



City of Santa Barbara California

III. B.

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: June 1, 2017
AGENDA DATE: June 7, 2017
PROJECT ADDRESS: 1624 Bath Street (MST2017-00015)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Irma Unzueta, Acting Senior Planner
Betsy Teeter, Acting Assistant Planner

I. PROJECT DESCRIPTION

The 11,025 square foot project site is currently developed with a two-story 1,720 square foot historic single-family residential unit, a 1,975 square foot residential duplex, a detached three-vehicle carport and two uncovered parking spaces. The proposed project involves converting the front single-family house into a vacation rental. The project also includes removal of an "as-built" parking pad abutting Bath Street, the addition of a new uncovered parking space at the rear of the vacation rental, relocation of an existing trash and recycling enclosure and alterations to an existing fence to add a pedestrian and vehicle gate. The house is a designated Structure of Merit.

The discretionary applications required for this project are:

1. Interior Setback Modification to allow the conversion of residential floor area to commercial floor area within the required six-foot interior setback along the northwest property line (SBMC § 28.21.060 and SBMC § 28.92.110); and
2. Development Plan Approval to allow the conversion of 1,720 square feet of residential floor area to nonresidential development (SBMC Chapter 28.85).

The project activity is within the scope of the 2011 General Plan and the Program EIR analysis for the General Plan. No further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183). City Council environmental findings adopted for the 2011 General Plan remain applicable for this project.

II. RECOMMENDATION

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

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Kathryn and Paul Berghoff	Property Owner: Kathryn and Paul Berghoff
Parcel Number: 027-171-026	Lot Area: 11,025 sq. ft.
General Plan: Medium High Density Residential (max. 15-27 du/ac)	Zoning: A-2 (Single Family Residential)
Existing Use: Residential	Topography: 5 % slope

Adjacent Land Uses:

North – Residential
East - Residential
South – Residential
West - Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	3,695 sq. ft.	No change
Garage/Carport	536 sq. ft.	No change
Accessory Space	72 sq. ft.	No change

C. PROPOSED LOT AREA COVERAGE

Building: 2,562 sf 23% Hardscape: 3,977 sf 36% Landscape: 4,486 sf 41%

IV. DISCUSSION

The property currently has a permitted two story single family dwelling, a one story residential duplex and a detached 380 square foot carport with an attached laundry/storage room. The existing single family dwelling encroaches approximately one foot into the required six foot interior setback along the northwest property line. No exterior changes or addition of new floor area are proposed to either the single family dwelling, the duplex or the garage. The applicant is proposing to convert the single family dwelling to a commercial use for the purpose of creating a new vacation rental. The project also includes removal of the front parking pad and creation of a new uncovered parking space adjacent to the carport.

The change of use from residential to commercial requires an Interior Setback Modification to permit a portion of the existing single family building to encroach into the required six-foot interior setback. Staff supports the Modification request, because the conversion of the single family residence to 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 single family dwelling to a vacation rental involves only a portion of the property while still preserving the residential character of the property in this primarily residential neighborhood.

Three covered parking spaces and three uncovered parking spaces are currently provided on the site, however, the front parking pad was added illegally and will be removed and replaced with an additional uncovered parking space adjacent to the carport. The proposed parking spaces will meet the parking requirement for the conversion of the single family dwelling to a vacation rental. Transportation Staff has reviewed the proposed and existing parking spaces for the vacation rental application and will support the plan as proposed.

This project was reviewed by the Historic Landmarks Commission (HLC) on February 22, 2017. HLC on two separate occasions (meeting minutes are attached as Exhibit C). The HLC had positive comments about the proposed project and determined that the Modification was appropriate for the site.

The proposed development constitutes a change of use from residential to non-residential floor area and because the unit size is greater than 1000 sq. ft. a Development Plan Approval with Growth Management Plan (GMP) findings is required. In order to make these findings, the Staff Hearing Officer must find that the project complies with all provisions of the City's Zoning and Building Ordinances, including the Non-Residential Growth Management Program requirements. The project is eligible for square footage allocations from the Minor and Small Addition categories as there have been no prior square footage allocations to the subject property; therefore, the project can be allocated 1,000 sq. ft. of Minor Addition and 2,000 sq. ft. of Small Addition for the proposed development. Because the project is consistent with the development standards for the R-4 Zone and is using the Minor and Small Additions allocated to the site, staff recommends that the Staff Hearing Officer approve the project, making the findings outlined in Section V of this report.

The proposed project is within the scope of the 2011 General Plan and the Program environmental impact report (EIR) analysis for the General Plan. The project is consistent with the anticipated development designated and analyzed by the Program EIR. Potential minor project environmental effects are addressed with existing development standards and regulations (e.g., design review, building code, construction regulations, storm water management Tier 2 provisions, and conditions, etc.). Based on City Staff analysis, no further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183- Projects Consistent with the General Plan). City Council environmental findings adopted for the 2011 General Plan remain applicable for this project. A decision-maker finding that the project qualifies for the §15183 CEQA determination is required.

V. FINDINGS

The Staff Hearing Officer finds the following:

A. INTERIOR SETBACK MODIFICATION (SBMC §28.92.110.A.2)

The Interior Setback 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 single family dwelling to a vacation rental in a building nonconforming to setbacks is an appropriate improvement for this neighborhood because the use is allowed in the R-4 Zone; no exterior changes or addition of new floor area are proposed; and the proposed conversion involves only a portion of the property while still preserving the residential character of the property in this primarily residential neighborhood. In addition the changes are not anticipated to adversely impact the adjacent neighbors, or the visual openness from the street.

B. DEVELOPMENT PLANS (SBMC §28.85.040)

1. The proposed development complies with all provisions of the Zoning Ordinance, including the Nonresidential Growth Management Program; and
2. The proposed development is consistent with the principles of sound community planning. The documents that guide development in this area are the Zoning Ordinance, and the City's design review guidelines and the project is consistent with applicable regulations, goals and policies of these documents; and
3. The proposed development will not have a significant adverse impact upon the community's aesthetics or character in that the size, bulk or scale of the development will be compatible with the neighborhood based on the Project Compatibility Analysis criteria found in Section 22.22.145 of this Code. The project will return to the Historic Landmarks Commission for further review and consideration of Project Design and Final Approvals; and
4. The proposed development is consistent with the policies of the City of Santa Barbara Traffic Management Strategy as expressed in the allocation allowances specified in SBMC Section 28.85.050.

C. ENVIRONMENTAL REVIEW (CEQA GUIDELINES §15183)

The project qualifies for an exemption from further environmental review under CEQA guidelines section 15183, based on city staff analysis and the CEQA certificate of determination on file for this project.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated March 27, 2017
- C. HLC Minutes dated February 22, 2017

Contact/Case Planner: Betsy Teeter, Acting Assistant Planner
(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.

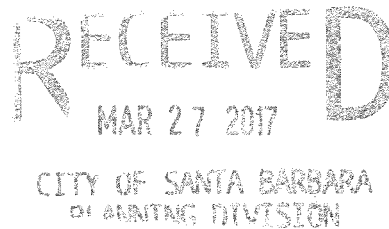
Please check the City Calendar at www.SantaBarbaraCA.gov to verify closure dates.

EXHIBIT A

Kathryn and Paul Berghoff
24 S. Morgan Street, Apt. 1101
Chicago, IL 60607

March 27, 2017

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



RE: Modification Request for 1624 Bath Street, 027-171-026, Zone R-4

Dear Staff Hearing Officer:

We are the owners of 1624 Bath Street, which we purchased in 2013. We are requesting this modification as part of our application to convert the existing Victorian house on the property from a single-family home to a vacation rental.

There is an existing historic single-family house (1720 sq. ft.), a detached three-car carport, laundry and storage room, and duplex on the property. The historic house was built circa 1873 and encroaches into the current 6-foot interior setback by approximately 2 feet on the north side of the property. Our proposal is to convert only the historic house into a vacation rental. The duplex will remain residential. The proposed project includes removal of an "as-built" parking pad abutting Bath Street, addition of a new parking space in the backyard, relocation of an existing trash and recycling enclosure, and modification of an existing fence to add a man gate.

The Historic Landmarks Commission reviewed this project on February 22, 2017 "with positive comments for the requested Zoning Modification."

The major benefit of allowing the existing building to encroach into the setback relates to the historic nature of the building. The building is a Structure of Merit in the city of Santa Barbara, and is an excellent example of Stick style architecture. The diagonal placement of the original siding on the bay windows is a striking example of this era. The double bay windows (one of which encroaches), make this cottage unique. The structure is especially valued because the original inhabitants, Edwin Hayward and Henry Muzzall, were important early Santa Barbara photographers whose work is exhibited in museums and libraries around the world. Removal of the encroaching structure, especially the bay window, would harm the architectural integrity of the house.

The benefit of converting the Victorian house to a vacation rental is that we live in the Victorian house only two to four months per year. During the remaining months, the house has been (and will continue to be, once we receive our permit)

EXHIBIT B

responsibly managed by a local vacation rental management company. At our request, the manager carefully screens all applicants and maintains a 24-hour hotline, a phone number we have shared with our adjacent neighbors should they have any complaints or issues. The use as a vacation rental unit would seem to make more sense than allowing the historic home to remain empty when we are not in Santa Barbara.

When we purchased the property, it was in considerable disrepair. The former owner, an absentee landlord, had invested little if anything in the upkeep of the Victorian house and the duplex. The Victorian house was routinely rented to large numbers of college students, which resulted in numerous complaints from our adjacent neighbors. Since purchasing the property in 2013, we have completely rehabbed the duplex, cleaned up the landscaping, and, working with Nicole Hernandez from the Historic Landmarks Commission, repainted the exterior and interior of the Victorian house. We will continue to maintain the property to a high standard and will continue to be good neighbors.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Kathryn and Paul Berghoff', written in black ink.

Kathryn and Paul Berghoff
1624 Bath Street

NEW ITEM**E. 1624 BATH ST****R-4 Zone**

Assessor's Parcel Number: 027-171-026
Application Number: MST2017-00015
Owner: Paul H. Berghoff
Applicant: Paul & Kat Berghoff
Architect: DMHA

(This is a designated Structure of Merit constructed 1873-1875 in the Stick style. Proposal to convert the existing two-story 1,720 square foot historic single-family house into a vacation rental. Project includes removal of an "as-built" parking pad abutting Bath Street, addition of a new parking space in the backyard, relocation of an existing trash and recycling enclosure, and alterations to an existing fence to add a man and vehicle gate.)

(Comments Only; project requires review by the Staff Hearing Officer for a requested Zoning Modification to allow the residence to encroach in the required interior setback.)

Continued indefinitely to the Staff Hearing Officer with positive comments for the requested Zoning Modification.

EXHIBIT C