

September 13, 2005

**Honorable Chairman and Members of the  
Hermosa Beach Planning Commission**

**Regular Meeting of  
September 20, 2005**

SUBJECT: APPEAL OF DIRECTOR'S DECISION REGARDING A PROPOSED  
DETACHED BATHHOUSE AS AN ACCESSORY STRUCTURE

LOCATION: 1921 POWER STREET

**Recommendation**

To direct staff as deemed appropriate.

**Background**

The R-1 Zone permitted use list is very specific in regards to what types of accessory buildings are allowed, and lists the following (Section 17.08.020(B)):

1. Patio Covers
2. Bathhouse or greenhouse
3. Swimming Pool and/or spa
4. Tool Shed
5. Garage
6. Storage Room for customary household items, and a maximum 400 square feet in size.

“Bathhouse” is not defined in the Zoning Ordinance. Webster’s dictionary defines bathhouse as: 1) a building equipped for bathing or, 2): a building containing dressing rooms for bathers. Based on the definitions in the Zoning Ordinance an “accessory” building is a structure that is subordinate to the main building, for which the use is incidental to the main building<sup>1</sup>. Also, within the definition of “dwelling unit” it specifically states that all rooms that comprise a dwelling unit shall have interior access through and interior doorway.<sup>2</sup>

The appellant is proposing to construct a pool, and with an adjacent 557 square foot building with three rooms containing a bathroom, gym, and a music studio. This building is identified as a “poolhouse” on the submitted plans. Each of these rooms has a separate exterior doorway access through a shared entryway. The property is one of 4 lots located within a residential planned development located on a private street. This project is proposed in conjunction with the retaining wall that will be constructed in the rear of this property that will create added yard area, as recently approved the Planning Commission as an amendment the approved residential planned development. The subject pool and poolhouse are shown on the conceptual landscape plan approved by Commission, and were included in the drainage analysis.

**Analysis**

Based on an interpretation that a “bathhouse” is intended to be limited to a bathroom and changing area staff initially determined that the detached structure proposed by the applicant is not a bathhouse. Also, since the identified use on the plans includes activities not normally considered part of a bathhouse, these additional rooms may serve purposes other than changing/bathroom facilities related to the pool use.

The appellant is requesting that the Commission consider a broad interpretation of what is considered a bathhouse, or poolhouse, and recognize that the intended uses of the structure is clearly connected with the use of the pool and adjacent sun deck, and thus will be incidental to the main use of the main building. The applicant also correctly notes that the City approved a detached bathhouse at the property at 1801 Valley Park, a structure that contains a sitting room and laundry room. That structure was approved by staff as bathhouse, because the rooms were internally connected and were considered uses appropriate for a bathhouse. The applicant argues that the fact that the proposed rooms are not internally connected will actually reduce the possibility of a conversion to a dwelling or sleeping room.

Staff believes that since a bathhouse is not defined, but is generally understood as a structure used for changing clothes and since there is a potential for use of the detached structure as a rental unit, that a review of the project is warranted. Further, since the proposed structure includes a space for a music studio, it may be a potential nuisance if not properly insulated for sound attenuation. Therefore, the Commission may want to consider approving the structure only subject to recordation of a deed restriction limiting the detached structure to uses approved by the Commission, and the submittal of plans demonstrating that insulation for noise attenuation will be installed in the proposed music studio.

CONCUR:

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Ken Robertson  
Senior Planner

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Sol Blumenfeld, Director  
Community Development Department

#### Attachments

1. Applicant's letter
2. Plans

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<sup>1</sup>"**Accessory**" means a building, part of a building or structure or use which is subordinate to, and the use of which is incidental to that of the main building, structure or use on the same lot. Where the wall of an accessory building has a common wall or a portion of a common wall not less than four feet in length, such accessory building shall be considered as a part of the main building. The Zoning Ordinance does not contain a definition for bathhouse.

<sup>2</sup> "**Dwelling unit**" or "**apartment**" means one or more rooms in a dwelling or apartment house or apartment hotel designed for occupancy by one family for living or sleeping purposes, and having only one kitchen.

All rooms comprising a dwelling unit shall have interior access through an interior doorway not containing a deadbolt lock to other parts of the dwelling unit with the exception of accessory living quarters, provided that where a dwelling unit occupies two stories, interior access shall be provided between stories by an open unenclosed stairway.

For the purpose of this section, "**open stairway**" means a stairway which has a minimum of one wall which is not more than forty-two (42) inches high opening into at least one room from which the stairway connects each floor.

If in the opinion of the director of building and safety the design of a dwelling has the potential to be converted to additional dwelling units, the director may require a deed restriction to be recorded prior to issuance of a building permit.