

TO: HEARINGS OFFICER

**FROM: LISA ANDERSON-OGILVIE, AICP
DEPUTY COMMUNITY PLANNING AND DEVELOPMENT DIRECTOR AND
PLANNING ADMINISTRATOR**

**SUBJECT: CONDITIONAL USE CASE NO. CU26-01; FOR PROPERTY LOCATED AT
2494 CRESTBROOK DRIVE NW**

AMANDA NO. 25-122746-PLN

REQUEST

Summary: A Conditional Use Permit for a short-term rental within an existing single-family dwelling.

Request: A Conditional Use Permit for a short-term rental for an existing four-bedroom home located on a property zoned RS (Single Family Residential) and located at 2494 Crestbrook Drive NW (Tax Lot Number: 073W20BD / 2400).

A vicinity map illustrating the location of the property is attached hereto and made a part of this staff report (**Attachment A**).

APPLICANT: Joseph Jordan

OWNER: Joseph Jordan

APPLICATION PROCESSING

On November 7, 2025, a Conditional Use Permit application was accepted for processing. After receiving additional information, the application was deemed complete for processing on January 16, 2026. The 120-day state mandated decision deadline for this application is May 26, 2026.

The public hearing before the City of Salem Hearings Officer is scheduled for February 11, 2026, at 5:30 p.m. at the Salem Police Department, 333 Division Street NE. A request for comments was sent to surrounding property owners and residents on January 16th, 2026. Public hearing notice was also posted on the property on February 2, 2026, 9 days prior to the hearing, pursuant to SRC requirements. Due to the posting date being one day shorter than is required in SRC 300.520(b)(2)(A) staff recommend that the comment period be held open for seven days for new testimony and seven additional days allowed for rebuttal, unless the applicant waives their rebuttal time.

PROPOSAL

The application under review by the Hearings Officer is a Conditional Use Permit to allow a short-term rental for a property located at 2494 Crestbrook Drive NW.

The Conditional Use Permit is required to allow the existing four-bedroom single-family dwelling to be used as a non-owner-occupied short-term rental.

SUMMARY OF RECORD

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 25 122746.

APPLICANT'S MATERIALS

The proposed site plan submitted by the applicant is included as **Attachment B**, with all other materials available online in the public record.

FACTS AND FINDINGS

1. Salem Area Comprehensive Plan (SACP) Designation

The Salem Area Comprehensive Plan (SACP) map designation for the subject property is "Single Family Residential." The subject property is within the Urban Growth Boundary and the Urban Service Area.

2. Zoning and Surrounding Land Uses

The subject property is zoned RS (Single-Family Residential). The zoning and uses of the surrounding properties include:

North: Across Crestbrook Drive NW, RS (Single-Family Residential)

East: RS (Single-Family Residential)

South: RS (Single-Family Residential)

West: RS (Single-Family Residential)

3. Site Analysis

The subject property at 2494 Crestbrook Drive NW is 11,002 square feet in size, with frontage on Crestbrook Drive NW. The property is improved with a 2,009 square foot, four-bedroom, single-story home with an existing two car garage, which has a driveway connecting to Crestbrook Drive NW.

A. Circulation & Access

The subject property is a corner lot that abuts Crestbrook Drive NW. Vehicular access to the property is provided via an existing driveway onto Crestbrook Drive NW. Crestbrook Drive NW are designated as Local Streets under the Salem Transportation System Plan (TSP), which requires a minimum right-of-way width of 60 feet, or a 30-foot half-width right-of-way. The existing right-of-way width for Morningside Street SE is 60 feet, and along Crestbrook Drive NW the existing right-of-way is 60 feet, which does conform to the minimum right-of-way width requirements established in Salem Revised Code (SRC) Chapter 803.025. Pursuant to SRC 800.040, when the required public street right-of-way along the frontage of a property is not met, a special setback applies along the property's street frontage to reserve land for the eventual widening of the street without creating nonconforming structures. Because the right-of-way is 60 feet the property is not subject to a special setback (SRC 800.040(b)).

B. Natural Features

Trees: The City's tree preservation ordinance (SRC Chapter 808) protects Heritage Trees, Significant Trees (including Oregon white oaks with diameter-at-breast-height (*dbh*) of 20 inches or greater and any other tree with a *dbh* of 30 inches or greater, with the exception of tree of heaven, empress tree, black cottonwood, and black locust), trees and native vegetation in riparian corridors, and trees on lots and parcels 20,000 square feet or greater. The tree preservation ordinance defines "tree" as, "any living woody plant that grows to 15 feet or more in height, typically with one main stem called a trunk, which is 10 inches or more *dbh*, and possesses an upright arrangement of branches and leaves."

No trees have been identified for removal by the applicant as part of this Conditional Use Permit. Any removal of trees from the property must comply with the requirements of the City's tree preservation ordinance (SRC Chapter 808).

Wetland: The Salem-Keizer Local Wetland Inventory (LWI) shows that there are no hydric soils and/or linear wetland area(s) mapped on the property.

Floodplain: The Floodplain Administrator has reviewed the Flood Insurance Study and Flood Insurance Rate Maps and has determined that no floodplain or floodway areas exist on the subject property.

Landslide Hazards: According to the City's adopted landslide hazard susceptibility maps and SRC Chapter 810 (Landslide Hazards), there are mapped 5-point landslide hazard areas on the subject property. SRC 810.020 requires a geological assessment or report when regulated activity is proposed in a mapped landslide hazard area. The applicant's proposal utilizes an existing structure and does not disturb any portion of a mapped landslide hazard area; therefore, a geological assessment is not required.

4. **Neighborhood and Citizen Comments**

The subject property is located within the West Salem Neighborhood Association.

Applicant Neighborhood Association Contact: SRC 300.310 requires an applicant to contact the neighborhood association(s) whose boundaries include, and are adjacent to, property subject to specific land use application requests. Pursuant to SRC 300.310(b)(1), land use applications included in this proposed consolidated land use application request require

neighborhood association contact. Notice was provided on November 6, 2025, to the neighborhood association via email.

Neighborhood Association Comment: Notice of the application was provided to the West Salem Neighborhood Association pursuant to SRC 300.520(b)(1)(B)(v), which requires notice to be sent to any City-recognized neighborhood association whose boundaries include, or are adjacent to, the subject property. As of the date of completion of this staff report, one comment has been received from the neighborhood association for the proposed development. The comment requested two conditions be placed upon the decision, one being a requirement to limit the Conditional Use to the current ownership and require the Conditional Use to be recorded with the deed. The Conditional Use Permit is described as running with the land in SRC 240.005(e) and is on file with the City of Salem. Recording the Conditional Use is not required; the applicant is free to record the Conditional Use if they so desire. The requirement to record the Conditional Use with the deed cannot be enforced by staff and therefore staff does not recommend this condition.

Homeowners' Association: The subject property is not located within a Homeowners' Association.

Public Comment: Notice was also provided, pursuant to SRC 300.520(b)(1)(B)(iii), (vi), & (vii), to all property owners and tenants within 250 feet of the subject property. As of the date of completion of this staff report, no public comments have been received.

5. City Department and Public Agency Comments

Notice of the proposal was provided to City Departments, public agencies, and to public & private service providers. The following comments were received:

- A. The City of Salem Building and Safety Division reviewed the proposal and indicated no objections and stated that building permits would be required if modifications to the structure or additional dwelling units were created.
- B. The Public Works Department reviewed the proposal and indicated no objections.

6. Analysis of Conditional Use Criteria

SRC Chapter 240.005(a)(1) provides that no building, structure, or land shall be used or developed for any use which is designated as a conditional use in the UDC unless a conditional use permit has been granted pursuant to this Chapter.

Salem Revised Code (SRC) 240.005(d) sets forth the following criteria that must be met before approval can be granted to an application for a Conditional Use Permit. The following subsections are organized with approval criteria shown in ***bold italic***, followed by findings evaluating the proposal's conformance with the criteria. Lack of compliance with the following criteria is grounds for denial of the Conditional Use Permit application, or for the issuance of certain conditions to ensure the criteria are met.

SRC 240.005(d)(1): The proposed use is allowed as a conditional use in the zone;

Finding: The subject property at 2494 Crestbrook Drive NW is zoned RS (Single-Family Residential), which requires a Conditional Use Permit for Short-Term Rentals per Table 511-1 in SRC 511.005(a). As Short-Term Rentals are allowed in the RS zone as a Conditional Use, this criterion is met.

SRC 240.005(d)(2): The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions;

Finding: The primary types of short-term rentals present on RS-zoned properties are Accessory Short-Term Rentals and Short-Term Rentals. Accessory Short-Term Rentals are permitted outright in the RS zone and do not require land use approval; however, Accessory Short-Term Rentals are subject to Special Use Standards. The Special Use Standards outlined in SRC 700.006 were established to minimize impacts of Accessory Short-Term Rentals, as conditions of approval cannot be required when reviewing an application for an Accessory Short-Term Rental License. As Accessory Short-Term Rentals can only be operated as an accessory use to single-family and two-family uses per SRC 700.006(a), the recommended conditions of approval for the proposed Short-Term Rental within an existing single-family dwelling stem from the Special Use Standards of SRC 700.006 to minimize any adverse impacts.

While the proposed Short-Term Rental will not be used as a single-family dwelling, the types of activities occurring in the dwelling will be similar to that of a single-family dwelling, just on a short-term basis (less than 30 consecutive days) and without the owner residing on-site. Generally, impacts from a Short-term Rental will be related to the amount of people renting the dwelling, noise from those in the dwelling and potentially the lack of accountability since the property owner does not live on-site.

To address the number of people staying in the dwelling, a condition of approval below limits the number of adults able to stay at one time, which would minimize impacts and function similar to other single-family dwellings in the area. Additionally, restrictions on quiet hours and prohibitions on parties or other events which would be incompatible with the area are listed as conditions of approval. Lastly, to minimize the impacts of the owner not living on-site a local representative is required to be listed on the license for Short-Term Rentals under SRC 30.1105(b) and will be the primary point of contact for neighbors, respond to any issues that arise, and ensure the property is maintained. With the recommended conditions of approval, the reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized, as the use as a Short-Term Rental will more closely resemble the activities of a single-family dwelling rather than a commercial short-term lodging operation.

Therefore, to ensure the proposed Short-Term Rental operates in a manner that will not impact the immediate neighborhood, the following conditions of approval are recommended, which are derived from the standards applicable to non-hosted Accessory Short-Term rentals under SRC 700.006.

Condition 1: The maximum number of guests in the Short-Term Rental shall not exceed eight persons. For purposes of this condition of approval, children under 12 years of age do not count towards the maximum number of guests.

- 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:** Use of the Short-Term Rental that generates noise beyond the property shall be limited to hours between 10pm to 8am.

Development standards are included within the Salem Revised Code to ensure that the use and development of land within the City occurs in a manner that implements the City's Comprehensive Plan, provides for the orderly growth and development of the City, and minimizes any reasonably likely adverse impacts of uses on other properties as required under this approval criterion.

A Short-Term Rental is required to provide adequate bicycle parking pursuant to SRC 806.055. Since, the proposed use of the property is changing from Single Family to Short Term Rental Table 806-9 of SRC 806.055 requires the greater of four spaces or one space per 50 rooms, with 75 percent of spaces allowed as long-term. As the proposed Short-Term Rental includes four guestrooms, the minimum required bicycle parking for the use is four spaces. To ensure that the bicycle parking spaces are provided the following condition of approval is recommended:

- Condition 5:** Four bicycle parking spaces shall be provided for the Short-Term Rental use and shall be developed in conformance with the applicable bicycle parking development standards included under SRC 806.060.

As discussed in the associated findings in response to this approval criterion, the reasonably likely adverse impacts of the proposed Short-Term Rental on the immediate neighborhood are minimized through the recommended conditions of approval and conformance with the applicable licensing requirements for Short-Term Rentals included under SRC Chapter 30. This criterion is met.

SRC 240.005(d)(3): The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property.

Finding: While the proposed Short-Term Rental is not a residential use where individuals reside on the property as their primary place of living, it is similar to a residential use in that it provides a place where living and sleeping accommodations are provided, albeit on a temporary basis. The proposed use is reasonably compatible with surrounding properties, and the conditions of approval along with requirements of the short-term rental license ensure that any impacts to the livability or appropriate development of the surrounding area will be minimal.

As previously discussed, both Short-Term and Accessory Short-Term Rentals are allowed within the RS zone. However, as Short-Term Rentals are not required to be owner-occupied,

they must go through the Conditional Use review process. The Conditional Use Permit review process is intended to provide neighboring property owners with an opportunity to provide comments and identify additional conditions of approval to minimize potential impacts to the area.

All Short-Term Rentals are required to have an active license to continue to operate. The Short-Term Rental license process has requirements that also increase compatibility and reduces the impact on the livability of the surrounding properties. The license process per SRC 30.1105 requires the operator to designate a local representative which shall deal with any immediate issues with the rental. The local representative can be the operator or a licensed real property management company that has a physical office open to the public within the Salem/Keizer Urban Growth Boundary. The local representative is required to be available to respond in a timely manner to the property to address complaints regarding renters of a short-term rental. The local representative's contact information is provided to the neighborhood association when the license is approved and upon yearly renewal of the license and is publicly available on the City's website. These requirements apply to all Short-Term Rentals upon receiving a license and in addition to any conditions placed on the Conditional Use Permit reduce the impact on the livability of the surrounding properties.

As identified in this report, conditions of approval have been recommended limiting the maximum number of guests allowed in the rental, limiting the type of activities the rental may be used for, limiting the number of bookings that may be made at any one time, and requiring certain modifications to ensure compliance with applicable development standards of the Salem Revised Code. These conditions help ensure that the number of guests within the dwelling and the types of activities occurring the property will be consistent with that of other single-family dwellings in the neighborhood, thereby ensuring the compatibility of the use and the preservation of livability for surrounding properties.

Furthermore, regardless of the ultimate ownership of the property, any operators of a Short-Term Rental are required to obtain a Short-Term Rental License per SRC 30.010. To obtain the Short-Term Rental License, the operator is required to meet the licensing standards of SRC 30.1105 and must renew the license by the end of each calendar year. The licensing requirements are designed to ensure that Short-Term and Accessory Short-Term Rentals have minimal impacts on surrounding uses and residents, in addition to complying with any applicable conditions of approval where a Conditional Use Permit is required. As Conditional Use approvals "run with the land" and are tied to the property rather than the applicant, the licensing requirements help standardize the operation of a Short-Term Rental even if the licensed operator differs from the property owner or applicant for any Conditional Use approvals.

As proposed, and recommended to be conditioned, the Short-Term Rental will have a minimal impact on the livability or development of the surrounding property. This criterion is met.

CONCLUSION

Based on the facts and findings presented herein, staff concludes that the proposed Conditional Use Permit, as recommended to be conditioned, satisfy the applicable criteria contained under SRC 240.005(d) for approval.

RECOMMENDATION

Based on the facts and findings contained in this staff report, staff recommends that the Hearings Officer **APPROVE** the requested Conditional Use to allow a Short-Term Rental within an existing four-bedroom, single-family dwelling located at 2494 Crestbrook Drive NW, subject to the following conditions of approval:

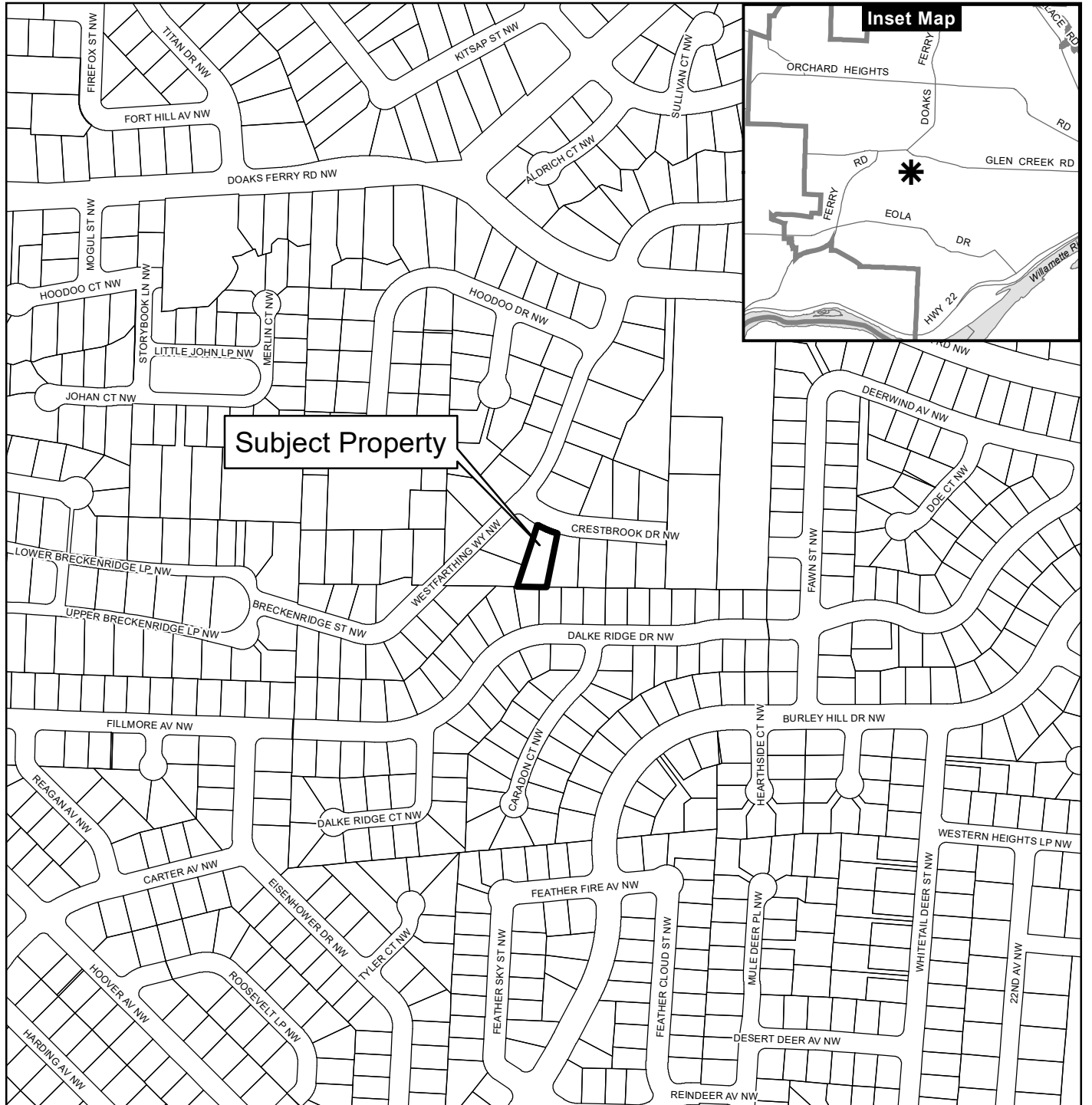
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- Condition 2:** The Short-Term Rental shall be rented to only one group of guests at a time. Bookings of the rental by more than one group of guests at any given time is prohibited.
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- Condition 4:** Use of the Short-Term Rental that generates noise beyond the property shall be limited to hours between 10pm to 8am.
- Condition 5:** Four bicycle parking spaces shall be provided for the Short-Term Rental use and shall be developed in conformance with the applicable bicycle parking development standards included under SRC 806.060.

Attachments:








- A. Vicinity Map
- B. Floor Plan

Prepared by Abigail Pedersen, Planner I

Vicinity Map 2494 Crestbrook Drive NW



Legend

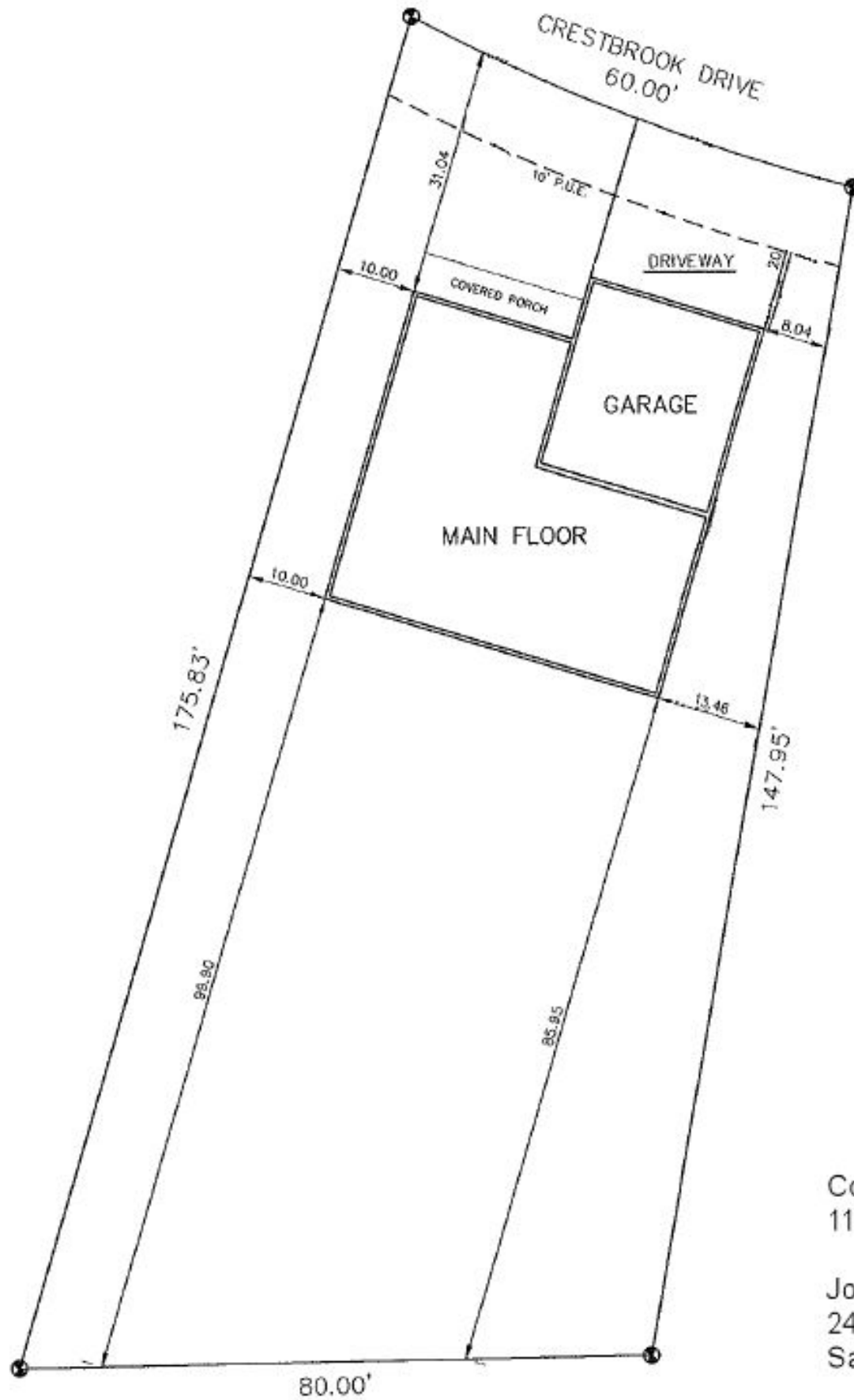
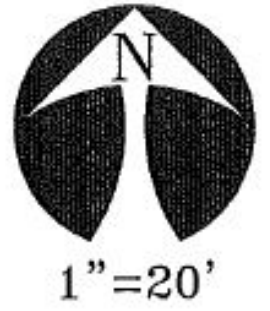
-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks



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Site Plan

Attachment B



Conditional Use Permit
11/6/2025

Joseph Jordan
2494 Crestbrook Dr NW
Salem, Oregon 97304