



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

STAFF REPORT

DATE: August 3, 2022

TO: Hearing Officer

SUBJECT: Certificate of Exception #399

LOCATION: 1577 N. Fair Oaks Avenue and 25 W. Howard Street

APPLICANT: Alison Fung

ZONING DESIGNATION: FGSP-CL-1B (Fair Oaks-Orange Grove Specific Plan, Limited Commercial District 1, Subdistrict b)

GENERAL PLAN DESIGNATION: Low Mixed Use (0.0-1.0 FAR, 0-32 dwelling units per acre)

CASE PLANNER: Joseph Weaver

STAFF RECOMMENDATION: Adopt the Environmental Determination and Specific Findings in Attachment A to **approve** Certificate of Exception #399 with the conditions in Attachment B.

PROJECT PROPOSAL: Certificate of Exception: To allow a lot line adjustment between two adjacent parcels at 1577 North Fair Oaks Avenue (AIN 5836-024-028 [Parcel #1]) and 25 West Howard Street (AIN 5836-024-004 [Parcel #2]). As a result of the lot line adjustment, the two lots would be consolidated into one 27,153 square-foot parcel. No construction is proposed as part of the application.

ENVIRONMENTAL DETERMINATION: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b) (9); Administrative Code, Title 14, Chapter 3, §15305, Class 5, Minor Alterations in Land Use Limitations) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15305 exempts minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or

density, including minor lot line adjustments not resulting in the creation of any new parcel. The project as proposed involves the consolidation of two existing parcels into one parcel on a site with an average slope less than 20 percent, and does not result in any changes in land use or density. Therefore the project is exempt from environmental review.

BACKGROUND:

Site characteristics: The site consists of two parcels, 1577 North Fair Oaks Avenue (20,625 square feet in area) and 25 West Howard Street (6,528 square feet in area). 1577 North Fair Oaks Avenue is located on the west side of Fair Oaks Avenue, north of Howard Street and is currently developed with a 13,708 square-foot, two-story building and an associated surface-level parking lot. 25 West Howard Street is located on the north side of West Howard Street, west of Fair Oaks Avenue and is vacant.

Adjacent Uses: North – Multi-Family Residential
South – Vehicle Services
East – Multi-Family Residential, Residential Care
West – Single-Family Residential, Multi-Family Residential

Adjacent Zoning: North – FGSP-RM-16 (Fair Oaks/Orange Grove Specific Plan - Multi-family Residential District, 16 units per acre).
South – FGSP-CL-1b (Fair Oaks/Orange Grove Specific Plan - Limited Commercial District 1, Subdistrict b).
East – FGSP-CL-1b (Fair Oaks/Orange Grove Specific Plan - Limited Commercial District 1, Subdistrict b).
West – RM-12 (Multi-Family Residential, Two Units Per Lot)

Previous Zoning Cases on this Property: Modification to Conditional Use Permit #5065: Major modification of Conditional Use Permit to establish a Religious Facility with ancillary homeless shelter. This modification relinquished the Minor Conditional Use Permit for shared parking and the Certificate of Exception to merge two lots into one. Approved August 18, 2010.

Conditional Use Permit #5065: 1) To establish a Religious Facility use within an existing building, 2) Minor Conditional Use Permit for shared parking and, 3) Certificate of Exception #311 to consolidate two parcels into one. Approved October 15, 2008.

PROJECT DESCRIPTION:

The applicant, Alison Fung, has submitted a Certificate of Exception application to allow a lot line adjustment between two adjacent parcels, 1577 North Fair Oaks Avenue (AIN 5836-024-028 [Parcel #1]) and 25 West Howard Street (AIN 5836-024-004 [Parcel #2]). The proposal would consolidate the two parcels into a single parcel. The parcel resulting from the boundary adjustment would have a lot size of 27,153 square feet.

The lot line adjustment would facilitate the conversion of the existing building at 1577 North Fair Oaks Avenue to a multi-family residential use. This application only concerns an adjustment to the existing lot boundaries, no demolition or new construction is proposed as part of this application.

ANALYSIS:

Applicants may request a Certificate of Exception application for a lot line adjustment between two or more adjacent parcels, where: 1) the land taken from one parcel is added to the adjacent parcel; and 2) a greater number of parcels than originally existed is not thereby created. The Hearing Officer may approve a Certificate of Exception provided the resulting parcels conform to the General Plan, any applicable Specific Plan, and zoning and building ordinances.

The applicant’s proposal would consolidate the two parcels into a single parcel, resulting in fewer parcels than currently exist. The analysis that follows discusses consistency with applicable provisions of the Zoning Code. The area of each existing parcel and the total after the lot line adjustment are shown in the table below.

Parcel #	Address	Assessor’s Number	Existing Size (sf)
1	1577 N. Fair Oaks Avenue	5836-024-028	20,625
2	25 W. Howard Street	5836-024-004	6,528
Total			27,153

Lot Size (Area and Width):

Both parcels are located in the FGSP-CL-1B zoning district. Pursuant to Zoning Code Section 17.33.050.A (Residential density and lot size requirements), the minimum lot area is 7,200 square feet, and the minimum lot width is 55 feet. The proposed lot line adjustment would result in a parcel with an area of 27,153 square feet, which complies with the minimum area requirement. The existing lot widths of 125 feet along Fair Oaks Avenue and 50’-6” along Howard Street would remain unchanged as part of the consolidation.

Floor Area Ratio:

The existing site consists of a 13,708 square-foot building, or a floor area ratio of 0.50. No addition to the existing building is proposed. The Zoning Code does not establish a maximum Floor Area Ratio (FAR) for the FGSP-CL-1B zone.

Setbacks:

No demolition or new construction is proposed as part of this application. All existing setbacks would remain. The existing structure on the resulting consolidated parcel would maintain a 20-foot front setback where a minimum of 15 feet is required. The existing structure would maintain a rear setback of 63’-7” where a minimum of 15 feet is required. The existing structure will maintain a 22-foot north side setback where a minimum of 15 feet is required and an 8’-3” south side setback where none is required. Lastly, an existing west side setback will no longer exist as the bordering property line is being removed. As a result, the new setback would be measured to the rear property line which would be 63’-7” and compliant with the rear setback requirement.

GENERAL PLAN CONSISTENCY:

The minor boundary adjustment would not conflict with the applicable General Plan land use designation, Low Mixed Use, which is intended to support the development of properties and/or buildings with a mix of compatible uses, including work/live units or ground floor retail and restaurant uses with office and/or residential uses above. The consolidation of the parcels would promote conformance with the applicable designation by providing a single lot area that could provide for open spaces, landscaping, and separations between buildings. Further, the mapping action would be consistent with Policy 2.1 (Housing Choices) and Policy 21.1 (Adequate and Affordable Housing) by providing an opportunity to develop the site with a full range and variety of housing types, such as a multi-family development with affordable housing.

ENVIRONMENTAL REVIEW:

This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b) (9); Administrative Code, Title 14, Chapter 3, §15305, Class 5, Minor Alterations in Land Use Limitations) and there are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Section 15305 exempts minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density, including minor lot line adjustments not resulting in the creation of any new parcel. The project as proposed involves the consolidation of two existing parcels into one parcel on a site with an average slope less than 20 percent, and does not result in any changes in land use or density. Therefore the project is exempt from environmental review.

COMMENTS FROM OTHER DEPARTMENTS:

The Departments of Public Works, Transportation, and Fire, the Building and Safety Division, Northwest Programs Office, and Design and Historic Preservation Section were given the opportunity to review the project. No comments were provided on this application.

CONCLUSION:

It is staff's assessment, based on the analysis of the project, that the findings necessary for approving the Certificate of Exception can be made as included in Attachment A of this report. The proposed lot line adjustment would take land one from one parcel and add to another, and would not result in a greater number of parcels. Any future development on the subject property would be required to conform to the development standards of the underlining zoning district. Therefore, staff recommends that the Hearing Officer approve the application with the recommended specific findings in Attachment A and the recommended Conditions of Approval in Attachment B.

Attachments:

Attachment A: Recommended Specific Findings

Attachment B: Recommended Conditions of Approval

ATTACHMENT A
SPECIFIC FINDING FOR CERTIFICATE OF EXCEPTION #399

Certificate of Exception

1. *The parcel resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.* The proposed project, a mapping action consolidating two lots into one lot, is consistent with the General Plan Objectives and Policies. The project specifically is conforms to Policy 2.1 (Housing Choices) and Policy 21.1 (Adequate and Affordable Housing) by providing an opportunity to develop the site with a full range and variety of housing types, such as a multi-family development with affordable housing. The proposed lot consolidation will not conflict with the development standards of the FGSP-CL-1b zoning district or applicable Fair Oaks-Orange Grove Specific Plan. Any future development on the site will conform to the development standards of the underlining zoning district and Building Code.

ATTACHMENT B
CONDITIONS OF APPROVAL FOR CERTIFICATE OF EXCEPTION #399

The applicant or successor in interest shall meet the following conditions:

General

1. The site/floor plans submitted for building permits and/or future development shall substantially conform to the site/floor plans submitted and stamped "Approved at Hearing, August 3, 2022," except as modified herein.
2. The right granted under this application must be enacted within 36 months from the effective date of approval. It shall expire and become void, unless an extension of time is approved in compliance with Section 17.64.040.C of the Zoning Code.
3. The approval of this application authorizes the consolidation of parcels 5836-024-028 and 5836-024-004 into one legal parcel, as depicted on the approved site plan.
4. The applicant or successor in interest shall provide to the Zoning Administrator a legal description and plan exhibit of the parcels resulting from this Lot Line Adjustment. The legal description and plan exhibit shall be prepared by a licensed civil engineer or land surveyor and shall include the wet stamp and signature of the author. The legal description shall substantially conform to the plans submitted with this application.
5. The applicant or successor in interest shall be responsible for recording with the Los Angeles County Recorder a Certificate of Compliance that has been approved by the Zoning Administrator, and furnishing a Grant Deed containing a legal description matching the legal description contained in the Certificate of Exception. This lot line adjustment shall not be effective until recorded with the Los Angeles County Recorder.
6. The applicant or successor in interest shall meet the applicable code requirements of all City Departments.