

Residential Building Setbacks

What are building setbacks?

A building setback is defined as the minimum allowable horizontal distance from a given point or line of reference, such as a street right-of-way or property line, to the nearest point of a foundation or supporting post or pillar of any applicable structure.

What are the building setbacks for my zone?

Each land use zoning district has different setbacks and are divided between land inside the Urban Growth Area (UGA), identified as Urban, and land outside the UGA, identified as Rural. The tables on page 5 identify the setbacks by zone for single-family lots.

Setbacks may vary from figures given in the following tables due to environmental factors on the property. In addition, some subdivisions require different setbacks based on when the subdivision was recorded.

What if my lot has access to a front and rear street?

Setbacks from both streets, under this situation shall be considered front setbacks. However, if one of the streets has restricted access, the setback from the restricted access street shall be considered a rear setback. Access is considered restricted to a street if any of the conditions below exist:

- a. A plat contains a note prohibiting access to one of the abutting streets
- b. The road is clearly determined to be a restricted access road, such as but not limited to, I-5, I-205, SR-14, SR-500,

Padden Expressway, other arterial roadways, etc.

- c. A covenant permanently restricting access to one of the abutting streets (with the county being a party to the recorded document) is recorded individually for a through lot
- d. Topographic constraints exist that prohibit access to the rear street based upon the Responsible Official's judgment

What are the setbacks for flag lots and lots that access from private easements?

The front yard building setback for flag lot is the horizontal distance between the flag pole and any structures. See the drawing on page 9.

Are there exceptions to these setbacks?

Certain architectural features and structures may project into required setbacks as explained below. See the drawing on page 10.

Front Setback

- a. Fire escapes, porches, balconies, decks, landing places, or outside stairways may project not more than six feet into the required front setback provided such features are open-sided and are uncovered
- b. Projections including bay windows, overhanging breakfast nooks, cornices, canopies, eaves, belt courses, sills or other similar architectural features and fireplaces may extend up to two feet into the required setback

Revised 5/6/13



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For an alternate format, contact the Clark County ADA Compliance Office.
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Rear Setback

- a. Projections such as bay windows and overhanging breakfast nooks may extend up to two feet into the required setback, provided such features are limited to ten horizontal feet per projection and limited to 30 percent of the linear dimension of the rear building elevation
- b. Cornices, canopies, eaves, belt courses, sills or other similar architectural features and fireplaces may extend up to two feet into the required setback
- c. Porches, decks, landings or stairways not more than 30 inches in height above finished grade may extend up to two feet into the required setback, provided such features are open-sided and are uncovered

Side Setback

The following features and structures may project into the required side setback not more than two feet; provided that no portion of the structure may be less than three feet to the property line:

- a. In the R1-5 and R1-6 zones only, projections such as bay windows and overhanging breakfast nooks may extend up to two feet into the required setback, provided such features are limited to ten horizontal feet per projection and limited to 30 percent of the linear dimension of the side building elevation
- b. Cornices, canopies, eaves, belt courses, sills or other similar architectural features
- c. Fireplaces
- d. Porches, decks, landings or stairways not more than 30 inches in height above finished grade, provided such features are open-sided and are uncovered

Aboveground utilities

Open porches or stoops, not exceeding 18 inches in height, and not approaching closer than 18 inches to any lot line.

Can my house eaves extend into a landscape buffer area?

Yes. Eaves that are 16 feet or more above grade may project 20 percent of the width of the buffer, up to a maximum of two feet.

Eaves seven feet or more above grade may project ten percent of the width of the buffer, up to a maximum of two feet.

Do I have to meet the setback requirements if the houses on either side of my house do not?

If there are dwellings on both abutting lots with front setbacks less than the required depth for the district, the front setback for the lot need not exceed the average front setback of the abutting dwellings.

If there is a dwelling on one abutting lot with a front setback less than the required depth for the district, the front setback need not exceed a depth of halfway between the depth of the front setback on the abutting lot and the required front setback depth.

In the R1-5, R1-6, R1-7.5, R1-10, R1-20 districts, where a temporary turnaround easement constitutes all or part of the front lot line, front setbacks shall be a minimum of ten feet from the temporary easement for the dwelling and 15 feet for the associated garage. Front setbacks from access and right-of-way easements intended to be permanent shall continue to be as stipulated by the applicable zoning district standard.

What if my house was built before the present setback standards were established?

Building setback lines which do not meet the requirements of this title but which were legally established prior to June 11, 1980, shall be considered the building line for alterations, remodels, and accessory structures on the lot or parcel, providing that no structure or portion of such addition

may further project beyond the established building line.

For the purpose of establishing setbacks from the property lines, any residential lot of record as defined in Section 40.100.070 in the Rural (R-5, R-10 and R-20), Resource (FR-80, FR-40, AG-20 and AG-WL), Urban Reserve (UR-10 and UR-20) and Urban Holding (UH-5, UH-10, UH-20, UH-40) districts, which has a smaller width, lot depth and/or lot area than that required by this title, may use that residential zoning classification which most closely corresponds to the dimension or dimensions of the lot of record, for the purpose of establishing setbacks from the property lines.

Are there special setbacks required from certain natural features like wetlands, steep slopes and floodplains?

Yes. Building setbacks will vary depending upon a number of factors. If your lot or a neighboring lot contains wetlands, habitat areas, floodplains, steep or unstable slopes, is near a waterway or near any archaeological sites, special setback requirements may apply.

Are the setbacks different if my lot is located within a WUII area?

Yes. Lots located within the Wildland Urban Interface/Intermix zone (WUII) are subject to special setback requirements in addition to other applicable setback regulations. No building located within the WUII zone shall be located within 30 feet of a property line.

The purpose of these setbacks is to help ensure that development and construction shall be designed, located and constructed to minimize the possibility of wildland fires involving structures and structural fires involving wildlands.

Are there special setbacks for lots that abut agricultural and forestry districts?

Yes. Any residential lot of record as defined in Section 40.100.070 in the rural (R-5, R-10 and R-20), Resource (FR-80, FR-40, AG-20 and AG-WL), Urban Reserve (UR-10 and UR-20) and Urban Holding (UH-5, UH-10, UH-20 and UH-40) districts, which has a smaller width, lot depth and/or lot area than that required by this title., may use that residential zoning classification which most closely corresponds to the dimension or dimensions of the lot of record, for the purpose of establishing setbacks from the property lines.

Do building setbacks listed on the plat map apply?

In some cases, special building setbacks are noted on the plat. These setback notes are required to address special circumstances and must be followed. Where more than one setback standard is required for the same setback, the most restrictive setback applies.

What are the setbacks for retaining walls and fences?

There are a number of requirements for walls and fences depending upon your situation:

- a. Construction of private retaining walls or fences within public rights-of-way is prohibited. Exceptions to this prohibition shall require approval of the Public Works Director.
- b. The construction of retaining walls four feet or less in height and fences six feet or less in height may be constructed within public easements. Exceptions may be granted when written approval has been obtained from the easement holder.
- c. The construction of retaining walls in excess of four feet in height and fences in excess of six feet in height shall meet the setback requirements of the underlying zone. This does not apply

when an exception under (a) and (b) above has been granted and exposed faces of retaining walls over four feet in height are directed toward the interior of the lot.

information, please refer to Clark County Code Title 40.

Do garden sheds need to meet any setback requirements?

A garden shed, gazebo and/or play house meeting all of the following requirements may be located in the side or rear setback of single-family residential districts (R1-5, R1-6, R1-7.5, R1-10 and R1-20):

- a. The structure contains no more than 120 square feet of floor area, with overhangs that do not exceed 16 inches
- b. The structure is setback from property lines a minimum of two feet
- c. The floor elevation is 18 inches or less in height
- d. The structure is less than 12 feet in height
- e. Roof drainage is contained on-site
- f. No utilities are connected to the structure
- g. If the structure is located within a utility easement the property owner must obtain a waiver letter from all applicable utilities

What if my lot is too narrow or small to meet the setbacks of my zone?

Lots of record in the rural (R-5, R-10 and R-20), Resource (FR-80, FR-40, AG-20 and AG-WL), Urban Reserve (UR-10 and UR-20) and Urban Holding (UH-5, UH-10, UH-20 and UH-40) districts, which has a smaller width, lot depth and/or lot area than that required by this title, may use that residential zoning classification which most closely corresponds to the dimension or dimensions of the lot of record, for the purpose of establishing setbacks from the property lines.

Note: This handout is not a substitute for county code. For more detailed

Urban Zones

Table 40.220.010-3. Setbacks, Lot Coverage and Building Height

| Zoning District | Minimum Setbacks | | | Maximum Lot Coverage | Maximum Building Height (feet) | |
|-----------------|-----------------------------|------------------------|-----------------|----------------------|--------------------------------|-------------------------------|
| | Front ^{3,6} (feet) | Side ^{4,5,10} | | | | Rear ^{4,5,10} (feet) |
| | | Street (feet) | Interior (feet) | | | |
| R1-20 | 10 ⁸ | 10 | 10 ⁹ | 20 | 50% ¹ | 35 ⁷ |
| R1-10 | 10 ⁸ | 10 | 7 ⁹ | 15 | 50% ¹ | 35 ⁷ |
| R1-7.5 | 10 ⁸ | 10 | 5 | 10 | 50% ¹ | 35 ⁷ |
| R1-6 | 10 ⁸ | 10 | 5 | 10 | 50% ² | 35 ⁷ |
| R1-5 | 10 ⁸ | 10 | 5 | 10 | 50% ² | 35 ⁷ |

¹ Carports and solar energy systems are excluded from this provision; provided, that the total lot coverage limitation is not exceeded by more than ten percent as a result of these exceptions.

² Solar energy systems are excluded from this provision; provided, that the total lot coverage limitation is not exceeded by more than ten percent as a result of this exception.

³ Front setbacks shall be measured from the edge of any street right-of-way, street tract, street easement, or driveway easement that provides access to the lot, including any separate pedestrian easement that may exist between a street and the front setback line.

⁴ Setbacks to driveway and pedestrian easements that do not provide access to a subject lot shall be a minimum of five feet.

⁵ Setbacks from alleys to all structures including entrances to garages shall be a minimum of five feet.

⁶ For those lots that receive vehicle access only by an alley, the front setback may be reduced to ten feet.

⁷ Accessory buildings shall meet the height requirements of Section 40.260.010(D).

⁸ Front setbacks for garages in these zones shall be a minimum of eighteen feet.

⁹ The minimum setbacks for interior side yards on pie-shaped lots shall be five feet.

¹⁰ Side and rear setbacks from abutting property zoned for natural resource or surface mining uses shall be a minimum of fifty feet for all structures.

Note also that structures used to house livestock in the urban zones must comply with Section 40.260.235

| Table 40.220.020-3. Setbacks, Lot Coverage and Building Height | | | | | | | | |
|--|--|---------------------|-------------------|---------------|----------------------------|-------------------|--------------------------|----------------------------------|
| Zoning District | Minimum Setbacks ¹ | | | | | Max. Lot Coverage | Max. Bldg. Height (feet) | |
| | Front ^{4,7} (feet) | Side ^{5,6} | | | Rear ^{5,6} (feet) | | | Between Buildings on Site (feet) |
| | | Street (feet) | Interior (feet) | | | | | |
| | | | Multifamily | SF and Duplex | | | | |
| Standards for Uses Other Than Residential Single-Family Detached Dwelling Units | | | | | | | | |
| R-12, R-18 | 20 | 10 | 10 | 5 | 20 | 8 | 50% | 35 ³ |
| R-22, R-30, R-43 | 20 | 10 | 10 | 5 | 20 | 8 | 50% | 45 ³ |
| OR-15, OR-18, OR-22, OR-30, OR-43 | 20 | 10 | 10 | 10 | 15 | 8 | 50% | 45 |
| Standards for Residential Single-Family Detached Dwelling Units | | | | | | | | |
| R-12, R-18, R-22 | 20 | 10 | None ² | | None ² | 8 ² | 50% | 35 ³ |
| R-22 | 20 | 10 | None ² | | None ² | 8 ² | 50% | 45 ³ |
| OR-15, OR-18, OR-22 | 20 | 10 | None ² | | None ² | 8 ² | 50% | 45 ³ |
| R-30, R-43, OR-30, OR-43 | Single-family detached development in these zones shall use the standards provided for non-single-family development within the districts. | | | | | | | |

¹ Additional setbacks and/or landscape requirements may apply, particularly when abutting residential uses or zones. See Section 40.320.010.

² Setbacks shall be identified for each lot on the face of the plat. Minimum dwelling separation shall be eight feet. The review authority can approve a request to reduce the eight foot separation to five feet on up to 25 percent of the lots design considerations. For reductions on over 25 percent of the lots, the review authority may approve separation reductions to five feet where:

1. The applicant can demonstrate that topographic or design constraints would cause the loss of additional lots. Reduction could be granted only at a rate of one reduction for each lot which would be lost, or
2. The applicant can demonstrate that the proposed setback reductions will result in a clear public benefit. Where any portion of a buildings, including eaves or other projections, are within three feet of the property line or closer than six feet to adjacent structures special construction standards may apply.

³ Height limits may be exceeded by a conditional use permit.

⁴ Front setbacks shall be measured from the edge of any street right of way, street tract, street easement, or driveway easement that provides access to the lot, including any separate pedestrian easement that may exist between a street and the front setback line.

⁵ Setbacks to driveway and pedestrian easements that do not provide access to a subject lot shall be a minimum of five feet.

- ⁶ Setbacks from alleys to all structures including entrances to garages shall be a minimum of five feet.
- ⁷ For those lots that receive vehicle access only by an alley, the front setback may be reduced to ten feet.

Note also that structures used to house livestock in the urban zones must comply with Section 40.260.235

Rural Zones

| Zoning District | Minimum Setbacks ¹ | | | | Maximum Lot Coverage | Maximum Building Height (feet) |
|-----------------|-------------------------------|---------------|-----------------|-----------------|----------------------|--------------------------------|
| | Front (feet) | Side | | Rear (feet) | | |
| | | Street (feet) | Interior (feet) | | | |
| FR-80 | 50 ² | 25 | 50 ³ | 50 ³ | N/A | 35 ⁴ |
| FR-40 | 50 ² | 25 | 50 ³ | 50 ³ | N/A | 35 ⁴ |
| AG-20 | 50 ² | 25 | 50 ³ | 50 ³ | N/A | 35 ⁴ |
| AG-WL | None | None | None | None | N/A | None |

¹ See Section 40.200.070(D) for nonconforming lots.

² From public road right-of-way or private road easement.

³ All structures.

⁴ Residential buildings only.

| Zoning District | Minimum Setbacks ⁴ | | | | | Maximum Lot Coverage | Maximum Building Height (feet) |
|-----------------|-------------------------------|---------------|---------------------|---------------------|----------------------------------|----------------------|--------------------------------|
| | Front (feet) | Side | | Rear (feet) | Between buildings on site (feet) | | |
| | | Street (feet) | Interior (feet) | | | | |
| R-20 | 50 | 25 | 20, 50 ¹ | 20, 50 ² | 8 | N/A | 35 ³ |
| R-10 | 50 | 25 | 20, 50 ¹ | 20, 50 ² | 8 | N/A | 35 ³ |
| R-5 | 50 | 25 | 20, 50 ¹ | 20, 50 ² | 8 | N/A | 35 ³ |

¹ Side Setback. Minimum side setback on each side of the residential dwelling and incidental buildings shall be 20 feet, and 50 feet for accessory buildings used for agricultural purposes (**this includes housing livestock**). Side setbacks from abutting property zoned for natural resource or surface mining uses shall be a minimum of 50 feet for all structures.

² Rear Setback. Minimum rear setback shall be 50 feet when abutting property zoned for natural resource or surface mining uses.

³ Residential buildings only.

| Table 40.210.020-5. Setbacks, Lot Coverage and Building Height – Rural Cluster Development | | | | | | |
|---|---|------------------|------------------|------------------|----------------------|--------------------------------|
| Zoning District and Lot Type | Location or Structure Type | Minimum Setbacks | | | Maximum Lot Coverage | Maximum Building Height (feet) |
| | | Front (feet) | Side (feet) | Rear (feet) | | |
| R-20, R-10, and R-5 – Cluster Lots and Remainder Lots | Adjacent to a cluster lot | 20 | 20 | 20 | N/A | 35 ² |
| | Adjacent to resource district | 200 ¹ | 200 ¹ | 200 ¹ | | |
| | Agricultural structures | 50 | 50 | 50 | | |
| | Vehicle entry gates or garage door openings | 20 | 20 | 20 | | |
| | All other situations | 50 | 20 | 50 | | |

¹ Except in cases where it can be shown that a lesser setback will provide the same or greater buffering or where requiring the normal setback will result in the location of the building sites within inappropriate areas such as wildlife habitat or wetland areas or the dimensions of the development site render it unbuildable.

² Residential buildings only.

| Table 40.210.040-2. Lot Requirements | | | |
|---|--------------------------|--------------------------|--------------------------|
| Zoning District | Minimum Lot Area (acres) | Minimum Lot Width (feet) | Minimum Lot Depth (feet) |
| UR-20 | 20 ¹ | 350 ² | None |
| UR-10 | 10 ¹ | 350 ² | None |
| UR-40 | 40 ¹ | 350 ² | None |

¹ Utilities, structures and uses including but not limited to utility substations, pump stations, wells, watershed intake facilities, gas and water transmission lines and telecommunication facilities may be permitted on newly approved lots of less than the minimum parcel size.

² Unless a greater width shall be required by the Clark County fire code.

| Table 40.210.030-3. Setbacks, Lot Coverage and Building Height | | | | | | |
|---|-------------------------------|---------------|---------------------|---------------------|----------------------|--------------------------------|
| Zoning District | Minimum Setbacks ⁴ | | | | Maximum Lot Coverage | Maximum Building Height (feet) |
| | Front (feet) | Side | | Rear (feet) | | |
| | | Street (feet) | Interior (feet) | | | |
| RC-2.5 | 25 | 25 | 10, 50 ¹ | 10, 50 ² | N/A | 35 ³ |
| RC-1 | 25 | 25 | 10, 50 ¹ | 10, 50 ² | N/A | 35 ³ |

¹ Side Setbacks. Minimum side setback on each side of the residential dwelling and incidental buildings shall be ten feet, and 50 feet for accessory buildings used for agricultural purposes (**this includes**

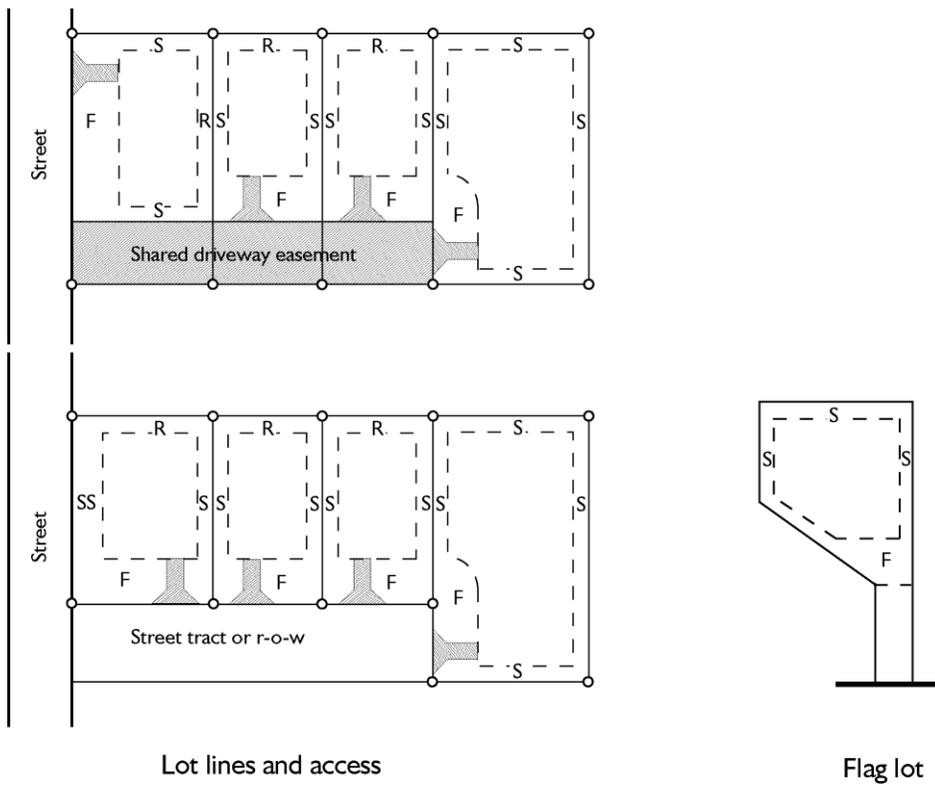
housing livestock). Side setbacks from abutting property zoned for natural resource or surface mining uses shall be a minimum of 50 feet for all structures.

² Rear Setbacks. Minimum rear setback shall be 50 feet when abutting property zoned for natural resource or surface mining uses.

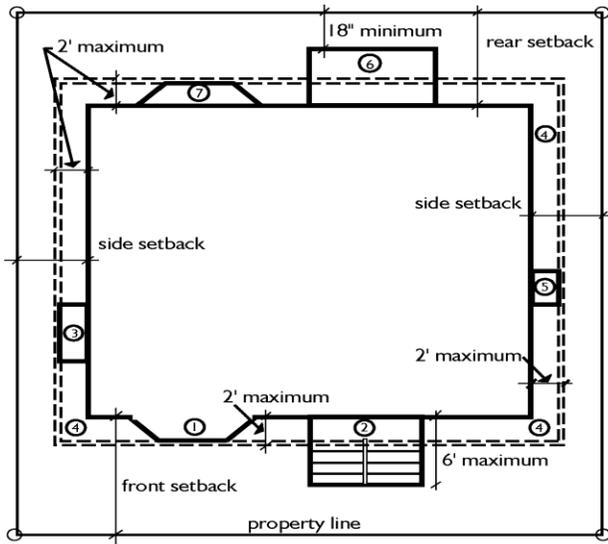
³ For all structures.

⁴ Setbacks for nonconforming lots shall be those as set forth for conforming lots except in cases where the standard setbacks will result in the buildable area of the lot being reduced to less than 10,000 square feet. In these cases setbacks may be reduced to achieve a building envelope of at least 10,000 square feet, however in no case may they be reduced to less than 20 feet for the front setback and 5 feet for the side and rear setbacks.

Flag lots and lots that access from private easements



Exceptions to building setbacks



This diagram represents a building whose main exterior walls are constructed to the minimum required front, rear and side setbacks.

1- projections including bay windows, overhanging breakfast nooks, cornices, canopies, eaves, belt courses, sills or other similar architectural features and fireplaces

2- fire escapes, porches, balconies, decks, landing places or outside stairways project not more than six (6) feet into the required front setback provided such features are open-sided and are not covered

3- fireplaces

4- cornices, canopies, eaves (including gutters), belt courses, sills or other similar architectural features

5- uncovered porches, steps, landings or stairways 30 inches or less in height

6- porches or stoops less than 18 inches in heights

7- bay window without extension of floor