



SETBACK REQUIREMENTS IN BENTON COUNTY (Definitions listed on last page)

RURAL LANDS 1 (RL-1) BCC 11.09

RURAL LANDS 5 (RL-5) BCC 11.11

RURAL LANDS 20 (RL-20) BCC 11.15

All lands, structures, and uses shall meet the following setback requirements, and if applicable, the setback requirements set forth in Chapter 15.02 BCC, Chapter 15.04 BCC, Chapter 15.06 BCC, Chapter 15.08 BCC, Chapter 15.12 BCC, Chapter 15.14 BCC and any additional setback requirements pursuant to Chapter 3.18 BCC.

- (1) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of fifty-five (55) feet from the centerline of any public road right-of-way or twenty-five (25) feet from the property line bordering any public road right-of-way, whichever is greater; and a setback of twenty-five (25) feet from the closest edge of any legally-established boundary line of a private access easement.
- (2) Each dwelling unit shall have a setback of twenty-five (25) feet from the rear parcel lines.
- (3) Each accessory building and accessory use shall have a setback of ten (10) feet from all alleys and the rear parcel lines.
- (4) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of ten (10) feet from the side parcel lines.
- (5) All shelters, coops, or other structures used for the habitation of livestock shall have a setback of at least thirty (30) feet from every property line of the parcel on which it is located, unless a greater setback is otherwise required under the Benton County Code.
- (6) All dwelling units and swimming pools shall have a setback of one hundred fifty feet (150) from any parcel located partially or wholly within the Growth Management Act Agricultural District (GMAAD) and from any adjacent orchard, hop yard, or vineyard (or combination thereof) of ten (10) acres or more on one parcel or on contiguous parcels under common ownership.
- (7) Cornices, eaves, belt courses, sills, fireplace chimneys, and open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project from a building three (3) feet into any required setback area; provided, none of these architectural features may be located within any easements.
- (8) Ground floor uncovered, unenclosed porches, platforms, or landings may extend or project from a building six (6) feet into the setback area but no closer than five (5) feet from any parcel line; provided, none of these architectural features may be located within any easements.

Any additional setback requirements pursuant to Chapter 3.18 BCC.

URBAN GROWTH AREA RESIDENTIAL (UGAR) BCC 11.07

- (1) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of twenty (20) feet from the property line bordering any public road right-of-way; and a setback of twenty (20) feet from the closest edge of any legally-established boundary line of a private access easement.
- (2) Each dwelling unit shall have a setback of fifteen (15) feet from the rear parcel lines.
- (3) Each accessory building and accessory use shall have a setback of ten (10) feet from all alleys and the rear parcel lines.
- (4) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of ten (10) feet from the side parcel lines.
- (5) All shelters, coops, or other structures used for the habitation of livestock shall have a setback of at least thirty (30) feet from every property line of the parcel on which it is located, unless a greater setback is otherwise required under the Benton County Code.
- (6) All dwelling units and swimming pools shall have a setback of one hundred fifty feet (150) from any parcel located partially or wholly within the Growth Management Act Agricultural District (GMAAD) and from any adjacent orchard, hop yard, or vineyard (or combination thereof) of ten (10) acres or more on one parcel or on contiguous parcels under common ownership.
- (7) Cornices, eaves, belt courses, sills, fireplace chimneys, and open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project from a building three (3) feet into any required setback area. However, none of these architectural features may be located within any easements.
- (8) Ground floor uncovered, unenclosed porches, platforms, or landings may extend or project from a building six (6) feet into the setback area but no closer than five (5) feet from any parcel line; provided, none of these architectural features may be located within any easements.

RED MOUNTAIN AGRICULTURAL DISTRICT (RMAD) BCC 11.19

SETBACK REQUIREMENTS. All lands, structures, and uses in the Red Mountain Agricultural District, shall conform to the following minimum setback requirements; unless otherwise excepted as provided in Ord. 611 §80:

- (a) Each structure on a lot shall have a front yard setback of fifty-five (55) feet from the centerline of any city, county, or state road right of way of sixty (60) feet or less in width, twenty-five (25) feet from the property line bordering any road wider than sixty (60) feet, and twenty-five (25) feet from the legally-established boundary line of any access and/or combined access and utility easement adjacent to or within the property.
- (b) Each structure on a lot shall have a setback of twenty (20) feet from its rear and side lot line(s).

SETBACK REQUIREMENTS--EXCEPTIONS. All lands, structures, and uses in the Red Mountain Agricultural District, shall have the following exceptions to setback requirements:

- (a) The following architectural features shall not be subject to required setbacks:
 - (1) Cornices, eaves, belt courses, sills, fireplace chimneys, and open, unenclosed stairways or balconies not covered by a roof or canopy, may extend or project from a building three (3) feet into the setback area;
 - (2) Uncovered, unenclosed porches, platforms or landings, which do not extend above the level of the first floor, may extend or project from a building six (6) feet into the setback area.

GMA AGRICULTURAL DISTRICT (GMAAD) BCC 11.17

All lands, structures, and uses in the GMA Agricultural District shall conform to the following minimum setback requirements; unless otherwise excepted as provided in BCC 11.17.130:

- (a) Each structure on a lot shall have a front yard setback of fifty-five (55) feet from the centerline of any city, county, or state road right of way of sixty (60) feet or less in width, twenty-five (25) feet from the property line bordering any road wider than sixty (60) feet, and twenty-five (25) feet from the legally-established boundary line of any access and/or combined access and utility easement adjacent to or within the property.
- (b) Each structure on a lot shall have a setback of twenty (20) feet from its rear and side lot line(s).
- (c) Those enclosures used in commercial dairy, hog, poultry, and rabbit operations, the propagation of fur bearing species for commercial purposes, or livestock auction yard shall have setbacks of one hundred (100) feet from all property lines; and a five hundred (500) foot setback from any existing residential structure on adjacent property not under common ownership with the operator of the facility.

EXCEPTIONS. All lands, structures, and uses in the GMA Agricultural District shall have the following exceptions to setback requirements:

- (a) The following architectural features shall not be subject to required setbacks:
 - (1) Cornices, eaves, belt courses, sills, fireplace chimneys, and open, unenclosed stairways or balconies not covered by a roof or canopy, may extend or project from a building three (3) feet into the setback area;
 - (2) Uncovered, unenclosed porches, platforms or landings, which do not extend above the level of the first floor, may extend or project from a building six (6) feet into the setback area.
- (b) Animal feedlots and livestock may be excepted from setback requirements in the following instances:
 - (1) When it is found that prevailing wind patterns and natural land formation such as banks, ridges, slopes, etc., would reduce the impacts to adjacent residents to insignificant levels, or where the adjacent residents are accessory to the same type of agricultural use, a minimum of three hundred (300) feet can be allowed as the setback requirement;
 - (2) In the case of livestock animals exhibited by youth groups such as FFA and 4-H who cultivate livestock projects for their educational value.

PARK DISTRICT (P) BCC 11.39

SETBACK REQUIREMENTS. All lands, structures, and uses in the Park District (P) shall meet the following setback requirements:

- (a) Each structure must be at least fifty-five (55) feet from the centerline of the public road right-of-way.
- (b) No structures shall be located within an easement or public road right-of-way.

COMMUNITY CENTER RESIDENTIAL DISTRICT (CCR) BCC 11.06

All lands, structures, and uses in the Community Center Residential District (CCR) shall meet the following setback requirements, and if applicable, the setback requirements set forth in Chapter 15.02 BCC, Chapter 15.04 BCC, Chapter 15.06 BCC, Chapter 15.08 BCC, Chapter 15.12 BCC, and Chapter 15.14 BCC.

- (a) Setback Requirements. The following minimum setbacks shall apply:
 - (1) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of fifty-five (55) feet from the centerline of any public road right-of-way or twenty-five (25) feet from the property line bordering any public road right-of-way, whichever is greater; and a setback of twenty-five (25) feet from the closest edge of any legally-established boundary line of a private access easement.
 - (2) Each dwelling unit shall have a setback of twenty-five (25) feet from the rear parcel lines.
 - (3) Each accessory building and accessory use shall have a setback of ten (10) feet from all alleys and the rear parcel lines.
 - (4) Each dwelling unit, accessory building, and accessory use on a parcel shall have a setback of ten (10) feet from the side parcel lines.
 - (5) All shelters, coops, or other structures used for the habitation of livestock shall have a setback of at least thirty (30) feet from every property line of the parcel on which it is located, unless a greater setback is otherwise required under the Benton County Code.
 - (6) Cornices, eaves, belt courses, sills, fireplace chimneys, and open, unenclosed stairways or balconies not covered by a roof or canopy may extend or project from a building three (3) feet into any required setback area; provided, none of these architectural features may be located within any easements.
 - (7) Ground floor uncovered, unenclosed porches, platforms, or landings may extend or project from a building six (6) feet into the setback area but no closer than five (5) feet from any parcel line; provided, none of these architectural features may be located within any easements.
 - (8) All dwelling units and swimming pools shall have a setback of one hundred fifty (150) feet from any parcel located partially or wholly within the Growth Management Agricultural Act District (GMAAD) and from any adjacent orchard, hop field or vineyard (or combination thereof) of ten (10) acres or more on one parcel or on contiguous parcels under common ownership.
- (b) Any additional setbacks required pursuant to Chapter 3.18 BCC shall apply.

LIGHT INDUSTRIAL DISTRICT (LI) BCC 11.33

HEAVY INDUSTRIAL DISTRICT (HI) BCC 11.35

PROPERTY DEVELOPMENT STANDARDS. All lands, structures and uses in the Light Industrial District (LI) shall conform to the following standards:

- (a) Lot Width. Each lot shall have an average lot width of not less than ninety (90) feet.
- (b) Setback Requirements. The following minimum setbacks shall apply:
 - (1) Each building on a parcel that is contiguous to a Community Center Residential (CCR), Rural Lands One Acre (RL-1), Rural Lands Five Acre (RL-5), Rural Lands Twenty Acre (RL-20), or Urban Growth Area Residential (UGAR) zoning district shall have a minimum setback of thirty (30) feet from said district border.
 - (2) Each building must be at least twenty-five (25) feet from the property line bordering any public road right-of-way and at least twenty-five (25) feet from the closest edge of any legally established boundary line of a private access easement.
 - (3) No building or structure shall be located within an easement or any public road right-of-way.

INTERCHANGE COMMERCIAL DISTRICT (IC) BCC 11.31

- (b) Setback Requirements. The following minimum setbacks shall apply:
 - (1) Each building on a parcel that is contiguous to a Community Center Residential (CCR), Rural Lands One Acre (RL-1), Rural Lands Five Acre (RL-5), Rural Lands Twenty Acre (RL-20), or Urban Growth Area Residential (UGAR) zoning district shall have a minimum setback of thirty (30) feet from said district border.
 - (2) Each building must be at least twenty-five (25) feet from the property line bordering any public road right-of-way and at least twenty-five (25) feet from the closest edge of any legally established boundary line of a private access easement.
 - (3) No building or structure shall be located within an easement or any public road right-of-way.

GENERAL COMMERCIAL DISTRICT (GC) BCC 11.23

- (b) Each building on a parcel that is contiguous to a Community Center Residential (CCR), Rural Lands One Acre (RL-1), Rural Lands Five Acre (RL-5), Rural Lands Twenty Acre (RL-20), or Urban Growth Area Residential (UGAR) zoning district shall have a minimum setback of thirty (30) feet from said district border.
- (c) Each building must be at least twenty-five (25) feet from the property line bordering any public road right-of-way and at least twenty-five (25) feet from the closest edge of any legally established boundary line of a private access easement.
- (d) No building or structure shall be located within an easement or any public road right-of-way.

COMMUNITY COMMERCIAL DISTRICT (CC) BCC 11.29

All lands, structures, and uses in the Community Commercial District (CC) shall meet the following setback requirements, and if applicable, the setback requirements set forth in Chapter 15.02 BCC, Chapter 15.04 BCC, Chapter 15.06 BCC, Chapter 15.08 BCC, Chapter 15.12 BCC, and Chapter 15.14 BCC.

- (a) Each building on a parcel that is contiguous to a Community Center Residential (CCR), Rural Lands One Acre (RL-1), Rural Lands Five Acre (RL-5), Rural Lands Twenty Acre (RL-20), or Urban Growth Area Residential (UGAR) zoning district shall have a minimum setback of thirty (30) feet from said district border.
- (b) Each building must be at least twenty-five (25) feet from the property line bordering any public road right-of-way and at least twenty-five (25) feet from the closest edge of any legally established boundary line of a private access easement.
- (c) No building or structure shall be located within an easement or any public road right-of-way.

UNCLASSIFIED DISTRICT (U) BCC 11.41

SECTION 157. FRONT YARD.

- (a) There shall be front yard setback of at least fifty-five (55) feet from the centerline of any city, county or state road right-of-way of sixty (60) feet or less in width. If the right-of-way width exceeds sixty (60) feet, the setback then shall be at least twenty-five (25) feet from the property line.
- (b) No building shall be hereafter erected or altered so any portion thereof shall be nearer to the front property line than the distance indicated in the preceding subparagraph, EXCEPT eaves, cornices, belt course, and similar ornamentations may project over a front yard not more than two (2) feet. Steps, terraces, platforms, and porches having no roof covering and being not over forty-two (42) inches in height may extend into a front yard.
- (c) There shall be a front yard setback of at least twenty-five (25) feet from any access and/or combined access and utility easement adjacent to or within the property.

SECTION 158. SIDE YARD.

- (a) There shall be a side yard of at least ten (10) feet on each side of any dwelling, multiple family dwelling, manufactured home (mobile home) or accessory structure, provided that on a corner lot the side yard on the street side shall be at least fifty-five (55) feet from the centerline of any city, county, or state road right-of-way sixty (60) feet or less in width. If the right-of-way width exceeds sixty (60) feet, the setback then shall be at least twenty-five (25) feet from the property line.
- (b) No building shall be hereafter erected or altered so that any portion thereof shall be nearer to the side lot line than the distance indicated by the width of the required side yard, EXCEPT:
 - (1) Eaves, cornices, belt courses, and similar ornamentations may extend over a side yard for a distance of not more than two (2) feet.
 - (2) Platforms, terraces, and steps, not over forty-two (42) inches in height may extend into the side yard.
 - (3) Fireplaces may extend into a side yard a distance of not more than eighteen (18) inches.

- (c) There shall be a side yard setback of at least twenty-five (25) feet from any access and/or combined access and utility easement adjacent to or within the property.

SECTION 159. REAR YARD.

- (a) There shall be a rear yard of at least twenty-five (25) feet.
- (b) No dwelling, multiple family dwelling or manufactured home (mobile home) shall be hereafter erected or altered so that any portion thereof may be nearer to the rear lot line than the distance indicated by the depth of the required rear yard, EXCEPT eaves, cornices, steps, platforms, and open porches may extend into the rear yard.
- (c) An accessory structure may be located within the required rear yard but no closer than ten (10) feet to the property line provided that no more than forty (40) per centum of the rear yard is occupied by the accessory building.
- (d) There shall be a rear yard setback of not less than twenty-five (25) feet from any access and/or combined access and utility easement adjacent to or within the property. (Applies to all buildings including accessory structures.)
- (e) For property that has the rear yard adjacent to a street (double frontage lots) all buildings or accessory structures shall be at least fifty-five (55) feet from the centerline of any city, county, or state road right-of-way sixty (60) feet or less in width. If the right-of-way width exceeds sixty (60) feet, the setback shall be at least twenty-five (25) feet from the property line.

DEFINITIONS

"FRONT PROPERTY LINE" means the front property line as shown upon the official recorded plat of the property. In all cases where the front property line cannot be determined from a recorded plat, it shall be the property line abutting or adjoining a public road, street, highway, or lane. If there is more than one property line adjoining or abutting a public road, street, highway or lane, the front property line shall be considered to be the property line along the principal or main travelled public way. In the event there is question as to which public way is the principal one, the Planning Administrator shall, upon request from the County Engineer or any interested party, designate the front property line for any specific lot and such designation shall be final for the purposes of this title.

"FRONT YARD" means the required open space between the front property line and the nearest part of any building on the lot.

"REAR PROPERTY LINE" means the property line of a lot most nearly parallel to the front property line of the same lot as defined in this title except that for a triangular shaped lot the rear property line shall be represented by the point of intersection of the two property lines which are not the front property line as defined in this title.

"REAR YARD" means the required open space on a lot extending along the rear property line through the whole width of the lot.

"SETBACK, FRONT" is the minimum horizontal distance measured perpendicularly from the centerline of the adjacent right-of-way to the nearest wall of the structure. Where there is a partial right-of-way, the setback shall be measured perpendicularly from the design centerline.

"SETBACK, SIDE AND REAR" is the minimum horizontal distance measured perpendicularly from the nearest property line to the nearest wall of the structure. Except that a side setback on a corner lot, along the adjacent right-of-way shall be measured perpendicularly from the center line of right-of-way. When there is a partial right-of-way, the setback shall be measured perpendicularly from the design centerline.

"SIDE YARD" means the required open space on a lot between the side wall line of a building and the side line of the lot, and extending from the front yard to the rear yard.