD DEVIATION
Conditional Use Permit Required in R-1 and R-2 Zones	1.00	5.00	3.00	2.82	1.33
Special Use Permit	1.00	5.00	2.00	2.69	1.45
Limited Conditional Use Permit	1.00	5.00	3.00	2.98	1.41

#	HAVE ANOTHER IDEA? PLEASE SPECIFY.	DATE
1	This needs to have way more guardrails on than we currently have. They already are circumventing taxes and fees. WTH is up with that? Ya'll would be on my *ss if I didn't pay my fair share.	12/15/2024 3:02 PM
2	Again, you are asking the WRONG QUESTIONS! If you get your permitted use rules correct (as per my above rant) then there should be no need for any of the above permits and you will save massive staff time! DO NOT allow whole-home short-term rental in any residential zone. For whole-home short term rentals in RP (or commercial) zones, yes owner should be required to have state biz license, city biz license and should be registered and paying TLTS!	12/14/2024 9:59 AM
3	Prior to becoming a vacation home the owner should be required to occupy the home for at least 2-years prior to it being eligible for becoming a vacation home. This will prevent corporate buyers from flipping home sales directly to becoming vacation homes. I also think there should be no more than 1 vacation per quarter mile unless a special zoning district exists specifically for vacation homes.	12/13/2024 10:00 PM
4	Airbnb does not ask for this documentation I believe. All parties should be in accordance of what is asked and needed	11/27/2024 9:36 AM
5	Nothing. Stop picking on homeowners.	11/27/2024 9:30 AM
6	Where a dwelling is located, should have no basis on what the owner of said dwelling is allowed to do with the dwelling that they paid for. Especially if it is already owned and you're changing the playing field after they have already spent money purchasing and renovating a property.	11/27/2024 9:25 AM
7	Other business do not have to continuously beg for renewals to continue business. VHR are an investment to start a business & support the community.	11/21/2024 10:31 AM

### Q3 If you support the Limited Conditional Use Permit option in question 2, what situations do you think should require a conditional use permit?

Answered: 20 Skipped: 50

#	RESPONSES	DATE
1	Density, neighborhood approval, current availability to either home ownership or places for families to live while renting.	12/15/2024 3:02 PM
2	Within 1000 feet of schools, daycares and senior living facilities.	12/15/2024 1:00 PM
3	All. Neighbors should get to weigh in.	12/14/2024 2:56 PM
4	Near Schools, parks, playgrounds. Amount of available housing in vicinity i.e. low amount available than no permit.	12/14/2024 1:09 PM
5	NONE! Get your permitted code correct and you wont have to deal with all these types of permits.	12/14/2024 9:59 AM
6	Where there already is too high (set a % number) a percentage of homes in a designated mileage range that have been flipped into short term lodging. And perhaps where there have been a certain number of validated code complaints about problems with short term lodging units (noise complaints, parking complaints, trash complaints, illegal drug use complaints).	12/14/2024 9:35 AM
7	Near schools and churches, public places like parks and town facilities.	12/14/2024 8:46 AM
8	Schools, near farm land, areas not near a public transit, near popular recreational areas	12/14/2024 8:09 AM
9	1. Homes in neighborhoods with limited parking. Two spaces is not enough for some of these rental properties already. 2. Near schools 3. Streets with no street parking or very limited. 4. If the occupancy of the residence is more than six guests on any one property. 5. If the property owner plans to change the appearance of the dwelling in a way that disrupts the aesthetics of a neighborhood.	12/14/2024 3:28 AM
10	They shouldn't be allowed in neighborhoods, period. Put them next to commercial areas - directly against them. They don't belong in neighborhoods.	12/14/2024 1:47 AM
11	The owner MUST occupy the home 6 months of the year and only are allowed 1 "rental" home aside from their own home.	12/13/2024 11:20 PM
12	For all VHR- they are all for special use	12/13/2024 10:04 PM
13	Definitely schools as we should allow these to be as available as possible for families with children looking for housing. Parks should also be included as they should be more easily accessible to residents.	12/13/2024 10:03 PM
14	Neighboring properties approval only.	12/13/2024 9:48 PM
15	I do not support any permits	12/13/2024 7:47 PM
16	addressing cases where someone might be trying to get a permit to use a non-traditional dwelling unit. i.e. renting out a business or warehouse space for a vocational rental. I feel if the space is already an established residence it should not need a special use or conditional permit. If it's been a home and will be used as a home a permit should not be needed. If is	12/2/2024 8:21 AM

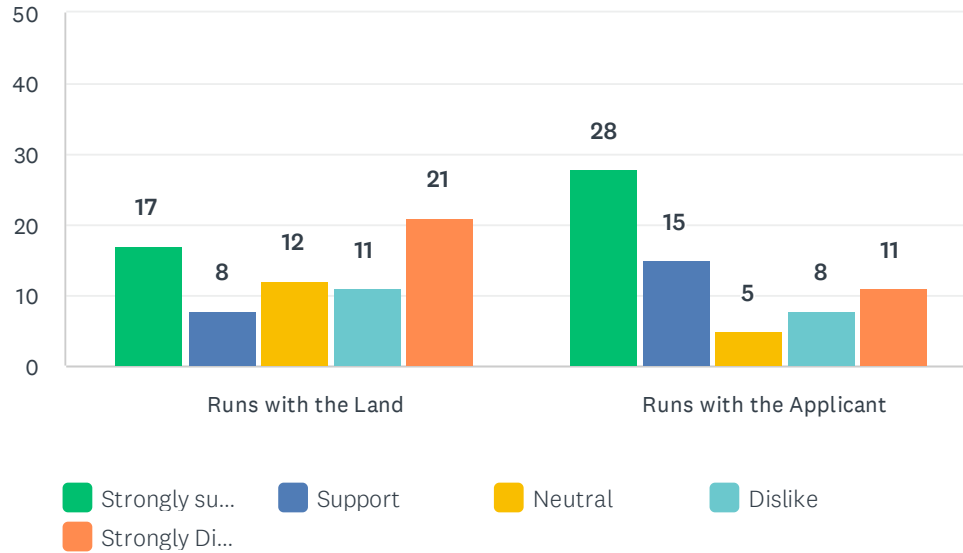
## City of Newberg Vacation Rental Home Policy Update

anything else it should be reviewed and issued a conditional permit. As an example, the last remaining Blockbuster in Bend rented out their store for a night.

17	None	11/27/2024 9:30 AM
18	None. Leave homeowners alone.	11/27/2024 9:25 AM
19	Near a school	11/26/2024 4:28 PM
20	Don't support	11/21/2024 10:31 AM

## Q4 How long should vacation rental permits be valid for?

Answered: 69 Skipped: 1



	STRONGLY SUPPORT (1)	SUPPORT (2)	NEUTRAL (3)	DISLIKE (4)	STRONGLY DISLIKE (5)	TOTAL	WEIGHTED AVERAGE
Runs with the Land	24.64% 17	11.59% 8	17.39% 12	15.94% 11	30.43% 21	69	3.16
Runs with the Applicant	41.79% 28	22.39% 15	7.46% 5	11.94% 8	16.42% 11	67	2.39

BASIC STATISTICS							
	MINIMUM	MAXIMUM	MEDIAN	MEAN	STANDARD DEVIATION		
Runs with the Land	1.00	5.00	3.00	3.16			1.57
Runs with the Applicant	1.00	5.00	2.00	2.39			1.52

#	HAVE ANOTHER IDEA? PLEASE SPECIFY.	DATE
1	FULL STOP. Ya'll need to reapply if it's to be a vacation rental and it changes hands. They need to pass approval.	12/15/2024 3:02 PM

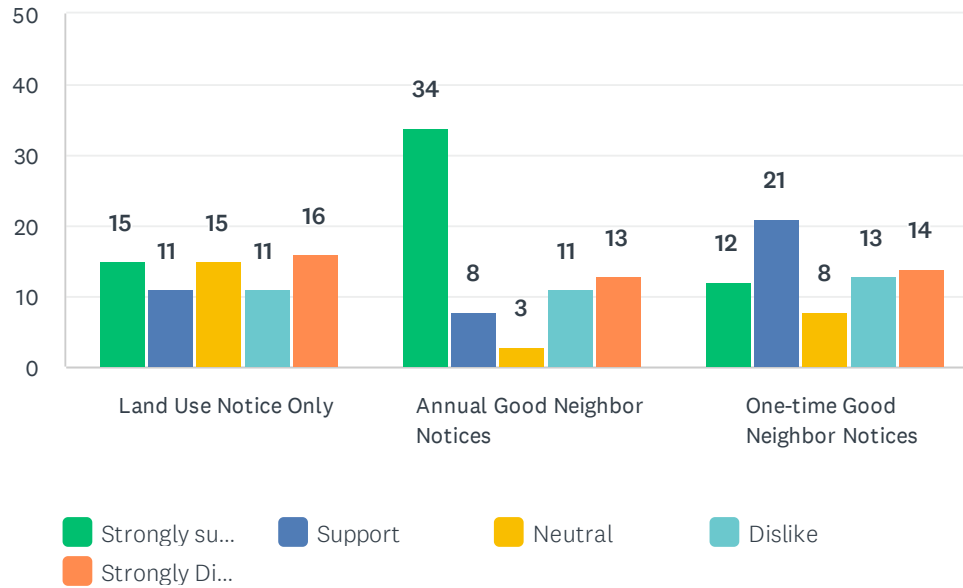


## City of Newberg Vacation Rental Home Policy Update

2	The current system is completely messed up (see my first rant) and has caused massive problems that will never be solved by picking around the edges. People who own whole-home short-term rentals are greedy (IMHO) and usually have financial resources to sue the city if you remove their nice income stream. Therefore, if by some miracle, you adopted the recommendations above (in first rant), then all the current whole-home short-term rentals (in residential zones) would become disallowed! This action of course will cause all of these investors to fight back and cry about how they cant pay their mortgages without tourist income (nonsense), so just allow them to continue (grandfathered) if they get a special use permit , until there is an ownership change, then the house goes back to being a true residence (not a defacto hotel).	12/14/2024 9:59 AM
3	There needs to be a limit on number of vacation rental properties someone can own. There's just not enough long term housing available at reasonable enough prices to allow houses to be purchased then sit. It's understandable if people use it as a stream of income but they can't start building a monopoly of properties that sit empty for periods of time.	12/13/2024 10:03 PM
4	No more than 5 years unless within in a special zoning district for vacation homes. When it expires, it cannot automatically renew and must go through a 12 month wait period to allow other homes to apply and become eligible to be a vacation rental.	12/13/2024 10:00 PM
5	If someone were to purchase, a bakery, part of what they are purchasing is the name, the reputation, the supplies, etc. If someone wants to sell their short term, rental business, why should they be penalized and not have the same ability to sell their business?	11/27/2024 9:25 AM
6	All permits should be valid for a fixed amount of time, in the order of 5-10 years and can be sold with the land. It should never run with the applicant because the zoning requirements are related to the home and location and not to the person.	11/26/2024 5:01 PM
7	There are real property (imposed by the city) investments to be a VHR. This should be salable.	11/21/2024 10:31 AM

## Q5 When should vacation rental home operators provide notice to their neighbors?

Answered: 70 Skipped: 0



	STRONGLY SUPPORT (1)	SUPPORT (2)	NEUTRAL (3)	DISLIKE (4)	STRONGLY DISLIKE (5)	TOTAL	WEIGHTED AVERAGE
Land Use Notice Only	22.06% 15	16.18% 11	22.06% 15	16.18% 11	23.53% 16	68	3.03
Annual Good Neighbor Notices	49.28% 34	11.59% 8	4.35% 3	15.94% 11	18.84% 13	69	2.43
One-time Good Neighbor Notices	17.65% 12	30.88% 21	11.76% 8	19.12% 13	20.59% 14	68	2.94

City of Newberg Vacation Rental Home Policy Update

BASIC STATISTICS					
	MINIMUM	MAXIMUM	MEDIAN	MEAN	STANDARD DEVIATION
Land Use Notice Only	1.00	5.00	3.00	3.03	1.46
Annual Good Neighbor Notices	1.00	5.00	2.00	2.43	1.64
One-time Good Neighbor Notices	1.00	5.00	3.00	2.94	1.42

#	HAVE ANOTHER IDEA? PLEASE SPECIFY.	DATE
1	We gotta live with this shit next door, we should know what the hell is going on. Cars coming and going, people coming and going, trash, noise, and then long vacancies with no one around opening things up to vandalism and theft for the rest of us who live by them. Send the tourists to all to the hotels in town. Didn't they just built a new one at the north end of town. Hmmm... yeah. Yeah they did. And it's literally their business of record.	12/15/2024 3:02 PM
2	Annually seems like overkill	12/15/2024 7:14 AM
3	Neighbors should get to share opinions before permit is approved.	12/14/2024 2:56 PM
4	If you get your code correct, then these should no be needed. But my preferred would be a one-time thing. Please look at what the City of Dayton did with this. To the best of my knowledge: 1-they do NOT allow whole home rental in any exclusively-residential zone! They allow short-term/whole-home rental in their CR zone (which is similar to our/Newberg's RP zone). In this zone (and in commercial zones) they allow whole-home rentals. 2-They allow and even encourage short-term rental of ADUs (attached or detached) in all residential zones as long as: a- the ADU is permitted for occupancy and b-the owner of the property lives on/occupies the primary dwelling unit. Finally: The crux of the problem is absentee owners (who are basically investors/business people who generally dont give a rip about the neighbors) who are renting out whole-homes! Simply do NOT allow this and you will solve 90% of the problems!!!!!! Thank you.	12/14/2024 9:59 AM
5	Neighbors move in and out frequently and might not be present when the one and only notice is sent.	12/13/2024 10:00 PM
6	All three.	12/13/2024 9:48 PM
7	Who wouldn't communicate with their neighbors about their plans to operate a short-term rental?	12/13/2024 8:41 PM
8	I think one time is enough, which would be the requirement when applying for the permit. The distance of neighbors should include everyone in a 2 block radius.	12/2/2024 8:21 AM
9	Never. Its no one's business.	11/27/2024 9:30 AM
10	My neighbor has goats and roosters that smell and are loud. They did not have to get my approval. My other neighbor dug up his whole front lawn over a year ago and now it's a mud pit and unsightly. They didn't have to get my approval. Another neighbor painted their house a shocking yellow color, and have zero landscaping and cars on blocks in their driveway. They didn't have to get my approval. Why does a homeowner need to get their neighbors' approval to do whatever they want with their own home? Further, I think it would be a nuisance if I had to get notice annually from my neighbors for things that they wanted to do.	11/27/2024 9:25 AM

## City of Newberg Vacation Rental Home Policy Update

11	An annual good neighbor letter seems excessive.	11/26/2024 6:27 PM
12	As an STR owner I do think we should be required to give the neighbors contact info.	11/26/2024 4:28 PM
13	Neighbors are not required to advise my business on changes in house/home population!	11/21/2024 10:31 AM

Note: Existing text is shown in regular font.  
Added text is shown in double underline.  
Deleted text is shown in ~~strikethrough~~.

**The Newberg Development Code shall be amended as follows:**

**Section 1. Newberg Development Code, 15.305.020 is amended as follows:**

### **Chapter 15.305**

#### **ZONING USE TABLE**

Sections:

- 15.305.010 Classification of uses.
- 15.305.020 Zoning use table – Use districts.
- 15.305.030 Zoning use table – Use subdistricts.

#### **15.305.010 Classification of uses.**

The zoning use table under NMC 15.305.020 identifies the land uses that are allowed in the various zoning districts. The specific land use categories are described in Chapter 15.303 NMC. The table identifies each use as one of the following:

- P Permitted Use. The use is a permitted use within the zone. Note that the use still may require design review, building permits, or other approval in order to operate.
- C Conditional Use. A conditional use permit is required for the use. See Chapter 15.225 NMC.
- S Special Use. The use is subject to specific standards as identified within this code. The applicable section is included in the last column of the table.
- (#) A note indicates specific limits on the use. These notes are listed at the bottom of the table.
- X Prohibited Use. The use is specifically prohibited.

If none of the codes above are indicated, then the use is not permitted within the zone. [Ord. 2763 § 1 (Exh. A § 6), 9-16-13.]

15.305.020 Zoning use table – Use districts.

Newberg Development Code – Zoning Use Table

[...]

#	Use	R-1	R-2	R-3	R-4	RP	C-1	C-2	C-3	C-4	M-E	M-1	M-2	M-3	M-4-I	M-4-C	M-5	CF	I	AR	AI	Notes and Special Use Standards	
460	<b>COMMERCIAL LODGING</b>																						
Def.	Vacation rental home	<u>CS</u>	<u>CS</u>	S	S	S	S(13)	S(13)	S(13)	S(13)	X						S(13)					Chapter 15.445 NMC, Article VII	

[...]

## Section 2. Newberg Development Code, 15.445 is amended as follows:

[...]

### 15.445.310 Where allowed.

Vacation rental homes are permitted in areas shown on Chapter 15.305 NMC. The vacation rental home must be a structure approved for occupancy as a single-family dwelling unit. [Ord. 2763 § 1 (Exh. A § 17), 9-16-13.]

A. The total number of vacation rental homes in permitted zoning districts shown in Chapter 15.305 NMC shall not exceed two percent of the total number of households within the City of Newberg. The Director shall publish the total number of vacation rental homes permitted annually and number of available licenses. Should the City reach the two percent limit, no new vacation rental home permits shall be issued until a sufficient number of issued vacation rental permits become inactive or the total number of allowed vacation rental homes increases.

B. An a vacation rental home permit is considered inactive if a business license is not renewed within one year of expiration.

C. All vacation rental homes in operation prior to October 13, 2013 may continue to operate as legal nonconforming uses without meeting the standards in Chapter 15.445.330(A-D) or in additional structure types. Nonconforming uses are subject to loss of such status per Chapter 15.205.030 NMC and this section. Specifically, discontinuance or abandonment of vacation rental home operation including not renewing a business license within one year of expiration shall constitute termination of nonconforming vacation rental use. All vacation rental homes in operation prior to XXXX XX, XXXX shall apply for registration per Chapter 15.445.320 NMC no later than XXXX XX, XXXX and shall have received approval per Chapter 15.445.320 NMC no later than XXXX XX, XXXX.

### 15.445.320 Registration required.

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

Penalty. Upon verification of operation of a vacation rental home without registration per Chapter 15.445.320 NMC, the owner shall be notified by the Director. If an application is not received within 30 days of notice, the operator shall be subject to a penalty not to exceed \$2,000 for the first offense and \$5,000 for each additional offense and shall be processed in accordance with the uniform civil infraction procedure ordinance, Chapter 2.30 NMC. Each confirmed operation without registration constitutes a separate violation.

[Ord. 2763 § 1 (Exh. A § 17), 9-16-13.]

### 15.445.330 Standards.

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

B. The applicant shall provide for regular refuse collection.

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

D. The premises of the vacation rental home may not include any occupied recreational vehicle, trailer, tent or temporary shelter during the rental occupancy. [Ord. 2763 § 1 (Exh. A § 17), 9-16-13.]

E. The applicant shall provide annual good neighbor notices to residential properties within 500 feet. The notice shall include such information required by the director, including the name and contact information of the owner, local contact, and complaint procedures per Chapter 15.445.350 NMC. Compliance shall be documented at vacation rental home business license renewal.

F. Transient Lodging Tax Collection. Vacation rental home management platforms shall collect and remit transient lodging tax.

G. Ownership. The land use approval of the dwelling unit as a vacation rental home in any permitted zone as shown on Chapter 15.305 NMC is in the names of the property owners and the land use approval is not transferable. When any of the owners sell or transfer the property approved, occupied, or rented as a vacation rental home, the vacation rental home land use approval shall cease.

i.

H. Local Manager. The owner or designated property manager shall be located within XX distance of the vacation rental home.

**15.445.340 Registration posting.**

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

- A. The name of the operator and a telephone number where the operator may be reached.
- B. The telephone number for the police department.
- C. The maximum number of occupants permitted to stay in the dwelling.
- D. The standards for the rental occupancy.
- E. The solid waste collection day. [Ord. 2763 § 1 (Exh. A § 17), 9-16-13.]

**15.445.350 Complaints and revocation of registration.**

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

- A. Revoke the registration for noncompliance with the standards in this section. If this permit is revoked, the premises may not be used as a vacation rental home for a period of two years, or a period of lesser time as determined by the hearings officer.
- B. Impose additional conditions necessary to fulfill the purpose of this section.
- C. Establish a probationary period to monitor compliance.
- D. Dismiss the complaint.
- E. Refer the matter to the code enforcement officer for citation in municipal court or other appropriate jurisdiction.

The hearings officer's decision may be appealed to the planning commission by the applicant, owner, or person filing the written complaint within 14 calendar days of the date of the decision in the manner provided in NMC 15.100.170. [Ord. 2763 § 1 (Exh. A § 17), 9-16-13.]



## MEMORANDUM

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TO: Newberg Planning Commission  
FROM:  
SUBJECT: Anticipated Schedule of Planning Commission Activities  
DATE: April 1, 2024

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To assist the Planning Commission in gauging activities for FY 25/26, below is a preliminary schedule of activities.

April 10, 2025

- DCA24-0003 Vacation Rental Home Regulations Update (Work Session #1)

May 8, 2025

- DCA24-0003 Vacation Rental Home Regulations Update (Hearing)
- CUP25-001 20' Extension to existing wireless facility (Hearing)

July 10, 2025

- DCA25-tbd Annual Development Code Maintenance (Work Session #1 - Concepts)

August 14, 2025

- DCA25-tbd Annual Development Code Maintenance (Work Session #2 - Draft Code)

September 11, 2025

- DCA25-tbd Annual Development Code Maintenance (Hearing)

There are additional activities the Community Development Department may bring forward to the Planning Commission for consideration for land use cases. Staff is also looking at various updates and cleanup actions to the Development Code and other projects such as:

1. Development Code Amendment – Small Cell Site Facilities – Legislative Hearing
2. Development Code Amendment – Institutional Zone & Overlay Regulations – Legislative Hearing (Tentative)
3. Other Items from the Planning Division's Work Program, which is available at [newbergoregon.gov/planning](http://newbergoregon.gov/planning), include:
  - a. Items related to the Newberg Urban Growth Boundary Project
  - b. Update requirements related to HOA's and stormwater facilities management
  - c. Code updates for compliance with statewide regulations including HB3395 (2023) and Commercial Conversions to Residential (HB2984)

- d. Street Tree and Planter Strips Update
- 4. Other Items from Prior Discussion with the Planning Commission
  - a. Appendix A revisions roadway cross-sections
  - b. Tentative – Military Banner Sign Regulations – Legislative
  - c. Annexation criteria
  - d. Stream Corridor Adjustment process
  - e. Urban Forestry program
  - f. Fences in Industrial zones
  - g. C-3 zone – reduce front yard landscaping from 10 feet to 5 feet
  - h. Industrial outdoor storage
  - i. Downtown sign point system
  - j. Roof top mechanical unit screening
  - k. Historic review process
  - l. Zoning Use Table
  - m. Undergrounding utilities
  - n. Driveway width
  - o. Home occupations
  - p. 15.405.030(B) – “The creation” ~~development~~ of lots under 15,000 sf. ....
  - q. 15.302.010 – add R-4 to the list
  - r. Replace parking diagrams in 15.440.070 for readability
  - s. Replace airport overlay diagrams in back of Dev. Code for readability
  - t. Temporary Merchant standards
  - u. Food Carts
  - v. ADUs in industrial zones