



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: January 12, 2017
AGENDA DATE: January 18, 2017
PROJECT ADDRESS: 1608 Bath Street (MST2016-00434)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Irma Unzueta, Acting Senior Planner
 Betsy Teeter, Planning Technician II

I. PROJECT DESCRIPTION

The 6,250 square foot project site is currently developed with a 1,800 square foot residential duplex and detached 380 square foot two car garage. The proposed project involves converting the rear residential unit (500 square feet) to a hotel unit (to serve as a vacation rental). No exterior changes are proposed. The project is also subject to the Tenant Displacement Assistance Ordinance (TDAO).

The discretionary application required for this project is an Interior Setback Modification to allow the conversion of residential floor area to commercial floor area within the required six-foot interior setback along the southeast property line (SBMC § 28.21.060 and SBMC § 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations to Land Use Limitations).

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to the findings and condition in Section V of this Staff Report.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Michael Chiacos	Property Owner: Michael Chiacos
Parcel Number: 027-171-022	Lot Area: 6,250 sq. ft.
General Plan: Medium High Density Residential (15-27 du/acre)	Zoning: R-4
Existing Use: Residential Duplex	Topography: 2 % slope

Adjacent Land Uses:

North – Residential
South – Residential

East - Residential
West- Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1, 800 sq. ft.	No Change
Garage	380 sq. ft.	No Change.

C. PROPOSED LOT AREA COVERAGE

Building: 2,180 sf 35 % Hardscape: 1,332 sf 21 % Landscape: 2,738 sf 44 %

IV. DISCUSSION

The property currently has a permitted one story residential duplex and a detached 380 square foot garage. The project site was originally developed with a single family residence and later converted legally to a duplex. The existing duplex encroaches approximately 2 feet into the required interior setback along the southeast property line. No exterior changes or addition of new floor area are proposed to either the duplex or the garage. The applicant is proposing to convert the rear unit of the duplex to a commercial use for the purpose of creating a new vacation rental in the unit.

The change of use from residential to commercial would require a Modification to permit a portion of the existing duplex building to encroach into the required six-foot interior setback. Staff supports the Modification request, because the use of the rear unit as a vacation rental is an allowed use in this zone and is not anticipated to adversely impact the neighboring properties. The R-4 Zoning Designation allows for multi-family and hotel-motel use of the property. In addition, the proposed conversion of the rear unit to a vacation rental involves only a portion of the property while still preserving the residential character of the primarily residential neighborhood.

Two covered parking spaces are currently provided on the site and are nonconforming to current parking requirements. Both back out onto the public street as designed. The current parking requirement for the site is two covered and two uncovered parking spaces. The conversion of the 500 square foot, one-bedroom, residential unit to a vacation rental will not increase the nonconforming parking requirement for the site; therefore, no additional parking will be required. However, since nonresidential parking is not allowed to back out onto the street, a Parking Design Waiver will be required from Transportation Planning. Transportation Staff has reviewed the vacation rental application and will support the plan as proposed. To facilitate the backing out of vehicles, the existing driveway curb cut will need to be revised to meet current standards. The

project will be conditioned to provide a new curb cut and on-site driveway improvements, as both are in disrepair.

The project is subject to the Tenant Displacement Assistance Ordinance (TDAO), however, the owner has provided the City with an Affidavit stating that there were no tenants residing on the property at least six months prior to filing the application for a Modification. Based on this, further TDAO requirements and process are not applicable.

V. FINDINGS AND CONDITIONS:

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed conversion of the rear residential unit to a vacation rental in a building nonconforming to setbacks is an appropriate improvement for this neighborhood because the use is allowed in the zone and the changes are not anticipated to adversely impact the adjacent neighbors, or the visual openness from the street.

Said approval is subject to the following condition:

1. The existing curb cut be revised to meet current City standards.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated September 15, 2016

Contact/Case Planner: Betsy Teeter, Planning Technician II
(bteeter@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x 4563



City of Santa Barbara California

***** SEPARATELY DISTRIBUTED SITE PLAN *****

Exhibit A: This site plan for this Staff Report has been distributed separately. A copy of the Staff Report, site plan, and exhibits/attachments are available for viewing at the Planning and Zoning Counter at 630 Garden Street, Santa Barbara, CA between the hours of 8:30 a.m. and 4:30 p.m., Monday through Thursday, and every other Friday.

Please check the City Calendar at www.SantaBarbaraCA.gov to verify closure dates.

EXHIBIT A

Michael Chiacos
1608 Bath St.
Santa Barbara, CA 93101
805-284-4179

September 15th, 2016

Staff Hearing Officer
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102-1990

RECEIVED
SEP 19 2016
CITY OF SANTA BARBARA
PLANNING DIVISION

Re: Modification Request for 1608 Bath St, 027-171-022, R4

Dear Staff Hearing Officer:

1. There is an existing residential duplex (1,800 sq. ft.) and a detached two-car garage (380 sq. ft.) on the property. The proposal is to change the smaller 500 sq. ft rear unit from residential to commercial use for use as a vacation rental. No exterior changes are proposed. The house encroaches 1' 10" on the SE side of the property. The garage encroaches 1' on the NE corner of the property and 4'6" on the NW corner of the property. All the buildings have building permits according to the City building files.
2. The modification being requested is to allow the existing SE setback on the duplex to continue during the change of use from residential to commercial. The garage will remain a garage so no modifications will be needed there. No changes to the buildings will occur as part of this request.
3. The major benefits of allowing the encroachment include: no construction is being planned for this site, thus granting the modification will allow the change of land use without extensive construction and associated cost and noise. Given the size of the lot, there is no alternative location for proposed conversion of the unit. The lot is small and there is a narrow driveway on the other side of the lot. The determination has been made that the site is appropriate for the planned use.

Sincerely,



Michael Chiacos

EXHIBIT B