

## CHAPTER 17.12 - ESTABLISHMENT OF DISTRICTS

### 17.12.040 - Establishment of districts—Designated—General purposes.

- M. **Burbank Residential.** This district is primarily a single-family residential district with provisions for multifamily dwelling units that are consistent with the height, bulk and scale of adjacent development.
- W. **[R-60 or R-72] Single Family Residential District.** The purpose of this district is primarily to accommodate residential dwellings, neighborhood-serving public uses, and limited low intensity non-residential uses on small and medium-size lots.
- X. **[R-96] Suburban Residential District.** The purpose of this district is primarily to accommodate residential dwellings, neighborhood-serving public uses, and limited low intensity non-residential uses on large lots.
- Y. **Multiple Family Residential District.** The purpose of this district is primarily to accommodate high density residential dwellings, recreational facilities, schools, and low intensity service and cultural uses on large lots in close proximity to major streets.

**CHAPTER 17.18 - DEVELOPMENT STANDARDS—DENSITY AND DIMENSIONS**

**17.18.020 - Table of density and dimensional requirements.**

Zone	Minimum Lot Area Requirements 8,22,26		Residential Density per Acre <sup>16,17</sup>	Minimum Setback Requirements (in feet) <sup>22</sup>			Maximum Coverage (in percent)	Maximum Height (in feet)
	Size	Width (feet)		Front	Side	Rear		
Suburban Residential R-96	9,600 square feet	75	3.0	20	10(7)	20(7)	35	35
Single Family Residential R-72	7,200 square feet	50	3.0	20	5	20(7)	40(11)	35
Single Family Residential R-60	6,000 square feet	50	3.0	15	5	20(7)	40(11)	35
Multiple Family Residential	—	50	3.0	15	5	20(7)	45	50
Burbank Residential	—	—	3.0(15)	20	5	25(7)	35	35

## **Density and Dimensional Requirements Development Conditions:**

7. A side and/or rear yard setback may be reduced to five feet for a detached garage or similarly sized accessory building upon a determination by the director that:

A. The detached garage or similarly sized accessory building will be located entirely within the rear one third of the lot; and

B. Such detached garage or similarly sized accessory building will not be unduly detrimental to adjacent and surrounding property, nor to the zone in which approval is requested.

8. The minimum parcel size requirement shall not apply to the creation of parcels for use as publicly owned quarries, material stockpiling, rock crushing, road construction, road maintenance and mining equipment storage within the Exclusive Agriculture, Primary Agriculture, General Agriculture, Rural Remote forty acre, Rural Remote twenty acre, Rural Agriculture ten acre and Rural Agriculture five zoning districts. A note will be placed on the face of the recorded land division instrument (e.g., short plat, subdivision, etc.) stating that the site is not a buildable parcel for residential or commercial purposes.

11. Forty-five percent allowed with a two-family dwelling unit.

15. See ch. 17.18.050(D) for the maximum allowed density.

16. In urban growth areas the residential density per acre is the minimum density required for residential uses. See ch. 17.18.050 and 17.18.070.

17. Outside of urban growth areas the residential density per acre is the maximum density allowed for residential uses. See ch. 17.18.060.

22. The provisions of [ch. 17.31](#) shall supersede the minimum lot area requirements and the minimum setback requirements.

26. Public rights-of-way shall not be calculated into meeting the minimum required lot size of the respected zone.

**17.18.050 - Residential density in urban growth areas.**

- A. The residential density per acre in ch. 17.18.020 shall be the minimum density required for residential uses.
- B. **Minimum Residential Density Calculation.** To calculate the minimum number of residential dwelling units required for any given property in an urban growth area, the buildable site area is multiplied by the residential density per acre that applies to the zone in which the property is located. The result is the minimum number of dwelling units that must be accommodated on that property. For the purposes of this calculation, fractional values shall be rounded to the nearest whole number (0.5 and above rounded up; below 0.5, rounded down).

Example for determining the minimum number of residential dwelling units required on a 2.2 acre buildable site area property in an R-96 zone:

2.2 (buildable site area in acres)	x	3.0 (minimum residential density per acre)	=	6.6 rounded to 7 (minimum number of required dwelling units)
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- C. **Maximum Number of Dwelling Units.** The maximum number of dwelling units, allowed on a property shall be determined by dividing the buildable site area (in square feet) by the minimum lot area requirement for the zone in which the property is located. The result is the maximum number of dwelling units allowed on that property, provided that no lot shall be less than ninety-five percent (95%) of the minimum lot area requirement for the zone in which the property is located. For purposes of this calculation, fractional values shall be rounded to the nearest whole number (0.5 and above rounded up; below 0.5 rounded down).

Example for determining the maximum number of residential dwelling units allowed on a 2.2 acre buildable site area property in an R-96 zone:

2.2 acres (95.832 buildable site area in square feet)	/	9,600 square feet (minimum lot area requirement)	=	9.98 rounded to 10 (maximum number of allowed dwelling units)
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D. In the Burbank Residential zoning district the density for multi-family, mobile/manufactured home park, one-family, two-family, town-house and other residential uses shall not exceed four dwelling units per acre.

**Editor's note—** Ord. No. 471, § II, adopted Aug. 7, 2018, amended Subsection 17.18.050.D above on an interim basis until Aug. 7, 2019.

**17.16.014 – [Excepts from] Permitted Uses Table**

<b>Use</b>	<b>BR</b>	<b>R-96</b>	<b>R-72</b>	<b>R-60</b>	<b>RM</b>
One Family Dwelling Unit	P	P	P	P	
Two Family Dwelling Unit (Duplex)	P6	P6	P6	P6	
Multi-Family	P6				P
Townhouse	P6	P6	P6	P6	P
Mobile Home	P	P	P	P	
Manufactured Home	P	P	P	P	
Mobile/Manufactured Home - Medical Hardship	P	P	P	P	
Mobile/Manufactured Home Park	C				C
Adult Family Home	P	P	P	P	P
Long Term Care Facility	C				P
Senior Citizen Assisted Housing	AC				P
B&B, Type 1	P	P	P	P	P
B&B, Type 2	C	C	C	C	C
ADU	P2	P2	P2	P2	
Home Occupation, Type 1	P4	P4	P4	P4	P4
Home Occupation, Type 2	AC4				
Farmworker Dwellings	AC5				
Schools, public and private	P	P	P	P	P
Fire Station	C	C	C	C	C
Churches and Places of	C	P	P	P	P

Use	BR	R-96	R-72	R-60	RM
Worship					
Day Care, Family	P	P	P	P	P
Utility Facilities	C	C	C	C	C
Park	P	P	P	P	P
Recreational Facility, Public	C	C	C	C	C
Recreational Facility, less than 50% private	C	C	C	C	C
Libraries	P3				P
Museums					P
Assembly Hall	C3				
Growing of Crops	P	P	P	P	P
Colleges/Universities/Business Schools					C
Wireless Communication Facility	C5, 6				
Wireless Communication Facility, attached	P6				

1. The temporary placement of mobile/manufactured homes only applies to situations where there exists a personal hardship related to the aged, infirm or to persons incapable of maintaining a separate residence, whereby it is necessary to have someone living on the same premises. The following provisions are also required:
  - a. A signed doctor's statement indicating the need for care shall be submitted with the application;
  - b. The permit shall be issued for a specific person(s) and for a period of one year, requiring annual review and renewal. No change in occupancy shall take place without review of the planning commission. The mobile/manufactured home shall be removed within ninety days after the original need has ceased;
  - c. The county health department shall approve the provisions of water and sewer service to the temporary dwelling unit;
  - d. Each granting does not constitute an approval to divide land. The location of a temporary dwelling unit on a parcel of land shall not be considered the creation of

a separate dwelling site and the lot area, frontage and access requirements of the applicable zoning district shall not apply.

2. See the definition of accessory dwelling unit in ch. 17.08.
3. Up to twenty thousand square feet per establishment.
4. Proposed home occupations shall be subject to the review process and requirements described in sections 17.08.260 and 17.08.261.
5. A conditional use permit for a wireless communication facility shall be subject to the following additional standards:
  - a. Such facilities shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.
  - b. The applicant shall demonstrate the need for the proposed tower (wireless communication support structure) to be located near a residential area, the procedures involved in the site selection and an evaluation of alternative sites and existing facilities on which the proposed facility could be located or co-located.
  - c. A site development plan shall be submitted showing the location, size, screening, and design of all buildings and structures, including fences, the location, size and nature of outdoor equipment, and the location, number, and species of all proposed landscaping.
  - d. The facility shall be designed to be aesthetically and architecturally compatible with the natural and built environment. This includes, but is not necessarily limited to, building design and the use of exterior materials harmonious with the character of the surrounding neighborhood and the use of landscaping and privacy screening to buffer the facilities and activities on the site from surrounding properties. Any equipment or facilities not enclosed within a building (e.g., towers, transformers, tanks, etc.) shall be designed and located on the site to minimize adverse impacts on surrounding properties.
  - e. The applicant shall demonstrate a justification for the proposed height of the structures and an evaluation of alternative designs which might result in lower heights. If additional height over that allowed in the zone is justified, it may be approved by the planning commission.
  - f. The applicant shall include an analysis of the feasibility of future consolidated use of the proposed facility with other utility facilities.

These requirements shall not apply to utility facilities located on a property which are accessory to the property or to the transmission, distribution or collection lines and equipment necessary to provide a direct utility connection to the property or neighboring properties, or to those utility facilities located on public right-of-way.