

1 **Chapter 25.29 R-4 DISTRICT REGULATIONS**

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16
17 25.29.010 Scope of regulations.

18 The following regulations of this chapter shall apply to all R-4 districts.

19 25.29.020 Permitted uses.

20 The following uses are permitted in the R-4 districts:

21 (a) All uses permitted in the R-1, R-2 and R-3 districts, subject to the same restrictions,
22 regulations and limitations that apply to those uses in their respective districts;

23 (b) Multi-family residential uses. Within the boundaries of the Downtown Specific Plan, there
24 shall be an average maximum unit size for multi-family residential uses of 1250 square feet. Average
25 maximum unit size is defined as the maximum value allowed when averaging the square footage of gross
26 floor areas of all residential units in a project.

27 (c) Accessory uses as described for R-1 districts.

28 25.29.030 Conditional uses.

29 The following are conditional uses requiring a conditional use permit:

30 (a) All uses permitted with a conditional use permit in the R-1, R-2 and R-3 districts and
31 subject to the same restrictions and limitations;

32 (b) Bungalow courts, court apartments and similar uses;

1 (c) Hospitals, sanitariums, nursing or convalescent homes and similar uses, but excluding
2 animal hospitals;

3 (d) Clubs, associations and similar uses;

4 (e) Apartments and residential hotels;

5 (f) Except within the R-4 Incentive District, any building or structure that is more than thirty-
6 five (35) feet in height. Within the R-4 Incentive District, any building or structure which is more than fifty-
7 five (55) feet in height.

8 (g) In association with a church or other religious or nonprofit institution, provision of
9 temporary shelter for homeless individuals or families, provided that the facility is located within a
10 transportation corridor and the use does not occur continuously at any one location for more than six (6)
11 months of any twelve (12) month period.

12 (h) Within the R-4 Incentive District only, limited corner store retail as defined in Section
13 25.08.392, subject to the following standards:

14 (1) There shall be no more than 2000 square feet of gross floor area devoted to the limited
15 corner store retail use.

16 (2) Limited corner store retail may sell food products, household items, hardware, newspaper
17 and magazines.

18 (3) Limited corner store retail may offer freshly prepared foods for on-site consumption or
19 take-out, but the food preparation and dining space shall not exceed twenty (20) percent of the store's
20 gross floor area.

21 (4) Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m.

22 (5) No permanently installed security bars shall be allowed, only retractable or removable
23 security features may be used.

24 25.29.040 Building regulations.

25 All building regulations required in R-3 districts shall apply with the following exceptions which
26 shall require a conditional use permit:

27 Bungalow courts, court apartments and similar uses may be composed of two (2) or more
28 detached dwellings on the same lot.

29 25.29.045 Design review.

30 Construction and alterations as designated in Chapter 25.57 shall be subject to design review
31 under that chapter.

32 25.29.050 Lot dimensions and lot requirements.

1 (a) Lots of six thousand nine hundred ninety-nine (6,999) square feet or less must have an
2 average width of not less than fifty (50) feet and all such lots or parcels of land shall have a frontage of
3 not less than fifty (50) feet on a public street; lots of seven thousand (7,000) square feet to nine thousand
4 nine hundred ninety-nine (9,999) square feet must have an average width of not less than fifty (50) feet
5 and all such lots or parcels of land shall have a frontage of not less than fifty-five (55) feet on a public
6 street; and lots of ten thousand (10,000) square feet or more must have an average width of not less than
7 fifty (50) feet and all such lots or parcels of land shall have a frontage of not less than sixty (60) feet on a
8 public street; provided, however, that lots or parcels which face on the curve of a curved street, where the
9 radius of such curvature is less than forty-five (45) feet may have a lesser frontage but not less than thirty
10 (30) feet for a six thousand nine hundred ninety-nine (6,999) square foot or less lot or parcel, thirty-five
11 (35) feet for a seven (7,000) thousand square foot to nine thousand nine hundred ninety-nine (9,999)
12 square foot lot or parcel, or forty (40) feet for a ten thousand (10,000) square foot or larger lot or parcel.

13 (b) On the map adopted by Ordinance 712 and as subsequently amended, all lots shown in
14 white shall have an area of not less than five thousand (5,000) square feet; all lots shown within a border
15 of horizontal crosshatching shall have an area of not less than seven thousand (7,000) square feet; and
16 all lots shown within a border of vertical crosshatching shall have an area of not less than ten thousand
17 (10,000) square feet.

18 (c) Where frontage on a public street is impossible or impractical, the planning commission
19 may recommend an easement or easements providing ingress from and egress to a public street in lieu
20 of such street frontage. In any case, the city of Burlingame shall be made an owner of such easement.

21 An offer of grant or dedication of any such easement made to the city council shall be referred by
22 it to the planning commission which shall recommend the acceptance or denial of such offer to the city
23 council. Recommendations of acceptance may be conditional. The city council shall not accept or refuse
24 to accept any such offer until it has received and considered the recommendations of the planning
25 commission. The provisions of this subsection shall not apply to public service easements as such
26 easements are defined by Section 50432 of the California Government Code.

27 (d) Variances may be granted to the provisions of subsections a and b above in accordance
28 with the provisions of Chapter 25.54 of this code.

29 (e) The average width, lot frontage and minimum areas provided for in subsections a and b
30 above shall not apply to any lot or parcel of land of smaller dimensions appearing of record in the office of
31 the county recorder of the County of San Mateo, or of the city engineer of the city of Burlingame, prior to
32 June 18, 1958. No building permit shall be issued after said date for the construction of any building on

1 any lot divided or subdivided which does not comply with the minimum requirements set forth above,
2 except as varied by subsections c and d of this section.

3 (f) All the development requirements of Chapter 25.34 lot dimensions and requirements
4 shall apply to lands hereafter subdivided in accordance with the provisions of the Subdivision Map Act of
5 the State of California; provided, however, that the planning commission and the city council may, in the
6 considerations and acceptance of any tentative or final map submitted pursuant to the provisions of said
7 Subdivision Map Act, approve or accept any such tentative or final map wherein one or more lots or
8 parcels of land do not conform to all of the provisions of Chapter 25.34, when the planning commission
9 and the city council find that by reason of exceptional or extraordinary circumstances the approval or
10 acceptance of such maps will not adversely affect the comprehensive zoning plan of the city.

11 (g) No lands annexed to the city of Burlingame after May 31, 1960, which are thereupon
12 classified for residential uses shall be divided into lots having areas of less than ten thousand (10,000)
13 square feet each.

14 25.29.060 Height limitations.

15 No building or structure shall be constructed in an R-4 district which exceeds six (6) stories or
16 seventy-five (75) feet in height. Except within the R-4 Incentive District, a conditional use permit is
17 required for any building or structure which exceeds thirty-five (35) feet in height. Within the R-4 incentive
18 District, a conditional use permit is required for any building or structure which is more than fifty-five (55)
19 feet in height (refer to Section 25.29.030(f)).

20 25.29.070 Lot coverage.

21 The maximum lot coverage for all buildings and structures, including balconies, stairs, roof
22 overhangs exceeding twenty-four (24) inches, trellises and improvements which exceed thirty (30) inches
23 in height, shall be fifty (50) percent for interior lots and sixty (60) percent for corner lots.

24 25.29.075 Setback lines.

25 (a) The minimum front setback line shall be fifteen (15) feet as measured from the lot front,
26 provided that the setback line delineated on any approved subdivision map shall supersede any provision
27 of this chapter.

28 (b) If forty (40) percent or more of the frontage upon one side of a block is developed with
29 structures the front setback line for any new structure shall be the average of the actual front setback of
30 such existing structures, if such average exceeds fifteen (15) feet. Such measurement shall be to the
31 front wall or to any projection of the existing structure.

1 (c) Setbacks on certain streets. There shall be a minimum front setback on all buildings
2 constructed on lots which front on Park Road, between Howard and Peninsula Avenues, of five (5) feet.

3 There shall be a minimum setback of twenty (20) feet on all buildings constructed on El Camino
4 Real.

5 (d) The minimum side and rear setback lines shall be as follows; if front and rear lot lines are
6 unequal their average shall be the width at the midpoints of the two (2) side lot lines:

7 **Side Setback Lines (in feet)**

8 Lots 42' wide or less	3
9 Lots wider than 42', but less than 51'	4
10 Lots 51' wide or more, but less than 54'	5
11 Lots 54' wide or more, but less than 61'	6
12 Lots 61' wide or more	7

13 **Rear Setback Lines (in feet)**

14 1 and 2 story	15
15 More than 2 stories	20

16 (e) Minimum side setback for condominium developments shall be five (5) feet.

17 (f) Side setback requirement shall increase one foot for every floor above the first floor.

18 (g) The side setback for any dwelling on a corner lot shall be seven and one half (7-1/2) feet
19 for a building of two (2) stories or less and shall increase one foot for each additional story.

20 (h) A public building, church, library, museum or other similar use, either governmental or
21 private, shall be set back at least ten (10) feet from all lot lines.

22 **25.29.080 Exceptions.**

23 (a) The following shall be exceptions to both lot coverage and setback lines:

24 (1) Cornices or eaves projecting into a side setback no more than fifty (50) percent of the
25 required setback to a maximum of four (4) feet.

26 (2) Front entrance stairs and stoops with no roof to a maximum projection of six (6) feet into
27 the front and rear setback, such coverings shall be counted in lot coverage.

28 (3) Bay windows on the first floor projecting into the front setback no more than one foot six
29 (6) inches and not exceeding twenty (20) square feet in window casement area.

30 (4) Fireplace chimneys projecting into the front setback no more than two (2) feet and not
31 exceeding six (6) feet in width.

32 (b) The following shall be exceptions only to side and rear setback lines:

1 (1) Bay windows projecting not more than one foot six (6) inches into exterior side setbacks
2 on corner lots and not exceeding twenty (20) square feet in window casement area, at least three (3) feet
3 from any lot line, provided that bay window may not project into an interior side setback.

4 (2) A detached garage or other one story accessory building located within the rear thirty
5 (30) percent of a lot.

6 (3) Greenhouse windows projecting no more than one foot, a minimum of three (3) feet
7 above finished floor, not exceeding seventeen (17) square feet in window casement area and at least
8 three (3) feet from any lot line.

9 (c) The following shall be exceptions to lot coverage and side and rear setback lines:

10 (1) Fireplace chimneys projecting into the side and rear setback no more than two (2) feet
11 but no closer than two and one-half (2-1/2) feet from side property line and not exceeding six (6) feet in
12 width.

13 (d) Open balconies projecting not more than four (4) feet into a front setback and not to
14 exceed sixteen (16) feet in length. Multiple balconies so projecting from the same floor shall have a
15 minimum horizontal separation of ten (10) feet.

16 25.29.090 Underground garages in setback areas.

17 Garages may be constructed entirely below ground level and such underground garages may
18 project into any required yard or building setback area, subject to the following limitations:

19 (a) Plans for such underground garages, together with methods of access and egress for the
20 vehicles, must be prepared and submitted for approval by the planning commission prior to issuance of a
21 building permit;

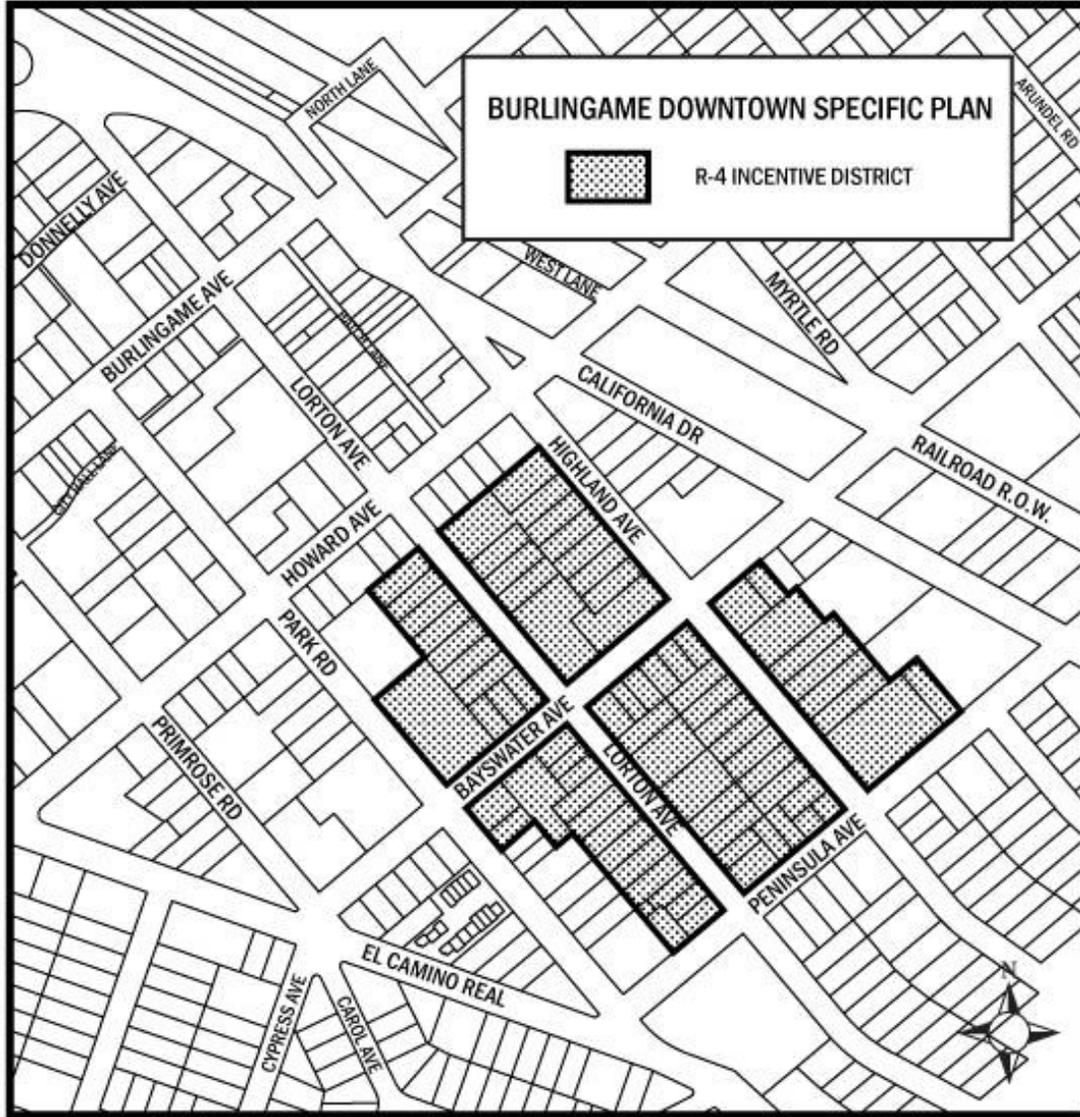
22 (b) The surface of the structure lying within a required yard or setback area shall be suitably
23 landscaped in keeping with the general character of the surrounding neighborhood;

24 (c) Plans for such landscaping and use of open space must be included in the submitted
25 plans and must be approved by the planning commission;

26 (d) The uppermost portion of any structure or attachment thereto within any required yard or
27 setback area shall not extend above natural grade;

28 (e) On lots abutting or fronting El Camino Real, underground garages may not be
29 constructed in any portion of the property line and the building setback line on such frontage but may be
30 constructed in accordance with the foregoing regulations in other portions of the property.

31 25.29.095 R-4 incentive district subarea.
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(a) The R-4 Incentive District is located within the Burlingame Downtown Specific Plan Area (refer to Figure 3.2 of the Downtown Specific Plan) located south of Howard Avenue between Highland Avenue and Park Road. In order to provide an incentive to encourage high density residential uses, buildings or structures up to fifty-five feet in height are allowed by right within this subarea (refer to Section 25.29.030 (f)).

25.29.100 Landscape requirements.

No more than forty (40) percent of the front setback of the building shall be paving or other impervious surface.