

## **DETERMINING FRONT YARDS, WHEN SUBJECT TO THE “PREVAILING SETBACK” REGULATION**

This information bulletin provides the general approach that should be used in determining the required front yard of main buildings or structures when subject to the “Prevailing Setback” regulation for RA, RE, RS, R1, and R2 zoned lots. A careful review of other regulations (i.e. Hillside Ordinance, Specific Plans, building line, lot orientation, etc.) must be taken into consideration once the site and the type of project is known so as to determine the applicability of using the “Prevailing Setback” regulation.

### **I. DEFINITIONS**

#### **Prevailing Setback**

“Prevailing Setback” is a phrase used to define the front yard regulations for RA, RE, RS, R1, and R2 zoned lots. The Zoning Code reads in part “... that where all of the developed lots which have front yards that vary in depth by not more than 10 ft comprise 40 % or more of the frontage, the minimum front yard depth shall be the average depth of the front yards of such lots. Where there are two or more possible combinations of developed lots comprising 40% or more of the frontage, each of which has front yards that vary in depth by not more than 10 ft, the minimum front yard depth shall be the average depth of the front yards of that combination which has the shallowest average depth. In determining the required front yard, buildings located on key lots, entirely on the rear half of lots, or on lots in the C or M Zones, shall not be counted; provided, however, that nothing contained in this paragraph shall be deemed to require front yards which exceed 40 ft in depth.”

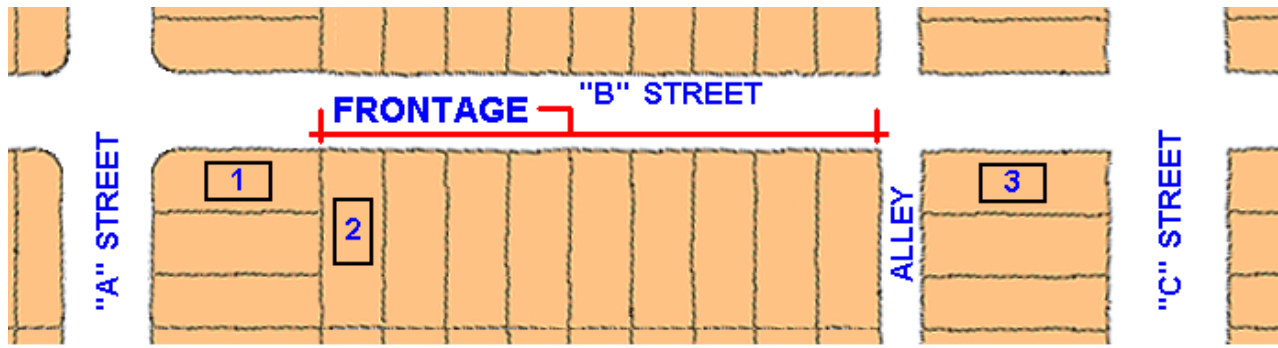
Due to the fact the above definition requires an average of such lots, there must be a minimum of 2 lots that have setbacks within 10 feet of each other in order to establish a prevailing setback.

#### **Frontage**

Zoning Code Section 12.03 defines a frontage as “all property fronting on one side of the street between intersecting or intercepting streets, or between a street and right-of-way, waterway, end of dead end street, or city boundary measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.”

An alley is a right-of-way and therefore defines the boundary of the frontage in the same manner as a street. A public walk, a flood control channel, or land dedicated to power transmission lines are all examples of public rights-of-way that define the boundary for frontage calculations.

See the drawing below which illustrates the definition of frontage.



**NOTES:**

1. A reverse corner lot does not contribute to the frontage on street "B" because it is fronting on street "A".
2. A key lot is included for the purpose of determining the frontage, but not for the setback averaging calculation.
3. This lot does not contribute to determining the frontage since it is located across the alley and is a corner lot fronting on street "C".

**II. HOW TO DETERMINE PREVAILING SETBACK**

**Step 1**

Measure all of the developed lots front yard setbacks and the frontage of all the lots fronting on the same side of the street where the lot for which the prevailing front yard setback is being determined.

**Step 2**

Determine the total length of street frontage of "...all property fronting on one side of the street..." where the front yard "Prevailing Setback" is to be applied.

**Step 3**

Determine the 40% of the total frontage as determined in Step 2.

**Step 4**

Select "...all of the developed lots which have front yards that vary in depth by not more than 10 ft..." Start by selecting the lot with the smallest front yard setback and add 10 ft. Include all the lots within that 10 ft range, excluding any lot which has a front yard established by a discretionary approval, such as a yard variance.

**Step 5**

Determine the total frontage of the selected lots. If the total frontage of the selected lots equals or exceeds the 40% of the total frontage determined in step 3, go to Step 6. If the total frontage of the selected lots is less than the 40% of the total frontage determined in step 2, move to the next larger front yard setback combination and repeat the selection process until the sum of the frontage of the lots equals or exceeds the required 40% frontage. If there are no combinations which yield a frontage which equals or exceeds the minimum 40% frontage, or if there are not at least 2 lots with setbacks within 10 feet of each other, then the "Prevailing Setback" regulation does not apply. Refer to the Zoning Code for the required front yard setback and consult with an LADBS staff member to make an appropriate determination.

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**Step 6**

Determine the required front yard setback by dividing the total front yard setbacks of the selected lots by the number of the selected lots. If the average front yard setback determined is greater than 40 feet, then the maximum required front yard setback is 40 feet.

**III. AUTOMATED PREVAILING SETBACK DETERMINATION**

You can utilize the computerized calculation available on LADBS website at <http://www.ladbs.org> by entering the data from Step 1 in Section II to determine the required front yard setback.

Click <http://www.permitla.org/PS/index.cfm> for Automated Prevailing Setback Calculation.

**IV. EXAMPLE**

The illustration below demonstrates how the “Prevailing Setback” for a new dwelling on Lot 9 is determined.

<i>Lot Number</i>	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
<i>Existing Setback (ft)</i>	21	23	19	30	24	(3)	14	23	(2)	22	26	29	27	29	29	14	11	(1)
<i>Lot Frontage (ft)</i>	50	45	45	55	50	(3)	40	50	55	45	50	55	60	55	50	55	50	(1)

**Steps 1 & 2.** Total Frontage <sup>(1)(2)(3)</sup>. Select Lot 1 thru 17.

Frontage = 40 + 3x45 + 6x50 + 5x55 + 60 = 810 ft

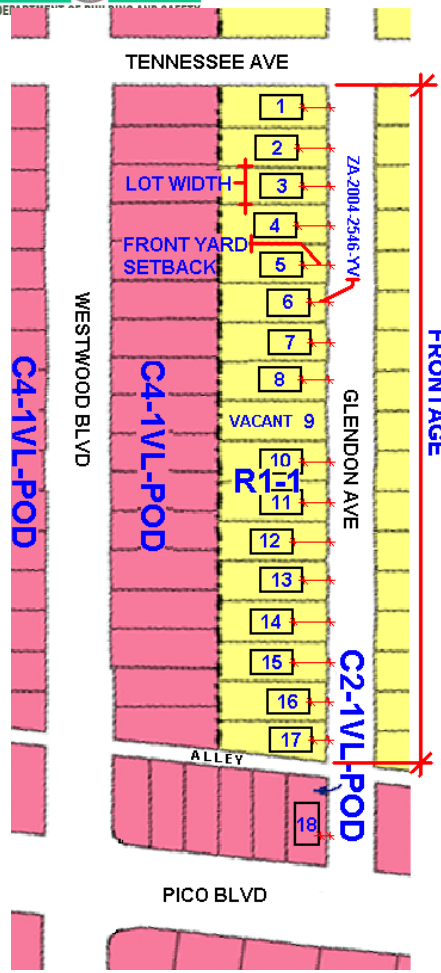
**Step 3.** Minimum Frontage Required.

40% Frontage = 0.4 x 810 ft = 324 ft

**Steps 4 & 5.** Lowest Range of Front Yard Setback Selected <sup>(3)</sup>. Lots 1, 3, 7, 16, and 17 are selected with the setbacks ranging between 11 ft and 21 ft. The frontage of these lots is:

Frontage <sup>(4)</sup> = 50 + 45 + 40 + 55 + 50 = 240 ft < 324 ft. Not good.

The next lowest combination selected are Lots 1, 2, 3, 5, 7, 8, 10, and 16 with setbacks ranging between 14 ft and 24 ft. The frontage is:



Frontage<sup>(4)</sup> = 50 + 45 + 45 + 50 + 40 + 50 + 45 + 55  
 = 380 ft > 324 ft. Good. Okay to average.

**Step 6. Setback Averaging Calculation<sup>(4)</sup>.**

Prevailing = ( 21 + 23 + 19 + 24 + 14 + 23 + 22 + 14 ) ÷ 8 = 20

The required front yard for Lot 9 is 20 ft.

**NOTES:**

- (1) Lot 18 is located across the alley, is a corner lot, and is a commercially zoned lot. It is not included in either the frontage calculation or the setback averaging calculation.
- (2) Lot 9 is a vacant lot. It is included in the frontage calculation, but not the setback averaging calculation.
- (3) Lot 6 has a front yard variance. It is not included in either the frontage calculation or the setback averaging calculation.
- (4) **All setbacks** within 10 ft of each other are averaged, not just 40% of the combination selected.