

**3505.13: Setbacks**

A setback is an undeveloped open area of fixed width within a parcel along the front, side or rear property line which shall remain free of any development and no building, structural improvement or paving is to be placed in any required setback except as provided in Section 3505.13.D. and E.

- A. **Setback Requirements:** The setback requirements for each zoning district, except for R-P and PUD zoning districts, are stated in Figure 3-6. Setback Requirements for R-P and PUD zoning districts shall be as stated in the R-P plan or PUD Designation. If setbacks are not stated in the R-P plan or PUD designation, the Code Administrator shall determine the setback requirements which apply in accordance with Section 3505.01.
- B. **Measuring Setbacks:** Setbacks are measured perpendicular from the lot or parcel boundary that borders the setback area to be measured. In addition, in those zone districts that require improvements to be setback from trails, such setbacks shall be measured perpendicular from the trail easement boundaries, not the edge of pavement, tread or shoulder.
- C. **Building to Building Setbacks:** Building to building setbacks are subject to the provisions set forth in the applicable building code unless otherwise stated in a PUD. If the building to building setbacks required per the applicable building code are more restrictive than those required by a PUD, then those restrictions in the building code shall prevail.
- D. **Road Setbacks:** Road setbacks are listed in Figure 3-6 and are based on the adjacent road classification. Where the road setback is greater than the property line setback, the road setback shall prevail. In PUDs and RP where no road setback is listed, the property line setbacks shall be used.
- E. **Trail Setbacks:** Setback distances from hard and soft surface trail easements or right-of-way shall be ten (10) feet. Setbacks from hard and soft surface recreational pathways may be reduced if approved by the Open Space and Trails Department and if one (1) or more of the following exists: 1) topography or natural vegetation that provides a visual separation such that any buildings or improvements on the site (driveways excepted) cannot be seen from the recreational pathway; or 2) if lot dimensions, preexisting structures or other physical site attributes preclude the ability of individuals to meet established setbacks.
- F. **Open Parking Areas:** Open parking area setback requirements are as follows:
  - 1. For Single-Family Detached and Duplex Dwelling Units, Including But Not Limited to Single-Family and Duplex Dwelling Units in R-P and PUD Zoning Districts: Where it is not possible to build a driveway to County standards because of the steepness of the lot, a parking area or parking platform may be constructed adjacent to the road right-of-way and within the required setback, subject to approval by the County Engineer per the applicable requirements of this Code.
  - 2. For CG, CN, B-1, B-3, I-1, M-1, Multi-family Residential Uses in R-P or PUD Zoning Districts, Commercial or Industrial Uses in PUD Zoning Districts and Other Non-residential Development:
    - a. Front and Street Side: Within ten (10) feet of the property line, except that no parking areas are allowed within 20 feet of property lines abutting highway or arterial rights-of-way.
    - b. Side and Rear: Within five (5) feet of the property line, except that no parking areas are allowed within 15 feet of a property line where that line is a boundary between:
      - i. A single-family and a multi-family residential zoning district.
      - ii. An area(s) of a PUD Zoning District and an area(s) of an R-P Zoning District where single-family and multi-family residential development abut.
      - iii. A residential zoning district (including an area of a PUD allowing residential development) and either a commercial or industrial zoning district, community or institutional facility or an area of a PUD allowing commercial or industrial development or development of a community or institutional facility.
      - iv. A mining zoning district and either a residential or commercial zoning district, community or institutional facility or an area of a PUD allowing residential or commercial development or development of a community or institutional facility.
      - v. Community and institutional facilities: Regulations regarding the placement of open parking areas serving community or institutional facilities shall be as stated for commercial uses in D.2 of this Section.
    - c. For Residential Development in All Zoning Districts in the County: Parking areas for single-family, duplex and accessory apartments can be located within the required setbacks if: (1) the

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parking is located in a driveway that is built to the standards outlined in the Road Standards and the driveway has not been expanded to accommodate parking beyond the width permitted by this Code; and (2) all applicable regulations contained in this Code relating to parking have been met. Parking areas for single-family, duplex or accessory apartments that is not accommodated in the driveways as required above must meet the parking area setbacks outlined above.

**G. Exceptions to Setback Requirements:**

1. **Duplex Units:** Where a lot line is to be established along the common wall shared by two (2) dwelling units in a duplex, the side setback requirement on either side of this lot line may be reduced or eliminated.
2. **Interior Property Lines:** Where a manufactured home park, multi-family residential, commercial, industrial or mixed-use development is proposed for a site consisting of two (2) or more contiguous parcels, setback requirements along the interior property lines may be reduced or eliminated if:
  - a. An overall development plan has been approved for the site and the site continues to be developed as one entity according to the approved development plan.
  - b. Structures do not cross parcel lines.
  - c. The Placement of structures complies with building-to-building setback requirements and with the requirements of the Building Code.
3. **Minor Structures and Uses:** The following minor structures and uses are allowed in any required setback, but shall not obstruct motorist's vision at access points.
  - a. Bus shelters used as a part of a community transit system.
  - b. Uncovered decks and patios within 18 inches of finished grade.
  - c. Driveways, including driveways that must be elevated due to topographic conditions.
  - d. Flagpoles that do not exceed the maximum height limit established in the underlying zoning district.
  - e. Mailboxes and newspaper tubes.
  - f. Landscape planters.
  - g. Play equipment.
  - h. Signs, with an approved sign permit.
  - i. Walkways.  
Walls and fences, as provided in Section 3505.17.
  - j. Minor utility facilities.
  - k. Light bollards/fixtures.
  - l. Sheds provided that 1) the sheds are located in the rear or side yard and are located a minimum of five (5) feet from all property lines (including the driplines of the shed); and 2) the maximum size of such shed shall not exceed 200 square feet of floor area nor shall the maximum height exceed eight (8) feet. Sheds larger than 200 square feet must be located outside of the required setbacks.
  - m. Ranch signs and similar entry structures for parcels greater than five (5) acres.
  - n. Signs as permitted by this Code, subject to any sign setbacks established in the Sign Regulations.
  - o. Hot tubs, provided that 1) the hot tubs are located in the rear yard, 2) a minimum setback of five (5) feet to all property lines is maintained, and 3) buffering or screening is provided to the adjoining property or properties.
  - p. Railings for walkways, patios, decks, stairs or driveways as required to meet code requirements.
  - q. Stairs less than 18 inches above finished grade.
  - r. Any structure if it is buried below natural grade if 1) the finished grade provides a smooth transition into the unaltered natural grade, and 2) the setback area retains its open character.
  - s. Typical non-structural residential recreational amenities including play sets, sandboxes, tree houses, benches, picnic tables, grills, dog houses and other similar non-structural residential recreational amenities that do not adversely impact the open character of the setback area.
  - t. Art.
  - u. Solar energy systems as indicated in Section 3507.01
  - v. Raised garden beds

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**H. Verifying Setbacks:** A Site Improvement Location Certificate (“SILC”) shall be required to verify setbacks when structures or improvements, which are not listed as an exception in Section G above, are within ten feet of a setback unless otherwise verified by the Planning Department.