



# Residential Zoning Rules

Applications for building permits must contain plans and information that show that the proposal meets the requirements of the International and Washington State building codes, as well as the building and zoning requirements of the City of Clyde Hill.

This document focuses specifically on selected City of Clyde Hill zoning requirements. This information contains excerpts from the City's code, paying particular attention to setbacks, height limitations and lot coverage requirements. For further zoning requirements or to view/download the complete Clyde Hill Municipal Code, go to: [www.clydehill.org](http://www.clydehill.org)

## **Building Envelope**

Every lot has specific setback requirements, structural and impervious coverage limits.

### **17.04.420 Definition of a setback**

“Setback” is a general term applying to the distances referred to in front, side and rear yard requirements, measured from the lot line to the eave line or the outermost extremity of a building or structure, whichever is closer to the lot line. For purposes of calculating setback distance where there is a street right-of-way, alley, access easement, or private road through the property, the measurement shall be taken from the edge of the right-of-way, alley, easement or road which is nearest the structure.

As shown in the drawing to the right, residential lots in Clyde Hill must have a 30-foot front yard setback and a 35-foot rear yard setback. The side yard setback depends on the size of the lot. No structure may be higher than 25-feet from the property's original grade. (Unusual lot configurations are discussed later.)

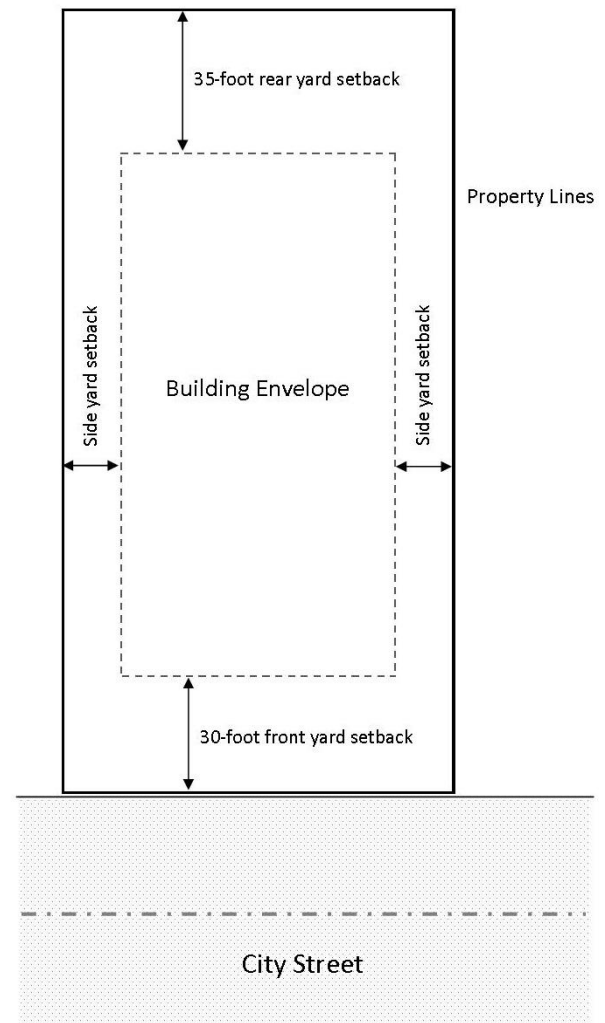
### **17.04.330 Original Grade**

“Original grade” means the topographic characteristics of the lot, tract or parcel as existed at the time of incorporation of the city (March, 1953) as determined by the public works director based upon information provided by the property owner, including, but not limited to, the following: a survey performed by a licensed surveyor, prior recorded plats, and/or a physical examination of the property by a licensed soils engineer.

The height and setbacks define a building envelope that can be thought of as a three-dimensional box within which new development can occur. All heights of buildings, structures, fences and the like are measured from the property's original grade. Each and every point on a structure must comply with the codified height limits.

### **17.16.020 Building height**

The height at any point of a building or structure (except chimneys and small dish antennas) shall not exceed 25 feet above the original grade. Chimneys and small dish antennas shall not extend more than five feet above any part of the building or structure. No accessory structure shall exceed 12 feet in height above original grade.

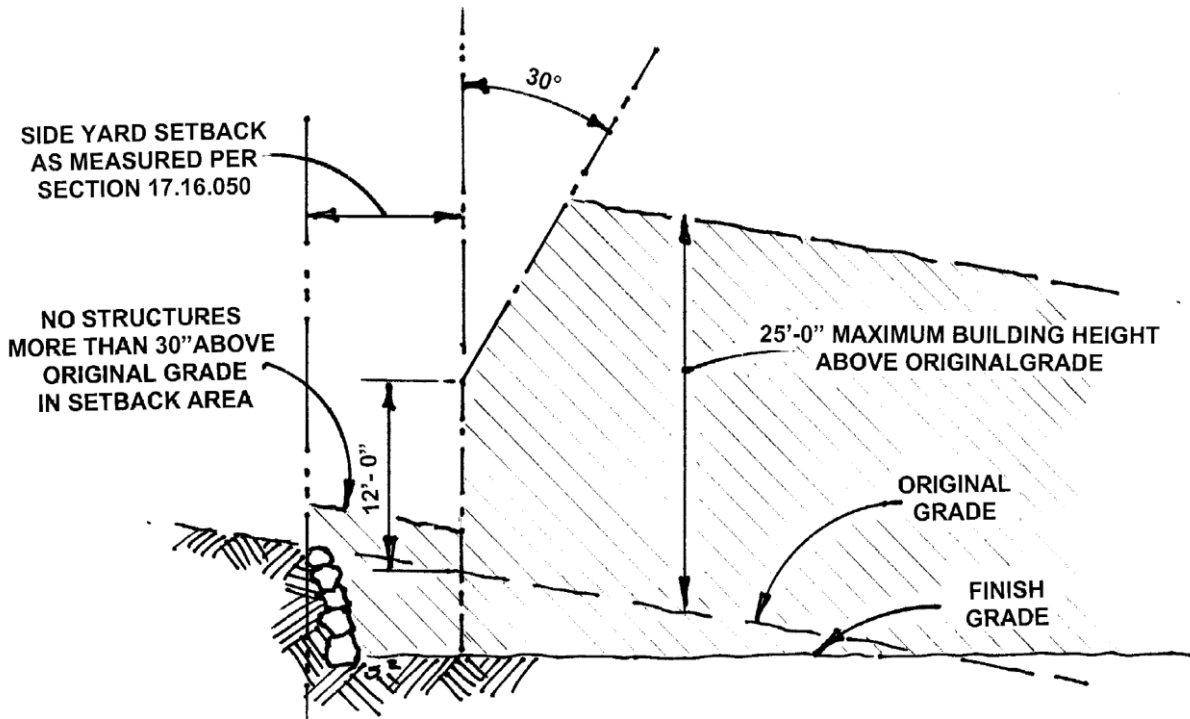


**Side Yards**

The side yard setback for a lot depends on the size of the lot as shown in this chart.

Lot Size	Minimum Side Yard Setback
Lots 15,000 square feet or larger	15 feet on each side.
Lots larger than 10,000 square feet, but smaller than 15,000 square feet	10 feet on each side, measured as described in subsection (B) of this section.
Lots 10,000 square feet or smaller	A total of 15 feet for both sides, with no side having a smaller setback than 5 feet, measured as described in subsection (B) of this section.

For lots smaller than 15,000 square the Clyde Hill 30° angle rule applies: starting at the appropriate distance from the side lot line, as determined by the chart above, draw a 12-foot high line that is perpendicular to grade. At the top of the 12-foot line, draw a line that angles away from the side lot line at a 30-degree angle normal to the side lot line. This line defines the setback area. No portion of a structure shall be closer to the side lot line than the angle line, including gutters or any other attachments.



**Side Yard Setback for Lots Smaller than 15,000 square feet**

## **Lot Coverage**

There are two different kinds of lot coverage; structural and impervious. Structural coverage may not exceed 30% and impervious coverage may not exceed 60% of the total square footage of the lot.

### **17.16.080 Lot coverage**

Structural coverage shall be limited to 30 percent (30%) of the building site.

Impervious coverage shall be limited to 60 percent (60%) of the building site.

Coverage is calculated using the outermost projection of a structure; this would include overhangs, gutters and even light fixtures. Products marketed as “pervious pavers” must be included in the impervious coverage calculation.

### **17.04.475 Structural coverage**

“Structural coverage” means area covered by buildings and/or structures; provided, that the following structures are excluded from the calculation of structural coverage when not more than 30 inches above original grade and not over any basement or story below: patios, platforms, decks, pools, spas, sport or recreation courts, walkways, and driveways.

### **17.04.255 Impervious coverage**

“Impervious coverage” means those hard surfaced areas which either prevent or retard the entry of water into the soil in the manner that such water entered the soil under natural conditions preexisting any development on the property, and/or those hard surface areas which cause water to run off the surface in greater quantities or at an increased rate of flow from that present under natural conditions pre-existing any development on the property, including, but not limited to, such surfaces as patios, platforms, decks, pools, spas, sport or recreation courts, walkways, driveways, storage areas, gravel, oiled macadam and areas included in structural coverage, and any other surfaces which similarly affect the natural infiltration or runoff patterns existing prior to development.

## **Substantial Remodel**

Remodel projects can range from a simple bathroom upgrade to a complete demolition of the interior of a home. Permit fees are based on the value of a project.

When a building permit is submitted, the project's value is determined by the Building Official. If the value of a project is greater than the City's substantial remodel threshold value, or if the value of multiple projects within a two-year period exceeds the threshold value, it is identified by the City as a substantial remodel. This value changes in January of each year.

**The 2017 substantial remodel threshold value is \$441,000.**

**105.04.050(F)** Section 109.3 IBC Amended (Building Permit Valuation). Section 109.3 of the International Building Code is hereby amended to read as follows:

The city council shall set plan review fees, permit fees and costs for inspections or additional plan review by resolution. The Building Official shall make the determination of value or valuation under any of the provisions of this Code. The value to be used in computing the building permit and building plan review fees shall be the total estimated current value of all labor, materials, contractor's overhead and profit, whether paid for or not, for the construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems, on-site storm drainage systems and improvements and any other permanent equipment.

Substantial remodels trigger the requirement that all the structures and the land upon which the structures are located become subject to the City's current zoning, drainage and on-site storm water detention system regulations. The applicant then has the following responsibilities:

## **Zoning**

The proposed work must meet the current zoning code and all existing structures on the property must be brought into compliance with the current zoning code. For example, buildings must comply with current setback and height restrictions and lot coverage requirements must be met.

In some cases, bringing a property into compliance may mean requesting a variance from the Board of Adjustment to continue use of a non-conforming structure.

## **Drainage**

A substantial remodel requires that the property be brought into compliance with the City's storm water drainage regulations as specified in Chapter 15, including connection to the City's storm water system.

## **Subdividing**

There are only a few properties left in the City that are big enough to subdivide. Any new lot created within the City must have an area of at least 20,000 square feet and meet the other requirements specified in Chapter 16 of the Municipal Code. A boundary line adjustment may not create a sub-standard lot.

### **17.16.030 Building site**

The minimum lot or tract area in the R-1 residence districts shall not be less than 20,000 square feet with a minimum frontage of 100 feet, which frontage shall be on a public street. For irregularly shaped lots, the minimum frontage width shall be measured at the front yard setback line. The minimum lot or tract depth shall be 100 feet. If a lot is serviced by a private road or pipe stem driveway, the private road or pipe stem driveway shall not be considered or included in the square footage of a lot for determining whether the lot meets the minimum required square footage.

## **Yard Designations**

Not all lots are a simple rectangle. The Municipal Code specifies how to assign yard designations and other restrictions for lots with unusual shapes or characteristics.

### **17.16.070 Corner lots**

When determining whether a lot is a corner lot under CHMC 17.04.280, SR 520 and 84th Ave NE shall not be considered. Each yard that borders on a road or right-of-way (other than SR 520 or 84th Ave NE) shall be considered a front yard. In the event a lot includes two or more front yard areas, the remaining yard areas of the lot shall be considered side yard areas. However, one of the side yard areas shall be treated as a rear yard solely for the purpose of allowing the placement of accessory structures.

### **17.16.075 Through lots**

When determining whether a lot is a through lot under CHMC 17.04.310, SR 520 and 84<sup>th</sup> Avenue NE shall not be considered. Through lots shall have only one vehicle entrance or driveway. The yard with the vehicle entrance or driveway shall be considered the front yard.

### **17.08.110 Yard designations for lots with more than four sides**

For any lot having more than four sides, the yard designations shall be as follows:

- A. The front yard(s) shall be that yard(s) which abuts the public right(s)-of-way. However, for non-corner lots that abut S.R. 520 or 84<sup>th</sup> Avenue NE, the side of the lot that abuts S.R. 520 or 84<sup>th</sup> Avenue NE shall be considered a rear yard.
- B. The side yards shall be those yards that are adjacent to the front yard(s).
- C. The remaining sides or yards shall conform to the yard requirements of the adjacent property.

## **Accessory Structures**

Accessory structures, such as swimming pools, sport courts, gazebos and hardscape features must comply with specific rules. **This list is an overview; for specific details see the Municipal Code.**

- A structure is anything which requires more or less permanent location on the ground and is attached to something with a permanent location on the ground. Items such as pools, courts, driveways and retaining walls are structures.
- Accessory Structure Limitations:
  - ~ There may be up to three accessory structures on a lot.
  - ~ An accessory structure may not exceed 12 feet in height above original grade and the maximum projected roof area must be 220 square feet or less.
  - ~ The total square footage of all accessory structures on one lot shall not exceed 340 square feet.
  - ~ No structures that exceed 30 inches above original grade are allowed in the front or side setbacks.
  - ~ Accessory structures located in the rear yard setback must be at least 10 feet from property lines.
- Garages and Carports:
  - ~ May not be located within the front, side or rear yard setbacks.
  - ~ The maximum square footage of all floors contained within a detached garage may not exceed 1150 square feet. The maximum square footage of all floors contained within a carport shall not exceed 800 square feet.
  - ~ Garages and carports may not be used for commercial activities.
- An accessory building may not be closer than three feet to the main building.
- Fences higher than six feet are allowed on certain arterials and around recreational courts. A fence in excess of six feet requires a building permit and is considered an accessory structure.
- Light standards are considered accessory structures and shall be 12 feet or less in height and be at least three feet from any property line.
- Swimming Pools:  
Please review Chapter 17.48 for the City's swimming pool zoning regulations. Pools are one of the few structures allowed in the front yard setback. Fences, house door alarms and safety covers are generally required to safeguard children and pets.
- Arbors and Trellises:
  - ~ No more than two of these types of structures may be located within the setbacks of a lot.
  - ~ Shall be no higher than eight feet above original grade.
  - ~ Shall not exceed 30 square feet of horizontal area, or more than 15 lineal feet.
  - ~ If stand-alone and in a setback, they shall be no closer than five feet to a property line.

## **Fences**

Constructed fences may be erected with no permit as long as they are six feet or less above original grade. Rear and side yard fences may be on the property line. Fences in the front yard must be set back two feet from the property line to allow for aesthetic softening between the fence and the street with landscaping.

Living fences must be maintained at eight feet or less above original grade.

## **Courts**

Building a tennis or sport court requires a permit. Court surfaces must be properly drained and must be added into the impervious lot coverage. The impervious area may not exceed 60% of the total square footage of the lot.

- Courts are not allowed in the front yard setback area.
- Fences that enclose a court may be up to 12 feet above original grade and shall be openwork.
- Fences over six feet are considered accessory structures and require a building permit. They shall be set back 10 feet from any property line.
- Light standards are considered accessory structures and shall be 12 feet or less in height, be at least three feet from any property line and be oriented such that the lights do not shine onto neighboring properties.