

SALEM HEARINGS OFFICER MINUTES
October 24, 2018

Hearings Officer
Jim Brewer

Staff Present
Britany Randall, Planner II
Sally Long, Planner I
Kirsten Straus, Recorder

Hearings Officer Jim Brewer called the meeting to order at 5:30 p.m. City of Salem staff members present were Britany Randall – Planner II, Sally Long – Planner I, and Kirsten Straus - Recorder.

1. PUBLIC HEARING ON A CONDITIONAL USE CASE

• **CU18-09 for property located at 2183 Morrow Ct NW**

REQUEST: Conditional Use Permit to allow an existing single-family dwelling located at 2183 Morrow Court NW - 97304 to be used as a short-term rental. The subject property is approximately 0.24 acres in size, zoned RS (Single Family Residential), and located at 2183 Morrow Court NW (Polk County Assessor Map and Tax Lot Number: 073W08DC00300).

Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 5:34 p.m.

Case Manager, Britany Randall, entered the staff report, all attachments, and her presentation into the record and proceeded with her presentation. Ms. Randall also stated for the record that the applicant recognized an error in their written statement they had submitted with their application. The cost per night rental fee should have been \$400 per night, not \$4000 per night.

RECOMMENDATION

Staff recommends that the Hearings Officer adopt the facts and findings of the staff report and take the following action for the subject property located at 2183 Morrow Court NW (Polk County Assessor Map and Tax Lot Number: 073W08DC00300)

APPROVE the Conditional Use Permit to allow the existing single family dwelling located at 2183 Morrow Court NW to be used as a short-term rental, subject to the following conditions of approval:

Condition 1: The maximum number of occupants in the short-term rental shall not exceed 6 persons. For purposes of this condition of approval, children under 12 years of age do not count towards the maximum number of occupants.

Condition 2: The short-term rental shall be rented to only one group of guests at a time. Bookings of the rental by more than one group of guests at any given time is prohibited.

Condition 3: Use of the short-term rental shall be limited to the provision of lodging. Activities other than lodging, such as events, parties, gatherings, luncheons, banquets, weddings, meetings, fundraising, or commercial or advertising activities are prohibited.

Condition 4: The conditional use permit shall be valid only for the current applicant/owner. The conditional use permit shall not run with the land and is not transferable to any other applicant or owner.

At this time the Hearings Officer had no questions for Staff.

PERSONS TESTIFYING:

Applicant:

- Joseph and Patricia Dobbles, Applicants/Owners, 2183 Morrow Court NW, Salem, OR

Neighborhood Association: None

Support: None

Oppose: None

Neutral: None

Evidence Received From:

Support: None

Oppose: None

Neutral: None

Rebuttal: None

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 5:44 p.m. The applicant waived the additional 7 day period for written argument.

2. PUBLIC HEARING ON A QUASI-JUDICIAL ZONE CHANGE CASE

- **ZC18-03 for property located at SW Portion of Riverfront Park**
REQUEST: An application for a Quasi-Judicial Zone Change from SWMU (South Waterfront Mixed-Use) to CB (Central Business District), for property approximately 4.07 acres in size that is currently vacant, and located at the SW Portion of Riverfront

Park (Marion County Assessors Map and Tax Lot number: 073W27BA01700, 073W27BA01490, and 073W27BA01800).

Mr. Brewer read the applicable criteria into the record. No objection to jurisdiction was raised and the public hearing was opened at 5:50 p.m.

Case Manager, Britany Randall, entered the staff report, all attachments, and her presentation into the record and proceeded with her presentation.

RECOMMENDATION

Based upon the Facts and Findings contained in this staff report, staff recommends that the Hearings Officer **APPROVE** the request for a quasi-judicial zone change from SWMU (South Waterfront Mixed-Use) to CB (Central Business District) for property approximately 4.07 acres in size that is currently vacant, and located at the SW Portion of Riverfront Park (Marion County Assessors Map and Tax Lot number: 073W27BA01700, 073W27BA01490, and 073W27BA01800).

At this time the Hearings Officer had no questions for Staff.

PERSONS TESTIFYING:

Applicant:

- Patricia Farrell, on behalf of City of Salem Parks and Recreation

Neighborhood Association: None

Support: None

Oppose: None

Neutral: None

Evidence Received From:

Support: None

Oppose: None

Neutral: None

Rebuttal: None

With no further questions or testimony to present, the Hearings Officer closed the public hearing at 5:57 p.m. The applicant waived the additional 7 day period for written argument.

Prepared by: Kirsten Straus, October 24, 2018

Approved: October 26, 2018

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